

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 1, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

1

**PROCLAMATION REQUEST –  
UNITED WAY WEEK OCTOBER 5 – OCTOBER 10, 2009**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated September 8, 2009:

**Recommendation**

The City Clerk recommends:

- 1) That October 5 – October 10, 2009 be proclaimed as “*United Way Week*” in the City of Vaughan; and
- 2) That the proclamation be posted on the City’s website and published on the City Page online.

**Contribution to Sustainability**

N/A

**Economic Impact**

N/A

**Communications Plan**

The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations” and on the City Page online.

**Purpose**

To respond to the request received from the Chair and Vice Chair of the 2009 United Way of York Region Community Campaign.

**Background - Analysis and Options**

The correspondence received from the Chair and Vice Chair, of the 2009 United Way of York Region Community Campaign, dated June 9, 2009, is attached (Attachment #1).

The proclamation request meets the City’s Proclamation Policy, as follows:

“That upon request, the City of Vaughan issue Proclamations for events, campaigns or other similar matters:

- (i) which are promoted by any organization that is a registered charity pursuant to Section 248 of the Income Tax Act”

The United Way of York Region is launching a community campaign focused on raising awareness of and engaging residents in local priority issues that impact their lives. The United Way of York Region plans for this year include building on last year’s shared success, including a summit on mental health, a regional youth celebration and a follow up report of stories from across York Region.

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**Relationship to Vaughan Vision 2020/Strategic Plan**

This report supports the strategic priorities established by Vaughan Vision 2020, in particular “Enhance and Ensure Community Safety, Health and Wellness”.

**Regional Implications**

This report supports the promotion of awareness throughout the Region about the United Way Community Campaign.

**Conclusion**

Staff is recommending that October 5 – October 10, 2009 be proclaimed as “*United Way Week*” in the City of Vaughan, and that the proclamation be posted on the City’s website and the City Page online.

**Attachments**

Attachment #1 Correspondence from United Way of York Region, dated June 9, 2009

**Report prepared by:**

Connie Bonsignore, Administrative Assistant

(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 SEPTEMBER 21, 2009**

Item 2, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

2

**PROCLAMATION REQUEST –  
BIG BROTHERS BIG SISTERS MONTH – SEPTEMBER 2009**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated September 8, 2009:

**Recommendation**

The City Clerk recommends:

- 1) That September 2009 be proclaimed as “Big Brothers Big Sisters Month”; and
- 2) That the proclamation be posted on the City’s website and published on the City Page online.

**Economic Impact**

N/A

**Communications Plan**

The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations” and on the City Page online.

**Purpose**

To respond to the request received from the Development and Events Co-Ordinator of Big Brothers Big Sisters of York.

**Background - Analysis and Options**

The correspondence received from the Development and Events Co-Ordinator of Big Brothers Big Sisters of York is attached (Attachment #1).

The proclamation request meets the City’s Proclamation Policy, as follows:

“That upon request, the City of Vaughan issue Proclamations for events, campaigns or other similar matters:

- (i) which are promoted by any organization that is a registered charity pursuant to Section 248 of the Income Tax Act”

The Big Brothers Big Sisters of York is a service organization committed to matching children and youth with caring volunteer mentors. This organization currently serves over 400 children in York Region with a variety of programs including traditional 1:1, Go Girls! Healthy Minds Healthy Bodies, In School Mentoring, Mentoring for Teens, The Club, Activity night and Family and Couples Matches.

**Relationship to Vaughan Vision 2020**

This report supports the strategic priorities established by Vaughan Vision 2020, in particular “Enhance and Ensure Community Safety, Health and Wellness”.

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**Regional Implications**

This report supports the promotion of awareness throughout the Region.

**Conclusion**

Staff is recommending that September 2009 be proclaimed as “Big Brothers Big Sisters Month”, and that the proclamation be posted on the City’s website and the City Page online.

**Attachments**

Attachment #1 - Correspondence from Big Brothers Big Sisters of York, dated July 14, 2009

**Report prepared by:**

Connie Bonsignore, Administrative Assistant to the 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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Item 3, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

3

**PROCLAMATION REQUEST –  
CHILD ABUSE & NEGLECT PREVENTION MONTH – OCTOBER 2009**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated September 8, 2009:

**Recommendation**

The City Clerk recommends:

- 1) That October 2009 be proclaimed as “Child Abuse & Neglect Prevention Month”; and
- 2) That the proclamation be posted on the City’s website and published on the City Page online.

**Economic Impact**

N/A

**Communications Plan**

The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations” and on the City Page online.

**Purpose**

To respond to the request received from the Executive Director of Boost Child Abuse Prevention & Intervention.

**Background - Analysis and Options**

The correspondence received from the Executive Director of Boost Child Abuse Prevention & Intervention is attached. (Attachment #1).

The proclamation request meets the City’s Proclamation Policy, as follows:

“That upon request, the City of Vaughan issue Proclamations for events, campaigns or other similar matters:

- (i) which are promoted by any organization that is a registered charity pursuant to Section 248 of the Income Tax Act”

Boost Child Abuse Prevention & Intervention (formerly known as Toronto Child Abuse Centre) is planning their 5<sup>th</sup> annual **Go Purple for Prevention!** campaign, to raise awareness and provide education for the general public in their efforts to eliminate abuse and violence in the lives of children and youth. Boost is seeking the city’s support in pledging that caring for children is a communal commitment and to raise funds to support their primary prevention programs.

**Relationship to Vaughan Vision 2020**

This report supports the strategic priorities established by Vaughan Vision 2020, in particular “Enhance and Ensure Community Safety, Health and Wellness”.

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**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 3, CW Report No. 38 – Page 2

**Regional Implications**

This report supports the promotion of awareness throughout the Region.

**Conclusion**

Staff is recommending that October 2009 be proclaimed as “Child Abuse & Neglect Prevention Month”, and that the proclamation be posted on the City’s website and on the City Page online.

**Attachments**

Attachment #1 - Correspondence from Boost Child Abuse Prevention & Intervention, dated August 10, 2009

**Report prepared by:**

Connie Bonsignore, Administrative Assistant to the 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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Item 4, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

4

**PROCLAMATION REQUEST  
CHARACTER COMMUNITY WEEK: OCTOBER 25-31, 2009**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Regional Councillor Frustaglio, dated September 8, 2009:

**Recommendation**

Regional Councillor Joyce Frustaglio, Chair of the Character Community Committee recommends:

1. That October 25<sup>th</sup>-31<sup>st</sup>, 2009 be proclaimed as “**Character Community Week**” in the City of Vaughan; and
2. That the proclamation be posted on the City’s website and published on the City Page online.

**Contribution to Sustainability**

N/A

**Economic Impact**

N/A

**Communications Plan**

The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations”. Publishing proclamations on the City Page online.

**Purpose**

The Character Community Foundation of York Region is asking each Municipality to proclaim the week of October 25<sup>th</sup>-31<sup>st</sup>, 2009 Character Community Week.

**Background - Analysis and Options**

Last year, all Municipalities and the Regional Municipality of York proclaimed a week in October as Character Community Week. During this week, a number of events took place across the Region to raise awareness about the Character Community initiative.

Vaughan Events will be held at local malls, schools, business and community centres across York Region. Details of these events will be provided in a future report.

**Relationship to Vaughan Vision 2020/Strategic Plan**

Preserve Our Heritage And Support Diversity, Arts And Culture.

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

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**Regional Implications**

The City will continue to work with the Character Community Committee of York Region as well as staff will continue to be involved with the Character Community Coalition.

**Conclusion**

In support of the Character Community Foundation of York Region, the City of Vaughan will declare October 25-31, 2009 as Character Community Week.

**Attachments**

Letter from the Regional Municipality of York.

(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 5, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

**5 REMOVAL OF TEMPORARY CURBING AT 7365, 7371 AND 7373 MARTIN GROVE ROAD  
WARD 2  
(Referred Item)**

The Committee of the Whole recommends:

- 1) That, as per the request of Andrejs Management Inc., on behalf of the Board of Directors of York Region Condominium Corporation No. 911, in the written submission dated June 2, 2009 (Attachment 1), that the temporary curbing installed along the north side of the laneway between Vaughan Grove Park and Villa Amica, which provides access to 7365, 7371 and 7373 Martin Grove Road, be moved approximately 5 m to the north of its present position; and
- 2) That the following report of Councillor Carella, dated June 23, 2009, be received.

**Recommendation**

Council, at its meeting of June 30, 2009, adopted the following (Item 46, CW Report No. 35):

“That this matter be deferred to the Committee of the Whole meeting of September 8, 2009; and

That the memorandum from the Commissioner of Engineering and Public Works, dated June 29, 2009, be received.”

Recommendation of the Committee of the Whole of June 23, 2009:

“The Committee of the Whole recommends that a decision on this matter be deferred to the Council meeting of June 30, 2009, and that staff provide appropriate drawings and any other necessary information requested by Members of Council.”

Report of Councillor Carella, dated June 23, 2009

**Recommendation**

Councillor Tony Carella recommends

1. That the letter from Andrejs Management Inc., on behalf of the board of directors of York Region Condominium Corporation No. 911, be received, and
2. That the temporary curbing installed along the north side of the laneway between Vaughan Grove Park and Villa Amica, which provides access to 7365, 7371 and 7373 Martin Grove Road, be moved approximately 5 m to the north of its present position.

**Contribution to Sustainability**

Temporary curbing can be used flexibly, as in this case, meaning the cost of permanent curbing can be avoided.

**Economic Impact**

Nil

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**Communication Plan**

Not required

**Purpose**

To address the issue of impeded access caused by the narrowed driveway, a function of the current placement of the temporary curbing at this site.

**Background – Analysis and Options**

While the placement of curbing at this site was intended to end the parking of vehicle along the north side of the subject roadway, the intent has not been achieved, given the absence of on-going enforcement. When such parking occurs, access to the sites served by the roadway is reduced--a matter of concern to the seniors who form the bulk of the residents at both Villa Amica and Villa Giardino. Moving the temporary curbing will admittedly result in parking along the north side of the roadway, but that is occurring in any event; thus, even with such parking, the roadway will be of sufficient width once again to accommodate the widest of emergency vehicles.

**Relationship to Vaughan Vision 2020**

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

**Regional Implications**

None

**Attachment:**

- 1) Letter of Maureen O'Brien, Property Manager, Andrejs Management Inc.
- 2) Memorandum dated June 29, 2009

**Conclusion:**

The request is a reasonable one, given the issue raised by the correspondent.

**Report prepared by:**

Councillor Tony Carella, FRSA

(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 6, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

6

**NAMING OF FIRE STATION # 7-2 – WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Fire Chief, dated September 8, 2009:

**Recommendation**

The Fire Chief, in consultation with the City Manager and as per Item 1, Report No. 33 of the Committee of the Whole (Closed Session) which was adopted by the Council of the City of Vaughan on June 15, 2009, recommend:

1. That Fire Station # 7-2 (Keele and Rutherford) be formally named in memory of Firefighter Donald 'Chic' Milne, the first Vaughan Firefighter to lose his life in the performance of his duties in 1974.
2. That a special presentation to Council and the Milne family be held in Council Chambers on September 29, 2009.

**Contribution to Sustainability**

N/A

**Economic Impact**

A cost of approximately \$1500.00 for the bronze memorial plaque was incurred by the Fire Department.

**Communications Plan**

Corporate Communications will issue a media release naming Fire Station # 7-2 in memory of Donald 'Chic' Milne.

**Purpose**

The purpose of this report is to seek Council approval to formally name Fire Station # 7-2 in memory of Firefighter Donald 'Chic' Milne, the first Vaughan Firefighter to lose his life in the performance of his duties in 1974.

**Background - Analysis and Options**

Council, at its meeting on June 15, 2009, directed staff to report back in September 2009 recommending either an existing or proposed fire station be named in honour of Donald 'Chic' Milne. Staff has consulted with VFRS Senior Command, Vaughan Professional Firefighters Association and the Milne family, and as a result, this recommendation is being brought forward for consideration.

The following excerpt taken from the published book '*Their Last Alarm*' by Robert Kirkpatrick, describes the series of events as they unfolded that evening. "Late on the evening of Saturday, February 2, 1974, the Vaughan Fire Department responded to a house fire on Crestwood Road in

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#### Item 6, CW Report No. 38 – Page 2

the Bathurst and Steeles area of Vaughan. Trucks from the main station at Keele Street and Rutherford Road in the village of Maple responded, including Pumper 2 driven by firefighter Donald Milne. While laying out hose lines for his crew, firefighter Milne complained of chest pains and was rushed by police to York Central Hospital where he died early the next morning of heart failure.

Donald Leslie "Chic" Milne was forty-one years old and lived in Maple. He was originally from Aurora, where his father Charles had been on the volunteer department from 1933 to 1953. Donald joined the Vaughan Fire Department in July 1963 as a volunteer firefighter and became full time on July 1, 1966."

In a full uniform service, Donald 'Chic' Milne was carried to his final resting place in the Maple Cemetery aboard a Vaughan pumper in a driving snowstorm.

Although it has been over thirty-five years since Chic died, it remains appropriate to name a fire station in his memory. In making the ultimate sacrifice for his community, he deserves to be remembered.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

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

#### **Regional Implications**

There are no Regional Implications.

#### **Conclusion**

It remains appropriate that Vaughan Fire Station # 7-2 be named in memory of Firefighter Donald 'Chic' Milne, the first Vaughan Firefighter to lose his life in the performance of his duties. Dedicating Fire Station # 7-2 in memory of Donald 'Chic' Milne conforms to the City's Policy for Naming City Parks, Open Spaces, Community Facilities and Other Municipal Buildings and Properties.

#### **Attachments**

None

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

G.R. Senay, Fire Chief

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Item 7, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

**7 REQUEST FOR THE EXTENSION OF THE HIATUS BY-LAW 332-98 FOR INFRASTRUCTURE STIMULUS AND RINC FUNDED TENDERS**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Manager, dated September 8, 2009:

**Recommendation**

The City Manager in consultation with the Commissioner of Engineering & Public Works, Commissioner of Community Services, Director of Purchasing Services and the Director of Legal Services recommends:

1. That a Bylaw be enacted to extend the Hiatus By-Law 332-98 for the award of tenders relating to Infrastructure Stimulus and RINC funded projects.

**Contribution to Sustainability**

The extension of the Hiatus By-law 332-98 for Infrastructure Stimulus and RINC funded tenders will ensure utilization of funds to improve the level of service by the City's Infrastructure for the health and well-being of its Citizens.

**Economic Impact**

There is no economic impact as a result of this report.

**Communications Plan**

Awarded tenders will be communicated to Council in accordance with the Hiatus By-law.

**Purpose**

To keep Infrastructure Stimulus and RINC funded projects moving forward in order to meet the strict, required timelines.

**Background - Analysis and Options**

The Purchasing Policy requires Council's approval for award of all tenders over \$100,000.00. The approval and award process involves time after tender closings in accordance with the cycle of Committee of the Whole and Council Meeting dates. Bylaw 332-98 authorizes the City Manager or his designate to award tenders and authorize execution by the Mayor and Clerk during a hiatus of Council, including summer and election hiatuses.

The Infrastructure Stimulus Funding and RINC Program Guidelines state that Federal and Provincial funding may be cancelled for any project that has not begun construction within sixty (60) days of its start date as stated in the application submitted. There are approximately seventeen tenders which will close throughout September. Award of the Tenders for Infrastructure Stimulus and RINC projects only under the extended Hiatus By-law will enable the City departments to achieve the strict target by reducing the timeframe for the contract award.

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Item 7, CW Report No. 38 – Page 2

**Relationship to Vaughan Vision 2020/Strategic Plan**

The award of tenders through the Hiatus By-law will enable the City to complete the projects for local municipal improvement as a component of the City of Vaughan Strategic Plan and is in accordance with Vaughan Vision 2020.

**Regional Implications**

Not applicable

**Conclusion**

In order to achieve the strict, established timeline for expenditure under the Infrastructure Stimulus Fund and RINC Programs, it is recommended the Hiatus By-law be extended for only Infrastructure Stimulus and RINC funded tenders.

**Attachments**

None

**Report prepared by:**

George A. Wilson  
Director of Purchasing Services

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Item 8, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

8

**AWARD OF TENDER T09-271  
2009 ROAD RESURFACING/REHABILITATION – PART ‘A’ – WEST VAUGHAN  
VARIOUS LOCATIONS  
WARDS 1, 2, AND 3**

The Committee of the Whole recommends that in accordance with the memorandum from the Commissioner of Engineering and Public Works, dated September 8, 2009, no action be taken on this matter as Tender T09-271 for Road Resurfacing/Rehabilitation – Part ‘A’ – West Vaughan – Various Locations was awarded in accordance with the Hiatus By-Law 332-98.

**Recommendation**

The Commissioner of Engineering and Public Works in consultation with the Director of Purchasing Services and the Director of Reserves and Investments recommends:

That Tender T09-271 for Road Resurfacing/Rehabilitation-Part ‘A’ - West Vaughan-Vari-ous Locations be brought forward to Council for authorization to award.

**Contribution to Sustainability**

The rehabilitation of roads will ensure that an acceptable level of service by the City’s infrastructure is maintained for the health and well being of its citizens.

**Economic Impact**

The actual cost of the project will be established following receipt of bids, however, the estimated total cost has been included in the approved 2009 Capital Budget as amended by Council on June 30, 2009, as part of the Infrastructure Stimulus Fund – Shovel Ready Projects.

**Communications Plan**

Once the project is awarded, staff will advise the Ward Sub-Committee and will send out a notice of construction letter to the affected residents.

**Purpose**

Council approval to award Tender T09-271, Road Resurfacing/Rehabilitation-Part ‘A’ - West Vaughan-Vari-ous Locations

**Background - Analysis and Options**

The work covered by this tender includes the Road Resurfacing/Rehabilitation – Part ‘A’ – West Vaughan Various Locations. (See Location Plan No. 1, 2, 3 and 4 for project locations.)

The tender has been advertised with a closing date of August 26, 2009. Staff will prepare an additional information report for this item after the bids have been received and have been evaluated for Council’s consideration at the September 21, 2009 meeting. Construction is scheduled to commence in early October and is expected to be substantially completed by late November, 2009.

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Item 8, CW Report No. 38 – Page 2

**Relationship to Vaughan Vision 2020/Strategic Plan**

This project is consistent with Vaughan Vision 2020, particularly “Maintain Assets & Infrastructure.”

This report is consistent with the priorities previously set by Council.

**Regional Implications**

Not Applicable.

**Conclusion**

To be submitted in the additional information after the Tender has closed.

