

**CITY OF VAUGHAN
COMMITTEE OF THE WHOLE (2)
AGENDA**

If you wish to speak to an item listed on the Agenda, please pre-register by completing a Request to Speak Form online, emailing clerks@vaughan.ca, or contacting Service Vaughan at 905-832-2281, by 12 noon on the last business day before the meeting.

Tuesday, October 22, 2024

1:00 p.m.

Council Chamber

2nd Floor, Vaughan City Hall

2141 Major Mackenzie Dr., Vaughan, ON

and Online via Electronic Participation

Indigenous Land Acknowledgement (prior to the commencement of the meeting)

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2. Holy Cross Catholic Academy (Woodbridge) Junior Girls Soccer Team
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ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S OFFICE
PLEASE NOTE THAT THIS MEETING WILL BE AUDIO RECORDED
AND VIDEO BROADCAST

www.vaughan.ca (Agendas, Minutes and Live Council Broadcast)

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): ALL

TITLE: REPEAL OF BY-LAW 102-2023 ADOPTING OFFICIAL PLAN
AMENDMENT NUMBER 93
REPEAL OF BY-LAW 104-2023 AMENDING THE PRE-
APPLICATION CONSULTATION PROCESS
FILE NO.: 25.7

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek Council approval to repeal By-law 102-2023 adopting Official Plan Amendment Number 93 (“OPA 93”) and to repeal By-law 104-2023 amending the Pre-Application Consultation (“PAC”) process.

Report Highlights

- On June 20, 2023, OPA 93 and By-law 104-2023 were adopted by Council to respond to amendments made to the *Planning Act* implemented through Bill 109, *More Homes for Everyone Act, 2022* (“Bill 109”).
- OPA 93 amended Policy 10.1.3 of Vaughan Official Plan, 2010 (“VOP 2010”) regarding the City’s PAC requirements.
- By-law 104-2023 amended the PAC process to conform with OPA 93.
- OPA 93 has been appealed to the Ontario Land Tribunal (“OLT”) and the majority of OPA 93 is not in force.
- On June 6, 2024, Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* (“Bill 185”) received royal assent which included amendments to the *Planning Act* that now supersede changes implemented through OPA 93 and By-law 104-2023.

Report Highlights continued

- Given the changes under Bill 185, staff determined that OPA 93 and By-law 104-2023 are no longer necessary and are proposed to be repealed.
- The PAC process will be updated through the Official Plan Review Process (“OPR”) to conform with the requirements of the *Planning Act*.

Recommendations

1. THAT the repeal of By-law 102-2023 adopting Official Plan Amendment Number 93 and the repeal of By-law 104-2023 amending the Pre-Application Consultation process BE APPROVED.
2. THAT all necessary by-law(s) be enacted.

Background

On June 20, 2023, Council adopted OPA 93 and By-law 104-2023.

OPA 93 amended Policy 10.1.3 of VOP 2010 regarding the City’s PAC requirements. It responded to amendments made to the *Planning Act* implemented through Bill 109, which introduced time limits for municipalities to review certain planning applications, after which a series of refunds to an applicant were required at increments of 50%, 75%, and 100%, depending on the delay from the prescribed timelines to review the applications (the “Refund Regime”). Those changes came into force on July 1, 2023.

OPA 93 and By-law 104-2023 were intended to revise the PAC process to enable the City to meet the *Planning Act* deadlines.

OPA 93 has been appealed to the OLT by a number of appellants. The majority of OPA 93 is not in force.

On June 6, 2024, Bill 185 received Royal Assent which includes amendments to the Planning Act with respect to the PAC process and the Refund Regime.

Bill 185 contains amendments to the *Planning Act* including removing the Refund Regime, subject to transition, as well as removing the authority to require, by by-law, a mandatory PAC process prior to the submission of a planning application. Therefore, the PAC process is now voluntary and at the discretion of an applicant.

Given the changes to the *Planning Act* implemented through Bill 185, staff determined that OPA 93 and By-law 104-2023 are not necessary and are proposed to be repealed.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol.

- a) Date the Notice of Public Meeting was circulated: August 16, 2024

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca.
- b) Notice was sent to all Registered Ratepayers' Organizations in the City and to anyone on file with the Office of the City Clerk having requested notice.
- c) Date of Public Meeting: September 10, 2024, ratified by Council on September 24, 2024

On September 10, 2024, a Committee of the Whole (Public Meeting) was held to receive comments from the Committee of the Whole and the public on the proposed repeal of OPA 93 and By-law 104-2023. No deputations or written submissions were received at the Committee of the Whole (Public Meeting) on September 10, 2024, and no further comments have been received.

On September 24, 2024, Council ratified the recommendations of the Committee of the Whole (Public Meeting) to receive the September 10, 2024 report and to forward a comprehensive report to the Committee of the Whole.

Previous Reports/Authority

[Amendment to the Vaughan Official Plan 2010, Volume 1 "Pre-Consultation and Complete Application Submission Requirements", Chapter 10.1.3, File 25.7](#)

September 13, 2022, Committee of the Whole Public Meeting (Item 6, Report 33)

[Proposed Amendment to Vaughan Official Plan 2010, Volume 1, Policy 10.1.3 and By-Law 278-2009 as Amended in Response to Bill 109 \(More Homes for Everyone, 2022\) File 25.7](#)

June 6, 2023, Committee of the Whole (2) (Item 6, Report 28)

[Repeal of By-Law 102-2023 Adopting Official Plan Amendment Number 93 Repeal of By-Law 104-2023 Amending the Pre-Application Consultation Process File No.:25.7](#)

September 10, 2024, Committee of the Whole Public Meeting (Item 1, Report 28)

Analysis and Options

OPA 93 and the PAC by-law conflict with changes implemented through Bill 185.

OPA 93 and By-law 104-2023 require applicants to participate in a mandatory PAC process prior to the submission of a planning application. However, given the PAC process is now voluntary as a result of amendments introduced to the *Planning Act*

through Bill 185, OPA 93 and By-law 104-2023 are contrary to the requirements of the *Planning Act*. As a result, staff determined that OPA 93 and By-law 104-2023 are no longer necessary and are proposed to be repealed.

Further changes required to update the PAC process to conform with the requirements of the *Planning Act* will be undertaken through the OPR process.

Although the Refund Regime has been removed through the Bill 185 amendments to the *Planning Act*, the timelines for processing an application and for an applicant to appeal an application remain. Staff will continue through best efforts to meet the timeframes prescribed by the *Planning Act*.

The repeal of OPA 93 will lead to the eventual resolution of the outstanding appeals, the details of which are included in Attachment 1 (Confidential Memorandum).

Financial Impact

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

Operational Impact

Policy Planning and Special Programs and Development Planning staff consulted Legal Services to understand the amendments to the *Planning Act* implemented through Bill 185 and the process to repeal OPA 93 and By-law 104-2023.

Broader Regional Impacts/Considerations

On November 22, 2022, York Region exempted OPA 93 from approval by the Regional Committee of the Whole and Council.

On July 1, 2024, York Region became a Region without planning responsibilities in accordance with Bill 185. As such, there are no broader regional impacts or considerations associated with this report.

Conclusion

Given the amendments to the *Planning Act* implemented through Bill 185 with respect to the PAC process and the Refund Regime, staff determined that OPA 93 and By-law 104-2023 are no longer necessary and are proposed to be repealed. Further changes required to update the PAC process to conform with the requirements of the *Planning Act* will be undertaken through the OPR process.

For more information, please contact Vivian Wong, Planner, Policy Planning and Special Programs Department, ext.8623.

Attachments

1. Confidential Memorandum from the Deputy City Manager, Legal and Administrative Services & City Solicitor and the Deputy City Manager, Planning and Growth Management, dated October 22, 2024 (Mayor and Members of Council only).

Prepared by

Vivian Wong, Planner, Policy Planning & Special Programs ext. 8623

Fausto Filipetto, Senior Manager of Policy Planning, Policy Planning & Special Programs, ext. 8699

Christina Bruce, Director of Policy Planning & Special Programs, ext. 8231

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): 3

**TITLE: LINEAGE LOGISTICS VLS GP LTD.
A BY-LAW DEEMING TO DEREGISTER BLOCKS 10 AND 11 ON
REGISTERED PLAN OF SUBDIVISION 65M-2790
AVIVA PARK DRIVE
VICINITY OF HIGHWAY 407 AND WESTON ROAD**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management
Wendy Law, Deputy City Manager, Legal and Administrative Services & City Solicitor

ACTION: DECISION

Purpose

To seek approval from Council to designate Blocks 10 and 11, Plan 65M-2790 to be deemed not to be blocks within a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act*.

Report Highlights

- The deregistration of Blocks 10 and 11, Plan 65M-2790 from the registered plan of subdivision will allow the blocks to merge as one property.
- Merger of title of the blocks is required to protect against the conveyance of separately conveyable parcels (being Blocks 10 and 11, Plan 65M-2790) which have an existing single building on the two parcels.

Recommendations

1. THAT Council enact a by-law pursuant to subsection 50(4) of *Planning Act* to designate the lands legally described as Blocks 10 and 11, Plan 65M-2790 to be deemed not to be blocks within a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act*;
2. THAT the by-law be registered on title to the lands in accordance with subsections 50(27) and 50(28) of the *Planning Act*; and
3. THAT the City Clerk provide notice of passage of the by-law as required by subsections 50(26) and 50(29) of the *Planning Act*.

Background

In 2002, the owner at the time, Atlas Cold Storage Canada Limited, submitted a Site Development Application (File No. DA.02.012) to permit an addition to the existing cold storage facility building to accommodate a freezer, dock/engine room, and office on lands legally described as Blocks 10 and 11, Plan 65M-2790 (the “Subject Lands”). The Subject Lands are located west of Weston Road and north of Aviva Park Drive, as shown on Attachment 1.

File DA.02.012 was approved by Council on May 13, 2002, and a Building Permit (No. 2002-001447) was issued on July 19, 2002.

Lineage Logistics VLS GP Ltd. (“Lineage”) is now the owner of the Subject Lands. On May 7, 2024, Lineage submitted a Site Development Application (File No. DA.24.031) to permit a further addition to the existing cold storage facility building on the Subject Lands.

To facilitate the addition, on July 18, 2024, a Notice of Decision for Minor Variance Application A035/24 was issued by the Committee of Adjustment approving a reduced setback and reduced number of required parking spaces on the Subject Lands.

The Subject Lands consist of two separate parcels of land (Blocks 10 and 11, Plan 65M-2790). Through the review of File DA.24.031, staff identified that title of the blocks has not merged to create one property, notwithstanding an existing single building is located on two separate parcels of land.

Pursuant to subsection 50(5) of the *Planning Act*, a landowner cannot convey part of a lot or block within a registered plan of subdivision without further approvals under the *Planning Act* (part-lot control). However, subsection 50(3) of the *Planning Act* allows an owner to convey the whole of a lot or block within a registered plan of subdivision.

The ability to convey the whole of a lot or block would not be restricted by the fact that a single building or structure is located on the boundary line between two or more parcels. However, if such a conveyance were to occur, Building Code and zoning compliance

issues would arise due to insufficient fire separation and building setbacks between the parcels. As such, merger of title of Blocks 10 and 11, Plan 65M-2790 is required to create one property to protect against the conveyance of separately conveyable parcels.

Previous Reports/Authority

[Item 15, Report No. 34 of the Committee of the Whole](#), which was adopted without amendment by the Council of the City of Vaughan on May 13, 2002. (Council Meeting Minutes not available online).

Analysis and Options

If Council does not pass a deregistration by-law, Blocks 10 and 11, Plan 65M-2790 will continue to be separately conveyable blocks within a registered plan of subdivision. This is not considered appropriate given that an existing single building is located on two separate parcels of land.

To allow a single building on two or more separately conveyable parcels, without Building Code and zoning compliance issues, merger of title to the parcels is required. In the case of the whole of a lot or block within a registered plan of subdivision, deregistration of the plan of subdivision allows two or more lots or blocks, which are owned by the same person, to merge on title, thus becoming one property. Once two or more lots or blocks have merged in title, they can no longer be conveyed separately.

Subsection 50(4) of the *Planning Act* allows a municipality by by-law to designate any plan of subdivision, or part thereof, that has been registered for eight (8) years or more, to be deemed not to be a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act*. Plan 65M-2790, that is currently registered on title to the Subject Lands, was registered on May 2, 1990. Given Blocks 10 and 11, Plan 65M-2790 are whole blocks within a registered plan of subdivision, the enactment of such a by-law with respect to Blocks 10 and 11, Plan 65M-2790 will merge the parcels.

There is no right of appeal for property owners of Council's exercise of its authority to remove lots or blocks from a registered plan of subdivision under subsection 50(4) of the *Planning Act*.

Notice of the passing of the by-law will be required to be given within thirty (30) days of the passing in accordance with subsections 50(26) and 50(29) of the *Planning Act* to each person appearing on the last revised assessment roll to be the owner of the land to which the by-law applies. No notice is required prior to the passing of a by-law under subsection 50(4) of the *Planning Act*.

Notwithstanding the passing of the by-law, subsections 50(27) and 50(28) of the *Planning Act* state that a by-law passed under subsection 50(4) of the *Planning Act* is

not effective until a certified copy or duplicate is registered in the proper land registry office.

Financial Impact

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

Operational Impact

Planning Act requirements to designate part of a plan of subdivision to be deemed not to be a registered plan of subdivision have been reviewed in collaboration with the Development Planning, Building Standards and Legal Services Departments.

Broader Regional Impacts/Considerations

Not applicable.

Conclusion

Designating Blocks 10 and 11, Plan 65M-2790 to be deemed not to be blocks within a registered plan of subdivision will allow the blocks to merge as one property to protect against the conveyance of separately conveyable parcels.

For more information, please contact: Candace Tashos, Senior Legal Counsel, extension 3618

Attachments

1. Context and Location Map

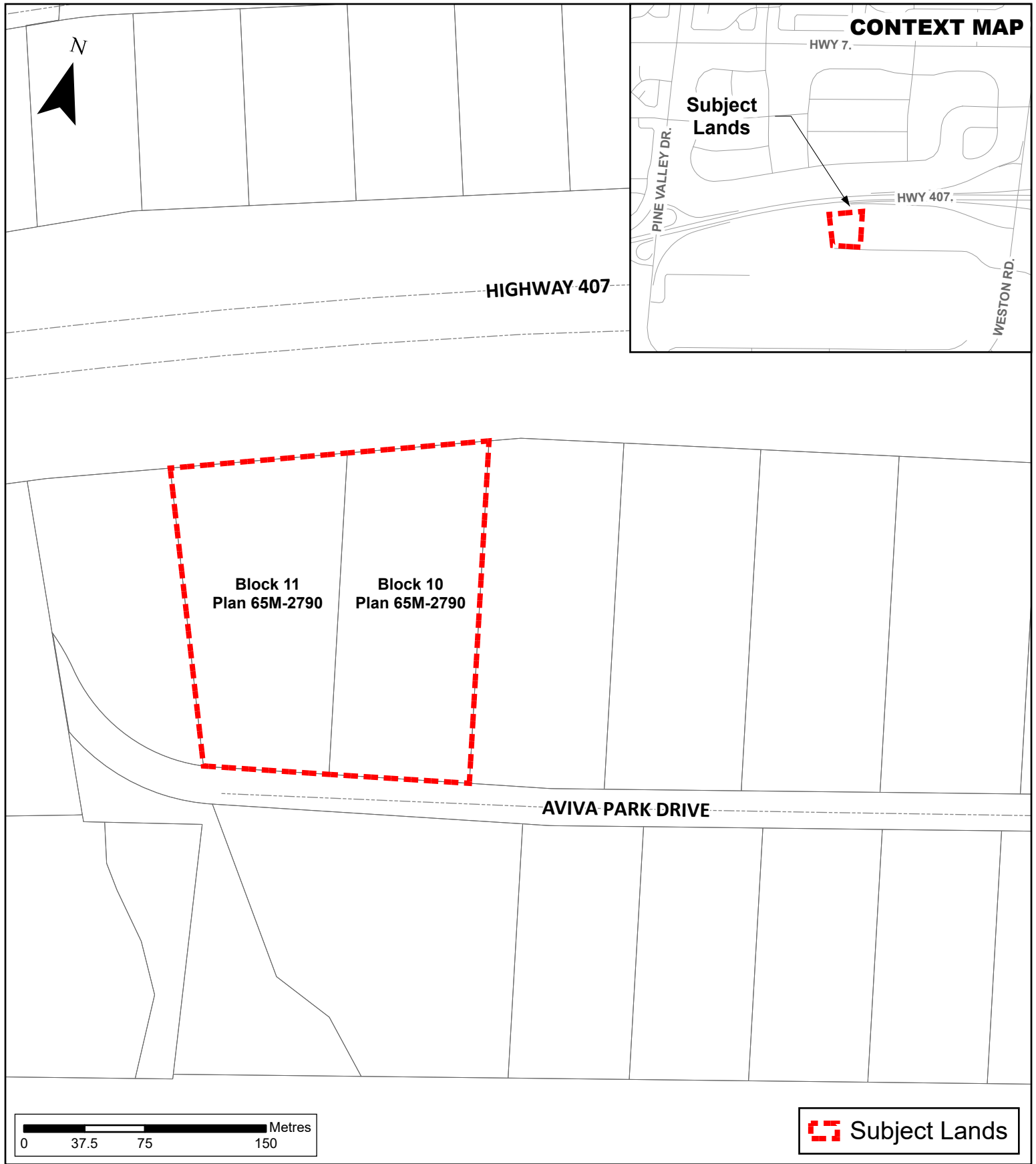
Prepared by

Candace Tashos, Senior Legal Counsel, extension 3618

Caitlin De Simone, Legal Counsel, extension 8547

Mark Antoine, Senior Manager of Development Planning, extension 8212

Kevin Ayala Diaz, Planner, extension 8882



Context and Location Map

LOCATION:
Blocks 10 and 11 of Plan 65M-2790



Attachment

DATE:
October 22, 2024

1

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): 2

TITLE: MY PLACE ON 7 INC.

OFFICIAL PLAN AMENDMENT FILE OP.21.015

ZONING BY-LAW AMENDMENT FILE Z.21.026

4850 HIGHWAY 7 AND 79 ARROWHEAD DRIVE

VICINITY OF HIGHWAY 7 AND ISLINGTON AVENUE

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek endorsement from the Committee of the Whole of the Recommendations contained in this Report to REFUSE Official Plan and Zoning By-law Amendment Files OP.21.015 and Z.21.026 respecting the subject lands as shown on Attachment 1.

Report Highlights

- My Place On 7 Inc. (the 'Owner') submitted Official Plan Amendment and Zoning By-law Amendment Files OP.21.015 and Z.21.026 (the 'Applications') to permit a 12-storey (39 m) mixed-use residential-commercial building consisting of 78 units and 165 m² of commercial with a Floor Space Index ('FSI') of 6.35 times the developable area of the lot.
- The statutory Public Meeting for the Applications was held on October 5, 2021.
- On May 9, 2024, the Owner appealed the Applications to the Ontario Land Tribunal ('OLT') citing Council's failure to make a decision on the Applications within the timeframe prescribed by the *Planning Act*.
- The OLT scheduled a seven-day hearing commencing on February 18, 2025, and ending on February 26, 2025.
- Staff seek endorsement from the Committee of the Whole to refuse the Applications.

Recommendations

That the Ontario Land Tribunal be advised that Vaughan Council ENDORSES the following recommendations:

1. THAT Official Plan Amendment File OP.21.015 (My Place on 7 Inc.) BE REFUSED, to amend Vaughan Official Plan 2010, Volume 1 as identified in Table 1 of this report for the subject lands, as shown on Attachments 1 and 2.
2. THAT Zoning By-law Amendment File Z.21.026 (My Place on 7 Inc.) BE REFUSED, to amend Zoning By-law 001-2021, to rezone the subject lands from “R1B(EN) First Density Residential Zone, Established Neighbourhood” and “R2A(EN) Second Density Residential Zone, Established Neighbourhood”, to “RM2 Multiple Residential Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 2 (Attachment 9) to this report.
3. THAT if the Ontario Land Tribunal approves the Applications, in whole or in part, Legal Services shall request that the Ontario Land Tribunal withhold its final Order until the final form of the Official Plan Amendment and Zoning By-law Amendment are prepared and submitted to the Ontario Land Tribunal on the consent of all parties.
4. THAT should the Ontario Land Tribunal approve the Applications, in whole or in part, a Holding Symbol “(H)” be applied to the implementing zoning by-law(s) and shall not be removed from the Subject Lands or any portion thereof until such time that the (H) conditions listed in this report are addressed, to the satisfaction of the City.
5. THAT if the Ontario Land Tribunal approves the Applications, in whole or in part, Council authorizes the Deputy City Manager, Planning and Growth Management to finalize the draft Official Plan Amendment and Zoning By-law Amendment instruments for approval by the Ontario Land Tribunal.
6. THAT City of Vaughan staff and external consultants, as required, be directed to attend the Ontario Land Tribunal hearing in support of the recommendations contained in this report with regard to Official Plan and Zoning By-law Amendment Files OP.21.015 and Z.21.026.

Background

Location: 4850 Highway 7 and 79 Arrowhead Drive (the ‘Subject Lands’). The Subject Lands consist of two parcels, each containing a single detached dwelling. The Subject Lands and the surrounding land uses are shown on Attachment 1.

Official Plan and Zoning By-law Amendment Applications have been submitted to permit the proposed development.

Original Proposal

The Owner originally submitted the Applications to permit a development on the Subject Lands consisting of a 14-storey (45 m) apartment building with 101 units and 862.74 m² of indoor amenity space. The proposed development provided for a gross floor area ('GFA') of 7,785 m² and a Floor Space Index ('FSI') of 6.35 times the developable area of the lot (1,225 m², excluding the lands required for the Highway 7 road widening), as shown on Attachment 8. This proposal was considered at the October 5, 2021 Public Meeting.

Revised Official Plan and Zoning By-law Amendment Applications have been submitted to permit the proposed development.

Revised Proposal

The Owner, on December 22, 2023, submitted a revised development proposal consisting of a 12-storey (39 m) apartment building with 78 dwelling units, 165 m² of commercial use and 678.28 m² of indoor amenity space (the 'Development'). The Development provides for a GFA of 6,116 m² and a FSI of 6.35 times the developable area of the lot (1,225 m², excluding the lands required for the Highway 7 road widening), as shown on Attachment 3.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol.

- Date of Notice: September 10, 2021
- Circulation: 150 m from the Subject Lands as shown on Attachment 1 and to the Vaughanwood Ratepayers' Association and Village of Woodbridge Ratepayers' Association and to anyone on file with the Office of the City Clerk having requested notice
- Location of Notice Signs: Highway 7 and Arrowhead Drive
- Date of Public Meeting: October 5, 2021, with recommendations ratified by Council on October 20, 2021
- Community Meeting: January 12, 2023
- Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: October 8, 2024

Public Comments were received on the Applications.

The following is a summary of the comments provided and received to date. The comments are organized by theme as follows:

Density and Built Form

- the Development is too high and dense and is not compatible with the low-rise buildings in the adjacent and surrounding areas and results in a lack of privacy for adjacent low-rise residential properties
- low-rise development such as detached or townhouse dwelling units or development not exceeding the current height and FSI policies of the Official Plan, being a maximum of 6-storeys and FSI of 2 times the area of the lot would be more appropriate for an established neighbourhood

Shadowing and Lack of Sunlight / Privacy

- the height of the building will result in shadowing and the lack of sunlight on the surrounding lands and negatively impact people's use of their property
- the height of the building and a 0 m setback is not appropriate and provides privacy concerns

Traffic, Access, and Parking / Noise

- the Development will increase traffic congestion on the local street and impact vehicle and pedestrian safety
- the Arrowhead Drive access for garbage delivery will impact vehicle and pedestrian safety, and create an increase in noise
- there is an insufficient amount of on-site vehicular parking spaces which will result in vehicles parking primarily on Arrowhead Drive; the existing local streets cannot accommodate additional parking and traffic resulting from the Development
- increased traffic results in increased noise to the local neighbourhood

Parks and Open Space

- the Development will result in an increase in the number of users for the limited park and open space lands in the community (Almont Park north of Wigwoss Drive) with the generation of increased noise

Archeological Potential

- the Development is within 1000 m of Almont Park, part of the Huron-Wendat village, and requires an Archaeological Assessment to protect archaeological resources

These comments are addressed throughout this report.

The Owner appealed the Applications to the OLT.

On May 9, 2024, the Owner appealed the Applications to the OLT pursuant to subsections 22(7) and 34(11) of the *Planning Act*, citing Council's failure to make a

decision on the Applications within the prescribed timelines of the *Planning Act* (OLT Case Nos. OLT-24-000565 and OLT-24-000566) (the 'Appeals').

The first OLT Case Management Conference ('CMC') was held on August 20, 2024. The OLT scheduled a seven-day hearing commencing on February 18, 2025, and ending on February 26, 2025 (the 'Hearing').

Site Development and Draft Plan of Condominium Applications will be required if the Applications are approved by the OLT.

If the Applications are approved by the OLT, the Owner will be required to submit a Site Development Application and Draft Plan of Condominium Application to implement the Development and establish the standard condominium tenure for the Development.

Previous Reports/Authority

Previous reports related to the Applications can be found at the following links:

My Place on 7 Inc., Official Plan and Zoning By-law Amendment Files OP.21.015 and Z.21.026

[October 5, 2021, Committee of the Whole Public Meeting \(Item 3, Report 44\)](#)

Analysis and Options

The Development is consistent with the Provincial Planning Statement 2024 and the Provincial Policy Statement 2020 and conforms to the Growth Plan.

The Provincial Planning Statement 2024 ('PPS 2024') is a policy statement issued pursuant to section 3 of the *Planning Act* and comes into effect on October 20, 2024. All decisions made on or after October 20, 2024, in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

At the time of drafting this report, transition provisions to facilitate the introduction of the new PPS 2024 were being considered by the Ministry of Municipal Affairs and Housing, and not yet available. This report therefore includes discussion of, inter alia, the Provincial Policy Statement 2020, the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the new PPS 2024.

Provincial Planning Statement, 2024 ('PPS 2024')

The PPS 2024 provides direction on matters of Provincial interest related to land use planning and development province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. The Development is consistent with the following policies of the PPS 2024:

- Policy 2.1.6 states that planning authorities should support the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access,

employment, public service facilities and other institutional uses, recreation, parks and open space, and other uses to meet long-term needs.

- Policy 2.2.1 states that planning authorities shall provide for an appropriate range and mix of housing options and densities including promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.
- Policy 2.3.1 sets out the policies for Settlement Areas, and states that Settlement Areas shall be the focus of growth and development, and within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas (Policy 2.3.1.1). Also, that planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities (Policy 2.3.1.3).
- Policy 2.4.1 states that planning authorities are encouraged to promote development and intensification within major transit station areas (Policy 2.4.1.2) and identify the appropriate type and scale of development in *strategic growth areas* and the transition of built form to adjacent areas (Policy 2.4.1.3).
- Policy 3.6.2 states that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety.

The Subject Lands are located within a Settlement Area being an urban area, specifically a built-up area where development is concentrated and provides for a mix of land uses. The Subject Lands are also located within a PMTSA along Highway 7, which connects to the broader regional transportation system. York Regional Transit VIVA Orange Rapid Transit and York Region Transit #77 Bus travel along Highway 7. The location within the PMTSA results in a transit-supportive development.

The Development provides a compact built form while contributing to a range of housing options in a location suitable for intensification and redevelopment. In addition, the Subject Lands have access municipal services and infrastructure.

The Subject Lands, due to the being located in a PMTSA are considered suitable for intensification and redevelopment at a higher density than what currently exists to capitalize on the transit investments in the area. However, the type, scale, and built form of new development within the PMTSA also needs to establish an appropriate transition between the new development and the type, scale, and built form of adjacent areas. The Subject Lands abut and are surrounded by low-rise (2-storey) buildings that are primarily for residential and institutional (a place of worship) uses.

The PPS 2024 states in:

- Policy 6.1.5 that, “Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and facilitate development in suitable areas.”

Development Planning staff are satisfied that the Development is consistent with the intensification and transit-supportable development policies of the PPS 2024. However, the Development at 12-storeys with an FSI of 6.35 times the area of the lot, does not provide an appropriate transition to the adjacent areas and is not compatible with the surrounding properties. Intensification can be supported, in accordance with the PPS 2024, but the Development must respect the local context.