**Attachments**

1. Location Maps 1, 2, 3 and 4

**Report prepared by:**

John Zanchettin, C.E.T., Senior Engineering Assistant, ext. 3113  
Tom Ungar, P. Eng., CHRP, Design Engineer, ext 3110

JZ:mc

(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 SEPTEMBER 21, 2009**

Item 9, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

9

**AWARD OF TENDER T09-278  
2009 ROAD RESURFACING/REHABILITATION  
PART II – VARIOUS LOCATIONS  
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 8, 2009:

**Recommendation**

The Commissioner of Engineering and Public Works in consultation with the Director of Purchasing Services Department and the Director of Reserves and Investments recommends:

1. That Tender T09-278, 2009 Road Resurfacing/Rehabilitation – Part II, Various Locations be awarded to Fermar Paving Limited in the amount of \$758,374.50, plus G.S.T.;
2. That a contingency allowance in the amount of \$80,000.00, plus G.S.T. be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the Contract;
3. That a Geotechnical and Material Testing amount of \$8,000.00, plus G.S.T. be approved to ensure compliance with all applicable standards; and
4. That the Mayor and City Clerk be authorized to sign the appropriate documents.

**Contribution to Sustainability**

The rehabilitation of roads will ensure that an acceptable level of service by the City's infrastructure is maintained for the health and well being of its citizens.

**Economic Impact**

The total cost of \$872,000.00 for the project falls within the approved budget amount and as such, there is no additional economic impact to the 2009 Capital Budget.

Long range financial implications will include operating and maintenance costs associated with this type of infrastructure which are not quantified at this time, including long term replacement.

**Communications Plan**

Once the project is awarded, staff will advise the Ward Sub-Committee and will send out an Engineering Services 'Notice of Construction' letter to the affected residents.

**Purpose**

Council approval to award Tender T09-278, 2009 Road Resurfacing/Rehabilitation – Part II, Various Locations.

**Background - Analysis and Options**

The work covered by this tender includes the resurfacing and/or rehabilitation of various roads in

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the Maple area (Capital Budget Project EN-1729-09). (See Attachment No. 1 for project location).

This tender was advertised in the Daily Commercial News, on the Ontario Public Buyers Association (OPBA) and on the Electronic Tendering Network (ETN), and closed on August 21, 2009. A total of 10 sets of bid documents were picked up from Purchasing Services Department, and the following 9 bids were received:

<u>Contractor</u>	<u>Total Bid Amount (excl. G.S.T.)</u>
Fermar Paving Limited	\$758,374.50
Coco Paving Inc.	\$801,176.80
D. Crupi & Sons Limited	\$805,880.00
A. Wesley Paving Ltd.	\$811,928.00
Graham Bros. Construction Limited	* \$816,300.50
Furfari Paving Co. Ltd.	\$820,153.91
Vaughan Paving Ltd.	* \$918,328.00
Gazzola Paving Ltd.	\$965,927.60
Pave-AI Limited	\$972,158.00

\* Corrected for arithmetic error

The estimated cost for this project, including provisional items, a contingency allowance and all applicable taxes is \$872,000.00 and is calculated as follows:

Fermar Paving Limited Bid Price (excluding G.S.T.)	\$758,374.50
Contingency Amount (approx. 10%)	\$ 80,000.00
Geotechnical Inspections and Material Testing (estimated)	<u>\$ 8,000.00</u>
Sub-Total	\$846,374.50
G.S.T. (5% amount is 100% recoverable)	\$ 42,318.73
Treasury Administration (3%)	<u>\$ 25,391.23</u>
Total	\$914,084.46
Less G.S.T. Recoverable	<u>\$ (42,318.73)</u>
Net Total Cost	\$871,765.73

**ROUNDED \$872,000.00**

Engineering Services staff have reviewed the submitted bids. Fermar Paving Limited has successfully completed similar projects for the City and is deemed qualified to undertake this project. Therefore, it is appropriate to award this contract to the low bidder, Fermar Paving Limited.

**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:

- Pursue Excellence in Service Delivery;
- Enhance and Ensure Community Safety, Health & Wellness; and
- Lead and Promote Environmental Sustainability

This report is consistent with the priorities previously set by Council.

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**Regional Implications**

Not Applicable.

**Conclusion**

Staff recommends that this contract be awarded to Fermar Paving Limited in the amount of \$758,374.50, plus G.S.T.

**Attachments**

1. Location Map

**Report prepared by:**

Pat Marcantonio, C.E.T., Senior Engineering Assistant, ext. 3111  
Tom Ungar, P. Eng., CHRP, Design Engineer, ext. 3110

PM:mc

(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 SEPTEMBER 21, 2009**

Item 10, Report No. 38, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 21, 2009, as follows:

***By approving the following in accordance with the memorandum from the Commissioner of Engineering and Public Works, dated September 15, 2009:***

1. ***That Tender T09-285 Road Resurfacing/Rehabilitation – East Vaughan – Maple Area, Various Locations be awarded to Coco Paving Inc. in the amount of \$1,741,928.19, plus G.S.T.;***
2. ***That a contingency allowance in the amount of \$174,000.00, plus G.S.T. be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the Contract;***
3. ***That the City retain an engineering consulting firm to provide contract administration and inspection services, at an estimated cost of \$35,000.00, plus G.S.T. funded 2/3 from Infrastructure Stimulus Funding and 1/3 from Debenture Financing;***
4. ***That the City retain a geotechnical engineering firm to provide geotechnical and material testing and disbursements at an estimated cost of \$18,000.00, plus G.S.T., funded 2/3 from Infrastructure Stimulus Funding and 1/3 from Debenture Financing; and***
5. ***That the Mayor and City Clerk be authorized to sign the appropriate documents.***

10

**AWARD OF TENDER T09-285  
ROAD RESURFACING/REHABILITATION - EAST VAUGHAN - MAPLE AREA  
VARIOUS LOCATIONS  
WARDS 1 AND 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 8, 2009:

**Recommendation**

The Commissioner of Engineering and Public Works in consultation with the Director of Purchasing Services and the Director of Reserves and Investments recommends:

That Tender T09-285 for Road Resurfacing/Rehabilitation - East Vaughan – Maple Area -Various Locations be brought forward to Council for authorization to award.

**Contribution to Sustainability**

The rehabilitation of roads will ensure that an acceptable level of service by the City's infrastructure is maintained for the health and well being of its citizens.

**Economic Impact**

The actual cost of the project will be established following receipt of bids, however, the estimated total cost has been included in the approved 2009 Capital Budget as amended by Council on June 30, 2009, as part of the Infrastructure Stimulus Fund – Shovel Ready Projects.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 10, CW Report No. 38 – Page 2

**Communications Plan**

Once the project is awarded, staff will advise the Ward Sub-Committee and will send out a notice of construction letter to the affected residents.

**Purpose**

Council approval to award Tender T09-285, Road Resurfacing/Rehabilitation - East Vaughan – Maple Area - Various Locations.

**Background - Analysis and Options**

The work covered by this tender includes the road resurfacing and rehabilitations of various roads in the Thornhill area. (See Location Map for project locations).

The tender has been advertised with a closing date of September 8, 2009. Staff will prepare an additional information report for this item after the bids have been received and have been evaluated for Council's consideration at the September 21, 2009 meeting. Construction is scheduled to commence in early October and is expected to be substantially completed by late November, 2009.

**Relationship to Vaughan Vision 2020/Strategic Plan**

This project is consistent with Vaughan Vision 2020, particularly "Maintain Assets & Infrastructure."

This report is consistent with the priorities previously set by Council.

**Regional Implications**

Not Applicable.

**Conclusion**

To be submitted in the additional information after the Tender has closed.

**Attachments**

1. Location Map

**Report prepared by:**

Colin Cassar, C.E.T., Senior Engineering Assistant, ext. 3112  
Tom Ungar, P. Eng., CHRP, Design Engineer, ext 3110

CC:mc

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 11, Report No. 38, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 21, 2009, as follows:

***By approving the following in accordance with the memorandum from the Commissioner of Engineering and Public Works, dated September 14, 2009:***

1. ***That Tender T09-286 Road Resurfacing/Rehabilitation – East Vaughan – Thornhill Area, Various Locations be awarded to Furfari Paving Co. Ltd. in the amount of \$1,177,317.52, plus G.S.T.;***
2. ***That a contingency allowance in the amount of \$118,000.00, plus G.S.T. be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the Contract;***
3. ***That the City retain an engineering consulting firm to provide contract administration and inspection services, at an estimated cost of \$35,000.00, plus G.S.T. funded 2/3 from Infrastructure Stimulus Funding and 1/3 from Debenture Financing;***
4. ***That the City retain a geotechnical engineering firm to provide geotechnical and material testing and disbursements at an estimated cost of \$15,000.00, plus G.S.T., funded 2/3 from Infrastructure Stimulus Funding and 1/3 from Debenture Financing; and***
5. ***That the Mayor and City Clerk be authorized to sign the appropriate documents.***

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11 **AWARD OF TENDER T09-286  
ROAD RESURFACING/REHABILITATION - EAST VAUGHAN - THORNHILL AREA  
VARIOUS LOCATIONS  
WARDS 4 & 5**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 8, 2009:

**Recommendation**

The Commissioner of Engineering and Public Works in consultation with the Director of Purchasing Services and the Director of Reserves and Investments recommends:

That Tender T09-286 for Road Resurfacing/Rehabilitation - East Vaughan - Thornhill Area - Various Locations be brought forward to Council for authorization to award.

**Contribution to Sustainability**

The rehabilitation of roads will ensure that an acceptable level of service by the City's infrastructure is maintained for the health and well being of its citizens.

**Economic Impact**

The actual cost of the project will be established following receipt of bids, however, the estimated total cost has been included in the approved 2009 Capital Budget as amended by Council on June 30, 2009, as part of the Infrastructure Stimulus Fund – Shovel Ready Projects.

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**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

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**Communications Plan**

Once the project is awarded, staff will advise the Ward Sub-Committee and will send out a notice of construction letter to the affected residents.

**Purpose**

Council approval to award Tender T09-286, Road Resurfacing/Rehabilitation - East Vaughan - Thornhill Area - Various Locations.

**Background - Analysis and Options**

The work covered by this tender includes the road resurfacing and rehabilitations of various roads in the Thornhill area. (See Location Map for project locations).

The tender has been advertised with a closing date of September 4, 2009. Staff will prepare an additional information report for this item after the bids have been received and have been evaluated for Council's consideration at the September 21, 2009 meeting. Construction is scheduled to commence in early October and is expected to be substantially completed by late November, 2009.

**Relationship to Vaughan Vision 2020/Strategic Plan**

This project is consistent with Vaughan Vision 2020, particularly "Maintain Assets & Infrastructure."

This report is consistent with the priorities previously set by Council.

**Regional Implications**

Not Applicable.

**Conclusion**

To be submitted in the additional information after the Tender has closed.

**Attachments**

1. Location Map

**Report prepared by:**

Colin Cassar, C.E.T., Senior Engineering Assistant, ext. 3112  
Tom Ungar, P. Eng., CHRP, Design Engineer, ext 3110

CC:mc

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 12, Report No. 38, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 21, 2009, as follows:

***By approving the following in accordance with the memorandum from the Commissioner of Engineering and Public Works, dated September 16, 2009:***

1. ***That Tender T09-332 be awarded to 1460973 Ontario Limited O/A C.P. Systems, in the amount of \$284,904.00, plus G.S.T., per annum for a period of approximately two years (\$569,808.00 plus G.S.T. over 2 years), with an optional extension of one year. The total amount of the initial term of contract shall not exceed the approved capital funding of \$721,000;***
2. ***That staff be authorized to perform the necessary watermain protection up to the approved Capital Budget project amount; and***
3. ***That the Mayor and Clerk be authorized to sign the necessary documents.***

---

12 **AWARD OF TENDER – T09-332 WATERMAIN PROTECTION PROGRAM**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 8, 2009:

**Recommendation**

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

That the ward of Tender T09-332, for watermain protection, be brought forward to Council.

**Contribution to Sustainability**

This program has a direct impact on extending the life of the older ductile iron watermains.

**Economic Impact**

Funds for this work are allocated through the Capital Budget process.

**Communications Plan**

The tender was advertised in Vaughan Today (City Page), the Electronic Tendering Network and the Ontario Public Buyers' Association on Thursday August 6, 2009.

**Purpose**

To advise Council of the upcoming tender award for the watermain protection program.

**Background - Analysis and Options**

In 2003, the City of Vaughan introduced a Water main Protection Program to extend the service life of ductile and cast iron watermains. The program involves the placement of sacrificial anodes and test stations. The placement of the anodes is based on mainbreak history of the noted watermains.



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**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 12, CW Report No. 38 – Page 2

On Wednesday, August 26, 2009, tender T09-332 will close and due to the timing of the Committee and Council meetings, staff will not have had time to prepare a recommendation by the deadline for report submission for Agenda Review. However, it is anticipated that a further report will be coming forward to Council at its meeting of September 8, 2009 with a recommendation for award.

**Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities previously set by Council, specifically:

Goal: Service Excellence

Objective: Enhancing and Ensuring Community Safety, Health and Wellness.

Goal: Management Excellence

Objective: Maintain Assets & Infrastructure Integrity

**Regional Implications**

There are no implications to the Region as a result of this tender award.

**Conclusion**

Once staff have had an opportunity to review the tender documents, a further report will be submitted to Council with a recommendation for award.

**Attachments**

N/A

**Report prepared by:**

Tina Di Biase  
Technical Co-ordinator

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 13, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

13

**DAVOS ROAD AND VELLORE AVENUE  
ALL-WAY STOP CONTROL REVIEW  
WARD 3**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 8, 2009:**

**Recommendation**

The Commissioner of Engineering and Public Works recommends:

That a By-law be enacted to install an all-way stop control at the intersection of Davos Road and Vellore Avenue, as the Provincial All-way Stop Warrant is met.

**Contribution to Sustainability**

The installation of an all-way stop control at the intersection of Davos Road and Vellore Avenue will promote and improve traffic flow and pedestrian movements in this area.

**Economic Impact**

The cost to install the all-way stop signs and pavement markings (stop bars) will be an initial impact on the 2009 Operating Budget. There are sufficient funds allocated in the Operating Budget for this work. The on-going costs to maintain the signs and pavement markings would be incorporated in future Operating Budgets.

**Communication Plan**

Engineering Services staff will contact the residents on the outcome of Council's decision in this matter. The residents that sent a request to staff have been advised that this report will be submitted to the September 8, 2009 Committee of the Whole meeting. Staff has advised the Local Councillor that a report will be prepared to recommend an all-way stop control at this location. York Regional Police have been contacted to provide speed enforcement on Davos Road.

**Purpose**

To review the feasibility of implementing an all-way stop control at the intersection of Davos Road and Vellore Avenue, in response to a request from local residents.

**Background - Analysis and Options**

Engineering Services staff received 3 requests from residents to review the traffic activity at the intersection of Davos Road and Vellore Avenue. Davos Road and Vellore Avenue are both primary roadways with a 23.0 metre right-of-way, and an 11.5 metre pavement width. The existing speed limit is a statutory 50 km/h on Davos Road and Vellore Avenue. The existing stop control is located on the north and south approaches of Vellore Avenue. The area is shown in Attachment No.1.

Staff conducted a turning movement count on Wednesday, May 13, 2009, at the intersection of

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009

#### Item 13, CW Report No. 38 – Page 2

Davos Road and Vellore Avenue during the morning and afternoon peak time periods of 7:00 am to 9:00 am, and 4:00 pm to 6:00 pm. The weather on this day was partly cloudy throughout the day. The data collected was compared to the Provincial Warrant for All-way Stop Control with the following results:

- |   |           |      |
|---|-----------|------|
| • Warrant 1 – Minimum Vehicular Volumes | Warranted | 104% |
| • Warrant 2 – Accident Hazard           | Warranted | 0%   |
| • Warrant 3 – Sight Restriction         | Warranted | 0%   |

All-way stop controls are recommended when one of the above warrants are satisfied to 100% or more. There have been no reported collisions at this intersection susceptible to prevention by implementing an all-way stop control. There are no sight distance restrictions at this intersection. According to the results above, this intersection does meet the minimum requirements of the Provincial All-way Stop Warrant.

#### 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:

- Pursue Excellence in Service Delivery;
- Enhance and Ensure Community Safety, Health and Wellness ; and
- Lead and Promote to Environmental Sustainability.

This report is consistent with the priorities previously set by Council.

#### Regional Implications

Not Applicable.

#### Conclusion

Based on Engineering Services staff's review, it is recommended that an all-way stop control be installed at the intersection of Davos Road and Vellore Avenue, as the Provincial All-way Stop Warrant is met.

#### Attachments

1. Location Map

#### Report prepared by:

David Fan, Traffic Analyst, Ext. 3109  
Mike Dokman, Supervisor Traffic Engineering, Ext. 3118

DF:mc

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 14, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

**14 ALL-WAY STOP AT LA ROCCA AVENUE AND VELLORE AVENUE  
& LA ROCCA AVENUE AND INTERMEZZO DRIVE  
WARD 3**

The Committee of the Whole recommends:

- 1) That an all-way stop control be installed at the intersection of La Rocca Avenue and Vellore Avenue; and
- 2) That the report of the Commissioner of Engineering and Public Works, dated September 8, 2009, be received.

**Recommendation**

The Commissioner of Engineering and Public Works recommends:

1. That an all-way stop control not be installed at the intersection of La Rocca Avenue and Vellore Avenue as the Provincial All-way Stop Warrant is not met, and
2. That an all-way stop control not be installed at the intersection of La Rocca Avenue and Intermezzo Drive as the Provincial All-way Stop Warrant is not met.

**Contribution to Sustainability**

Not Applicable.

**Economic Impact**

Not Applicable.

**Communications Plan**

The local Councillor will advise the residents in the immediate area.

**Purpose**

To review the feasibility of implementing all-way stop controls at the intersections of La Rocca Avenue and Vellore Avenue and at La Rocca Avenue and Intermezzo Drive, in response to a petition submitted by area residents.

**Background - Analysis and Options**

At its meeting on May 26, 2009, Council directed:

**“That Traffic Engineering staff review the feasibility of installing an all-way stop at the intersection of La Rocca Avenue and Vellore Avenue and La Rocca Avenue and Intermezzo Drive as a result of the petition received.”**

La Rocca Avenue is a local roadway with a 20.0 metre right-of-way and a pavement width of 9.0

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metres. Vellore Avenue is a minor primary roadway with a 23.0 metre right-of-way and a pavement width of 11.5 metres. Intermezzo Drive is a local roadway with a 17.5 metre right-of-way and a pavement width of 8.0 metres. The current stop controls at these intersections are on Vellore Drive and Intermezzo Drive respectively. The area is shown in Attachment No.1.

The residents have expressed concerns that the intersections are dangerous and are requesting that Council approve the all-way stops. Refer to Attachment No.2 for the petition.