Provincial Policy Statement, 2020 ('PPS 2020')

The PPS 2020 provides direction on matters of Provincial interest related to land use planning and development and include building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety. The Development is consistent with the following policies of the PPS:

- Policy 1.1.3 of the PPS sets out the policies for Settlement Areas, and states that Settlement Areas shall be the focus of growth and development (Policy 1.1.3.1). Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment.
- Policy 1.4.3 states that planning authorities shall provide for an appropriate range and mix of housing options and densities by permitting and facilitating all housing options, all types of residential intensification including redevelopment, directing development to locations where appropriate infrastructure and public service facilities are available, promoting densities for new housing which efficiently use lands and resources and support the use of active transportation and transit in areas where it exists; and requiring transit-supportive development and prioritizing intensification in proximity to transit.
- Policy 1.6.6 of the PPS states that forecasted growth shall be accommodated in a manner that promotes the efficient use and optimization of existing municipal water and sewer services. Municipal water and sewer services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety.
- Policy 1.6.7 of the PPS states that efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, and that a land use pattern, density and mix of uses

should be promoted that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation.

The Subject Lands are located within a Settlement Area and the Delineated Built-Up Area. The Subject Lands have access to regional transit services, and municipal services and infrastructure. The Subject Lands are located within a Protected Major Transit Station Area 69 - Wigwoss-Helen Bus Rapid Transit Station ('PMTSA') along Highway 7, which connects to the broader regional transportation system.

The Subject Lands are considered suitable for intensification and redevelopment at a higher density than what currently exists to capitalize on the transit investments in the area. The Development is transit-supportive and will support active transportation through intensification and compact development in proximity to transit services. The Development provides a compact built form while contributing to a range of housing options in a location suitable for intensification and redevelopment.

While Development Planning staff are satisfied that the Development is consistent with the intensification policies of the PPS, Policy 4.6 of the PPS identifies the Official Plan as "the most important vehicle for implementation of the PPS" and is the tool responsible to implement provincial interests, while balancing specific land use designations and policies that respond to the local context. In this regard, the Development does not conform to the York Region Official Plan ('YROP 2022') and does not conform or meet the general intent of Vaughan Official Plan ("VOP") 2010, as described in this report below.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan')

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form. The Development conforms to the following policies of the Growth Plan:

- Policy 2.2.1.2 of the Growth Plan states that the vast majority of growth will be directed to Settlement Areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems, and can support the achievement of complete communities. This policy further states that within Settlement Areas, growth will be focused in delineated Built-up Areas, Strategic Growth Areas, locations with existing or planned transit with a priority on higher order transit, and areas with existing or planned public service facilities.
- Policy 2.2.1.4 states that applying the policies of the Growth Plan will support the achievement of complete communities that feature a diverse mix of land uses, improve social equity and overall quality of life, provide a diverse range and mix

of housing options, expand convenient access to a range of transportation options, and provide for a more compact built form and a vibrant public realm.

- Policy 2.2.4 sets out the policies for Major Transit Station Areas ('MTSAs'). This policy states that all MTSAs will be planned and designed to be transit supportive (Policy 2.2.4.8), and that within all MTSAs, development will be supported, where appropriate, by planning for a diverse mix of uses, and prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities (Policy 2.2.4.9).

The Subject Lands are within the delineated Built-up Area, a Strategic Growth Area ('SGA') and PMTSA which are areas where growth will be focused. The Development contributes to the provision of a diverse range of housing options within the area in a compact built form with direct access to higher order transit. The Subject Lands are suitable for intensification and redevelopment at a density that is transit-supportive and will optimize the investments made in both transit services and municipal infrastructure. On this basis, the Development conforms to the Growth Plan.

The Development does not conform to York Region Official Plan 2022.

York Region Council adopted the York Region Official Plan 2022 ('YROP 2022') on June 30, 2022. On November 4, 2022, the Minister of Municipal Affairs and Housing, issued a Notice of Decision approving YROP 2022, as modified, bringing it into full force and effect. Bill 150 (*Planning Statute Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) ('Bill 185') received Royal Assent and included amendments to the *Planning Act*. In accordance with Bill 185, York region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

The YROP 2022, Map 1 - Regional Structure identifies the Subject Lands as "Urban Area", which is the primary location for growth and development, and "Regional Corridor", which is a primary transportation corridor to enhance the mobility of people and goods, to, from and within York Region. Map 1A - Land Use Designations of the YROP 2022, designates the Subject Lands as "Urban System - Community Area" which will support the majority of residential and service job growth and provide institutional, cultural and recreational services. Map 1B - Urban System Overlays and Appendix 2 of the YROP 2022, identify that the Subject Lands are located within the Wigwoss-Helen PMTSA, along a Regional Intensification Corridor which are the focus of York Region's most intensive development connected by transit-supportive intensification.

Policy 2.3 of YROP 2022 states that communities shall be planned and designed as sustainable, healthy, vibrant complete communities walkable to most local amenities, and planned in a comprehensive and coordinated manner using land efficiently and optimizing infrastructure with a compact, mixed-use, pedestrian friendly and transit-supportive built form (Policies 2.3.1 and 2.3.2).

Policy 2.3.11 of YROP 2022 states that retail, commercial and other uses, be designed in a compact form including multi-storey, mixed-use buildings, where appropriate and be pedestrian oriented and transit supportive. Policy 2.3.13 of YROP 2022 further states that communities be designed to the highest urban design and green development standards and support walkable neighbourhoods which, among other matters: complement the character of the existing community, ensure appropriate transition to surrounding land uses to support land use compatibility, and apply best practices and guidelines to implement transit-supportive development.

Policy 4.4 of YROP 2022 sets out the policies for Intensification. Intensification is directed to utilize land efficiently and sustainably that is commensurate with available hard and soft services and existing infrastructure while having regard for the local context (Policy 4.4.1). Strategic Growth Areas are the primary locations for concentrations of high density and mixed-use development (Policy 4.4.3) including street-related commercial (Policy 4.4.9), and that intensification shall include a variety of medium and high-density dwelling unit types and sizes to provide housing choice (Policy 4.4.8).

The Intensification policies of the YROP 2022 state that development within Strategic Growth Areas shall be prioritized along existing rapid transit corridors and in locations with existing water and wastewater capacity (Policy 4.4.13) and that rapid transit corridors be planned to support higher density development (Policy 4.4.14).

The YROP 2022 states that development within Strategic Growth Areas will be of an urban form and design that is compact, accessible, mixed-use, oriented to the street, pedestrian and cyclist friendly and transit-supportive (Policy 4.4.17), a wide range of uses will be provided including residential and commercial (Policy 4.4.18), and that they will be planned and designed to achieve appropriate transition of built form to adjacent areas (Policy 4.4.19).

Policy 6.3.16 of YROP 2022 states that it is the policy of its Council to achieve higher transit usage by supporting improvements in service, convenient access, connectivity and urban design including, among other matters, directing medium- and high-density development to major transit corridors.

In consideration of the policies of the YROP 2022, specifically those outlined in this Report, and the Official Plan Amendment File OP.21.015, the Development Planning Department is not satisfied that the Development conforms to the policies of the YROP 2022, specifically those requiring that an appropriate transition from new development to surrounding land uses be provided to support land use compatibility.

The Subject Lands are suitable for redevelopment and intensification given their location within a Strategic Growth Area and PMTSA and can support transit service and municipal infrastructure investments. The Development Planning Department, however, is not satisfied that the Development provides for an appropriate transition of built form to adjacent areas (Policy 2.3.13) in a manner that complements the existing community, as envisioned by YROP 2022.

On this basis, the Development Planning Department recommends refusal of Official Plan Amendment File OP.21.015 as the Development does not conform to the policies of YROP 2022.

The Development does not conform to or meet the general intent of Vaughan Official Plan 2010.

Vaughan Official Plan 2010 ('VOP 2010') sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- Located within a "Regional Intensification Corridor" (Highway 7) on Schedule 1 - Urban Structure
- Located within the "PMTSA 69 - Wigwoss-Helen BRT Station" on Schedule 1C – Protected Major Transit Station Area
- Located along a "Major Arterial (Regional)" on Schedule 9 - Future Transportation Network
- Located along a "Regional Rapid Transit Corridor" on Schedule 10 - Major Transit Network
- Designated "Mid-Rise Mixed-Use" on Schedule 13 - Land Use, which permits mid-rise, mixed-use buildings with a maximum building height of 6-storeys and a maximum FSI of 2 times the lot area

Policies 2.2.1.1 and 2.2.1.2 of VOP 2010 states that Regional Intensification Corridors, including PMTSAs identified on Schedule 1C - Protected Major Transit Station Areas, will be a major focus for intensification on the lands adjacent to major transit routes, at densities and in a form supportive of the adjacent higher-order transit in accordance with the prescribed hierarchy established in VOP 2010.

Policy 2.2.5 further states that Intensification Areas have been established to make efficient use of underutilized sites served with a high-level of existing or planned transit and will be developed with a mix of uses and appropriate densities to support transit use and promote walking and cycling. They will be developed with a mix of uses and appropriate densities to support transit use and promote walking and cycling. The development of Intensification Areas will support the policies of this Plan related to Stable Areas as Community Areas will be maintained as indicated in Policy 2.2.3.4 that states that development immediately adjacent to Community Areas shall ensure appropriate transition in scale, intensity, and use, and shall mitigate adverse noise and traffic impacts, while fulfilling the intensification objectives for Intensification Areas, where applicable.

Policy 4.1.1.4 of VOP 2010 states that Intensification Areas are priorities for transit investments and that land-use planning decisions within Intensification Areas should maximize the use of existing and planned transit infrastructure, considering the existing and planned level of transit service and potential impacts on nearby neighbourhoods.

Policy 5.1.1.3 of VOP 2010 states that the long-term economic diversification of the City will be supported by supporting the growth of retail activities within Intensification Areas and mixed-use designations. Policy 5.2.3 states that the City supports the continued development of a diverse retail sector that provides: a broad range of shopping opportunities; a range of opportunities for employment and entrepreneurship; and transit-oriented and walkable retail environments within Intensification Areas. It also requires that new retail be designed to be walkable, transit-supportive, and integrated into communities and pedestrian and cycling networks (Policy 5.2.3.2).

Policy 5.2.3.4 of VOP 2010 states that the primary location for new retail uses is planned to be in Intensification Areas where they will benefit from transit service and help build mixed-use communities, and that retail developments within Intensification Areas will support the general objectives and policies for these areas through being provided as part of an overall mixed-use development, and sited and oriented to support walking, cycling and transit use.

Policies 7.1.1.3 and 7.5.1.1 of VOP 2010 state that the City supports and encourages the provision of a full range of housing options across the City and plans for a balanced supply of housing that includes diversity in housing type, tenure and affordability.

Policies 8.2.1.2 and 8.2.1.3 of VOP 2010 states that water and wastewater capacity, be allocated by the City in a manner that supports the policies of this Plan and with other Council approved policies with respect to servicing capacity and all development in the Urban Area shall be serviced by municipal water, sanitary sewers, storm sewers and other utilities. Intensification Areas shall be the priority when allocating servicing capacity.

Policy 9.1.2.1 of the VOP 2010 states that new development will respect and reinforce the existing and planned context within which it is situated, and more specifically in Intensification Areas, new development will be located and organized to frame and support the surrounding public realm and massed to fit harmoniously into its surrounding environment, including appropriate transition to areas of lower intensity development.

Policy 9.1.2.7 of VOP 2010 states that in Intensification Areas, new development will be designed to, among other things, create appropriate transitions in scale to areas of lower intensity while fulfilling the intensification objectives, and provide adequate light and privacy for occupants, including occupants of adjacent properties along with limiting shadow and/or wind impacts on neighbouring properties.

Policy 9.2.2.4 of VOP 2010 states that the Mid-Rise Mixed-Use Designation will provide for a mix of residential, retail, community and institutional uses that will be carefully designed and well-integrated with adjacent areas. The ground floor frontage of buildings facing arterial and collector streets shall predominantly consist of retail uses or other active uses that animate the street.

Finally, Policy 9.2.3.5 of VOP 2010 provides development criteria for Mid-Rise Buildings that include:

- providing for appropriate privacy and daylight/sunlight conditions for any adjacent house form buildings
- Mid-Rise Buildings shall generally be set back a minimum of 7.5 m, and
- Mid-Rise Buildings shall be contained within a 45-degree angular plane measured from the property line abutting those house form buildings.

The Owner submitted Official Plan Amendment File OP.21.015 to facilitate the Development, which proposes the following site-specific amendments to VOP 2010:

Table 1:

	Applicable VOP 2010 Section	VOP 2010 Requirement	Proposed Exception to VOP 2010
a.	Volume 1 - Policy 9.1.2.7 e Intensification Area Development Criteria	Create appropriate transitions in scale to areas of lower intensity	No transition to abutting lands
b.	Volume 1 - Policy 9.1.2.7 g Intensification Area Development Criteria	Provide for adequate light and privacy for occupants of adjacent properties	To not require adequate privacy for occupants of adjacent properties
c.	Volume 1 - Policy 9.1.2.7 h Intensification Area Development Criteria	Adequately limit shadow and/or wind impacts on neighbouring properties or public realm areas	To not adequately limit shadow and/or wind impacts on neighbouring properties or public realm areas
d.	Volume 1 – Policy 9.2.3.5 Mid-Rise Building Development Criteria	The building must be set back 7.5 m from the property line and be contained within the 45-degree angular plane from the rear property line abutting the buildings	To permit the building to be set back 6 m from the rear property line and not be contained within the 45-degree angular plane from the rear property line

	Applicable VOP 2010 Section	VOP 2010 Requirement	Proposed Exception to VOP 2010
e.	Schedule 13 - "Land Use" Maximum Building Height	6-storeys	12-storeys
f.	Schedule 13 - "Land Use" Maximum Density	2 times the area of the lot	6.35 times the area of the lot

In consideration of the policies of the VOP 2010, specifically those outlined in this Report, and Official Plan Amendment File OP.21.015, the Development Planning Department is not satisfied that the Development provides for an appropriate scale of intensification or form of redevelopment in consideration of the existing and planned land uses of the surrounding area.

The Subject Lands are located within a PMTSA, which is an Intensification Area. The VOP 2010 states that Intensification Areas have been established to make efficient use of underutilized sites served with a high-level of existing or planned transit and will be developed with a mix of uses and appropriate densities to support transit use and promote walking and cycling. However, VOP 2010 also states that in Intensification Areas, new development will be designed to, among other things, create appropriate transitions in scale to areas of lower intensity while fulfilling the intensification objectives, and provide adequate light and privacy for occupants, including occupants of adjacent properties along with limiting shadow and/or wind impacts on neighbouring properties.

The Development's scale and massing is not appropriate for the Subject Lands which abuts a 2-storey detached dwelling unit to the east, and is surrounded to the north, east and west by detached dwelling units, and abuts a place of worship in a low-rise building to the west. The 12-storey building contains balconies along all its facades limiting the privacy for the adjacent and surrounding properties. A sun-shadow study was submitted by the Applicant and the findings indicate that five (5) properties to the east and two (2) properties to the west experience shadowing during March/September months across. The Development introduces a building height that exceeds the maximum building heights within the surrounding area and does not provide an adequate transition to the low-rise built form immediately abutting the Subject Lands and within the surrounding neighbourhood. The Development proposes a 0 m setback from the interior side yard abutting a pedestrian connection and a 1 m setback from the ultimate front yard property line once the lands for the Highway 7 road widening are taken which are not sufficient to establish an appropriate transition to the public realm or surrounding properties.

The 12-storey (39 m) building height, the 1 m setback instead of a minimum 4.5 m front yard setback, the 6 m rear yard setback instead of 7.5 m and the 0 m setback where there should be a minimum interior side yard setback of 3 m for a RM2 Multiple Unit

Residential Zone, and incorrect measurement of the 45-degree angular plane requirement which was measured from the lot line of the property on the north side of Arrowhead Drive instead of at the rear lot line of the Subject Lands in order to maintain an appropriate building and human scale results in an inappropriate built-form that does not consider the existing stable Community Area and low-rise built form. Intensification, in accordance with VOP 2010 is permitted within a PMTSA and other built form options should be explored to create appropriate transitions in scale to areas of lower intensity while fulfilling the intensification objectives of VOP 2010.

On this basis, the Development does not conform to or meet the general intent of VOP 2010, and the Development Planning Department recommends refusal of Official Plan Amendment File OP.21.015.

The Subject Lands are not located in a Heritage Conservation District, have no heritage resources, and are clear of any archaeological resources.

The Subject Lands are not located a Heritage Conservation District. The Ministry of Tourism, Culture and Gaming (the 'Ministry') cleared the Subject Lands of any archaeological potential, and the City is in receipt of these clearances. Furthermore, the Ministry has updated the archaeological mapping to show the clearance of any archaeological potential extends beyond the adjoining properties to the Subject Lands.

On October 20, 2021, Council adopted the new Comprehensive Zoning By-law 001-2021.

On October 20, 2021, Council adopted the new Comprehensive Zoning By-law 001-2021 ('CZBL'). The CZBL replaces Zoning By-law 1-88, with the exception of matters of transition pursuant to section 1.6 of the CZBL and areas within the Yonge-Steeles Corridor Secondary Plan area.

The CZBL has been appealed to the Ontario Land Tribunal ('OLT') by a number of appellants. The OLT issued an order on December 28, 2022, which was subsequently corrected on March 28, 2023, bringing into effect sections of the CZBL that have not been appealed.

As the Applications were received by the City on June 15, 2021, and were deemed complete on July 19, 2021, the transition provisions under Section 1.6 of the CZBL apply and therefore the Applications were subject to a review under Zoning By-law 1-88. The Owner appealed the CZBL. At the CMC, the Owner requested that the appeal to the CZBL be consolidated with the appeal of the Applications. In the August 23, 2024 decision, the OLT granted the consolidation of the two appeals. As such, the Subject Land will be reviewed under the CZBL.

The Development Planning Department recommends refusal of Zoning By-law Amendment Application Z.21.026 that is required to permit the Development.

Zoning By-law 001-2021:

- “R1B(EN) First Density Residential Zone (Established Neighbourhood)” and “R2A(EN) Second Density Residential Zone (Established Neighbourhood)”
- These zones do not permit the Development
- The Owner proposes to rezone the Subject Lands to “RM2 Multiple Unit Residential Zone”, together with the following site-specific zoning exceptions in Table 2 (Attachment 9) to permit the Development shown on Attachments 3 to 7.

The Development Planning Department does not support the site-specific standards proposed for the Development identified in Table 2 (Attachment 9), as it does not facilitate a development that conforms to or meets the intent of the VOP 2010, for the reasons provided earlier in this report.

On this basis, the Development Planning Department recommends refusal of Zoning By-law Amendment File Z.21.026.

Should the OLT approve the Applications, a Holding Symbol “(H)” is recommended for the Subject Lands to satisfy the conditions of the City.

A Holding Symbol “(H)” is recommended to be placed on the proposed zoning for the Subject Lands to address the outstanding conditions discussed throughout this report pertaining to:

- a) the approval of a Site Development application;
- b) implementation of the necessary transit improvements and servicing infrastructure upgrades, including a road widening, to facilitate the Development;
- c) Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Policy;
- d) the Owner has contributed its share of the cost of infrastructure works and/or undertaken the necessary improvement work and entered into a Development Agreement (if required) with the City, for the required servicing improvements, to the satisfaction of the City; and
- e) submission of a reliance letter, prepared in accordance with the City’s reliance letter template, for the provided Phase One and Two ESA reports and any additional reports recommended by the final Phase Two ESA, if any.

The Holding Symbol “(H)” shall not be removed from the Subject Lands, or any portion thereof, until these conditions are addressed to the satisfaction of the City. A condition to this effect is included in the Recommendations of this report.

Financial Impact

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

Operational Impact

The Policy Planning and Special Programs (“PPSP”) Department has no objections to the Development.

The PPSP Department has advised that there are no natural heritage features on the Subject Lands and therefore have no comments on the Applications. However, all applications, regardless of their location, are required to abide by the *Endangered Species Act* and *Migratory Birds Convention Act* with respect to tree removals, and Species at Risk.

The Development Engineering (‘DE’) Department requires outstanding comments and conditions be addressed to support the Development.

The DE Department has reviewed the Applications and provided the following comments:

Sanitary Servicing

The Subject Lands will be serviced via the existing sanitary service connection to the municipal sanitary sewer located along Arrowhead Drive. The Functional Servicing Report (‘FSR’) identified no capacity constraints in the downstream system in pre-development and post-development conditions from the Subject Lands. The infrastructure proposed has sufficient capacity based on the conclusions and recommendations of the completed FSR.

The DE Department requires the Owner to address any comments and conditions appended to this memorandum within a subsequent submission to support a complete approval of the proposed sanitary servicing strategy.

Storm Servicing

The Subject Lands are currently serviced by existing storm infrastructure located on Arrowhead Drive. The Stormwater Management Plan (‘SWMP’) includes employing orifice controls and an underground storm tank on the Subject Lands. The City design standards dictate that the SWMP should control the urban stormwater runoff to the target release rates established in the City’s Master Plan and provide water quality treatment and erosion control. Quality control will be provided through treatment train process and a storm filter treatment unit.

The DE Department requires the Owner to address any comments and conditions appended to this memorandum within a subsequent submission to support a complete approval of the proposed stormwater management strategy.

Lot Grading

The grading, erosion and sediment control design drawings were submitted in support of the Development for the Subject Lands. The drawings should reflect upon all the special structures and property required necessary to service the Subject Lands. The

Owner shall inform the City of any operation and maintenance obligations for future municipal or private infrastructure including retaining walls, soil stability requirements or other proposed structures necessary to facilitate the development of the Subject Lands. A detailed evaluation of the grading design and erosion and sediment control measures will be conducted when the detailed drawings are submitted for the City's review.

The DE Department requires the Owner to address any comments and conditions appended to this memorandum within a subsequent submission to support a complete approval of the proposed lot grading strategy.

Noise Impact Study

The Owner submitted a Noise Study to investigate the potential environmental noise impact on the Subject Lands from road traffic and surrounding land uses. The Study recommended that the windows would require a Sound Transmission Class ('STC') rating of STC31 in order to maintain the traffic noise at levels that are acceptable for indoor environments. The provided Noise Study is to the satisfaction of the DE Department, subject to the Owner providing the necessary warning clauses to be tied to the required units in the purchase and sale agreement for review at the detailed design stage.

The DE Department requires the Owner to address any comments and conditions appended to this memorandum within a subsequent submission to support an approval of the proposed noise mitigation strategy.

Environmental Engineering

The Owner submitted a Phase One Environmental Site Assessment ('ESA'), a Draft Phase Two ESA, and a Reliance Letter which have been reviewed by the Environmental Engineering Division. The DE Department requires that the finalized Phase Two ESA be provided prior to allowing the Development to proceed to a technical report to the Committee of the Whole. This report was not provided.

Servicing Allocation

Should the Applications be approved by the OLT, a Holding Symbol ("H") will be placed on the Zoning for the Subject Lands, and the availability of regional servicing capacity will be assessed at the Site Development Application approval stage.

Transportation Engineering

The Development proposes two vehicular accesses, including a signalized access to Highway 7 at the terminus of Bruce Street, and an all-moves access to Arrowhead Drive reserved for waste collection and emergency services. While staff anticipate that the Development will introduce an acceptable transportation impact on the surrounding road network, staff will restrict access to Highway 7 only, requiring revisions to the concept plan. In addition, the proposed supply of parking is insufficient. However, Bill 185,

Cutting Red Tape to Build More Homes Act, 2024, received Royal Assent on June 6, 2024, prohibits any official plan or zoning by-law to contain policies requiring an owner to provide or maintain parking facilities other than parking facilities for bicycles, within a PMTSA. Therefore, as this Development is located within a PMTSA, the Development is not subject to a minimum number of parking spaces for vehicles for residential or visitor users.

Cash-in-Lieu of the dedication of parkland is required.

Should the OLT approve the Applications, the Owner shall convey land at the rate of 1 ha per 300 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 500 units, or at a fixed unit rate, at Vaughan's discretion, prior to the issuance of a building permit, in accordance with the *Planning Act* and the City of Vaughan Parkland Dedication By-law.

Community Benefits Charge ('CBC') is applicable and will be collected at the Building Permit Stage.

Should the OLT approve the Applications, the Development meets the criteria for CBC being 5 or more storeys and 10 or more units. The City passed CBC By-law 201-2022 on September 14, 2022, which is therefore the applicable mechanism used to collect community benefit charges.

City Departments, external agencies and various utilities provided comments or have no objections to the Development.

The Environmental Services (Waste Management), Financial Planning and Development Finance, Forestry Operations, Alectra Utilities, Canada Post, and NAV Canada have no objections to the Development, subject to their comments being addressed through a future Site Development Application, should the Applications be approved.

Parks Infrastructure Planning and Development, Policy Planning and Special Programs (Environmental Planning), Enbridge Gas, Rogers Communications, Toronto and Region Conservation Authority, and York Region District School Board have no objections to the Development.

Broader Regional Impacts/Considerations

The Applications have been circulated to York Region for the purpose of receiving comments with regard to Regional interests i.e., roads and servicing infrastructure. York Region states that increasing densities on a site-specific basis contributes to cumulative impacts to the Region's road network and water and wastewater systems. Further, upon review of the Development, operational and safety concerns have been identified regarding access onto Highway 7.

York Region objects to the approval of the Official Plan Amendment until the Regional matters are addressed to the satisfaction of York Region and include:

- The proposed driveway on Highway 7 is significantly skewed and does not align with Bruce Street which will result in significant safety and operational issues. The proposed access on Highway 7 shall be designed/located to meet all the Regional safety and design standards and shall be designed as a standard fourth leg aligning with Bruce Street to the Highway 7 intersection.
- The driveway clearance should be a minimum of two car length from the future right-of-way of Highway 7 so that the queue will not spillback onto Highway 7.
- Daylight triangles will be required at the proposed access onto Highway 7.
- Any private amenities for the Development shall be located outside of the Region planned right-of-way width of 45 m (22.5 m from the centreline of construction on Highway 7 and any additional lands required for turn lanes at intersections).

York Region indicated that they do not have any comments on the Zoning By-law Amendment Application.

Should the Applications be approved by the OLT, York Region will review the required Site Development Application with respect to matters of regional interest.

Conclusion

The Development Planning Department is satisfied that the Applications are generally consistent with the PPS 2024, PPS 2020 and conforms to the Growth Plan.

Notwithstanding, the Development Planning Department is not satisfied that the Applications conform to YROP 2022 or conform to and meet the general intent of VOP 2010 for the reasons stated in the report. The Development Planning Department does not consider the Development to be compatible with existing and planned surrounding land uses. Accordingly, the Development Planning Department recommends refusal of the Applications.

For more information, please contact: Judy Jeffers, Planner, Development Planning Department, ext. 8645.