*La Rocca Avenue and Vellore Avenue study*

Staff conducted a turning movement count on Wednesday, June 24, 2009 at the intersection of La Rocca Avenue and Vellore Avenue. This intersection is a three approach 'T' intersection. The study was conducted during the peak morning and afternoon time periods of 7:00 am to 9:00 am and 4:00 pm to 6:00 pm. On the day of the traffic study the weather was sunny. The data collected was compared to the Provincial Warrant for All-Way Stop Control with the following results:

- Warrant 1 – Minimum Vehicular Volumes      Warranted      55%
- Warrant 2 – Accident Hazard                      Warranted      0%
- Warrant 3 – Sight Restriction                      Warranted      0%

All-way stop controls are recommended when one of the above warrants are satisfied to 100% or more. Existing traffic volumes fulfill 55% of the required 100% on the warrant. There are no recorded vehicle collisions at this intersection. There are no sight restrictions at this intersection. During the highest peak time period, there were only 66 vehicles from the minor street (Vellore Avenue). The minimum requirement is 120 vehicles. According to the results above, this intersection does not meet the minimum requirements of the Provincial Warrant for All-way Stop Control.

*La Rocca Avenue and Intermezzo Drive study*

Staff conducted a turning movement count on Thursday, June 18, 2009 at the intersection of La Rocca Avenue and Intermezzo Drive. This intersection is a four approach 'X' intersection. The study was conducted during the peak morning and afternoon time periods of 7:00 am to 9:00 am and 4:00 pm to 6:00 pm. On the day of the traffic study the weather was sunny. The data collected was compared to the Provincial Warrant for All-Way Stop Control with the following results:

- Warrant 1 – Minimum Vehicular Volumes      Warranted      37%
- Warrant 2 – Accident Hazard                      Warranted      0%
- Warrant 3 – Sight Restriction                      Warranted      0%

All-way stop controls are recommended when one of the above warrants are satisfied to 100% or more. Existing traffic volumes fulfill 37% of the required 100% on the warrant. There are no recorded vehicle collisions at this intersection. There are no sight restrictions at this intersection. During the highest peak time period, there were only 44 vehicles from the minor streets (Intermezzo Drive/Capera Avenue). The minimum requirement is 120 vehicles. According to the results above, this intersection does not meet the minimum requirements of the Provincial Warrant for All-way Stop Control.

**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:

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

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- Pursue Excellence in Service Delivery;
- Enhance and Ensure Community Safety, Health & Wellness; and
- Lead and Promote Environmental Sustainability.

This report is consistent with the priorities previously set by Council.

**Regional Implications**

Not Applicable.

**Conclusion**

Based on Engineering Services staff's review, it is recommended that an all-way stop control not be installed at the intersections of La Rocca Avenue and Vellore Avenue, or La Rocca Avenue and Intermezzo Drive.

**Attachments**

1. Location Map
2. Petition – Council Members Only

**Report prepared by:**

Mark Ranstoller, Senior Traffic Technologist, Ext. 3141  
Mike Dokman, Supervisor, Traffic Engineering, Ext. 3118

MR:mc

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 15, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

15

**SIDEWALK ON KINGLY CREST WAY  
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 8, 2009:

**Recommendation**

That the following report be received by Council.

**Contribution to Sustainability**

Not Applicable.

**Economic Impact**

Not Applicable.

**Communications Plan**

Local residents who would be affected by the proposed sidewalk section were asked if they support construction of the proposed sidewalk using a survey form.

**Purpose**

To determine the support for a sidewalk on the west side of Kingly Crest Way between Cachet Hill Crescent and Royal Pine Avenue.

**Background - Analysis and Options**

At its meeting on April 14, 2009, (Item 48, Report No. 18 of the Committee of the Whole), Council directed:

**“That staff contact by letter the owners of the properties whose sidelots form the west side of Kingly Crest Way between Cachet Hill Crescent and Royal Pine Avenue, to determine whether they support the construction of a sidewalk along the west side of Kingly Crest Way, and if they do:**

- i) That staff prepare a report to Council, indicating appropriate budget related documentation of the costs attached to the project; and**
- ii) That this matter be considered as part of the 2010 Capital Budget process.”**

As directed, Engineering Services staff delivered a survey form to the six lots that flank on the west side of Kingly Crest Way between Cachet Hill Crescent and Royal Pine Avenue. (See Location Map). All six survey forms were returned, and all six residents responded against the proposed sidewalk. As a result, Engineering Services Staff did not proceed with directions (i) and (ii) in the April 14<sup>th</sup>, 2009 Council direction.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 15, CW Report No. 38 – Page 2

**Relationship to Vaughan Vision 2020/Strategic Plan**

This project is consistent with Vaughan Vision 2020, particularly the values of “Fairness”, “Inclusivity” and “Transparency”.

This report is consistent with the priorities previously set by Council.

**Regional Implications**

None.

**Conclusion**

None of the six flanking residents canvassed are in support of the sidewalk.

**Attachments**

1. Location Map

**Report prepared by:**

Colin Cassar, C.E.T., Senior Engineering Assistant, ext. 3112  
Tom Ungar, P. Eng., CHRP, Design Engineer, ext 3110

CC:mc

(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.)





## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009

#### Item 16, CW Report No. 38 – Page 2

All documentation required by the Servicing Agreement for assumption of the watermain has been submitted. Engineering staff, in conjunction with the CNR's Consulting Engineer, have conducted all the necessary inspections of the municipal services and are now satisfied with the extent of the works.

The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Development/Transportation Engineering, Development Planning, Building Standards, Parks Development, Parks Operations and Forestry, Public Works, and Clerks. In addition, the Reserves and Investments Department has confirmed that all of the City's financial requirements associated with this construction work have been satisfied.

#### **Relationship to Vaughan Vision 2020**

The assumption of this watermain is consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

#### **Regional Implications**

There are no Regional implications with respect to the assumption of this segment of watermain on Administration Road.

#### **Conclusion**

CNR has satisfactorily completed the construction of a 300mm Watermain on Administration Road in accordance with the requirements of the Servicing Agreement. Accordingly, it is recommended that the watermain be assumed by the City and the financial securities held by the City in connection with this work be released.

#### **Attachments**

1. Location Map

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

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461  
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

VR/vp

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 17, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

17

**2010 SCHEDULE OF MEETINGS**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated September 8, 2009:

**Recommendation**

The City Clerk, in consultation with the City Manager and the Senior Management Team, recommend:

1. That the 2010 Schedule of Meetings be adopted in accordance with the calendar set out as Schedule 'A' to this report.

**Contribution to Sustainability**

There is no contribution to sustainability associated with the recommendation in this report.

**Economic Impact**

There is no economic impact associated with the recommendation in this report.

**Communications Plan**

The 2010 Schedule of Meetings will be posted on the City's website.

**Purpose**

This report is to request Council's approval of the attached 2010 Schedule of Meetings for Committee of the Whole, Committee of the Whole (Closed Session), Committee of the Whole (Working Session), Committee of the Whole (Public Hearing), Council and Special Purpose Committees.

**Background – Analysis and Options**

In accordance with the Procedure By-law, the schedule provides throughout the year a gap week between meetings of the Committee of the Whole meetings and the Council meeting for that cycle with the exception of the first cycle in June and December. To accommodate anticipated heavy workloads Committee of the Whole meetings in June, September and December have been scheduled to commence at 11:00 a.m. In adherence with past practice, Environment Committee meetings have been scheduled once a month on Tuesday prior to Council, Economic Development Committee will be held once a month on Monday following Committee of the Whole (Working Session) and Strategic Planning Committee will be held four times through the year. At this time Budget Committee meetings have not been included. Changes to the scheduled Special Purpose Committee meeting dates may be made by the Chair of the particular Committee in consultation with the City Manager. Statutory and significant faith days have been taken into consideration when preparing the 2010 Schedule of Meetings.

In accordance with Council direction every effort will be made to avoid the scheduling of Council meetings on days of religious or cultural significance that Council and staff are made aware of or which are requested by a specific religious group.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009

#### Item 17, CW Report No. 38 – Page 2

##### Variations to the Schedule

Due to anticipated workloads, statutory holidays and significant faith days, variations to the base schedule are as follows:

- January: One cycle of meetings is scheduled in January to accommodate the holiday season. This practice was established in 2005. The first Council meeting is scheduled on the fourth Tuesday of the month.
- February: Council has been scheduled on the third Tuesday following Family Day.
- March: Committee of the Whole, Committee of the Whole (Closed Session), and Committee of the Whole Public Hearing) are scheduled for the fourth Tuesday following March Break.
- April: Council has been scheduled on the second Tuesday to accommodate Passover.
- June: Two cycles of meetings are scheduled in June. To accommodate anticipated heavy workloads Committee of the Whole meetings in June have been scheduled to commence at 11:00 a.m. There is no gap week scheduled following the first Committee of the Whole, Committee of the Whole (Closed Session), and Committee of the Whole (Public Hearing).
- July/August: In accordance with past practice no meetings have been scheduled in July and August.
- September: One cycle of meetings is scheduled in September following Labour Day. To accommodate anticipated heavy workloads the Committee of the Whole meeting in September has been scheduled to commence at 11:00 a.m.
- October/  
November: No meetings have been scheduled for October and November in accordance with Vaughan's long standing practice of not having Committee/Council meetings after Nomination Day. Election Day is November 8, 2010.
- December: The Inaugural Council meeting has been scheduled for Monday, December 6, 2010. One cycle of meetings is scheduled in December. The first Committee of the Whole, Committee of the Whole (Closed Session), and Committee of the Whole Public Hearing) are scheduled for the first Tuesday. To accommodate anticipated heavy workloads, the Committee of the Whole meeting has been scheduled to commence at 11:00 a.m. There is no gap week scheduled and the Council meeting is on the following Tuesday. No further meetings have been scheduled due to the Hanukkah and Christmas holiday season.

The FCM Conference is scheduled for June 4 – 7, and the AMO Conference is scheduled for July 15 – 18, 2010. However, in accordance with past practice, the meeting schedule has not been changed to accommodate for the respective Conferences.

##### Relationship to Vaughan Vision 2020

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

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 17, CW Report No. 38 – Page 3

**Regional Impact**

There is no Regional impact because no meetings have been scheduled for Wednesdays and Thursdays, the days on which Regional Committees and Regional Council meet.

**Conclusion**

The 2010 meeting schedule has been prepared in accordance with the Procedure By-law and past practice. Statutory and significant faith days have been taken into consideration when preparing the 2010 Schedule of Meetings. In view of the foregoing, it is recommended that Council approve the attached 2010 meeting schedule.

**Attachments**

1. 2010 – 12 Month – Schedule of Meetings

**Report prepared by:**

G. Hardyчук, Assistant 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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 18, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

18

**SIGN VARIANCE APPLICATION  
FILE NO: SV.09-009  
OWNER: CANADIAN TIRE REAL ESTATE LTD.  
LOCATION: 3200 RUTHERFORD ROAD  
PART OF LOT 16, CONCESSION 5  
WARD 1**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated September 8, 2009:**

**Recommendation**

The Sign Variance Committee recommends:

That Sign Variance Application SV.09-009, Canadian Tire Real Estate Ltd., be APPROVED, subject to the proposed sign being setback a minimum of 0.50 meters from the underside of the eaves.

**Contribution to Sustainability**

N/A

**Economic Impact**

None.

**Communications Plan**

The results of this application will be communicated to the applicant through the Secretary to the Sign Variance Committee.

**Purpose**

Request to install an additional wall sign on the south building face partly above the roof line of the subject property as shown on the attached drawings.

**Background - Analysis and Options**

Bylaw Requirements (203-92, as amended):

6.2 (a) Where a site plan approved by the City provides standards for signage and the signs for the development comply therewith, such signs shall be deemed to comply with this By-Law.

Noting the above, where the property is regulated by a site plan agreement approved by the City, only those wall signs and pylon signs approved under the site plan agreement are deemed to be permitted by the City's Sign By-law.

**Relationship to Vaughan Vision 2020/Strategic Plan**

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

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 18, CW Report No. 38 – Page 2

**Regional Implications**

Region of York Engineering approval is not required for the proposed signs.

**Conclusion**

The applicant is proposing to install an additional wall sign on the south building face as shown on the attached drawings.

Members of the Sign Variance Committee have no objections to the application, subject to the proposed sign being setback a minimum of 0.50 meters from the underside of the building's eaves.

Members of the Sign Variance Committee are of the opinion that the intent and purpose of the City's Sign By-law is being maintained.

If Council finds merit in the application, a Sign Permit issued by the Building Standards is required.

**Attachments**

1. Site Plan
2. South Building Elevation.

**Report prepared by:**

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 19, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

19

**SIGN VARIANCE APPLICATION  
FILE NO: SV.09-013  
OWNER: 2056668 ONTARIO INC. & HOOP REALTY INC.  
LOCATION: 1420 MAJOR MACKENZIE DRIVE  
LOT 2, BLOCK 61, REGISTERED PLAN 65M-3945  
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated September 8, 2009:

**Recommendation**

The Sign Variance Committee recommends:

That Sign Variance Application SV.09-013, 2056668 Ontario Inc. & Hoop Realty Inc., be APPROVED.

**Contribution to Sustainability**

N/A

**Economic Impact**

None.

**Communications Plan**

The results of this application will be communicated to the applicant through the Secretary to the Sign Variance Committee.

**Purpose**

Request to install an additional wall sign shown as Sign "D" on the building face of the subject property as shown on the attached drawings.

**Background - Analysis and Options**

**Bylaw Requirements (203-92, as amended):**

6.2 (a) Where a site plan approved by the City provides standards for signage and the signs for the development comply therewith, such signs shall be deemed to comply with this By-Law.

Noting the above, where the property is regulated by a site plan agreement approved by the City, only those wall signs and pylon signs approved under the site plan agreement are deemed to be permitted by the City's Sign By-law.

**Relationship to Vaughan Vision 2020/Strategic Plan**

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



**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 19, CW Report No. 38 – Page 2

**Regional Implications**

Region of York Engineering approval is not required for the proposed signs.

**Conclusion**

The applicant is proposing to install an additional wall sign on the south building elevation shown as Sign "D" on the attached drawings.

Members of the Sign Variance Committee have no objections to the application as submitted and are of the opinion that the intent and purpose of the City's Sign By-law is being maintained.

If Council finds merit in the application, a Sign Permit issued by the Building Standards is required.

**Attachments**

1. Site Plan
2. South Building Elevation

**Report prepared by:**

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

(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.)



## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009

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#### Phase One Design

The proposed phasing for the overall development is shown on Attachments #4 and #5. Phase 1 includes the lands for the smaller 3.9m – 6.38m frontage residential townhouse units, the amenity block and two rear laneways, but excludes the private ring road, and the visitor parking spaces which are provided as part of Phase 2. The appropriate reciprocal cross easements for vehicle and pedestrian access must be provided over each Phase.

#### Garbage and Recycling Collection and Snow Removal

The collection of garbage and recycling, and the removal of snow will be administered privately by the Condominium Corporation.

#### Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed Draft Plan of Condominium and has no objection to the plan provided the necessary easement is conveyed to the TRCA for access and maintenance purposes to the open space lands, to the satisfaction of the TRCA.

#### Canada Post

Canada Post has reviewed the application and has indicated that they have no objection to the Draft Plan of Condominium, subject to the following conditions:

- a) the Owner/Developer/Condominium Corporation agrees to include in all offers of purchase and sale and /or condominium declaration, a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox at an approved location prior to the closing or occupancy of a residential unit.
- b) the Owner/Developer/Condominium Corporation will provide the following for each community mailbox site and include the following requirement on the appropriate servicing plans:
  - an appropriate sized concrete pad as per municipal standards for the community mailboxes with required walk and curb depressions for wheelchair access as per municipal standards, and;
- c) the Owner/Developer agrees to determine and provide suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed.

#### Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Plan and Manage Growth” and “Economic Vitality”.

#### Regional Implications

N/A

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

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**Conclusion**

The Development Planning Department has reviewed the Draft Plan of Condominium application, which is consistent with the approved Site Development Application. The Development Planning Department has no objections to the approval of the Draft Plan of Condominium, subject to the conditions set out in Attachment #1.

**Attachments**

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Condominium Phase 1 (File - 19CDM-09V04)
5. Draft Plan of Condominium Phase 2 (File - 19CDM-09V03)

**Report prepared by:**

Eugene Fera, Planner, ext. 8064  
Carmela Marrelli, Senior Planner, ext. 8407  
Mauro Peverini, Manager of Development Planning, ext. 8635

/CM

(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.)



## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009

Item 21, CW Report No. 38 – Page 2

#### Official Plan/Zoning

The subject lands are designated "Medium Density Residential" by OPA #240 (Woodbridge Community Plan), as amended by site-specific OPA #676 and zoned RM2 Multiple Residential Zone by By-law 1-88, subject to Exception Paragraph 9(1289). The Draft Plan of Condominium conforms to the Official Plan and complies with By-law 1-88.

#### Phase Two Design

The proposed phasing for the overall development is shown on Attachments #4 and #5. Phase 2 includes the lands for the larger residential townhouse units located along the periphery of the site, 23 visitor parking spaces and the main ring road. The appropriate reciprocal cross easements for vehicle and pedestrian access must be provided over each Phase.

#### Garbage and Recycling Collection and Snow Removal

The collection of garbage and recycling, and the removal of snow will be administered privately by the Condominium Corporation.

#### Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed Draft Plan of Condominium and has no objection to the plan provided the necessary easement is conveyed to TRCA for access and maintenance purposes to the open space lands to the satisfaction of the TRCA.

#### Canada Post

Canada Post has reviewed the application and has indicated that they have no objection to the Draft Plan of Condominium, subject to the following conditions:

- a) the Owner/Developer/Condominium Corporation agrees to include in all offers of purchase and sale and/or condominium declaration, a statement which advises the prospective purchaser that mail delivery will be from a designated community mailbox at an approved location prior to the closing or occupancy of a residential unit;
- b) the Owner/Developer/Condominium Corporation will provide the following for each community mailbox site and include these requirements on the appropriate servicing plans:
  - an appropriate sized concrete pad as per municipal standards for the community mailboxes with required walk and curb depressions for wheelchair access as per municipal standards; and,
- c) the Owner/Developer agrees to determine and provide suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed.

#### Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan and Manage Growth" and "Economic Vitality".

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**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 21, CW Report No. 38 – Page 3

**Regional Implications**

N/A

**Conclusion**

The Development Planning Department has reviewed the Draft Plan of Condominium application, which is consistent with the approved Site Development Application. The Development Planning Department has no objections to the approval of the Draft Plan of Condominium, subject to the conditions set out in Attachment #1.