Attachments

1. Context and Location Map
2. Schedule 13 - Land Use Vaughan Official Plan 2010
3. Proposed Zoning and Concept Plan
4. Proposed Landscape Plan
5. Elevations - Massing Model (North and West)
6. Elevations - Massing Models (North, South and East)
7. Elevations - Massing Models (South and West)
8. Proposed Zoning and Concept Plan, Original Proposal October 5, 2021 Public Meeting
9. Proposed Site-Specific Exceptions to Zoning By-law 001-2021 - Table 2

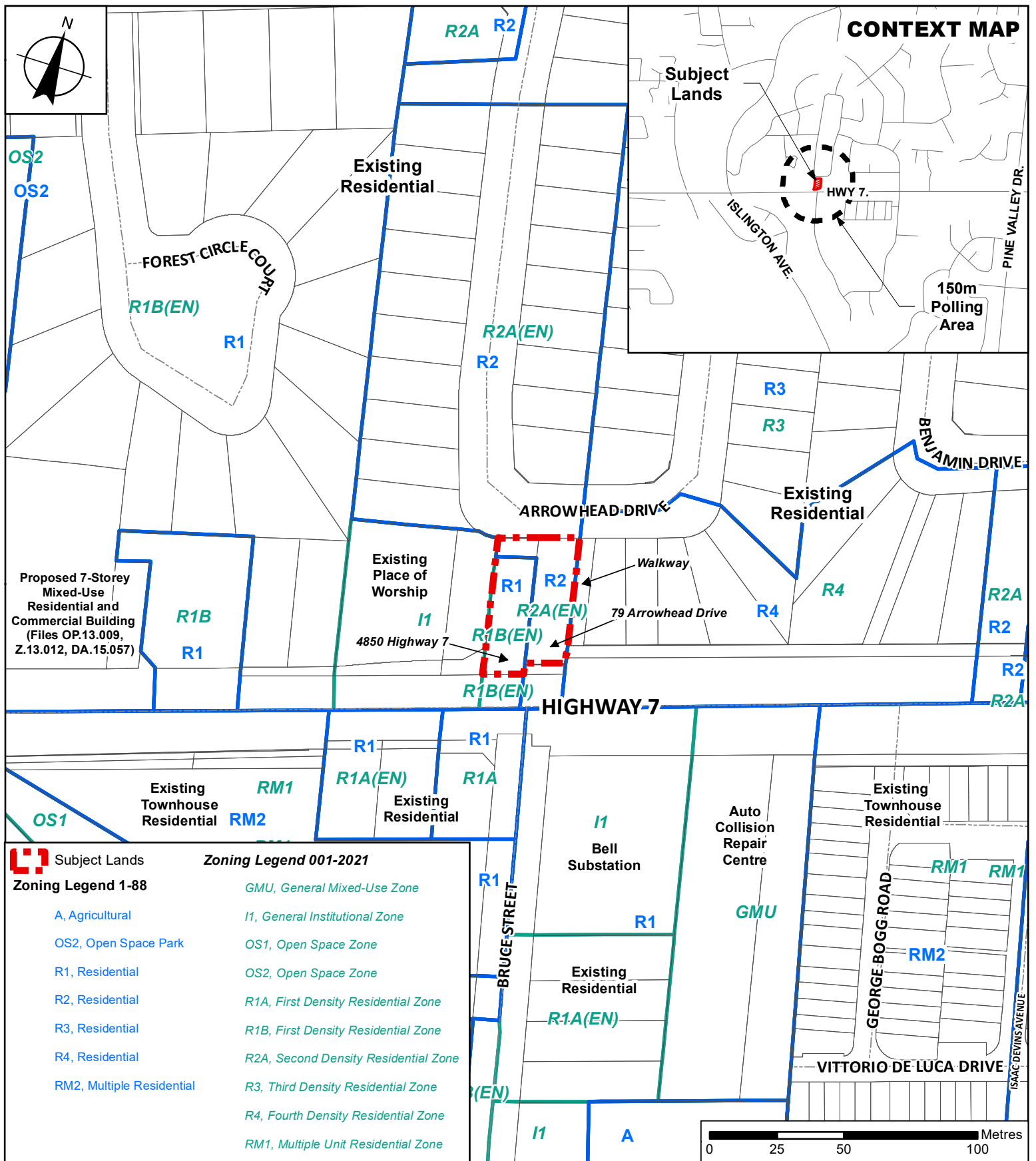
Prepared by

Judy Jeffers, Planner, ext. 8645

Letizia D'Addario, Senior Planner, Development Planning, ext. 8213

Carmela Marrelli, Senior Manager of Development Planning, ext. 8791

Nancy Tuckett, Senior Manager of Development Planning, ext. 8529



Context and Location Map

LOCATION:
4850 Highway 7 and 79 Arrowhead Drive
Part of Lot 6, Concession 7

APPLICANT:
My Place on 7 Inc.

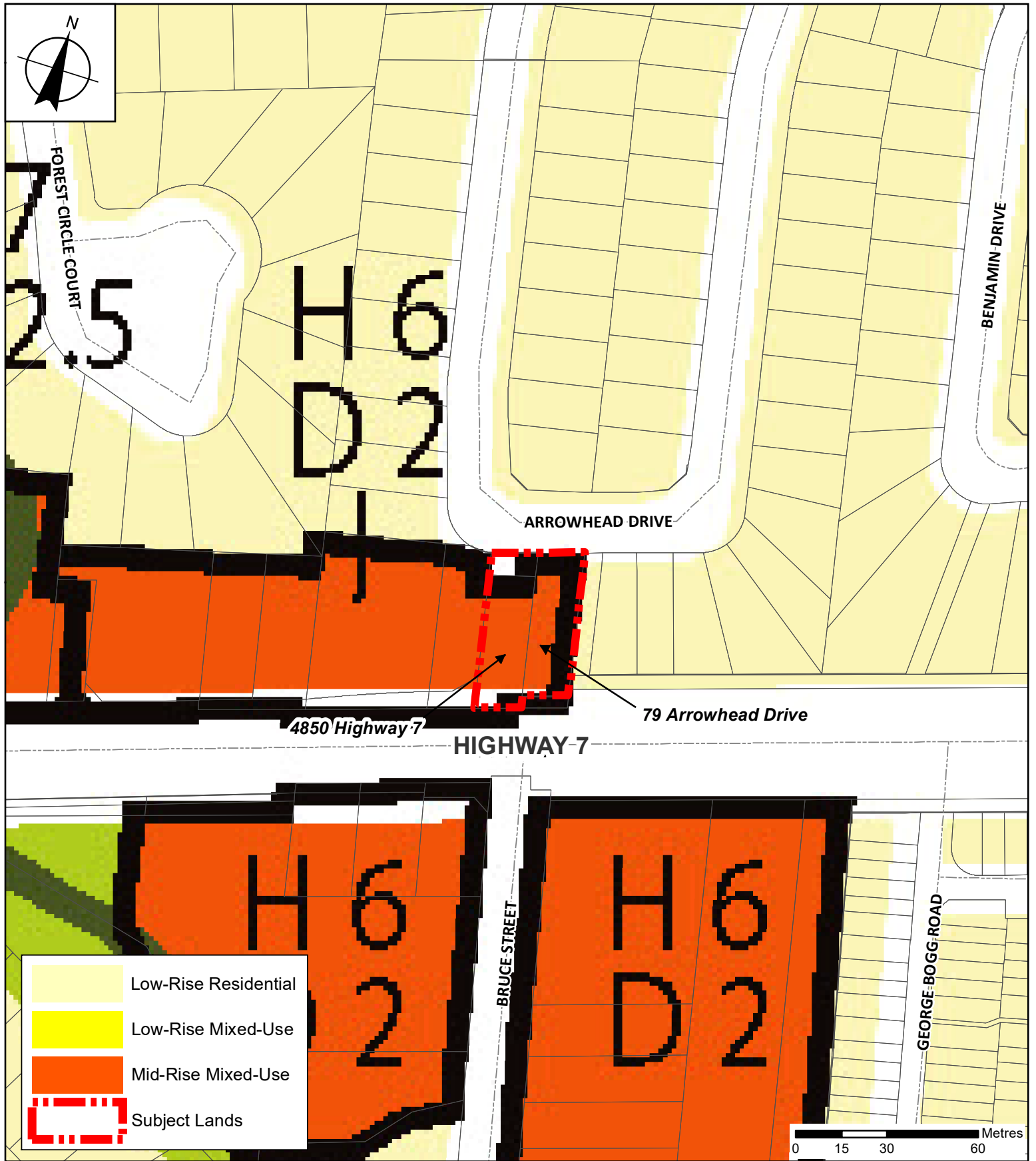


Attachment

FILES:
OP.21.015, Z.21.026

DATE:
October 22, 2024

1



Schedule 13 - Land Use Vaughan Official Plan 2010

LOCATION:

4850 Highway 7 and 79 Arrowhead Drive
Part of Lot 6, Concession 7

APPLICANT: My Place on 7 Inc.

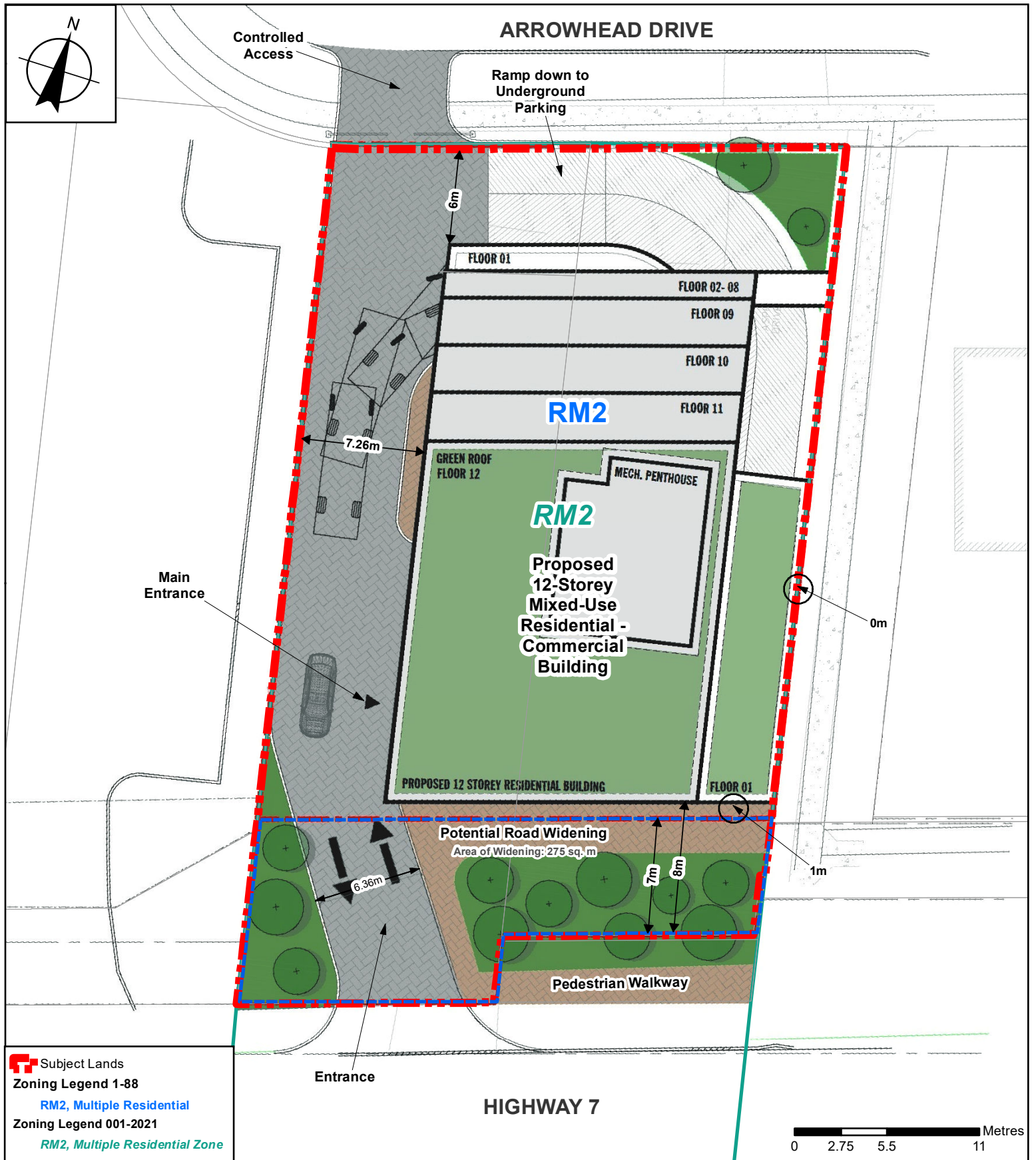


Attachment

FILES:
OP.21.015 and
Z.21.026

DATE:
October 22, 2024

2



Proposed Zoning and Concept Plan

LOCATION:
4850 Highway 7 and 79 Arrowhead Drive
Part of Lot 6, Concession 7

APPLICANT: My Place on 7 Inc.



Attachment

FILES:
OP.21.015 and
Z.21.026

DATE:
October 22, 2024

3



Proposed Landscape Plan

LOCATION:
4850 Highway 7 and 79 Arrowhead Drive
Part of Lot 6, Concession 7

APPLICANT:
My Place on 7 Inc.



Attachment

FILES:
OP.21.015 and
Z.21.026

DATE:
October 22, 2024

4



Not to Scale

Elevations - Massing Model (North and West)

LOCATION: 4850 Highway 7 and 79 Arrowhead Drive
Part of Lot 6, Concession 7

APPLICANT: My Place on 7 Inc.



Attachment

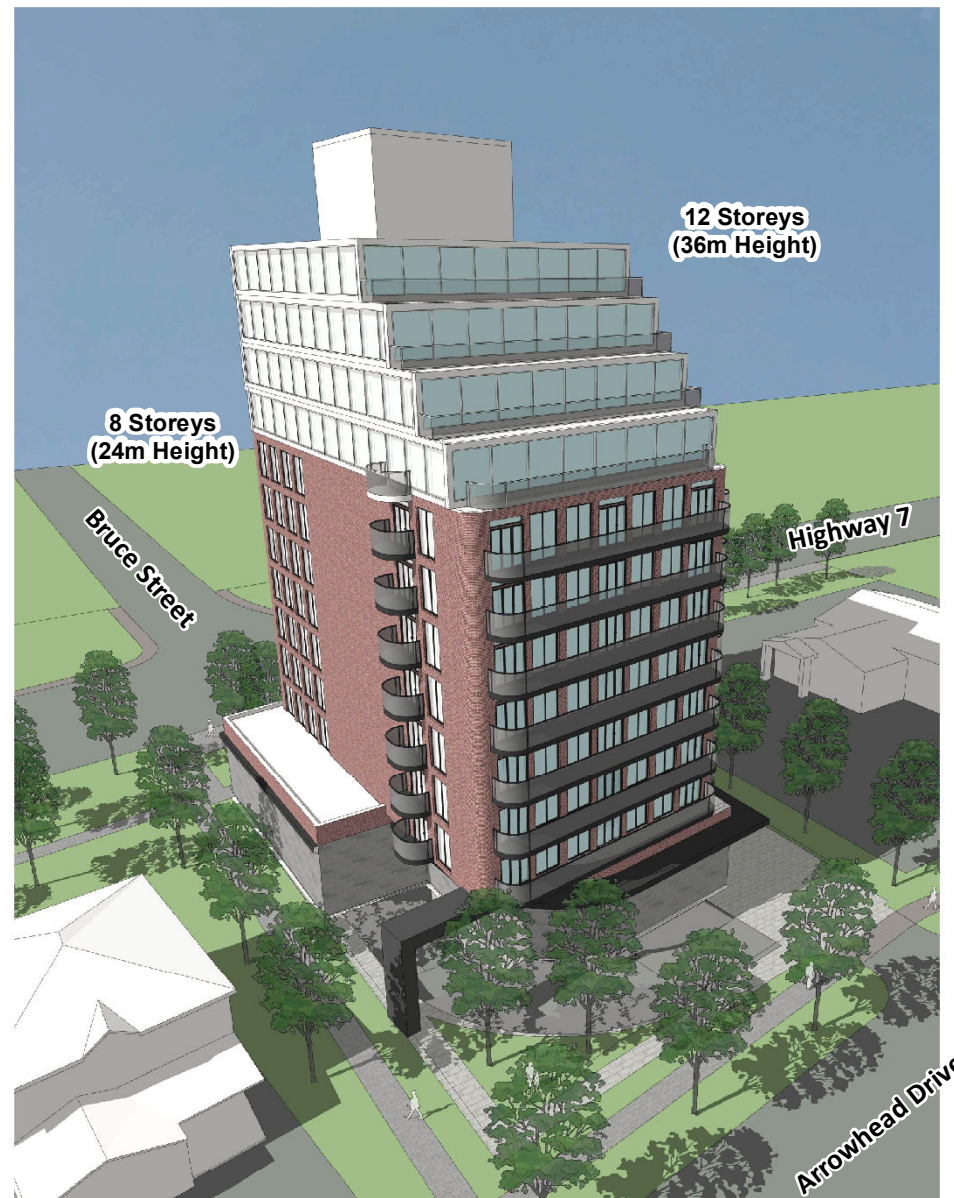
FILES:
OP.21.015 and
Z.21.026

DATE:
October 22, 2024

5



View Facing South



View Facing North

Not to Scale

Elevations - Massing Models (North, South and East)

LOCATION: 4850 Highway 7 and 79 Arrowhead Drive
Part of Lot 6, Concession 7

APPLICANT: My Place on 7 Inc.



Attachment

FILES:
OP.21.015 and
Z.21.026

DATE:
October 22, 2024

6



Not to Scale

Elevations - Massing Model (South and West)

LOCATION: 4850 Highway 7 and 79 Arrowhead Drive
Part of Lot 6, Concession 7

APPLICANT: My Place on 7 Inc.

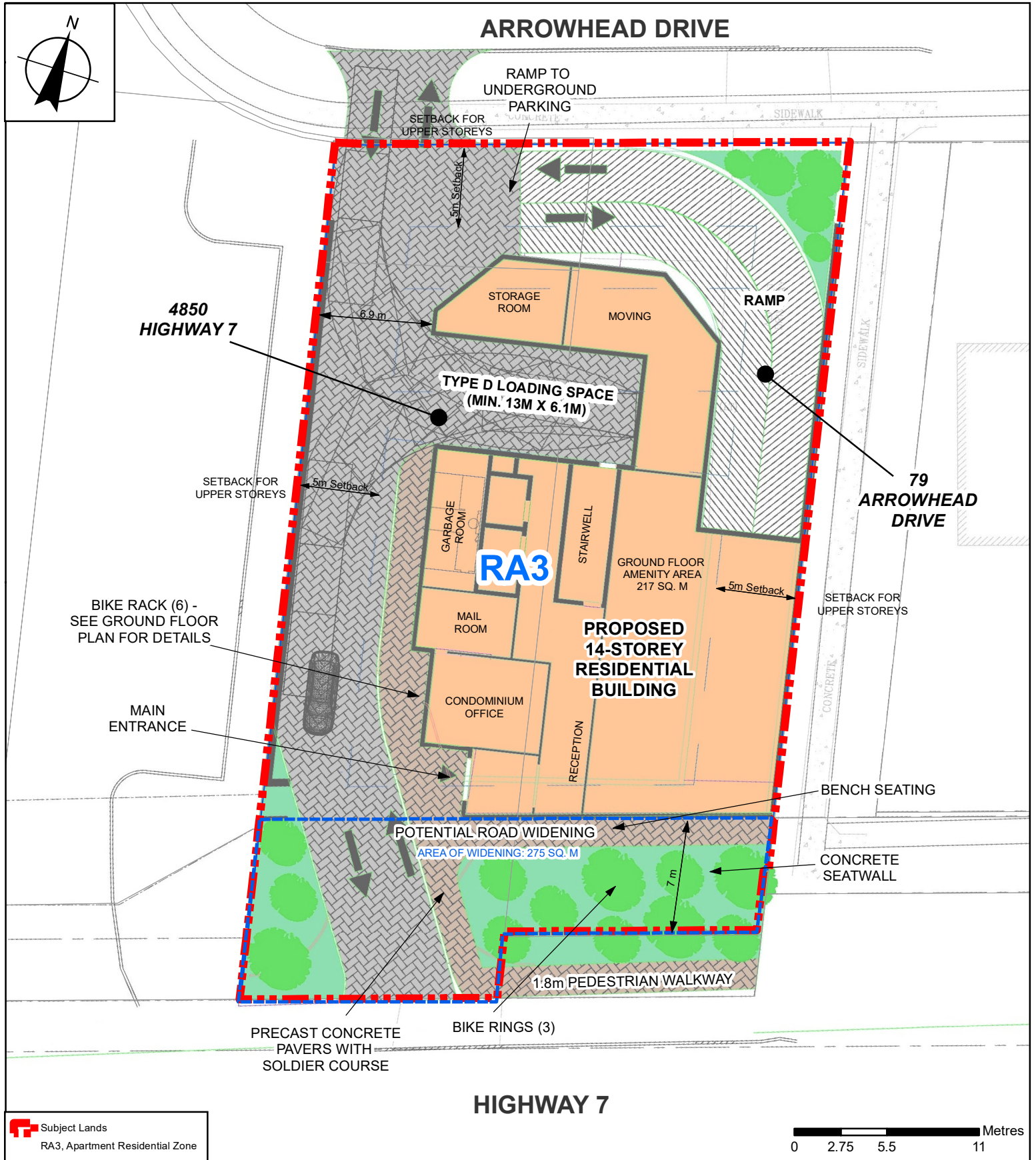


Attachment

FILES:
OP.21.015 and
Z.21.026

DATE:
October 22, 2024

7



Proposed Zoning and Concept Plan, Original Proposal, October 5, 2021 Public Meeting
LOCATION:
 Part of Lot 6, Concession 7
 4850 Highway 7 and 79 Arrowhead Drive
APPLICANT: My Place on 7 Inc.



Attachment
FILES:
 OP.21.015 and
 Z.21.026
DATE:
 October 22,
 2024
8

Attachment 9 - Proposed Site-Specific Exceptions to Zoning By-law 001-2021

Table 2

	Zoning By-law 001-2021 Standard	RM2 Multiple Unit Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Unit Residential Requirements
a.	Permitted Use	Apartment Dwelling	Add Retail as a permitted use
b.	Minimum Lot Area	80 m ² / Unit	15.7 m ² / Unit
c.	Minimum Front Yard	4.5 m	1 m
d.	Minimum Rear Yard	7.5 m	6 m
e.	Minimum Interior Yard	7.5 m	0 m (East Side Yard)
f.	Minimum Landscape Strip on any Interior Side or Rear Yard Lot Line	3 m	0 m (Interior Side (East and West) and Rear Yards)
g.	Minimum Landscape Strip Abutting a Street Line	3 m	0 m (Front and Rear Yards)
h.	Minimum Front Yard for Building Below Grade	1.8 m	0 m
i.	Minimum Amenity Space	At least 50% of the required outdoor amenity area shall be one contiguous outdoor	0 m ²

	Zoning By-law 001-2021 Standard	RM2 Multiple Unit Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Unit Residential Requirements
		area of 55.0 m ² located at-grade	

Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*, received Royal Assent on June 6, 2024, prohibits any official plan or zoning by-law to contain policies requiring an owner to provide or maintain parking facilities other than parking facilities for bicycles, within a PMTSA. Therefore, as this Development is located within a PMTSA (Protected Major Transit Station Area 69 - Wigwoss-Helen Bus Rapid Transit Station), the Development is not subject to a minimum number of parking spaces for vehicles for residential or visitor users.

The Development is on two lots but reviewed as one lot. The lots will need to be consolidated for a Building Permit, should the Applications be approved.

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): 5

TITLE: 1000623576 ONTARIO INC. C/O JOSEPH KIM
ZONING BY-LAW AMENDMENT APPLICATION FILE Z.24.007
300 STEELES AVENUE WEST – VICINITY OF STEELES
AVENUE WEST AND HILDA AVENUE

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for a Zoning By-law Amendment (File Z.24.007) to permit the conversion of the existing retail use in Building 1 ('Toys "R" Us') for the temporary use of a Supermarket and associated offices ('Supermarket') for a maximum period of three (3) years as shown on Attachments 1 and 2.

Report Highlights

- The Owner has submitted a Zoning By-law Amendment application to permit a temporary use for a period of three (3) years to convert the existing retail use in Building 1 to a Supermarket use.
- Zoning By-law Amendment and Site Development applications are required to permit the proposed temporary use.
- The Yonge/Steeles Program of the Policy Planning & Special Programs Department supports the approval of the temporary use Zoning By-law Amendment for a period of three (3) years.

Recommendations

1. THAT Zoning By-law Amendment File Z.24.007 (1000623576 Ontario Inc.) BE APPROVED to permit the conversion of the existing retail use for a use as a Supermarket – including the supermarket’s administrative and managerial offices to be located on the existing mezzanine level, for a period of (3) years.

Background

Location: 300 Steeles Avenue West (the ‘Subject Lands’). The Subject Lands and the surrounding land uses are shown on Attachment 1.

A temporary use Zoning By-law Amendment Application has been submitted to permit the Proposal.

The Owner has submitted a Zoning By-law Amendment Application File Z.24.007 (the ‘Application’) for Building 1 on the Subject Lands to permit the temporary conversion of the existing retail use for the use as a Supermarket for a temporary period of three (3) years (the ‘Proposal’) as shown on Attachment 2 together with the site-specific exceptions identified in Table 1 of Attachment 3 to this report.

A related minor Site Development Application DA.24.045, was submitted on August 23, 2024. In accordance with Bill 109, the approval of Site Development Applications has been delegated to the Deputy Chief Manager of Planning and Growth Management.

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol

- *Date of Notice: May 10, 2024 (Circulated 150 m from Subject Lands as shown on Attachment 1)*
- *Location of Notice Signs: Steeles Avenue West and Hilda Avenue*
- *Date of Public Meeting: Tuesday, June 4, 2024, date ratified by Council: Tuesday, June 25, 2024*
- *Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: October 12, 2024*

Public Comments were received.

The following is a summary of the comments provided and received to date. The comments are organized by theme as follows:

Access, Traffic and Parking

- the Development will increase traffic congestion in the area and impact vehicle and pedestrian safety for the intersection of Steeles Avenue West and Hilda Avenue.

These comments are addressed throughout this report.

Previous Reports/Authority

Previous reports related to the Subject Lands can be found at the following links:
[June 4, 2024, Committee of the Whole Public Meeting Report \(Item 8, Report 23\)](#)

Analysis and Options

The Proposal is consistent with the Provincial Policy Statement 2020 and the Provincial Planning Statement 2024 and conforms to the Growth Plan, York Region Official Plan and Vaughan Official Plan.

Provincial Policy Statement, 2020 ('PPS 2020')

The PPS 2020 provides direction on matters of Provincial interest related to land use planning and development and include building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

Staff are satisfied that the Proposal is consistent with the PPS 2020.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan')

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2051. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form.

The Subject Lands are within proximity to the Protected Major Transit Station Area ('PMTSA') 20 - Steeles Subway Station. The Growth Plan defines a PMTSA as the area within an approximate 500 to 800 m of a transit station. The Subject Lands front onto Steeles Avenue West just west of Hilda Avenue.

The Growth Plan provides guiding policies for accommodating forecasted growth in *complete communities*. Complete communities are defined as places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and *public service facilities*. *Complete communities* are age-friendly and may take different shapes and forms appropriate to their contexts.

The Proposal shown on Attachment 2 conforms to the Growth Plan.

Provincial Planning Statement, 2024 ('PPS 2024')

The Provincial Planning Statement 2024 ('PPS 2024') is a policy statement issued pursuant to section 3 of the *Planning Act* and came into effect on October 20, 2024. All decisions made on or after October 20, 2024 in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

At the time of drafting this report, transition provisions to facilitate the introduction of the new PPS 2024 were being considered by the Ministry of Municipal Affairs and Housing, and not yet available. This report therefore includes discussion of, *inter alia*, the Provincial Policy Statement 2020, the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the new PPS 2024.

The Subject Lands are within an Urban Area of the Built Boundary of York Region. The Proposal facilitates a temporary land use conversion of the existing retail for a Supermarket use in the City's established Community Area where full municipal services exist. The ability to utilize existing infrastructure, and the opportunity to provide employment and community services is consistent with the PPS.

York Region Official Plan 2022 ('YROP 2022')

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (*Planning Statue Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) ("Bill 185") received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York Region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

The YROP 2022 designates the Subject Lands "Community Area", which permits a wide range of residential, commercial, cultural, and institutional uses. An important objective for York Region's Community Areas is to ensure they are walkable, pedestrian-oriented, and amenity rich locations which provide residents with a range of services and open spaces within a 15-minute walk or cycle of their home.

Vaughan Official Plan 2010 ('VOP 2010')

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Primary Intensification Corridors" on Schedule 1 – "Urban Structure" of 'VOP 2010
- Located within the Yonge Steeles Corridor Secondary Plan (the 'YSCSP') on Schedule 13 – "Land Use"

- Designated “High-Rise Mixed Use” by Schedule 2 (South) of the YSCSP with a minimum density target of 2.5 times the area of the lot

The “High-Rise Mixed Use” designation of the YSCSP permits retail uses which includes a supermarket via 9.2.2.6 b) of VOP 2010.

The Proposal shown on Attachment 2 is consistent with the “High-Rise Mixed Use” land use designation policies outlined in the YSCSP. Policy 9.2.2.6.a of VOP 2010 states that High-Rise Mixed-Use areas are generally located in *Intensification Areas* and provide for a mix of residential, retail, community and institutional uses. Policy 9.2.2.6.b of VOP 2010 confirms that retail uses are permitted.