**Attachments**

1. Conditions of Approval (19CDM-09V03)
2. Context Location Map
3. Location Map
4. Draft Plan of Condominium Phase 2 (File- 19CDM-09V04)
5. Draft Plan of Condominium Phase 1 (File- 19CDM-09V03)

**Report prepared by:**

Eugene Fera, Planner, ext. 8064  
Carmela Marelli, Senior Planner, ext. 8407  
Mauro Peverini, Manager of Development Planning, ext. 8635

/LG

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 22, Report No. 38, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 21, 2009, as follows:

***By approving the recommendation of the Commissioner of Planning, dated September 8, 2009;***

***By receiving the memorandum from the Commissioner of Planning, dated September 17, 2009; and***

***By receiving the coloured elevation drawings submitted by the applicant.***

22

**SITE DEVELOPMENT FILE DA.08.027  
LEVIATHAN INVESTMENTS INC.  
WARD 1**

The Committee of the Whole recommends:

- 1) That the decision on this matter be deferred to the Council meeting of September 21, 2009 to provide an opportunity for the applicant to meet with staff to review the final drawings/elevations and provide comments to Council at such time;
- 2) That the following deputations be received:
  - a) Mr. Lucio Polsinelli, History Hill Group, 8700 Dufferin Street, Vaughan, L4K 4S6, on behalf of the applicant; and
  - b) Mr. Joseph Salvatore, on behalf of the applicant; and
- 3) That the coloured elevation drawings submitted by the applicant, be received.

**Recommendation**

The Commissioner of Planning recommends:

1. THAT the building elevations shown on Attachments #5, #6 and #7 (Buildings "A", "B" and "C") for Site Development File DA.08.027 (Leviathan Investments Inc.) BE APPROVED, subject to the following conditions:
  - a) that prior to the execution of the Letter of Undertaking:
    - i) the Owner shall satisfy all requirements of the Vaughan Development Planning Department and Engineering Departments;
    - ii) the required Minor Variance and Consent applications shall be approved by the Committee of Adjustment; and,
    - iii) all required approvals be obtained from the Region of York and the Ministry of Transportation.
2. THAT Council direct the City Clerk to commence Municipal Act procedures to stop-up and close Balda Court, as shown on Attachment #2.
3. THAT a by-law be enacted authorizing to commence the statutory procedures to stop-up, close and convey Balda Court to the abutting Owner for an administrative fee of \$1,500.00, and that the Mayor and Clerk be authorized to sign any and all necessary documentations required to complete this matter to the satisfaction of the City.



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**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 22, CW Report No. 38 – Page 2

4. THAT prior to the issuance of the building permit, the by-law to stop-up and close Balda Court shall be final and binding.

**Contribution to Sustainability**

The applicant has advised that the following sustainable features will be incorporated into the building design:

- i) the glazing system for all buildings will utilize a thermally-broken curtain wall system with low emissivity glass coating;
- ii) compliance with ASHRAE Standards;
- iii) insulated (R20) walls and roof;
- iv) all roof top units are screened from view by a continuous building parapet, which mitigates both sound emitted by the roof top units and visual exposure;
- v) locally manufactured exterior building materials; and,
- vi) light coloured roof finishes to cut down heat generated by the roof.

**Economic Impact**

There are no requirements for new funding associated with this report.

**Communications Plan**

N/A

**Purpose**

For the Committee of the Whole to consider the building elevations shown on Attachments #5, #6 and #7, for Site Development File DA.08.027 on the subject lands, to facilitate the development of the 1.96 ha property with 2 multi-unit industrial buildings and a 3-storey office building, as shown on Attachment #3.

**Background - Analysis and Options**

Location

The subject lands are located on the east side of Cityview Boulevard, south of Teston Road, being Block 70 on Plan 65M-3903, in Part of Lot 25, Concession 5, City of Vaughan as shown on Attachment #2.

Official Plan and Zoning

The subject lands are designated "High Performance Area" by OPA #600 and are zoned EM1 Prestige Employment Area Zone by By-law 1-88, subject to Exception 9(1222). The proposed development conforms to the Official Plan. The proposed uses comply with the Zoning By-law, however, variances are required to the minimum required unit size for the Building "B" and the proposed shared access with the lands to the north. These variances are discussed later in this report.

Engineering Department

The Engineering Department has advised that the Owner submitted a letter to the Engineering

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 22, CW Report No. 38 – Page 3

Department requesting a Stop-up Closure By-law for Balda Court. As a condition of the subdivision agreement between the City and the Owner (Keystar Developments Inc.), Plan 65M-3903, File 19T-00V07, executed on March 9, 2006, Balda Court was dedicated to the City as a public highway. The original proposal to build a GO Transit commuter parking lot on the property is no longer a viable option. The new proposal for an industrial development encompasses the Balda Court road allowance within the development of the site plan, as shown on Attachment #2. The Engineering Department has no objection to the stop-up and closure of Balda Court. Should Council concur, conditions to this effect are included in the Recommendation section of this report to facilitate the stop-up and closure of Balda Court.

Variances

The following variances to the minimum requirements of the EM1 Prestige Employment Area Zone of By-law 1-88 are required to facilitate the proposed development:

Standard	By-law 1-88 Minimum requirement (EM1 Prestige Employment Area Zone)	Proposed Standard
Minimum Unit Size (Building "B")	465m <sup>2</sup>	Less then 465m <sup>2</sup>
Driveway Access	Shared access not permitted	Permit shared access

Building "B" is proposed to be a multi-unit (6) industrial building with 4 of the units with an area of less than 465m<sup>2</sup>. The smaller unit sizes may provide a location for employment uses that do not require a larger gross floor area. The Development Planning Department considers this variance to be minor in nature and can be supported. As noted in the Engineering Department comments, the applicant has requested the stop-up and closure of Balda Court. If this request is approved and in order to permit the proposed development, the applicant will require a shared access with the lands to the north. The lands to the north would also require a minor variance for the same shared access. In addition, both properties require a mutual Consent for the shared access. Both the Minor Variance applications and Consent applications are to be approved. The Development Planning Department can support the required variance and consents.

A condition in the Recommendation Section of this report is included which requires that the Minor Variance and Consent applications required to implement the development shall be approved by the Committee of Adjustment.

Site Layout/Building Design

The proposed development includes 3 buildings, 2 of which face Highway 400 (Buildings "B" and "C"), as shown on Attachment #3. These buildings are setback a minimum of 14m from the Ministry of Transportation (MTO) right-of-way, as required. The site is served by one access from Cityview Boulevard (shown as Balda Court on Attachment #3). The applicant is proposing a shared driveway access, as shown on Attachment #3, between the subject lands and the property to the north (existing indoor soccer facility also owned by the applicant).

Both Buildings "A" and "B" are multi-unit industrial buildings. A 3-storey office building (Building "C") is proposed at the south end of the site, adjacent to the Highway 400 off/on ramp. A single row of parking is provided around the perimeter of the site that allows for the front entrances to the 3 buildings to be located along Cityview Boulevard and along the Highway 400 frontage. Additional parking is also provided for in the centre of the site, as shown on Attachment #3. The proposed site layout is considered acceptable.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009

#### Item 22, CW Report No. 38 – Page 4

The proposed site development includes 34% of the lot dedicated to landscaped areas comprised of lands abutting the MTO right-of-way, Cityview Boulevard, and internal to the site, as shown on the proposed Landscape Plan on Attachment #4. The landscape plan provides pedestrian connections (unit pavers) to all buildings, as well as 3 pedestrian linkages to the proposed sidewalk located on Cityview Boulevard. The Development Planning Department is satisfied with the proposed landscape plan, as submitted.

#### Building Elevations

The proposed building elevations are shown on Attachments #5, #6 and #7. Building "A" is a multi-unit industrial building comprised of 3 units, as shown on Attachment #5. The building is 8.3 metres in height to top of parapet, and is comprised primarily of tan coloured architectural precast concrete and exposed aggregate finish. As an accent, smooth finished horizontal columns made of the same materials and colour are also included. The front of Building "A" and entrances to the building are located on the west elevation facing Cityview Boulevard and includes glass windows and doors, and prefinished metal canopies above each doorway. Rectangular architectural elements are also included above the doorways consisting of glass, spandrel and architectural precast panels. A stone base is also provided on this elevation. The glass windows wrap around the corners of the building to portions of the north and south elevation that are visible from Cityview Boulevard. The east elevation (rear) faces the interior of the site and contains 4 overhead metal doors and metal man doors.

Building "B", as show on Attachment #6 is a 6-unit industrial building, with the main façade of the building facing the Highway 400 frontage (east). Building "B" is also 8.3 metres in height to top of parapet, and is made of the same building materials and colour as Building "A", and similar design features. The entrances to the units are also comprised of glass doors with windows, and include rectangular architectural elements above the doorways that include a mix of glass and spandrel materials. The architectural elements provided on the east elevation also wrap around the corners of the building on the west, north and south elevations at the areas visible to the proposed office building on the site to the west (Building "C") and from the main driveway access from Cityview Boulevard. Three overhead metal doors and man metal doors are provided on the south elevation, internal to the site.

A 3-storey office building is proposed for Building "C", as shown on Attachment #7. The front façade of the building is located on the east elevation, facing the Cityview Boulevard and Highway 400 ramp intersection. This building stands to a height of 18.7 metres, and consists primarily of reflective glass and spandrel, with an architectural element at the top consisting of prefinished aluminum panels. To accent the design, the building contains vertical concrete panels, as well as one horizontal panel on all elevations, in the same tan colour as Buildings "A" and "B". The west and east elevations contain glass entrance doors, and the north elevation being internal to the site, contains a metal overhead door and metal man doors.

The roof top mechanical equipment is proposed to be screened from the view of Cityview Boulevard and Highway 400 for all buildings on the property. The Development Planning Department is satisfied with the proposed elevations for Buildings "A", "B" and "C".

#### Ministry of Transportation (MTO)

The Ministry of Transportation has reviewed the proposal and require that all final plans are submitted for their review and approval, prior to their issuance of a building and land use permit.

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**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 22, CW Report No. 38 – Page 5

**Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Plan & Manage Growth & Economic Vitality”.

**Regional Implications**

The Region of York has no objections to the proposed development. All plans are subject to their approval and a condition to this affect is included in the Recommendation section of this report.

**Conclusion**

The Site Development Application has been reviewed in accordance with OPA #600, By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed development for 2 industrial buildings and a 3-stoery office building is appropriate and compatible with the existing and permitted land uses in the surrounding area, subject to the comments in this report. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions outlined in the Recommendation section of this report.

**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Elevations - Building "A"
6. Elevations - Building "B"
7. Elevations - Building "C"

**Report prepared by:**

Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager of Development Planning, ext. 8407

/LG

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 23, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

23

**SITE DEVELOPMENT FILE DA.09.044  
JRN HOLDINGS INC./EDEN OAK (VELLORE PARK) INC.  
WARD 1**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated September 8, 2009, be approved; and
- 2) That the coloured elevation drawings submitted by the applicant, be received.

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Site Development File DA.09.044 (JRN Holdings Inc./Eden Oak (Vellore Park) Inc.) BE APPROVED, subject to the following conditions:
  - a) that prior to the execution of the Letter of Undertaking:
    - i) the final site plan, building elevations and landscaping plan shall be approved by the Vaughan Development Planning Department.

**Contribution to Sustainability**

The applicant has advised the City that the following sustainable features will be provided within the building design:

- i) high efficiency forced air gas furnace;
- ii) ENERGY STAR certified Low E coated argon filled vinyl casement windows;
- iii) ENERGY STAR qualified draft proof sealed electrical outlet and switches;
- iv) fully sodded front and rear yard; and,
- v) aerated low flow faucets in kitchen and bathrooms.

**Economic Impact**

There are no requirements for new funding associated with this report.

**Communications Plan**

N/A

**Purpose**

To permit the development of the subject lands shown on Attachment #1 with 10, two-storey street townhouse dwelling units within 2 townhouse blocks (Blocks 70 and 71 on Plan 65M-4105), as shown on Attachment #2.

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 23, CW Report No. 38 – Page 2

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

##### Location

The property is located on the north side of Venice Gate Drive, west of Cityview Boulevard, specifically on Summit Drive, in Part of Lot 23 and 24, Concession 5, City of Vaughan. The surrounding land uses are shown on Attachment #2.

##### Official Plan and Zoning

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600. The proposed residential street townhouse development conforms to the Official Plan.

The property is currently zoned RT1 Residential Townhouse Zone by By-law 1-88, subject to Exception 9(1224). The proposed residential street townhouse development complies with By-law 1-88.

##### Site History

On December 15, 2003 Vaughan Council approved Draft Plan of Subdivision File 19T-00V09 (JRN Holdings Inc.) to permit the development of 221 residential units consisting of 84 single detached dwellings units, 104 semi-detached dwelling units and 33 street townhouse units. The above noted Plan of Subdivision was registered as Plan 65M-4105 (JRN Holdings Inc.) on November 10, 2008.

##### Site Plan Review

The overall site plan, typical building elevations for Block 70, and overall landscape plan are shown on Attachments #3, #4, and #5 respectively. The Vaughan Development Planning Department is generally satisfied with the proposed site plan, building elevations and landscaping plan, and will continue to work with the applicant to finalize the details.

##### Servicing

The applicant has submitted site servicing and grading plans which have been reviewed and approved by the Vaughan Engineering Department.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

#### **Regional Implications**

The subject lands are located internal to the subdivision, and therefore, there are no Regional implications.

#### **Conclusion**

Site Development File DA.09.044 has been reviewed by the Development Planning Department in accordance with the applicable policies of OPA #600, By-law 1-88, the comments from City Departments, and the area context. The Development Planning Department is generally satisfied

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that the proposed development for 10 street townhouse dwelling units is appropriate and compatible with the existing and permitted uses in the surrounding area, and the lotting in the approved Plan of Subdivision. Accordingly, the Development Planning Department can support the approval of the Site Development Application.

**Attachments**

1. Context Location Map
2. Location Map
3. Overall Site Plan – Blocks 70 & 71
4. Typical Elevation Plan – Block 70
5. Overall Landscape Plan

**Report prepared by:**

Morgan Jones, Planner 1, ext. 8216  
Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager of Development Planning, ext. 8407

/CM

(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.)





CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

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**Communications Plan**

N/A

**Purpose**

To permit the redevelopment of the existing gas station on the subject lands shown on Attachment #2 with a new site layout, including an automobile gas bar, a convenience retail store and a take-out eating establishment with a drive-through, as shown on Attachment #3.

**Background - Analysis and Options**

Location

The 0.472 site is located at the northeast corner of Keele Street and Langstaff Road, municipally known as 8555 Keele Street, being Part of Lot 11, Concession 3, City of Vaughan, as shown on Attachments #1 and 2. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The property is designated "Prestige Area" by OPA #450 (Employment Area Growth and Management Plan). The Prestige Area designation permits a wide range of industrial, office and business uses and states that the Zoning By-law shall establish the permitted uses. The proposed site development conforms with the Official Plan.

The subject lands are zoned C6 Highway Commercial Zone by By-law 1-88. The proposed uses including an automobile gas bar, convenience retail store and take-out eating establishment comply with By-law 1-88. However, variances to the minimum required rear yard setback, required parking, and landscape strip and the provision of a shared access are required to implement the proposed development. These variances are as discussed later in this report.

Site Plan Review

The Development Planning Department is satisfied with the proposed site plan, landscaping plan, building elevations, pump island elevations and the pylon signage elevations as shown on Attachments #3, #4, #5, #6 and #7 respectively. The final plans must be approved to the satisfaction of the Development Planning Department.

The subject lands are currently developed with a gas bar, convenience kiosk, and a car wash. The Owner is proposing to redevelop the site with a new gas bar including a larger pump island, a larger convenience retail store and a take-out eating establishment with a drive through. A car wash is not proposed under the new development scheme.

Zoning Exceptions

The following zoning exceptions to minimum requirements of the C6 Highway Commercial Zone of By-law 1-88, are required to facilitate the proposed plan:

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Standard	By-law 1-88 Minimum Requirement (C6 Highway Commercial Zone)	Proposed Standard
Minimum Rear Yard Setback	15 m	11.59 m
Minimum Parking Required	16 spaces	14 spaces
Minimum Landscape Strip abutting a Site Triangle	6 m	2.3 m
Shared Access Driveway	Driveway access and parking for the sole use of owners and occupants	Permit a shared driveway access for the subject lands and the existing “Mr. Lube” located on the abutting lands to the east

The Owner submitted a Minor Variance Application (File A194/09) on August 7, 2009 to address these variances. The Development Planning Department is satisfied that the proposed variances are appropriate for the development of the site. The reduced rear yard setbacks would not impact on the surroundings land uses and the Owner has proposed an enhanced landscape strip between the proposed building and drive-through lane and the property to the north. The proposed reduced landscape strip abutting the Regional site triangle will also be landscaped to compliment the enhanced landscaping along the frontage of the property. The reduced parking standard is considered to be minor in nature. The variance to allow shared access is requested to recognize a mutual access agreement between the owner of the subject lands and the property owner to the east that has existed for over 20 years. The Minor Variance Application is scheduled to be considered by the Committee of Adjustment on October 1, 2009.

**Engineering Department**

The Vaughan Engineering Department is generally satisfied with the overall site development. The final site servicing and grading plans must be approved to the satisfaction of the Engineering Department.

All hydro requirements must be addressed by the Owner, to the satisfaction of Powerstream Inc.

**Parkland Dedication**

The Owner is required to pay cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a building permit in accordance with Section 41 of the Planning Act, to the satisfaction of the Vaughan Legal Department, Real Estate Division.

**Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Plan & Manage Growth & Economic Vitality”.

**Regional Implications**

The property has frontage onto Keele Street, which is under the jurisdiction of the Regional Municipality of York. The Region of York has indicated that it has no objection in principle to the proposed site development, subject to the Owner satisfying all requirements of the Region of York. The Owner will be required to enter into a Regional Site Plan Agreement. Final approval of the proposed development is required from the Region of York.

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**Conclusion**

Site Development Application File DA.09.016 (Imperial Oil Limited) has been reviewed in accordance with the policies of OPA #450 (Employment Area Growth and Management Plan), Zoning By-law 1-88, the comments from City Departments and external public agencies, and the surrounding land use context. The Development Planning Department is satisfied that the proposed redevelopment of the existing gas station with a new site layout, a convenience retail store and convenience eating establishment with a drive-through, as shown on Attachment #2, is appropriate and compatible with the existing and permitted and uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Site Development Application.

**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Convenience Store Elevations
6. Gas Canopy Elevations
7. Pylon Signage Elevations

**Report prepared by:**

Ryan Mino, Planner, ext. 8213  
Carmela, Marrelli, Senior Planner, ext.8791  
Mauro Peverini, Manager of Development Planning, ext 8407

/LG

(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 25, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

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**25 WAYMAR HEIGHTS BOULEVARD – R1V OLD VILLAGE RESIDENTIAL ZONE REVIEW  
CITY OF VAUGHAN  
FILE 21.27  
WARD 2**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated September 8, 2009:**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Council direct the Development Planning Department to schedule a Public Meeting to consider the following amendments to Zoning By-law 1-88 for the properties shown on Attachment #3:
  - a) rezone 36, 48, 52, 64, 72, and 84 Waymar Heights Boulevard from R3 Residential Zone to R1V Old Village Residential Zone;
  - b) rezone the front portion of 35, 47, 59, 73 and 85 Waymar Heights Boulevard from R3 Residential Zone to R1V Old Village Residential Zone to facilitate lots with consistent R1V zoning;
  - c) rezone 31-197 Davidson and 15 and 21 Waymar Heights Boulevard from R2 Residential Zone to R1 Residential Zone; and,
  - d) amend Section 3.20 "Use of Residential Lots" of By-law 1-88 to include the lots on Davison Drive and 15 and 21 Waymar Heights Boulevard, thereby restricting development on these properties to one dwelling on each lot.

**Contribution to Sustainability**

N/A

**Economic Impact**

There are no requirements for new funding associated with this report.

**Communications Plan**

On May 21, 2009, a Notice of this Committee of the Whole Meeting was circulated to the Deputant (Mr. Joseph Salvatore) and to all land owners located on Waymar Heights Boulevard and Davidson Drive, 99, 100, 102 and 103 Gamble Street, the Board of Trade Golf Course, Pine Grove Elementary School, and to those individuals who had requested notification of this meeting.

**Purpose**

The purpose of this report is to obtain Council direction with respect to a deputation made before

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the Committee of the Whole on November 19, 2007 requesting that the City initiate an amendment to the Official Plan (OPA #240 - Woodbridge Community Plan) to recognize the existing lots on Davidson Drive, Waymar Heights Boulevard and the cul-de-sac portion of Gamble Street (Attachments #1 and #2) as an older established residential area characterized by larger lots. In addition, the deputation included a request to amend By-law 1-88 to rezone these properties from R1 Residential Zone, R2 Residential Zone and R3 Residential Zone to R1V Old Village Residential Zone.

#### **Background**

Official Plan and Zoning Amendment Applications  
Files OP.07.007 & Z.07.043 (L & L Holdings Inc.)

This report originates from Council's initial consideration of Official Plan and Zoning By-law Amendment Files OP.07.007 and Z.07.043 (L & L Holdings Inc. – see Attachment #2) to facilitate the severance of two (2) residential lots located at 146 and 160 Waymar Heights Boulevard (each with a 45.7 m frontage) into 5 (five) residential lots each with a lot frontage of 18m and with a minimum lot area of 768m<sup>2</sup> as shown on Attachment #5. The applicant proposed the following:

1. An Official Plan Amendment Application (File OP.07.007) to amend the "Low Density Residential" policies in OPA No. 240 (Woodbridge Community Plan), to reduce the minimum lot area for lands abutting the Board of Trade Golf and Country Club from 930m<sup>2</sup> to 768.25 m<sup>2</sup>.
2. A Zoning By-law Amendment Application (File Z.07.043) to amend By-law 1-88, specifically to rezone the lands from R1V Old Village Residential Zone (minimum 845 m<sup>2</sup> lot area and 30 m lot frontage) to R2 Residential Zone (minimum 450 m<sup>2</sup> lot area and 15m lot frontage).

Several letters were received by the Development Planning Department from residents in the area and the Board of Trade Golf Course, requesting to be notified of the status of the applications and expressing concern that the proposal to create five lots with 18m frontages would change the character of the neighbourhood, which includes existing larger lots on both Waymar Heights Boulevard and Davidson Drive. There were several deputations made at the Public Meeting on April 7, 2008 in opposition to the applications expressing the same concerns.

In addition, prior to the April 7, 2008 Public Meeting, on November 6, 2007, the City Clerk's Department received a written submission on behalf of some of the homeowners who reside on Davidson Drive, Waymar Heights Boulevard and all of the homeowners on the cul-de-sac portion of Gamble Street. On November 19, 2007 the Committee of the Whole received a deputation, requesting that the City of Vaughan address an amendment to the Official Plan to recognize these streets as being:

"An older established residential area characterized by original larger lots, having architectural and landscape value, be recognized as unique enclaves to be protected within the broader community, and any development shall protect the integrity of the area and be consistent with its overall character and maintain existing lot sizes."

Additionally, several residents in the area signed a petition that all properties on Davidson Drive, Waymar Heights Boulevard and the cul-de-sac portion of Gamble Street be rezoned to R1V Old Village Residential Zone (minimum lot frontage of 30 m), with the exception that existing lots with a frontage of less than 30m as of the date of the petition be deemed to comply with the By-law 1-88.

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On November 26, 2007, Council ratified the November 19, 2007 Committee of the Whole recommendation, which read as follows:

“That the deputation of Mr. Joseph Salvatore, 132 Davidson Drive, Woodbridge, L4L 1M4 on behalf of Homeowners of Davidson Drive, Waymar Heights and Gamble Street, written submission dated November 6, 2007, and petition, be received, and referred to staff for a report to a future Committee of the Whole meeting, to address the request, and that all studies and correspondence also be provided to the deputant.”

On May 12, 2008, the Development Planning Department received a letter from the Owner of 146 and 160 Waymar Heights Boulevard requesting that the Zoning By-law Amendment File Z.07.043 (L & L Holdings Inc.) be amended, to request a site-specific exception from Section 3.20 of Zoning By-law 1-88 in order to facilitate the severance of 146 and 160 Waymar Heights Boulevard from two (2) lots to three lots through the Consent process. Section 3.20 of By-law 1-88 states that no person shall erect more than one (1) single family dwelling on any lot as shown on Registered Plan 4134. The revised Zoning Amendment Application conformed to the Official Plan since each of the proposed lots had a frontage of 30 m and met the lot area requirements of the R1V Old Village Residential Zone. On June 11, 2008, Council approved the Zoning Amendment Application to facilitate the ultimate creation of 3 residential lots each with minimum 30m frontages. Official Plan Amendment File OP.07.007 is now closed.

The subject report has been prepared in response to Council's above-noted resolution of November 26, 2007.

#### **Planning Considerations**

##### Official Plan

OPA #26 (Woodbridge Community Plan) was adopted by the City of Vaughan on February 7, 1972, and approved by the Province on June 28, 1972, and included the following policy:

“It is the policy of this amendment that no high or medium density development will be permitted in that area adjacent to the Board of Trade Golf and Country Club. Lot sizes abutting the golf course will be a minimum 10,000 square feet in area. Elsewhere, it is intended that only single family development will be permitted. Particular care should be taken to the siting of individual homes on their lots in order that full advantage may be taken of views of the valley lands surrounding this area. Architectural design and landscaping features of individual properties and streets will be reviewed by Council and the developer prior to the release of building permits, in fact, this amendment expects that all those features that go towards the preparation of a residential community of highest quality will be dealt with by Council prior to any substantial building in the community.”

The current Official Plan for the Waymar Heights Boulevard, Davidson Drive and Gamble Street area is OPA #240 (Woodbridge Community Plan), which includes the following policy:

“Lands designated Low Density Residential adjacent to the Board of Trade Golf and Country Club shall be developed for single family residential only and lots abutting the golf course shall be a minimum of 930m<sup>2</sup> (10,000 sq.ft.) in area.”

The lands subject to this review are designated “Low Density Residential” by OPA #240 (Woodbridge Community Plan), and many of the residential lots are located adjacent to the Board of Trade Golf and Country Club, and subject to the site specific policy identified above.

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The purpose of an Official Plan is to set out the planned vision for a community, thereby providing a level of assurance for the logical future development of the community. While an Official Plan sets out long-term land use policies, it is the Zoning By-law that interprets the policies and translates them into development standards, such as the minimum lot size, lot frontage, building setbacks and height. The “Low Density Residential” Official Plan designation is implemented through a number of residential Zone categories, including the R1V Old Village Residential Zone, which requires a minimum lot frontage of 30m.

#### Zoning By-law

##### i) Waymar Heights Boulevard

There are 24 lots with frontage onto Waymar Heights Boulevard as shown on Attachments #2 and #3. It is noted that 22 of these were created through Plan of Subdivision 4134, which was registered on January 23, 1952. The other 2 lots (15 and 21 Waymar Heights Boulevard) were created as part blocks from a Registered Plan of Subdivision (Block “A” Plan 4032).

The current zoning for the properties located on Waymar Heights Boulevard is shown on Attachment #2. The properties located at 99 to 161 and 100 to 160 Waymar Heights Boulevard are zoned R1V Old Village Residential Zone. The R1V Old Village Residential Zone requirements and minimum development standards are set out in Table 1 later in this report. The properties located at 36 to 84 Waymar Heights Boulevard are zoned R3 Residential Zone and 35 to 85 Waymar Heights Boulevard are split-zoned R1V Old Village Residential Zone and R3 Residential Zone.

The different zoning for lots on Waymar Heights Boulevard is attributed to certain lots being located within the former Village of Woodbridge, and other lots are located within the former Town of Vaughan as shown on Attachment #2. The former Village of Woodbridge and the former Town of Vaughan were governed by By-law 980 and By-law 2523, respectively. The lots that were located in the former Village of Woodbridge were zoned R3 Residential Zone by By-law 980, and the lots that were located in the former Town of Vaughan were zoned R2 Residential Zone by By-law 2523. The properties located at 35, 47, 59, 73 and 85 Waymar Heights Boulevard are split-zoned (R3 Residential Zone and R1V Old Village Residential Zone) as these lots are comprised of lands that were part of both the former Village of Woodbridge and Town of Vaughan. The 22 lots on Waymar Heights that were created by Registered Plan 4134 conform to the minimum 30m lot frontage and 845m<sup>2</sup> lot area requirements of the R1V Old Village Residential Zone under the current City of Vaughan By-law 1-88.

In addition, Section 3.20, “Use of Residential Lots”, of Zoning By-law 1-88 states that no person shall erect more than one (1) single family dwelling on any lot within Registered Plan 4134. Accordingly, a Zoning By-law Amendment to Section 3.20 would be required in order to facilitate the severance of any lot within Plan 4134, which applies to all of the properties on Waymar Heights Boulevard except for 15 and 21 Waymar Heights Boulevard.

The two lots municipally known as 15 and 21 Waymar Heights Boulevard with frontage on the south end of Waymar Heights Boulevard (on east side, just north of Davidson Drive) are zoned R2 Residential Zone. These lots are not consistent with the balance of the lot fabric on Waymar Heights Boulevard as their lot frontage and lot area are smaller. Furthermore, these lots do not meet the minimum lot frontage and area requirements of the R1V Old Village Residential Zone.

##### ii) Davidson Drive

The lots located on Davidson Drive are currently zoned R2 Residential Zone by By-law 1-88 as

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shown on Attachment #2. The majority of these lots were created by 2 different subdivision plans (Plans 4032 and 4632) that were registered in the early 1950's and have lot frontages ranging between 22.8m to 29.2m. The historical zoning for these lots is R2 Residential Zone which originated from By-law 980 (the former Village of Woodbridge) and is maintained under By-law 1-88.

iii) Gamble Street

Four residents residing on the cul-de-sac portion of Gamble Street signed the petition to rezone their properties and to be included in the Official Plan Amendment. These lots are separated from the rest of the residential lots on Gamble Street by Pine Grove Public School. The four pie-shaped lots were created in 1982 through a rezoning (from RR Rural Residential Zone) and the Consent process with frontages that range from 16.59m to 24.7m. These lots are now zoned R1 Residential Zone by By-law 1-88, as shown on Attachment #2.

Zoning

Table 1 below identifies the minimum zoning requirements for the City's current Zoning By-law (By-law 1-88) and previous zoning by-laws for the former Village of Woodbridge and Town of Vaughan.

Table 1 - Minimum Zone Requirements

ZONE	MINIMUM LOT SIZE	MINIMUM LOT FRONTAGE	MAXIMUM LOT COVERAGE	MINIMUM FRONT YARD	MINIMUM SIDE YARD	MINIMUM REAR YARD
<b>By-law 980 (Former Village of Woodbridge)</b>						
R2	696.75m <sup>2</sup> (7500 sq.ft.)	19.8m (65 ft)	33%	9.14m (30 ft)	4' + 2'/storey	7.62m (25 ft)
R3	465m <sup>2</sup> (7500 sq.ft.)	18m (60 ft)	35%	7.62m (25 ft)	4' + 2'/storey	7.62m (25 ft)
<b>Vaughan By-law No. 2523 (Former Town of Vaughan)</b>						
R2	695 m <sup>2</sup> (7481 sq.ft.)	18m (60 ft)	20%	9m (30ft)	1.5m (5ft)	7.5m (25ft)
<b>By-law 1-88 – Current City Standards</b>						
R1V	845m <sup>2</sup> (9095 sq.ft.)	30m (100 ft)	20%	9m (30 ft)	1.5m (5 ft)	7.5m (25ft)
R1	540m <sup>2</sup> (5812 sq.ft.)	18m (60 ft)	35%	7.5m (25 ft)	1.5m (5 ft)	7.5m (25 ft)
R2	450m <sup>2</sup> (4505 sq.ft.)	15m (50 ft)	40%	4.5m (15 ft)	1.2m (4 ft)	7.5m (25 ft)
R3	360m <sup>2</sup> (3875 sq.ft.)	12m (40 ft)	40%	4.5m (15 ft)	1.2m (4 ft)	7.5m (25 ft)

Attachment #6 summarizes the historical zoning for the subject area.

Land Use Context

The existing lot sizes and frontages for the properties on Waymar Heights Boulevard, Davidson Drive and Gamble Street are shown on Attachment #6. The built form along Waymar Heights Boulevard is comprised exclusively of established single detached residential dwellings. 22 of the 24 lots on Waymar Heights Boulevard have minimum lot frontages of 30m of which, 12 of these lots back onto the Board of Trade Golf Course and are therefore subject to a site-specific policy in OPA #240 (Woodbridge Community Plan), which requires that any lot abutting the golf course shall be a minimum of 930 m<sup>2</sup> in lot area and shall be developed for single family residential lots only.

The majority of the residential lots located on Davidson Drive were created by 2 different subdivision plans that were registered in the early 1950's and have lot frontages that range between 22.8m and 29.2m, and with lot areas that range between 1,210m<sup>2</sup> and 1,960m<sup>2</sup>. The four pie-shaped lots on Gamble Street were created through the Consent process with frontages that range from 16.59m to 24.7m, and with lot areas that range between 1,621 m<sup>2</sup> and 2,413m<sup>2</sup>.



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The larger lot frontages (minimum 30m) on Waymar Heights Boulevard were created through Plan 4134, which distinguishes them from the surrounding area, including the lots on Davidson Drive and the cul-de-sac portion of Gamble Street.

#### Analysis/Requested Amendments

The lots with frontage onto Waymar Heights Boulevard that were created through Plan 4134 and zoned R1V Old Village Residential Zone are distinct from the lots located along Davidson Drive and Gamble Street given their larger lot frontages and lot areas. The Woodbridge Community Plan (OPA #240) includes a policy that states:

“Lands designated Low Density Residential adjacent to the Board of Trade Golf and Country Club shall be developed for single family residential only and lots abutting the golf course shall be a minimum of 930m<sup>2</sup> (10,000 sq.ft.) in area.”

Furthermore, Section 3.20 “Use of Residential Lots” of Zoning By-law 1-88 states that no person shall erect more than one (1) single family dwelling on any lot within Registered Plan 4134 (the large lots with frontage along Waymar Heights Boulevard). A Zoning By-law Amendment to Section 3.20 would be required in order to facilitate the severance of any lot within Plan 4134 (except 15 and 21 Waymar Heights Boulevard).

An amendment to By-law 1-88 is recommended for the properties located at 35, 47, 59, 73 and 85 Waymar Heights Boulevard that are split zoned R3 Residential Zone and R1V Old Village Residential Zone as shown on Attachment #2, in order to establish one consistent zoning for these lots.

The 2 lots located at 15 and 21 Waymar Heights Boulevard are zoned R2 Residential Zone. These lots are not consistent with the balance of the lot fabric on the street since their lot frontage(s) and lot area(s) are smaller and more consistent with the R1 Residential Zone Standards. Therefore, it is suggested that these lots be rezoned from R2 Residential Zone to R1 Residential Zone, consistent with the proposed zoning for Davidson Drive.

The lots located along Davidson Drive differ from the lots along Waymar Heights Boulevard, particularly with respect to lot frontage. The lot frontages for these lots would not meet the minimum R1V Old Village Residential Zone requirement. These lots are zoned R2 Residential Zone under By-law 1-88 although their lot frontages and lot areas are more consistent with the R1 Residential Zone standards (18m minimum lot frontage and 540m<sup>2</sup> minimum lot area). Accordingly, there is merit in rezoning these lots from R2 Residential Zone to R1 Residential Zone. Furthermore, in order to provide an additional zoning standard to prevent the severance of the lots within Plans 4032 and 4632 (31- 197 Davidson Drive), it is recommended that each plan be subject to the one-house per lot provision currently applicable to Plan 3134 (Waymar Heights Boulevard), under Section 3.20 “Use of Residential Lots” of By-law 1-88. This will permit only one house on each of the existing lots.

The Development Planning Department is satisfied that the existing policy regime within OPA #240 together with the recommended zoning changes will maintain the large lot character of the area identified in Attachments #2 and #3. The Development Planning Department is of the opinion that residential lots located on the cul-de-sac portion of Gamble Street are adequately protected by the existing Official Policy policies that requires a lot abutting the golf course to be a minimum of 930m<sup>2</sup> (10,000 sq.ft.) in addition to the existing R1 Residential Zone that requires a minimum 18 m lot frontage.

It is recommended that the Zoning By-law be amended to better reflect the policies in the Official

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Plan and the existing lot sizes in order to protect the character if the neighbourhood. The proposed zoning for Waymar Heights Boulevard, Davidson Drive and the Gamble Street cul-de-sac is shown on Attachment #3. The specific amendments include:

- a) rezone 36, 48, 52, 64, 72 and 84 Waymar Heights Boulevard as shown on Attachment #3 from R3 Residential Zone to R1V Old Village Residential Zone;
- b) rezone the front portion of 35, 47, 59, 73 and 85 Waymar Heights Boulevard as shown on Attachment #3 from R3 Residential Zone to R1V Old Village Residential Zone to facilitate lots with consistent R1V zoning;
- c) rezone 31-197 Davidson Drive; and, 15 and 21 Waymar Heights Boulevard as shown on Attachment #3 from R2 Residential Zone to R1 Residential Zone; and,
- d) amend Section 3.20 "Use of Residential Lots" of By-law 1-88, to include the lots on Davison Drive and 15 and 21 Waymar Heights Boulevard, thereby restricting development on these properties to one dwelling on each lot.

#### Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

#### Regional Implications

N/A

#### Conclusion

The Development Planning Department has reviewed the deputation made before the Committee of the Whole to recognize the character of the Waymar Heights Boulevard, Davidson Drive and Gamble Street areas by way of amendments to the Official Plan and Zoning By-law. The Development Planning Department is satisfied that the existing Official Plan policies are adequate to ensure the character of the area is maintained.

However, there is merit in considering a Zoning By-law Amendment to implement a consistent R1V Old Village Residential Zone regime for Waymar Heights Boulevard that reflects the existing lotting fabric and addresses the different historical zoning in the area. It is also recommended that the lots on Davidson Drive and 15 and 21 Waymar Height Boulevard be rezoned from R2 Residential Zone to R1 Residential Zone to reflect the existing lot sizes and lot areas, which are more consistent with the R1 Zone standards. In addition, it is also recommended that the one-house per lot provisions in Section 3.20 "Use of Residential Lots" of By-law 1-88 be applied to the lots on Davidson Drive and 15 and 21 Waymar Heights Boulevard to protect these lots from being severed. Accordingly, it is recommended that a Public Meeting be held to consider these amendments to Zoning By-law 1-88.

#### Attachments

1. Context Location Map
2. Location Map
3. Possible Future Zoning
4. Historical Zoning
5. Site Plan Proposed at Public Hearing – April 7, 2008 (Files OP.07.007 and Z.07.043)
6. Lot Sizes & Frontages

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**Report prepared by:**

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/CM

(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 SEPTEMBER 21, 2009**

Item 26, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

**26**

**NEW VAUGHAN OFFICIAL PLAN  
FILE: 25.3.1**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated September 8, 2009:**

**Recommendation**

The Commissioner of Planning, in consultation with the Director of Purchasing Services, and the Department of Reserves and Investments, recommends:

1. That the scope of the contract with Urban Strategies Inc., the City's lead consultant for the Official Plan Core Consulting team, be amended to cover the costs of sub-contracting on a sole source basis for the development of the VaughanQuest development simulation software and Documentary Film #1. The cost of \$160,000 (plus 3% administration fee) is consistent with the approved 2008 Capital Budget;
2. That the scope of the contract with Urban Strategies Inc. be amended to include completion of the West Vaughan Secondary Plan, Development Capacity Analysis, Development Concept Demonstration Plans, and Documentary Film #2, on a sole source basis. The total cost of \$373,000 (plus 3% administration fee) is consistent with the approved 2009 Capital Budget; and
3. That the Director of Purchasing Services be authorized to make necessary adjustments to the existing agreement.

**Contribution to Sustainability**

The Official Plan project is a fundamental component of VaughanTomorrow, the City's growth management strategy, and will result in a new Official Plan which conforms in all respects with the principles and policies of the Green Directions document.

**Economic Impact**

There will be no economic impact associated with the recommendations of this report, as the approved 2008 and 2009 Capital Budgets already include funds to cover the costs of each of the work components to be incorporated into the Core Team's contract. Each of these work components have been previously considered by Council, and approved within the 2008 and 2009 Capital Budgets.

**Communications Plan**

All of the components of the Official Plan project are the subject of an extensive, City-wide public consultation program which will continue throughout the balance of 2009 and 2010 to communicate with and engage the public through public meetings, events, the VaughanTomorrow web site, and other initiatives to inform and seek input as the project moves to completion.

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#### Purpose

This report's purpose is to request approval to amend the Core Team contract with Urban Strategies Inc. (USI), to enable USI to carry out some additional required tasks in order to complete the new Official Plan, as previously approved by Council.

#### Background - Analysis and Options

The Official Plan Review and preparation of the new Official Plan are proceeding on schedule with Council adoption anticipated in June 2010. The project includes the development of the new document by the Core Team, led by Urban Strategies Inc., and a number of other background studies and master plans being undertaken under separate contracts. As this three-year project proceeds, it has become apparent that it is logical and efficient for some additional work components to be undertaken by Urban Strategies, owing to their familiarity with the project overall, their professional expertise, and the need to coordinate the components with the Official Plan process. The recommendations included in this report are a reflection of the appropriateness of adding some additional tasks and budget to Urban Strategies' Core Team contract, to facilitate completion of the OP project in an efficient and timely manner.

In 2007, Council approved a budget of \$750,000 for the OP project, including \$580,000 for the Core Team's costs over the first two stages of their contract.

In 2008, Council approved a budget of \$1,500,000 for the OP project, including \$499,000 for USI's costs over the first two stages of their contract. Subsequently, in a report to the Official Plan Review Committee (see Attachment 1) dated Dec. 2, 2008 (and, subsequently to Council on Feb. 3, 2009), the following recommendation was approved:

"That the detailed breakdown of the allocation of funds in the 2008 Capital Budget for the New Vaughan Official Plan be revised and approved."

The report made adjustments to the allocation of the 2008 Capital Budget for the Official Plan. The report outlined the need to develop a Documentary Film, and to develop the VaughanQuest software simulation software through subcontracts to Urban Strategies. Both items were described as options in Urban Strategies' original proposal to undertake the Official Plan, but were outside of their proposed budget. Both items were endorsed by the Official Plan Review Committee in view of their value in facilitating public involvement in the process. Each of these products cost \$80,000, or a total of \$160,000.

Recommendation #1 of this report addresses this matter. The inclusion of these items in Urban Strategies' contract results in the USI contract for 2008 totalling \$659,000.

The 2009 Capital Budget provides \$1,218,000 for the Official Plan project as a whole. The Core Team's work on the Official Plan was budgeted at \$580,000, with the balance of the funds identified for a number of additional projects and tasks. Subsequently, it has become clear that some of these tasks should logically be incorporated into the USI contract as this will yield cost efficiencies, and USI has the requisite knowledge and expertise, and are in the best position to coordinate this work with other ongoing work connected with preparation of the new Official Plan.

Recommendation #2 of this report addresses this matter by proposing that the Capacity Analysis (\$95,000), the Development Concept Demonstration Plans (\$88,000), Documentary Film #2 (\$90,000), and the West Vaughan Secondary Plan (\$100,000) be included in Urban Strategies contract, with an adjustment to the funds available to cover the associated costs. The basis for sole sourcing the contract for this work to Urban Strategies is as follows:

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1. The Development Capacity Analysis is a requirement defined by the Region of York which all municipalities in the Region must satisfy. It entails the detailed review of lands throughout the City, a task which Urban Strategies is the best suited to undertake since they are carrying out the preparation of the new Official Plan for the entire City, and are examining all existing official plans in detail.
2. The Development Concept Demonstration Plans involved detailed analysis of specific sites across the City to define how they could be redeveloped, and thereby estimate their development potential. The Demonstration Plans have the added benefit of physically illustrating how each site might develop in terms of built form, streetscaping, landscaping, etc., and will be invaluable in engaging the public respecting future development opportunities. Completion of this analysis became an input to the Development Capacity Analysis noted in #1 above.
3. Documentary Film #2 will build upon the work being completed for the new Official Plan and serve as a promotional video to inform the public about the City's new planning and development direction. Consequently, the content and messaging of the film must be coordinated with the new Official Plan. Since Urban Strategies is the author of the new Official Plan, and will play the key role consulting with the public on its content, Urban Strategies is the logical firm to undertake the conceptualization and design of the film. They will, in turn, sub-contract the filming and editing to a film-making company, with the City's input. The Official Plan Review Committee of Council asked Urban Strategies to undertake Film #2 based primarily upon the Committee's very positive response to Film #1, completed by Urban Strategies in the initial phase of work on the Official Plan.
4. The West Vaughan Secondary Plan will be developed for the West Vaughan employment lands. The planning for this area has been delayed while the Environmental Assessment process for the Highway 427 Extension has been carried out over the past several years. The Highway 400 North employment lands, subject to adopted OPA 637, have also been delayed due to the Province's appeal of ROPA 52, leaving the City with an inadequate supply of developable employment lands, in spite of market demand for them. The Secondary Plan will require a policy framework consistent with the balance of policies being brought forward by USI for employment areas in the new Official Plan. In view of USI's expertise and familiarity with Vaughan's policy direction, and the need to ensure that the Secondary Plan can be completed in a timely and coordinated fashion with the balance of the Official Plan, it is desirable that USI includes this task as part of their contract.

The addition of these 4 tasks to Urban Strategies' contract requires that the funds available to the Core Team be augmented by \$373,000, bringing the total funds available to address the Core Team's work under the approved 2009 Capital Budget to \$953,000.

#### Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council pursuant to Vaughan Vision 2020, and the necessary resources have been allocated and approved within the 2008 and 2009 Capital Budgets.

#### Regional Implications

There are no Regional implications arising from the recommendations of this report.

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**Conclusion**

The amendments to the Core Team budget, due to the inclusion of additional tasks within the Urban Strategies contract, as proposed in this report's recommendations, are appropriate, given the scope of work and time horizon of the Official Plan project. Urban Strategies have the expertise and resources to undertake the work, the work is integral to the other tasks for which they are responsible, and sole sourcing these tasks will yield significant time and cost efficiencies, and a high quality product. Such amendments entail no additional funding commitments to the Official Plan project beyond those previously approved by Council. Should Council concur, the recommendations should be approved.

**Report prepared by:**

Paul Robinson, Senior Policy Planner





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Mr. Weissglas notified both the Complainant and Mayor Jackson that pursuant to the interim Complaint Protocol For Council Code of Conduct, the Integrity Commissioner would conclude the investigation once Council had made its final deliberations on the External Auditor's Report and if, the facts of the report merit continuation of the investigation.

A Supplemental Report regarding the Mayor's City-Related Expenses for 2007 was presented by Ernst & Young LLP to Vaughan City Council in June 2009. After reading both the December 5, 2008, original Ernst & Young Report and the Supplemental Report, I found that the substantive issues common to this complaint had in large part been addressed by the external audit process. Although Council's final deliberation of the Supplemental Report has not been concluded and City staff have been directed to report on implementation, it is my belief that the complainant has had to wait far too long for a response since the filing of the original complaint. Since the receipt of the original complaint, Vaughan's first Integrity Commissioner resigned and a new Integrity Commissioner was appointed, a Supplemental External Auditor Report was drafted and submitted and further discussion by Council and policy development by City staff will take place. The private citizen should not be made to wait any further for a much-deserved conclusion to the complaint.

#### **Complaint #9-25-08**

On September 22, 2008, a private citizen filed a formal complaint with the former Integrity Commissioner for the City of Vaughan, Mr. William Weissglas. The complaint was received by the City of Vaughan Clerks Department. In the complaint, the private citizen (the "Complainant") asked the Office of the Integrity Commissioner to investigate into a series of questions regarding the use by Mayor Linda Jackson ("Mayor Jackson") of the Mayor's City-Related expense account. The Complainant alleged that Mayor Jackson had breached several sections of the Code of Ethics and Conduct for Members of Council, 1996 (the "Code").

The complaint centered on the contents of a letter that the Complainant had forwarded originally to the City Manager of the City of Vaughan. The Complainant's letter, dated May 2, 2008, was forwarded by the City Manager to the Audit and Operational Review Committee (the "Audit Committee") and was subsequently included as a confidential written submission Item 6 to the May 6, 2008 Audit Committee meeting.

On September 25, 2008, Mr. William Weissglas confirmed receipt of the formal complaint and advised that a complaint file had been opened with the Office of the Integrity Commissioner.

This complaint is governed by the interim Complaint Protocol which was adopted by Vaughan City Council at its meeting held on June 23, 2008, in addition to the Code of Ethics and Conduct for Members of Council (Policy 01.06 – 96-03-25).

On October 10, 2008, Mr. Weissglas forwarded a letter to both the Complainant and Mayor Jackson indicating his intention to suspend the investigation. Mr. Weissglas stated in his letter that:

Both the Complainant in her complaint, and the Mayor in her October 6<sup>th</sup>, 2008 letter have indicated that a substantial part of the facts/issues which give rise to the present complaint are being investigated under another process, i.e. the Audit Committee has directed that the facts/issues raised by the complainant be investigated by an external auditor. The referral to the external auditor of the complainant's original complaint questions appears to address the investigation of the procedural irregularities alleged by the complainant. The auditor's report should also clarify other facts/issues involved in the complainant's original complaint and in this complaint.

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Section 6(3) of the interim Complaint Protocol headed “Matter Already Pending”, gives the Integrity Commissioner sole discretion to suspend any investigation of a complaint that is already the subject matter of an outstanding complaint under another process. The investigation can be suspended pending the results of that other process.

Mr. Weissglas reasoned that the external Auditor’s Report, the findings of facts, as well as, Council’s deliberation on the report would likely clarify and address many, if not all of the issues raised in the current complaint.

Mr. Weissglas notified both the Complainant and Mayor Jackson that pursuant to the interim Complaint Protocol, the Integrity Commissioner would conclude the investigation **once** Council had made its final deliberations on the external Auditor’s Report and **if**, the facts of the report merit continuation of the investigation.

In the complaint, the Complainant alleged that Mayor Jackson breached, or may have breached sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of the Code of Ethics and Conduct for Members of Council , Policy 01.06 – 96-03-25 (the “Code”), which require an elected Member of Council to conform to ethical rules of conduct, which include the obligation to act with dignity, in the best interests of all people in the municipality, without consideration for personal gain.

**The Relevant Provisions of the interim Complaint Protocol for the Code of Ethics and Conduct for Members of Council**

Sections 3 and 5 of the interim Complaint Protocol, in addition to the Council direction of June 11, 2007, provide the Integrity Commissioner’s jurisdiction to investigate into the alleged contraventions of the Code:

**Part A: Informal Complaint Procedure**

Individuals (including City employees, members of the public, members of Council or local boards) who identify or witness behavior or activity by a member of Council that appears to be in contravention of the Code of Conduct for Members of Council – (the “Code of Conduct”) may address the prohibited behavior or activity themselves as follows.

**Part B: Formal Complaint Procedure**

Individuals (including City employees, members of the public, members of Council or local boards) who identify or witness behavior or activity by a member of Council that appears to be in contravention of the Code of Conduct for Members of Council , may file a formal complaint with the required information on the prescribed affidavit.

In its final incarnation of the complaint, the Complainant alleges breaches of ss. 1-9 of the Code. Although the current Code does not contain text headings for each rule, I have put each under headings and I have extrapolated text from the body of each section, in an attempt to paraphrase the principle embodied in rule and underscore, what I believe to be the original intent of the authors of the Code.

**Rules 1-9 provide:**

**Rule 1 - Public Trustee**

A Councillor believes in the dignity and worth of the services rendered by local government. He/she also has a deep sense of his/her own social responsibility as a public trustee and is confident that he/she can serve to the advantage of the municipality.

**Rule 2 - Best Interests of the Public**

A Councillor recognizes that the chief function of local government at all times is to serve the best interests of all the people in the municipality.

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**Rule 3 - Accountability**

As an elected official, a municipal Councillor has a responsibility to carry out his/her duties to the best of his/her ability and to be accountable for his/her decisions and actions.

**Rule 4 - Integrity**

A Councillor is governed by the highest ideals of honour and integrity in all his/her public relationships.

**Rule 5 - Without Personal Gain**

The decisions that a Councillor makes will be based on the proper best interest of the municipality, without consideration of personal gain. He/she believes that personal glorification or profit secured through the misuses of his/her position or through misuse of public time is dishonest and therefore unacceptable.

**Rule 6 - Council as decision-maker**

A Councillor recognizes that the decision-making authority for the municipality lies with the council, not an individual councillor. Within Council, a Councillor will make his/her position known, and will listen to and respect those whose opinions differ from his/her own. Further, Councillors recognize that once a majority decision has been reached, it becomes Council's decision.

**Rule 7 - Public Trust**

A Councillor will not violate the public trust by discussing matters of municipal concern in an [in]appropriate place, or in an unsuitable manner.

**Rule 8 - Cooperation and Confidence**

A Councillor recognizes the importance of cooperation, and endeavours to earn the respect and confidence of the public, the administrative staff, as well as his/her colleagues.

**Rule 9 - Collaboration**

A Councillor strives to create an atmosphere within council conducive to solving the many problems that they will be required to address. He/she is willing to work as part of a team; to contribute constructively; to compromise when necessary; and to share the knowledge of his/her experience with new Councillors.

The esteemed previous Integrity Commissioner advised both the Complainant and Mayor Jackson that "[o]nce [he had] been notified that Council [had] made its final deliberations on the external auditor's report, and the facts merit continuation of this investigation [emphasis added], [he] will write to the respondent...and request...the Complainant provide [the] office with a written response to the allegations made by the Complainant within 10 days. When [he receives] the Mayor's written response [he] will send it to the Complainant, and pursuant to section 10(1)b of the Complaint Protocol, [he] will request that the Complainant provide a written reply within 10 days. The investigation will then proceed."

It is my position that the facts of the findings of the External Auditor's Report do not give merit to the continuation of this investigation. Although Council has not conducted a final deliberation on the recommendations of the External Auditor and although the interim findings by the previous Integrity Commissioner who had carriage of the complaint advised that this office would make a decision on whether to go forward with the investigation **after** final Council deliberation of the External Auditor's report, it is my position that the substantive issues common to this complaint and the audit process have in large part, if not entirely been addressed and the Complainant should not have to wait further conclusion.

In the interests of clarity, it would be beneficial to briefly go over how the Ernst & Young Report substantively addressed the issues subject of this complaint.

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#### Facts

On December 5, 2008, the External Auditor Ernst & Young attended the City of Vaughan's Audit Committee to present the Ernst & Young LLP report dated December 3, 2008 regarding the Mayor's City-Related Expenses for 2007 (the "2008 Report"). At the December 2008 meeting, members of the Audit Committee raised a series of questions. As a result, a supplemental report was prepared by the External Auditor to present final findings.

The Supplemental Report of the External Auditor found the following:

The City policies that were breached include:

- Policy 01.14 Council Budget/Expenditure Policy – City funds were expended for personal use;
- Policy 01.14 Council Budget/Expenditure Policy – the Mayor failed to retain supporting invoices and documentation relating to cellular telephone bills;
- Policy 01.14 Council Budget/Expenditure Policy – the Mayor failed to retain or provide receipts and supporting documentation relating to business meals, explanation relating to a meal expense;
- City of Vaughan Purchasing Policy – the Mayor made a purchase of substantial value and did not follow the City's policies with respect to such purchases.