Policy 10.1.2.4 which pertains to Temporary Use By-laws of VOP 2010 is applicable when considering the Proposal for a temporary use. The proposed temporary use for a Supermarket is consistent with Policy 10.1.2.4 of VOP 2010 and the Temporary Use By-laws requirements as it is consistent with the general intent of VOP 2010, is compatible with adjacent land-uses, is temporary in nature and can easily be terminated when the temporary zoning by-law expires. On this basis, the Proposal conforms to VOP 2010.

Amendments to Zoning By-law 1-88 are required to permit the Proposal.

Zoning:

- “C2 - General Commercial Zone” subject to Site-Specific Exception 9(483) by Zoning By-law 1-88
- This Zone does not permit the proposed temporary use
- The Owner proposes to amend the “C2 - General Commercial Zone” subject to site-specific exception 9(483) on the Subject Lands for Building 1 in the manner shown on Attachment 2, to permit the Proposal on a temporary basis for a maximum of three (3) years, together with the following site-specific zoning exceptions identified in Table 1 of Attachment 3.

The Yonge/Steeles Program of the Policy Planning and Special Programs Department can support the remaining zoning exceptions identified in Table 1 on the basis that the proposed site-specific zoning standards identified in Table 1 would facilitate a development that is consistent with the policies of the PPS (2020 and 2024) and conforms to the Growth Plan.

Minor modifications may be made to the zoning exceptions identified in Table 1 (Attachment 3) prior to the enactment of an implementing Zoning By-law, as required, should the Application be approved.

The Policy Planning and Special Programs Development Department supports the Proposal.

The Policy Planning and Special Programs Department recommends approval of the Proposal as shown on Attachment 2.

Site Design

The Proposal will utilize the existing building and include both exterior and interior renovations to serve the Supermarket function. Exterior renovations include installing a new sign, new awnings, additional rooftop mechanical units, and minor changes to the existing entrances.

The Proposal does not include any new landscaping or work to the parking area.

Financial Impact

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

Operational Impact

The Development Engineering ('DE') Department supports the Development.

The DE Department has provided the following comments:

Development Engineering

The Owner shall provide a certificate by a noise consultant certifying that the building plans are in accordance with the noise control features recommended by the final detailed noise impact assessment report.

Where mitigation measures such as 7.0 m wing walls surrounding the loading area with garage doors that can be closed, and 2.0 m high noise barriers localized around each of the northern and western HVAC units are required, these features shall be certified by a Professional Engineer at Vaughan's request. The Engineer's certificate must refer to the final detailed noise impact assessment report and be submitted to Vaughan's Chief Building Official and the Director of Development Engineering.

The DE Department has confirmed that the required information can be submitted reviewed and approved as part of the related minor Site Development Application process.

Development Engineering Transportation

DE Transportation has reviewed the proposal and is satisfied.

No objection from other review agencies

Canada Post, Rogers, Bell, Enbridge, Alectra Utilities, and Toronto Region Conservation Authority have no objection to the Proposal.

Broader Regional Impacts/Considerations

The Application has been circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e. roads and servicing infrastructure. York Region has no objection to the approval.

Conclusion

The Policy Planning and Special Programs Department is satisfied the Application is consistent with the PPS (2020 and 2024), conforms with the Growth Plan, YROP and VOP 2010, and is appropriate for the use of the Subject Lands. The Proposal is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Policy Planning and Special Programs Department can recommend approval of the Applications, subject to the recommendations in this report.

For more information, please contact Paul Procopio, Planner, at extension 8412.

Attachments

1. Context and Location Map
2. Concept Plan and Zoning
3. Zoning By-law 1-88 - Table 1

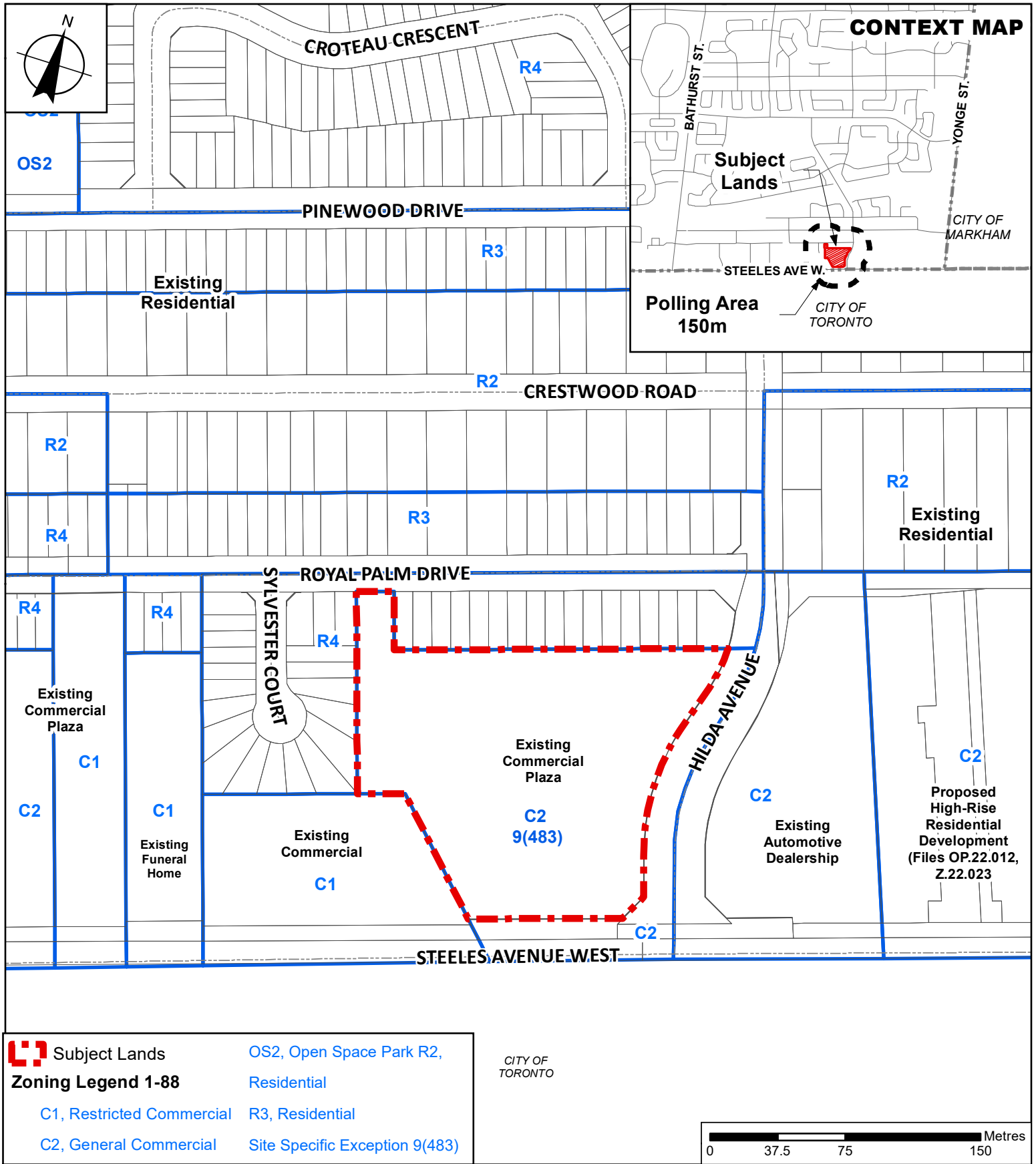
Prepared by

Paul Procopio, Planner, ext. 8412

Christina Ciccone, Senior Planner, Yonge/Steeles Program ext. 8775

Arminé Hassakourians, Program Manager, Yonge/Steeles Program ext. 8368

Christina Bruce, Director of Policy Planning and Special Programs, ext. 8231



Context and Location Map

LOCATION:
300 Steeles Avenue West
Part of Lot 26, Concession 1

APPLICANT:
1000623576 Ontario Inc. c/o Joseph Kim

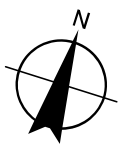


Attachment

FILE:
Z.24.007

DATE:
October 22, 2024

1



ROYAL PALM DRIVE

Existing
Loading
Pad

Building 1
New Proposed Use
GFA: 3,816.74 sq.m

Building 2
Existing Use
GFA: 1,198.45 sq.m

18
17

16

FIRE ACCESS ROUTE

C2
9(483)

HILDA AVENUE

Building 3
Existing Use
GFA: 394.64 sq.m



Subject Lands

Zoning Legend 1-88

C2, General Commercial

Site Specific Exception 9(483)

STEELES AVENUE WEST

CITY OF
TORONTO

0 15 30 60 Metres

Concept Plan and Zoning

LOCATION:

300 Steeles Avenue West Part of Lot 26, Concession 1

APPLICANT:

1000623576 Ontario Inc. c/o Joseph Kim



Attachment

FILE:
Z.24.007

DATE:
October 22, 2024

2

Attachment 3 – Zoning By-law 1-88

Table 1:

	Zoning By-law 1-88 Standard	C2 – General Commercial Zone Requirement	Proposed Exceptions to the C2 – General Commercial Zone Requirement
a.	Permitted Uses	<p>The following uses are permitted:</p> <ul style="list-style-type: none"> • Automotive Retail Store • Banking or Financial Institution • Boating Showroom • Business or Professional Office • Club or Health Centre • Eating Establishment • Eating Establishment, Convenience • Eating Establishment, Take-Out • Funeral Home • Hotel • Laboratory • Motor Vehicle Sales Establishment • Office Building • Personal Service Shop • Pharmacy • Photography Studio • Place of Entertainment • Radio Transmission Establishment • Retail Store Service or Repair Shop 	<p>Permit the following additional use on a Temporary basis for a period of three (3) years in Building 1:</p> <ul style="list-style-type: none"> • Supermarket

		<ul style="list-style-type: none"> • Video Store • Car Rental Service • Car Wash • Eating Establishment, Convenience with Drive-Through • Fruit Stand • Lumber or building materials supply dealing with new materials only • Motel • Pet Grooming Establishment, to be contained within a wholly enclosed building • Place of Amusement • Retail Nursery • Taxi Stand or Station • Veterinary Clinic • Auditorium • Lodge, Association or Institutional Hall • Long Term Care Facility • Public or Private Hospital • Recreational uses as defined in Section 2.0 	
b.	Minimum Barrier Free Parking Space Requirements	2 spaces plus 2% of the total number of parking spaces required (298) = 8 Spaces Required	Provide a total of 6 Barrier Free Parking Spaces

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): 1

TITLE: LAURIER HARBOUR (KEELE) INC.

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-24V002
(COMMON ELEMENT CONDOMINIUM)**

9785 & 9797 KEELE STREET

**VICINITY OF KEELE STREET AND MAJOR MACKENZIE DRIVE
WEST**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from Council for a Draft Plan of Condominium (Common Elements) Application to permit the proposed condominium tenure for the privately owned and maintained (through a future Condominium Corporation) common elements, consisting of a private driveway, two (2) visitor parking spaces and outdoor amenity space for eight (8) townhouse units and eight (8) semi-detached units, as shown on Attachments 2 and 3.

Report Highlights

- The Owner proposes a condominium tenure for the privately owned and maintained (through a future Condominium Corporation) common elements, that consists of a private driveway, two (2) visitor parking spaces and outdoor amenity space for (eight) 8 townhouse units and eight (8) semi-detached units.
- A Draft Plan of Condominium (Common Elements) Application is required to permit the proposed development.
- The Development Planning Department supports the proposed development subject to conditions as outlined in this report.

Recommendations

1. THAT Draft Plan of Condominium (Common Elements) File 19CDM-24V002 (LAURIER HARBOUR (KEELE) INC.) BE DRAFT APPROVED, as shown on Attachment 3, subject to the Conditions of Draft Approval in Attachment 5; and
2. THAT Council's approval of Draft Plan of Condominium (Common Elements) File 19CDM-24V002, subject to the conditions set out in Attachment 5, be for a period of three years from the date on which approval was given, and the approval shall lapse at the expiration of that time period.

Background

Location: 9785 and 9797 Keele Street (the 'Subject Lands'). The Subject Lands and surrounding land uses are shown on Attachment 1.

A Site Development Application to facilitate a residential development of 8 townhouse units and 8 semi-detached units served by a private common element driveway on the Subject Lands has been approved.

Site Development Application (File DA.17.068) was approved to facilitate the residential development of eight (8) townhouse units, eight (8) semi-detached units and common elements that consists of a private driveway, two (2) visitor parking spaces, and outdoor amenity space (the 'Development'). The Site Plan Agreement for the approved residential development was registered (Instrument No. YR3588383) on August 21, 2023.

A Draft Plan of Condominium (Common Element) Application has been submitted to permit the proposed condominium tenure.

Laurier Harbour (Keele) Inc. (the 'Owner') has submitted an Application for Draft Plan of Condominium (Common Elements) (the 'Application') for the Subject Lands to permit the proposed condominium tenure for the privately owned and maintained (through a future Condominium Corporation) common elements, that consist of a private driveway, two (2) visitor parking spaces and outdoor amenity space (the 'Common Element Condominium' or 'CEC') as shown on Attachment 3.

An Exemption from Part Lot Control Application is required to implement the Development.

The Owner has submitted a concurrent Exemption from Part Lot Control Application (PLC.24.002) to lift the part lot control provisions of the *Planning Act* from the Subject Lands, in order to create conveyable freehold lots (Parcels of Tied Land) for the eight (8) townhouse units and eight (8) semi-detached units.

Previous Reports/Authority

The following are links to the previous reports applicable to the Subject Lands:

Centra (Keele) Inc., Public Hearing Report:

[December 1, 2015, Committee of the Whole \(Public Hearing\) Report \(Item 1, Report No. 45\)](#)

Laurier Harbour (Keele) Inc. Committee of the Whole Report:

[November 19, 2019, Committee of the Whole \(1\) Report \(Item 2, Report No. 34\)](#)

Laurier Harbour (Keele) Inc, Local Planning Appeal Tribunal Decision

[Case No. PL170643 dated April 2, 2020](#)

Analysis and Options

The Application is consistent with the Provincial Policy Statement, 2020 ('PPS 2020') and the Provincial Planning Statement, 2024 ('PPS 2024'), and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the 'Growth Plan') 2019, as amended, the York Region Official Plan ('YROP') 2022 and the Vaughan Official Plan ('VOP') 2010.