\*Ernst & Young Report

The Supplemental Report of the External Auditor made the following recommendations that relate to this complaint:

- Council should confirm that the intent of Policy 01.14 was to include "fuel";
- Council should amend Policy 01.14 "Council Budget/Expenditure Policy relating to cellular phones to require that the summary page of the bill indicating the cellular phone number and total charges relating to that number be submitted in support of the amount claimed in the expense report;
- Council should attempt to clarify the wording in relation to business meals to add the requirement of the submission of the original detailed restaurant invoice and the transaction slip. "Also 'supporting documentation' should be expanded to include who attended and the business purpose".
- "Council should consider whether a policy is required with respect to the Mayor's practice of entertaining staff members and their spouses at an annual holiday party in December paid for with funds from the Mayor's budget".

\* Ernst & Young Report

The scope of the 2008 Report included:

- A full and comprehensive forensic audit on all of the Mayor's expenses for 2007, with full and detailed explanations;
- Whether the city's policies were violated (if any);
- Whether personal expenditures were claimed as business expenses;
- Whether the Mayor's expenses have been properly disclosed to the public;
- Whether the Mayor's use of public funds were appropriately used to perform her duties in the interest of the City;
- To answer the issues raised in the two letters of the resident ...;
- To issue a full and comprehensive report with the results which may be available to the public.

\* Ernst & Young Report

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**Integrity Commissioner's ruling:**

Both the 2008 Report and the Supplemental Report regarding the Mayor's City-related expenses for 2007 addressed the questions originally posed in the letter to the City Manager dated May 2, 2008 from the Complainant, as well as the issues subject of this complaint.

As a general proposition, a Complainant who alleges that a Member of Council has contravened the Code must establish the allegations asserted in the complaint. This is to say that the Complainant who accuses a Member of Council of contravening the Code bears the onus of proving that the breaches put forward in the complaint took place.

Allegations of contraventions of the Code will always be taken seriously by this Office. It is for this reason that such allegations must be accompanied by clear and convincing evidence.

As previously stated, it is my position that the facts of the findings of the External Auditor's Report, do not give merit to the continuation of this investigation by the Office of the Integrity Commissioner.

In making a determination of findings of the facts brought forward, I can accept all of the information brought forward, some of the information or none. I may also draw reasonable conclusions based on the information that I accept.

However, although I have decided, within my discretionary authority, to not continue this investigation, I believe that the Complainant's efforts in bringing forward the issues subject of the complaint deserve an analysis, particularly given the fact that the City of Vaughan is in the process of transition from a 1996 Code to a new Code of Ethical Conduct for Members of Council. Although I have made a determination that the facts that came forward in the External Auditor's Report address in large part the issues of this complaint and therefore, there is, in my view, no merit to the continuation of the investigation by my Office, a review of the issues brought forward in the complaint in relation to their application to the rules of the current Code will serve as guidance as the City moves forward with the new Code of Ethical Conduct. I will therefore review the rules of the Code and briefly apply them to the issues contained in the complaint.

**Review and Discussion:**

**Rules 1-9 of the Code**

**Rule 1**

Section 1 of the Code requires a Member of Council to act as a public trustee in serving to the advantage of the municipality. In reference to acting as a public trustee, it is reasonable to attribute this term to Councillors when they make financial decisions. In making financial decisions, Council's role as a public trustee is to safeguard the taxpayer's money and make the best use of scarce financial resources. Council as a decision-making body sets the budget of the City in an amount that is available and required to provide the services to the residents of Vaughan and fulfill the responsibilities of the City.

At such time as the budget is approved by Council, public funds are allocated for the delivery of specific City-related services.

Policy 01.14 Council Budget/Expenditure Policy enshrines the Council-approved rules that City funds shall not be expended for personal use, although not explicitly stating that public funds may not be committed or expended for personal use, non-City business use, campaign or election related purposes. The Supplemental Report of the External Auditor in relation to Mayor Jackson's City office expenses found that Policy 01.14 was breached. I agree with these findings.

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Rule 6 (3) (f) of the interim Complaint Protocol provides for the complaint to be held in abeyance pending the result of another process. Although the process of the external audit has not had final deliberation by Council, insofar as responses by City staff to the External Auditor's recommendations are still pending, I am sufficiently confident that the parallel process has reached a conclusion on the substantive matters subject of this complaint.

The current Code does not provide for any penalties in the event of a finding of non-compliance with the sections/rules. However, the interim Complaint Protocol provides for a determination by the Integrity Commissioner that a complaint is sustained in whole or in part, with a provision for penalties, as well as, a finding that the complaint is not sustained.

At the conclusion of a complaint investigation, the Integrity Commissioner may make recommendations on sanctions to Council. The sanctions that may be imposed are a reprimand or suspension of the remuneration paid to the member of Council.

The Integrity Commissioner also has the authority to find that although a breach of the Code may have taken place, "*a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith*". Such a finding may be accompanied by appropriate recommendations pursuant to the *Municipal Act*.

Of relevance, we can look to the Ontario Municipal Councillor's Guide for guidance. Page 6 of the Guide states:

#### Stewardship Role

...council has the responsibility for ensuring that the municipality's financial and administrative resources are being used as efficiently as possible, and in a way that is consistent with council's objectives. To refer back to section 224 of the *Municipal Act, 2001*, part of your role, together with the rest of council, is to ensure that administrative policies, practices and procedures are in place to implement the decisions of council and to maintain the financial integrity and long-term viability of the municipality. All of this can be done through good policy and monitoring practices.

It is my view that safeguarding the financial integrity of the municipality is one of the core elements that a member of Council must include in guiding their decision-making. Upon review, I find that although the actions subject of this complaint are extremely serious, I must recognize that based on the information that I have received to date, it does not appear as though Mayor Jackson went about intentionally trying to contravene the City's Council Budget/Expenditure Policy to achieve personal gain.

#### **Rule 2**

Regarding Rule 2, it appears that there are gaps in the Council Budget/Expenditure Policy in relation to reimbursement of funds and the use of the City Amex card. Insofar as Mayor Jackson has intimated that her understanding of the expense declaration was "while in the conduct of business related to..." and insofar as the City is in the process of responding to the recommendations of the External Auditor to amend Policy 01.14 by adding a "Guiding Principles" section, Mayor Jackson appears to have made significant errors in judgment, albeit in good faith, in relation to the use of the City Amex card.

#### **Rule 3**

Submission of receipts and explanations relating to Councillors' expenses are the corollary to accountability and public trust when we talk about public money. A municipality has powers of public spending expressly granted for essential and declared purposes. Tantamount to the accountability of an elected official, is transparency in decision-making through the provision of access to general information to the public. In Dr. Ann Cavoukian's address to the provincial legislature in 1996, the Ontario Information and Privacy Commissioner (IPC), urged municipal and

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provincial government organizations in Ontario to make a concerted effort towards ensuring that the public has full access to government spending records. The IPC went on to say that “[t]he right of citizens to access government-held information is essential in order to hold elected and appointed officials accountable to the people they serve”.

All Ontario municipalities, including the City of Vaughan, are subject to closed-meetings rules. A strong commitment to openness, accountability and transparency must form the foundation of the life of a municipality. This commitment has been strengthened by Provincial efforts to make municipal government understandable and approachable for citizens. To this end, the Province of Ontario has set the rules defining when a council, local board or a committee is allowed to go into a closed meeting.

These rules are found in the Municipal Act 2001. Closed meetings are part of good government when these rules are honoured. From time to time municipal councils, local boards and their committees must meet in closed session. The purpose of such a closed meeting is to receive information or give direction on the following specific topics:

- the security of the property of the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees;
- a proposed or pending acquisition or disposition of land by the municipality or local board;
- labour relations or employee negotiations;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- a matter in respect of which a council, local board, committee or other body may hold a closed meeting under another Act;
- a matter relating to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the council, board, commission or other body is the head of an institution for the purposes of that Act;
- the meeting is held for educating and training and no member discusses or deals with a matter in a way that materially advances the business decision-making of the council

Upon review, it is my understanding that a resolution was passed by the Audit and Operational Review Committee that the April 14, 2008 meeting be held in open session at 11:13 a.m., move to closed session at 11:15 a.m., resume open session at 12:37 p.m. and conclude at 12:40 p.m. I further understand that the meeting went into closed session in accordance with the City of Vaughan Procedural By-Law.

Any person may request that an investigation be undertaken respecting whether the City of Vaughan, one of its local boards or committees has complied with closed meeting rules outlined in the Municipal Act, 2001, as amended or the applicable Procedural By-Law during the closed part of a meeting.

Based on the information that I have received to date, Mayor Jackson has indicated her intentions to post her office expenses online and has cooperated fully and to the best of her ability when information relating to her office expenses has been requested either through formal freedom of information requests or by the members of the Audit and Operational Review Committee. With reference to disclosure of information at the Audit Committee Mayor Jackson appears to have followed the protocol prescribed by the City of Vaughan Procedural By-Law.

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#### **Rule 4**

The current Code requires that a Councillor be governed by the highest ideals of honour and integrity in all his/her public relationships. The draft Code of Ethical Conduct adopted in principle by Vaughan City Council on June 30, 2009 is premised on the principle that elected officials of the City of Vaughan have and recognize their obligation to not only obey the law, but to go beyond the minimum standards of behaviour and act in a manner that is of the highest ethical ideals so that their conduct will bear the closest public scrutiny.

Based on the information that I have received to date, Mayor Jackson has not submitted receipts for certain office expenses incurred. This contravenes the Policy 01.14 which states that “[i]t shall be the responsibility of each Member of Council to retain supporting invoices and documentation” for reimbursement of expenditures for cellular telephone charges, 407 charges and mileage. Although the failure to submit receipts can be attributed to the Mayor’s reliance on her staff to ensure compliance with City policy, each Member of Council is ultimately responsible for compliance with office expense monitoring and reporting. Mayor Jackson appears to have contravened the City policy through inadvertence and error in judgment in good faith.

#### **Rule 5**

Based on the information that I have received to date, Mayor Jackson appears to have made inappropriate use of the City Amex card. The mere fact that the office of Mayor affords the Member use of a corporate purchasing card, presupposes that the use of the card will be limited to purchases directly related to facilitating the execution of the office’s legislative responsibilities. Any personal use of the corporate card infers personal gain, whether intentional or not.

However, there does not appear to have been a rigid enforcement of the City of Vaughan Council Budget/Expenditure Policy nor a strict prohibition on expenditure and/or commitment for personal use. It is my understanding that the City’s Internal Auditor will be bringing forward a report to the Audit and Operational Review Committee with recommendations on tighter rules around accountability and amendments to the Council Budget/Expenditure Policy.

#### **Rule 6**

Rule 6 of the current Code contains the principle of supremacy of Council decision-making. Based on the information that I have received, Mayor Jackson appears to have adhered to the resolutions of the Audit Committee and Council. The Audit and Operational Review Committee received a confidential response from Mayor Jackson. Subsequently, the Committee’s direction was recorded as follows:

*“The Audit and Operational Review Committee recommends:*

- *That the confidential memorandum from Mayor Jackson, dated May 6, 2008, be received;*
- *That the confidential written submission of [a named individual]], dated May 2, 2008, be received;*
- *That all documentation related to this matter be referred to an external forensic auditor to bring back a comprehensive report before the summer hiatus if possible, and that this be coordinated by the City’s Internal Auditor; and*
- *That the deputation of [ a named individual], be received.”*

A resolution was passed by the Audit and Operational Review Committee in Open Session prior to the meeting being closed to the public, pursuant to s.2.4 of the Procedural By-Law.

Upon review, Mayor Jackson does not appear to have contravened Rule 6 of the Code.



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#### **Rule 7**

I reiterate here that the submission of receipts and explanations relating to Councillors' expenses are the corollary to accountability and public trust when we talk about public money. Further, based on the information and facts available to me, a resolution of the Audit and Operational Review Committee was passed in Open Session prior to the meeting being closed to the public in accordance with section 2.4 of the Procedural By-Law No. 140-2008 – June 11/08. Authority to make a determination of whether a municipality has breached closed-meeting rules lies with the City-appointed closed-meeting investigator or in the absence of such an appointment, the Ombudsman of Ontario.

The facts that I have before me to date appear to point to Mayor Jackson having adhered to resolutions of the Audit Committee and Council.

#### **Rule 8**

Rule 8 of the current Code states that a Councillor recognizes the importance of cooperation, and endeavours to earn the respect and confidence of the public, the administrative staff, as well as his/her colleagues.

The questions relating to Mayor Jackson's office expenditures were posed by a member of the public to Mr. Michael DeAngelis, City Manager, City of Vaughan. Based on the information that I have received to date, Mr. DeAngelis addressed the questions relating to the Mayor's expenses in a public report. Based on the facts presented to me, Mayor Jackson appears to have cooperated with and adhered to the resolutions of the Audit and Operational Review Committee and Council in relation to responding to questions on the office expenses of the Mayor's Office. While any contravention of the Council Budget/Expenditure Policy by a Member of Council will erode public trust and confidence in the City's decision-making, it appears that the actions of Mayor Jackson in relation to responding to questions in this matter, while not made directly to any member of the public, were in compliance with and cooperative with resolutions of the City's Committees and Council.

#### **Rule 9**

This Rule speaks to collaboration among all Members of Council with a view to solving problems required to effectively direct the municipality. Based on the information that I have received to date, the City Manager together with the members of the Audit and Operational Review Committee, the City's Internal Auditor and members of Council as a whole, have collaborated in accordance with the Procedural By-Law to address the questions on the matter of the Mayor's use of public funds allocated to her offices expenses.

Mayor Jackson appears to have collaborated with the City administration, members of the Audit and Operational Review Committee and City Council in responding to the questions put forward by the member of the public.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

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

#### **Regional Implications**

This report has no Regional implications.

#### **Conclusion**

Although the current Code does not deal with penalties, section 12(3) of the interim Complaint

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Protocol provides the authority to the Integrity Commissioner, upon concluding a complaint investigation, to impose either a reprimand or a suspension of the remuneration paid to the member in respect of his or her services as a member of council for a period of up to 90 days. The investigation of this complaint was suspended by the previous Integrity Commissioner, pending Council's final deliberation of the External Auditor's Report of the Mayor's City Related Expenses for 2007.

Even though I have decided not to continue with the investigation of this complaint, the issues raised by the Complainant in relation to the Mayor's management of City-Related Expenses for 2007, demonstrate a lack of awareness of current Council policies and a serious lapse in judgement.

It is imperative that Members of Council of the City of Vaughan take their obligations under the current and future Code of Conduct seriously. At any level of government, the public's perception of ethical government decision-making is critical to the reputation of the government organization and to the level of public trust and confidence. This perception shapes the public's opinion about government officials' personal integrity, honesty and ultimately, the government's performance.

Had I found that the findings of the External Auditor's report gave merit to the continuation of this investigation, based on the information I have received to date, I would likely have come to a conclusion that there had been contraventions of rules 1, 2, 4 and 5 of the current Code of Ethics and Conduct for Members of Council. Had there been merit in the continuation of the investigation, there also appear to be several gaps in the Council Budget/Expenditure Policy which may have led to a finding that the contraventions were committed through inadvertence or error of judgment made in good faith.

Lastly, notwithstanding the fact that I have decided that the findings of the External Auditor do not give merit to the continuation of this investigation, I very strongly recommend the need for amendments to the City's Council Budget/Expenditure Policy and the adoption and implementation of the recommendations contained in the Supplemental Report of Ernst & Young. In particular, I concur with the findings of the External Auditor's Report that there is a need to strengthen the requirement for submission of receipts by a Member of Council and to provide explanatory notes for expenses to guarantee that the funds were required and committed in the exercise of the Member of Council's official duties.

I commend the Complainant for the diligence and commitment in bringing forward this complaint and effectively working to hold elected officials accountable to a more open and transparent decision-making framework.

**Attachments**

1. Code of Ethics and Conduct for Members of Council Policy No.: 01.06
2. Complaint Protocol for Council Code of Conduct

**Report prepared by:**

Suzanne Craig  
Integrity Commissioner

(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.)

*Mayor Jackson declared an interest with respect to the foregoing matter as it relates to her, and did not take part in the discussion or vote on the matter.*

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Item 28, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

**28                      REQUEST FOR APPROVAL FOR SINGLE SOURCE AGREEMENT  
                                 J.D. EDWARDS HUMAN RESOURCES SYSTEM (PHASE II)  
                                 IMPLEMENTATION SERVICES**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Legal & Administrative Services & City Solicitor and Director of Human Resources, dated September 8, 2009:**

**Recommendation**

The Commissioner of Legal & Administrative Services & City Solicitor and Director of Human Resources, in consultation with the Chief Information Officer (CIO), Director of Reserves and Investments and the Director of Purchasing Services recommend:

1. That Council approve the awarding of consulting services in the amount not exceeding the previously approved budget of \$175,000 (not including administration costs) for the enhancement of Human Resources (HR) processes using Oracles' JDE EnterpriseOne 8.12 (JD Edwards) to Mid-Range Software Services Inc.; and
2. That staff be authorized to finalize related agreements within the approved budget, and
3. That the Mayor and City Clerk be authorized to sign related agreements.

**Contribution to Sustainability**

This project will allow the City of Vaughan to become more technologically based and less paper based thereby enhancing environmental sustainability.

**Economic Impact**

In 2007, Council approved a Capital Budget request in the amount of \$240,000 for the implementation of J.D. Edwards Human Resources System (Phase II). As part of a phased-in implementation approach, approximately \$65,000 has been spent to-date on staff JDEdwards training, business requirements gathering, process mapping, project scoping, and implementation planning activities. The balance of the approved budget is sufficient to implement enhanced functionality of the Human Resources System, as per the defined functional requirements.

**Communications Plan**

The Purchasing Services Department will advise Mid-Range Software Services Inc., of Council decision.

**Purpose**

The purpose of this report is to request Council approval to award a single source contract to Mid-Range Software Services Inc., so that staff may proceed with the implementation of the JDEdwards Human Resources System (Phase II).

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

The HR Phase I implementation was completed in 2004. This implementation integrated the HR, Payroll and Financial modules within JDEdwards. The objective of the HR Phase II implementation is to improve business efficiencies by reducing paperwork and manual processes with the enhanced system functionality.

In order to secure professional consulting services to aid in with the HR Phase II implementation, an RFP was issued to allow vendors to compete. The RFP was composed as a phased implementation approach. The 1st phase consisted of the analysis, recommendations, implementation plan, and the 2nd phase to perform the implementation of recommended changes, provisional based on the results of the 1<sup>st</sup> phase. RFP08-139 was issued on May 8, 2008 for professional consulting services to perform the analysis and implementation of the enhanced HR functionality. The RFP was advertised in the Vaughan Citizen, ETN and OPBA on May 8<sup>th</sup> with a closing date of May 26<sup>th</sup>, 2008. Two proponents submitted proposals which were reviewed by a selection committee. Mid-Range Software Services Inc., via a competitive bid process, received the highest score in the evaluation and was awarded the 1<sup>st</sup> phase on July 11, 2009.

As part of the phased-in implementation approach, the 1<sup>st</sup> phase has been completed which included a review of the current business processes, the development of new processes, the documentation of business requirements, the identification of opportunities and options, and a plan for the implementation. Mid-Range Software Services Inc. has successfully completed the desired deliverables and demonstrated competency in the understanding of City processes, and recommended enhanced JDEdwards functionality to improve these processes.

As a result, staff is recommending that Mid-Range Software Services Inc. be awarded the implementation phase as a single source provider as the current consultant has the knowledge, skill set and specific experience of the project.

#### **Relationship to Vaughan Vision 2020 Strategic Plan**

This report supports the Vaughan Vision 2020 initiative of enhancing productivity, cost effectiveness and innovation and is consistent with the priorities previously set by Council. The necessary resources have been allocated and approved.

#### **Regional Implications**

There are no regional implications as a result of this report.

#### **Conclusion**

In order to proceed with the implementation phase, it is recommended that Mid-Range Software Services Inc. should be awarded as single sourced proponent as they have demonstrated competency in the professional consulting services provided to the City for the 1<sup>st</sup> phase of the phased implementation approach, and therefore have demonstrated their ability to perform the 2<sup>nd</sup> phase of the implementation

#### **Attachments**

None

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

Janet Ashfield  
Director of Human Resources

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Item 29, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

**29 HIGHWAY 400 IMPROVEMENTS - MAJOR MACKENZIE DRIVE TO KING ROAD  
KING-VAUGHAN ROAD BRIDGE WIDENING –DESIGN ASSIGNMENT  
WARD 1**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 8, 2009:**

**Recommendation**

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

1. That the Ministry of Transportation be requested to design and construct the new King-Vaughan Road/Highway 400 Overpass with a wider deck cross-section to accommodate a sidewalk on the south side and bike lanes on either side, and to overbuild the sub-structure (piers and abutments) in order to accommodate the widening of the bridge deck to four lanes with a sidewalk and bike lane on both sides in the future;
2. That SNC-Lavalin Inc. be retained to provide consulting engineering services in connection with the additional design work associated with the widening/overbuilding of the King-Vaughan Road Bridge at an estimated cost of \$65,000;
3. That staff be authorized to negotiate and finalize related agreements with the Ministry of Transportation and SNC-Lavalin Inc. within the approved budget for Capital Project DT-7038-09; and
4. That the Mayor and Clerk be authorized to sign the related agreements.

**Contribution to Sustainability**

The recommended widening of the King-Vaughan Road Bridge Structure contributes to sustainability by providing for the planned growth in the City and the provision of the Pedestrian and Bicycle Master Plan.

**Economic Impact**

The current City-wide Development Charges By-law, under Appendix H, Tables 27 and 28, identifies funding in the amount of \$5,551,700 for the purpose of undertaking the detailed design and widening of the King-Vaughan Road overpass and Kirby Road underpass structures on Highway 400 to provide for the planned City transportation network requirements. The approved 2009 Capital Project DT-7038-09 allocates \$750,000 to undertake the necessary design work associated with these projects in conjunction with the planned highway improvements. The Ministry of Transportation has advised that the additional design and construction costs associated with the widening/overbuilding of the King-Vaughan Road Overpass is estimated to cost approximately \$65,000 and \$1,200,000, respectively. Accordingly, if the recommendations of this report are adopted, additional future funds will need to be allocated to this project to fund the construction component of the works.

**Communications Plan**

The Highway 400 widening project is being carried out by the Ministry of Transportation and includes a public notification/awareness plan.

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#### **Purpose**

The purpose of this report is to inform Council of the scope and timing of the planned widening of Highway 400 between Major Mackenzie Drive and King Road, and to seek authorization to award a single source contract to SNC-Lavalin Inc. to provide consulting engineering services in connection with the additional design work associated with the recommended widening/overbuilding of the deck and substructure of the King-Vaughan Road / Highway 400 Overpass.

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

In 2002, the Ministry of Transportation (MTO) received approval through a Transportation Class Environmental Assessment for Highway 400 improvements from Major Mackenzie Drive to south of the South Canal Bridge. The first phase of the project, as shown on Attachment No.1, includes the reconstruction of the King Road/Highway 400 interchange, which is currently under construction. The second phase of the project generally includes the following works:

- Widening of Highway 400 from 6 to 8 lanes to accommodate new high occupancy vehicle (HOV) lanes;
- Widening and rehabilitating the Highway 400 bridge over Kirby Road to accommodate the ultimate 10 lane cross-section of Highway 400;
- Replace the King-Vaughan Road bridge over Highway 400 with a new 2-lane structure;
- New median storm sewer and upgrade drainage facilities;
- Full illumination from Major Mackenzie Drive north to Teston Road and partial illumination further north.

MTO has retained the consulting engineering firm of SNC-Lavalin Inc. to complete the detail design and tender process for the Highway 400 improvements listed above with the plan to commencing construction in the fall of 2010.

As part of the second phase of the project, MTO is proposing to demolish the existing King-Vaughan Road Bridge and replaced it with a new bridge to accommodate the future expansion of Highway 400 to its ultimate ten (10) lane configuration. The bridge will be replaced "in kind" to accommodate the existing two lanes of traffic on King-Vaughan Road as per the existing structure. The approved MTO Transportation Class Environmental Assessment (Class EA) for the Highway 400 widening provided for the option of widening the King-Vaughan Road structure to accommodate a 4 lane cross-section if required and funded by the City.

The MTO Class EA also recommends that the existing reinforced concrete rigid frame over Kirby Road be lengthened on both ends to accommodate the ultimate 10 lane cross-section. To accommodate a minimum vertical clearance required under the bridge structure, Kirby Road must also be lowered. MTO has also advised that the widening of the Kirby Road structure beyond 2 lanes was not included in the Class EA. In addition, since Kirby Road crosses under Highway 400, the replacement/widening of the structure would be a significant civil undertaking with long term traffic detouring. At this point, any changes to the proposed scope of the work on the Kirby Road structure would have a significant impact to the design and construction schedule for the Highway improvements. For these reasons, MTO is unable to accommodate any requests from the City to increase the span (cross-section) of the Kirby Road underpass at this time.

MTO has advised that the additional design and construction costs associated with expanding the new King-Vaughan Road Bridge to accommodate additional lanes and sidewalks would be the responsibility of the City.

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King-Vaughan Road and Kirby Road are currently two lane rural roads. Official Plan Amendment No. 600 identifies both these roadways as arterial roads with an ultimate right-of-way width of 35 metres.

In 2006, Council approved OPA 637 which re-designated the lands bounded by Teston Road, Jane Street, King-Vaughan Road and Weston Road for employment uses. The Region of York recently approved ROPA 52, which has been appealed to the Ontario Municipal Board by the Province.

A transportation report was prepared in support of development in OPA 637 that identified the need for certain road network improvements including the widening of King-Vaughan Road to 4 lanes. The report also concluded that the existing two lanes on Kirby Road would provide adequate capacity for the proposed development.

In May 2009, the Region of York released its draft Transportation Master Plan (Regional TMP) which identifies the road network improvements that are necessary to address Provincial initiatives and the additional planned growth in the Region. The draft Regional TMP identifies the need to widen King-Vaughan Road to four lanes after 2021 in order to provide the capacity needed for an effective road network as well as to complete the strategic connection between an anticipated new provincial road and municipal roads. The Regional TMP doesn't identify the need for additional lanes on Kirby Road before 2031.

The City is currently undertaking a comprehensive Transportation Master Plan (City TMP) as a component of the Official Plan Review process, which is scheduled for completion by Q2-2010. The City's TMP study will evaluate in detail the road network, develop a long-term transportation vision for the City and identify the overall infrastructure needs to efficiently accommodate the City's future allocation of population and employment growth to the year 2031. Given the conclusions of the draft Regional TMP, it is anticipated that the City's TMP will also conclude that King-Vaughan Road will need to be widened to 4 lanes in the vicinity of Highway 400.

The City's Pedestrian and Bicycle Master Plan recommends the establishment of a community signed bike route on King-Vaughan Road and paved shoulder bikeway on Kirby Road. Generally, it is expected that over time that signed bike route and paved shoulder bikeways will be upgraded to a wider curb lane or a bike lane in order to better accommodate motorists and cyclists.

Accordingly, it is expected that the King-Vaughan Road Bridge will need to accommodate four lanes with sidewalks and bike lanes on both sides between 2021 and 2031, and the Kirby Road structure will need to ultimately accommodate two lanes with sidewalks and bike lanes on both sides.

#### **King-Vaughan Road Overpass**

MTO has advised that the existing King-Vaughan Bridge structure will be replaced with one of like kind; two lane structure with shoulders. The cost to widen the structure to accommodate additional travel lanes and sidewalk would be the responsibility of the City.

Recognizing the need for four lanes on King-Vaughan Road is a number of years away, it is recommended that MTO be requested to reconstruct the King-Vaughan Bridge structure with a deck that can accommodate two lanes of traffic, two bike lanes and a 1.5 m sidewalk on the south side at this time. Since there is a need for four lanes on King-Vaughan Road in the future, it is also recommended that the sub-structure (pier and abutments) be designed and constructed to accommodate the future widening of the bridge deck to four lanes. The incremental capital cost to the City to overbuild the King-Vaughan bridge structure is estimated to be about \$1,265,000 including engineering.

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#### Kirby Road Underpass

Based on recent transportation studies, there is no foreseeable need to widen Kirby Road to accommodate additional traffic lanes but there is a long term need for bike lanes and sidewalks. MTO has advised they can not widen the proposed Kirby Road structure at this time because it would severely impact the design and construction schedule for the Highway 400 improvements. Accordingly, staff has requested MTO to design and construct the proposed lengthened structure with the intent to minimize future structure modifications to facilitate the possible widening of Kirby Road in the future.

#### Design Assignment

MTO has advised that the City would be the responsible for the incremental capital cost associated with the widening and overbuilding of King-Vaughan Road Bridge structure plus any additional design fees. MTO has retained the firm of SNC-Lavalin Inc. to provide consulting engineering services in connection with the design of the Highway 400 widening. Accordingly, it will be necessary for the City to engage SNC-Lavalin Inc. to undertake the additional design work associated with the widening/overbuilding of the King-Vaughan Road structure. The cost for the additional design work is estimated at about \$65,000. The final fee estimate will be determined once the full scope of the work has been established.

#### Relationship to Vaughan Vision 2020/Strategic Plan

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

#### Regional Implications

The recommended overbuilding of the King-Vaughan Road bridge structure to ultimately accommodate four lanes is consistent with the recommendations of the Region's Draft Transportation Master Plan.

#### Conclusion

The Ministry of Transportation is proposing to widen Highway 400 from 6 to 8 lanes between Major Mackenzie Drive and King Road beginning in the Fall of 2010. As a component of this road widening work, MTO is proposing to replace the existing King-Vaughan Road Bridge with a two lane structure, and lengthening the existing Highway 400 Bridge over Kirby Road to accommodate the future expansion of the highway to the ultimate 10 lane cross-section. Recent transportation studies conclude that there will be a need to widen King-Vaughan Road to four lanes in the foreseeable future to accommodate further development in the City, in particular OPA 637. Accordingly, it is recommended that the new King-Vaughan Road/Highway 400 Overpass be designed and constructed with a wider deck cross-section to accommodate a sidewalk on the south side and bike lanes on either side at this time, and to overbuild the sub-structure (piers and abutments) in order to accommodate the widening of the bridge deck to four lanes with a sidewalk and bike lane on both sides in the future.

MTO has advised that the City is responsible for the cost associated with the redesign of the King Vaughan Road Bridge, and the incremental cost for the construction works. For reasons of timing and efficiency, it recommended that SNC-Lavalin Inc be retained to undertake the necessary design work. The approved 2009 Capital Project DT-7038-09 allocates \$750,000 to undertake the necessary design work associated with this project. MTO has advised that the additional



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design and construction cost associated with the widening/overbuilding of the King-Vaughan Road Overpass is estimated to cost approximately \$1,265,000. Accordingly, if the recommendations of this report are adopted, additional future funds will need to be allocated to this project to fund the construction component of the works.

**Attachments**

Attachment No. 1 – Location Plan

**Report prepared by:**

Andrew Pearce, Director of Development & Transportation Engineering

(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 SEPTEMBER 21, 2009**

Item 30, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

30

**REQUEST TO YORK REGION TRANSIT**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated September 8, 2009:

**Recommendation**

Councillor Tony Carella recommends that the following resolution be adopted:

*WHEREAS the safety of the children of Vaughan is of paramount importance to this Council; and*

*WHEREAS this is especially true when it comes to their travel from place within the boundaries of the municipality; and*

*WHEREAS one of the principal occasions for such travel is to and from school five days a week; and*

*WHEREAS Regional Roads are most heavily travelled roads; and*

*WHEREAS one means of such travel is via York Region Transit, a safe and reliable option for such travel;*

*NOW THEREFORE, Council, with the sole intent of encouraging greater use of York Region Transit by students traveling to and from school, requests that York Region Transit introduce a pass for the use of students limited to five-days per week (Monday to Friday), and at a rate below York Region Transit's current (24/7) student pass; and that this resolution be communicated to York Region Transit.*

**Economic Impact**

There is no economic impact attached to this resolution

**Contribution to Sustainability**

The greater use of public transportation is in itself a substantial contribution to sustainability.

**Purpose**

To encourage greater use of York Region Transit by student-age residents.

**Background: Analysis and Options**

The cancellation of school bus service between the Kipling Avenue neighbourhood and Holy Cross Catholic Academy has precipitated an on-going discussion between the local residents and a number of agencies: the York Catholic School Board, the Regional Municipality of York, and the City of Vaughan. This discussion has focused on a number of issues: pedestrian safety along Regional Road 7, Woodstream Boulevard, and Martin Grove Road; how best to inform students of the safest routes to school; developing pedestrian linkages across Rainbow Creek between Kipling South and the range of institutions fronting onto Martin Grove Road (including Holy Cross Academy). Regional are the most heavily travelled roadways in the City and across the Region.

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A topic of discussion by the group was the possibility of encouraging greater use by students of public transportation by the introduction by York Region Transit of a student pass limited to school days, as opposed to the existing pass scheme which is good for travel anytime, and that is necessarily more expensive than a time-restricted pass might be. Hence this resolution.

**Regional Implications**

Nil

**Attachments:**

None

**Conclusion**

Assuming that a week-day only student pass will encourage greater use of York Region Transit by students, Council requests York Region Transit to introduce such a pass.

**Report prepared by**

Councillor Tony Carella, FRSA

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Item 31, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

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**31 REPORT ON THE AUGUST 20<sup>TH</sup>, 2009 TORNADO ACCOMPANIED BY A SEVERE STORM**

The Committee of the Whole recommendation was dealt with and adopted at the Special Council Meeting of September 8, 2009 under Minute No. 164.



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**Conclusion**

If it is deemed necessary that a Transportation Node be identified in the south-west part of York Region/north-west part of Vaughan, to serve the future growth in this area. It is crucial that the subject lands be identified and reserved and that this Transportation Node become part of Go Transit's 10 year plan.

**Attachments**

1. Letter from Bousfields Inc. dated August 26, 2009.
2. Schedule "A"

**Report prepared by:**

Regional Councillor Joyce Frustaglio

(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 33, Report No. 38, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 21, 2009, as follows:

***By approving the following:***

1. ***That Council approve the completion of park construction at this time;***
2. ***That the Engineering Services Department do a follow up assessment of the impact of all newly installed traffic calming measures during the month of October 2009 (once the public is generally aware of the existence of the traffic calming measures);***
3. ***That, should such assessment indicate additional safety measures are called for, that recommendations be provided to that effect, to include but not limited to the placement of a steel beam guardrail along the park frontage on Vaughan Mills Road; and***

***By receiving the memorandum from the Commissioner of Community Services, dated September 17, 2009.***

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**33           NEW BUSINESS – PETITION FROM RESIDENTS OF VAUGHAN MILLS ROAD,  
              HUMBERVIEW DRIVE, ROYALPARK WAY, JOLANA CRESCENT,  
              LOIS DRIVE AND ROSELAWN DRIVE**

The Committee of the Whole recommends that the written submission and petition from residents of Vaughan Mills Road, Humberview Drive, Royalpark Way, Jolana Crescent, Louis Drive and Roselawn Drive, submitted by Mayor Jackson, be received and referred to staff for a report to the Committee of the Whole meeting of September 29, 2009, on options for deferring the construction of the parkette until further safety assessments have been completed for Vaughan Mills Road.

The foregoing matter was brought to the attention of the Committee by Mayor Jackson.





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**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 35, Report No. 38, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 21, 2009, as follows:

***By approving the following:***

1. ***That Council approve the completion of park construction at this time;***
2. ***That the Engineering Services Department do a follow up assessment of the impact of all newly installed traffic calming measures during the month of October 2009 (once the public is generally aware of the existence of the traffic calming measures);***
3. ***That, should such assessment indicate additional safety measures are called for, that recommendations be provided to that effect, to include but not limited to the placement of a steel beam guardrail along the park frontage on Vaughan Mills Road; and***

***By receiving the memorandum from the Commissioner of Community Services, dated September 17, 2009.***

35

**DEPUTATION – MS. CARRIE LIDDY WITH RESPECT TO  
TRAFFIC CONCERNS AT VAUGHAN MILLS ROAD AND THE  
PARKETTE PROPOSED IN THE SUBJECT AREA**

The Committee of the Whole recommends:

- 1) That the deputation of Ms. Carrie Liddy, 36 Humberview Drive, Woodbridge, L4H 1B1, and written submission, be received and referred to staff for consideration with the Committee's recommendation in Committee of the Whole Report No. 38, Item 33, "NEW BUSINESS – PETITION FROM RESIDENTS OF VAUGHAN MILLS ROAD, HUMBERVIEW DRIVE, ROYALPARK WAY, JOLANA CRESCENT, LOIS DRIVE AND ROSELAWN DRIVE", namely that staff provide options for deferring the construction of the parkette until further safety assessments have been completed for Vaughan Mills Road;
- 2) That the memorandum from the Commissioner of Engineering and Public Works, dated September 3, 2009, be received; and
- 3) That the deputation of Mr. Robert Pizzola, 335 Vaughan Mills Road, L4H 1B2, be received.

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**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2009**

Item 36, Report No. 38, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 21, 2009.

**36**

**CEREMONIAL PRESENTATION – MR. ADAMO CRESCENZI  
WINNER OF THE “NAME THE CITY CENTRE CONTEST”**

The Mayor and Members of Council presented a plaque of recognition to Mr. Adamo Crescenzi for his winning entry of “The Vaughan Metropolitan Centre” in the City of Vaughan’s “Name the City Centre Contest”. A plaque will also be affixed to a bench which will be placed in the new downtown centre recognizing Mr. Crescenzi’s contribution.