The PPS 2024 is a policy statement issued pursuant to section 3 of the *Planning Act* and comes into effect on October 20, 2024. All decisions made on or after October 20, 2024 in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

At the time of drafting this report, transition provisions to facilitate the introduction of the new PPS 2024 were being considered by the Ministry of Municipal Affairs and Housing, and not yet available. This report therefore includes discussion of, *inter alia*, the PPS 2020 the Growth Plan, 2019, as amended, and the new PPS 2024.

PPS 2020

The PPS provides direction on matters of Provincial interest related to land use planning and development and include building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

The Subject Lands are within a 'Settlement Area' and an existing 'Community Area' of the 'Urban System' of York Region. Policy 1.1.3 of the PPS directs development to Settlement Areas where new development should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The Development facilitates a compact urban form through the intensification of underutilized lands in the City's established Settlement Area where full municipal services exist. Staff are satisfied that the Application is consistent with the PPS.

The Growth Plan, 2019, as amended

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form.

The Growth Plan states that settlement area boundaries are delineated in applicable official plans. Section 2.2.1 of the Growth Plan directs the vast majority of growth to settlement areas that: have a delineated built boundary, have existing or planned municipal water and wastewater systems, and can support the achievement of complete communities. The Subject Lands are located within the 'Urban Boundary' and an existing 'Community Area' of the 'Urban Area' of City of Vaughan. The Development facilitates a compact urban form through the intensification of underutilized lands in the City's established Settlement Area where full municipal services exist. The Application conforms to the Growth Plan.

PPS 2024

The PPS 2024 provides direction on matters of Provincial interest related to land use planning and development province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The PPS 2024 states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents. This is permitted and facilitated through the provision of all housing options required to meet the social, health, economic and well-being requirements of current and future residents, and all types of residential intensification, including the development and introduction of new housing options within previously developed areas, and redevelopment which results in a net increase in residential units.

The Application contributes to the provision of a range and mix of housing options within the area, and results in a net increase of residential units on the Subject Lands. The Application is consistent with the PPS 2024.

YROP 2022

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (*Planning Statute Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) ("Bill 185") received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

The Subject Lands are within a 'Settlement Area' and an existing 'Community Area' of the 'Urban System' of York Region. 'Community Areas' include delineated Built-up Areas and Designated Greenfield Areas. Policy 4.1.1 of the YROP identifies that the primary location for growth and development within York Region will take place within the 'Urban System'.

'Community Areas' permit a range of residential, commercial, industrial and institutional uses and are where most of the housing required to accommodate the forecasted population will be located, as well as most population-related jobs and most office jobs. The Application conforms to the YROP 2022.

VOP 2010

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Community Area" on Schedule 1 – "Urban Structure" of VOP 2010, Volume 1.
- Designated "Low-Rise Residential" on Schedule 13 – "Land Use" in VOP 2010, Volume 1.

As outlined in subsection 9.2.2.1 of the VOP 2010, the "Low-Rise Residential" designation permits residential units, home occupations, private home day care and small-scale convenience retail uses within the following building typologies: detached dwellings, semi-detached house, townhouses, and public and private institutional buildings.

The Subject Lands are subject to site-specific policy 13.53 (OPA #54) of the VOP 2010, Volume 2, which permits a maximum of 8 townhouse units and 8 semi-detached units located on a private road. The Application conforms to VOP 2010.

The Development complies with Zoning By-law 001-2021.

The Subject Lands are currently zoned "RT1 – Townhouse Residential Zone" and "RT2 – Townhouse Residential Zone" in Zoning By-law 001-2021, subject to site-specific Exception 14.1147. The Development as shown on Attachments 2 and 3 complies with Zoning By-law 001-2021.

The Draft Plan of Condominium is consistent with the approved Site Development Application.

On August 21, 2023, Site Development Application File DA.17.068 was approved to permit the Development as shown on Attachment 2. The Application as shown on Attachment 3 is required to create the common element tenure for the following:

- Private driveway
- Two (2) visitor parking spaces
- Outdoor amenity space

The Application is consistent with the approved Development.

Financial Impact

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

Operational Impact

Internal City Departments, external agencies and various utilities have no objection to the Application.

The Development Engineering Department, Development Finance Department, Waste Management, Bell Canada, Canada Post and Enbridge Gas Inc. have no objections to the Application, subject to the Conditions of Approval in Attachment 5.

The Building Standards Department, By-law and Compliance Licensing and Permit Services Department, Emergency Planning, Environmental Planning division, Fire Prevention, Infrastructure Planning and Corporate Asset Management, Urban Design division, Zoning Department, Parks Infrastructure Planning and Development, Real Estate Department, Alectra Utilities Corporation, Hydro One Networks Inc., Rogers Communications, Toronto and Region Conservation Authority, York Catholic District School Board and York Region District School Board have no objections to the Application.

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has no objection to the Application, subject to the Conditions of Approval in Attachment 5.

Conclusion

The Development Planning Department is satisfied that the Application is consistent with the PPS 2020 and PPS 2024, conforms with the Growth Plan, YROP 2022 and VOP 2010, and is appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses.

Accordingly, the Development Planning Department can recommend approval of the Application, subject to the recommendations in this report and Conditions of Approval in Attachment 5.

For more information, please contact Casandra Krysko, Senior Planner, Development Planning at extension 8003.

Attachments

1. Context and Location Map
2. Approved Site Plan File DA.17.068
3. Draft Plan of Condominium (Common Elements)
4. Draft Reference Plan – Parcels of Tied Land
5. Conditions of Draft Plan of Condominium Approval

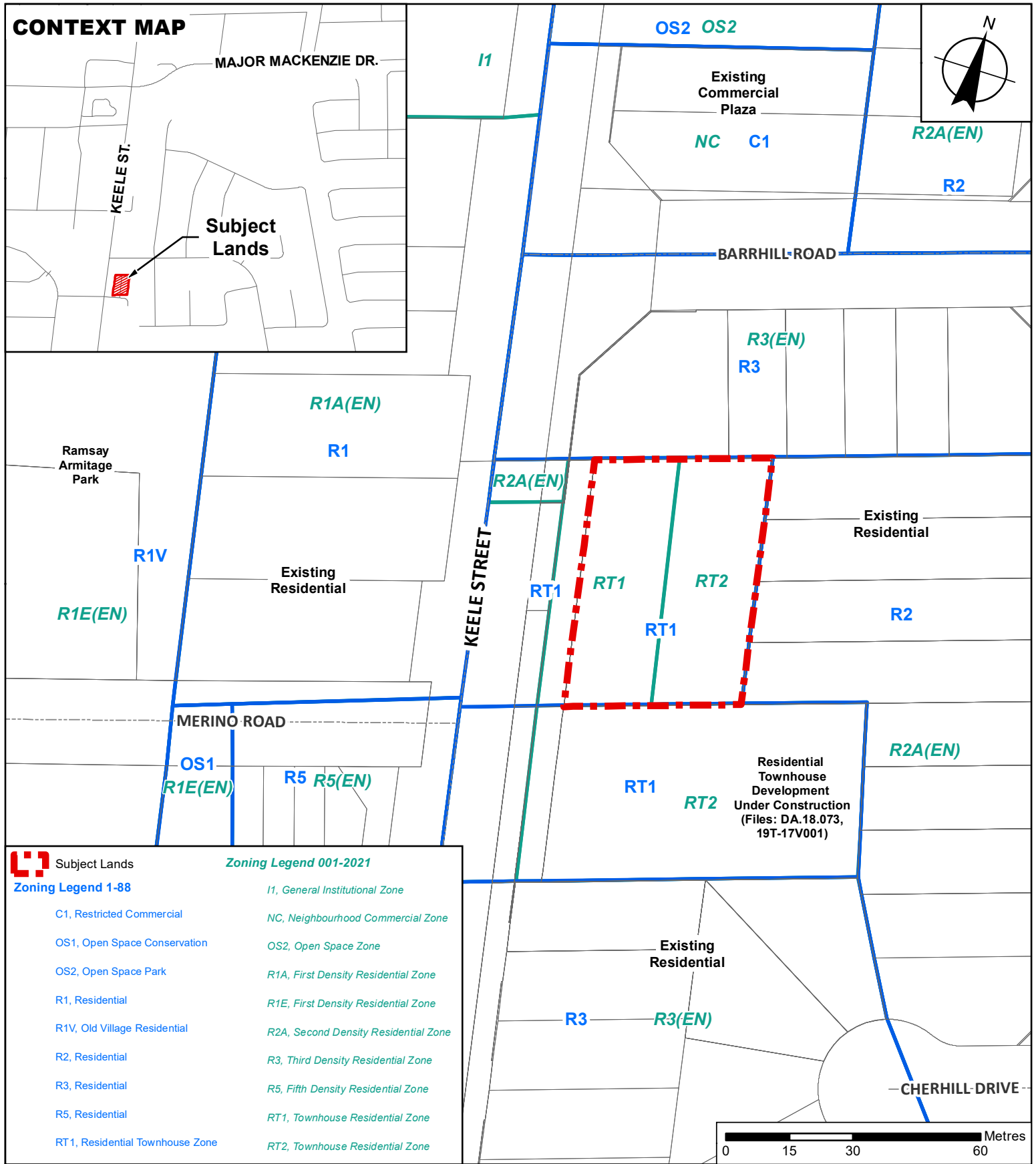
Prepared by

Laura Tafreshi, Planner, ext. 8051

Casandra Krysko, Senior Planner, ext. 8003

Mary Caputo, Senior Manager of Development Planning, ext. 8635

Nancy Tuckett, Director of Development Planning, ext. 8529



Context and Location Map

Location: 9785 and 9797 Keele Street
Part of Lot 19, Concession 3

Applicant:
Laurier Harbour (Keele) Inc.

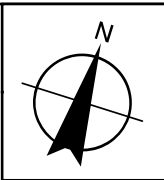



Attachment

File: 19CDM-24V002
Related files: 19T-15V007,
PLC.24.002 and DA.17.068

Date: October 22, 2024

1



 Subject Lands

Approved Site Plan

File DA.17.068

Location: 9785 and 9797 Keele Street
Part of Lot 19, Concession 3

Applicant: Laurier Harbour (Keele) Inc.

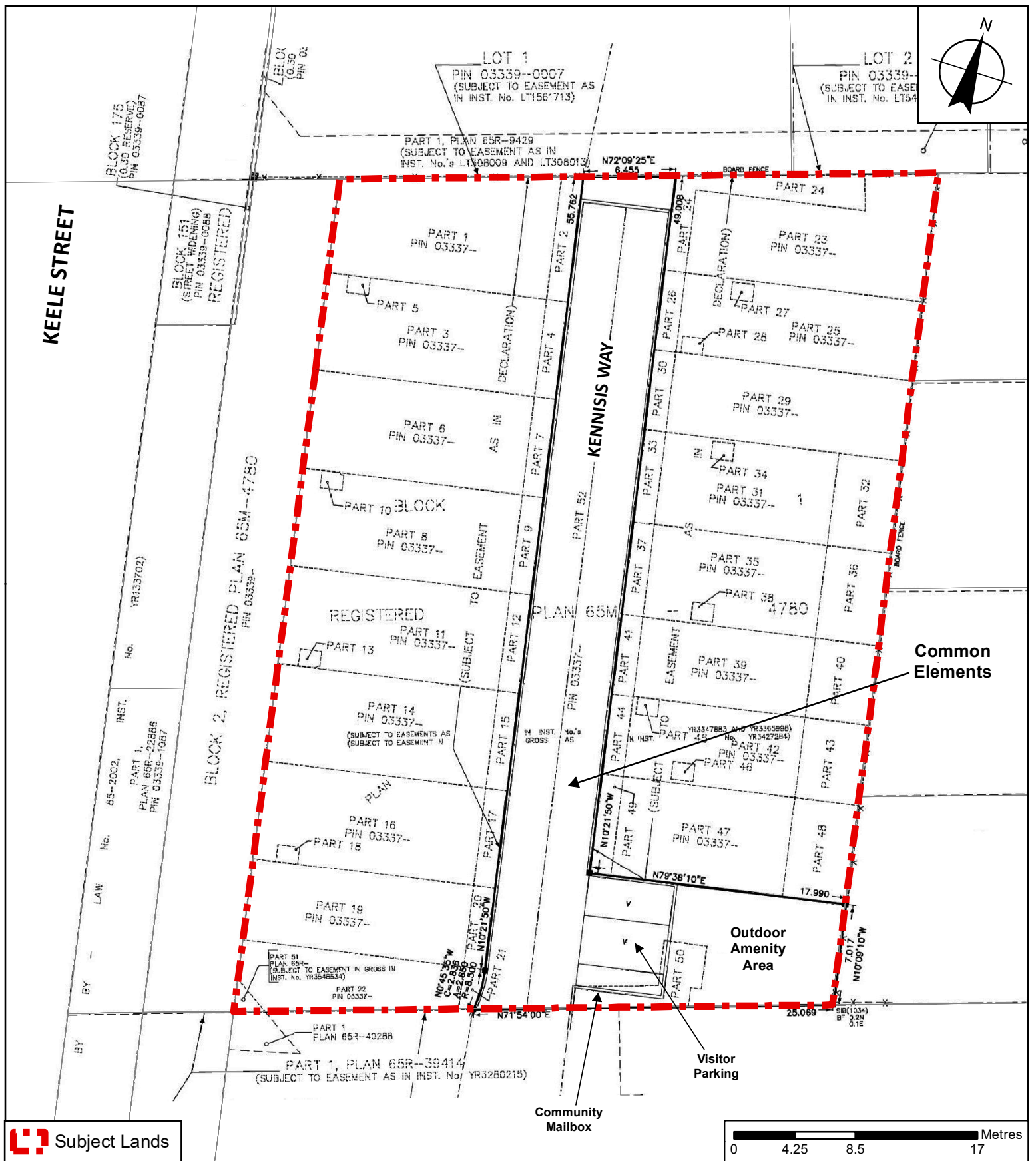


Attachment

File: 19CDM-24V002
Related files: 19T-15V007,
PLC.24.002 and DA.17.068

Date: October 22, 2024

2



Draft Plan of Condominium (Common Elements)

Location: 9785 and 9797 Keele Street
Part of Lot 19, Concession 3

Applicant:
Laurier Harbour (Keele) Inc.

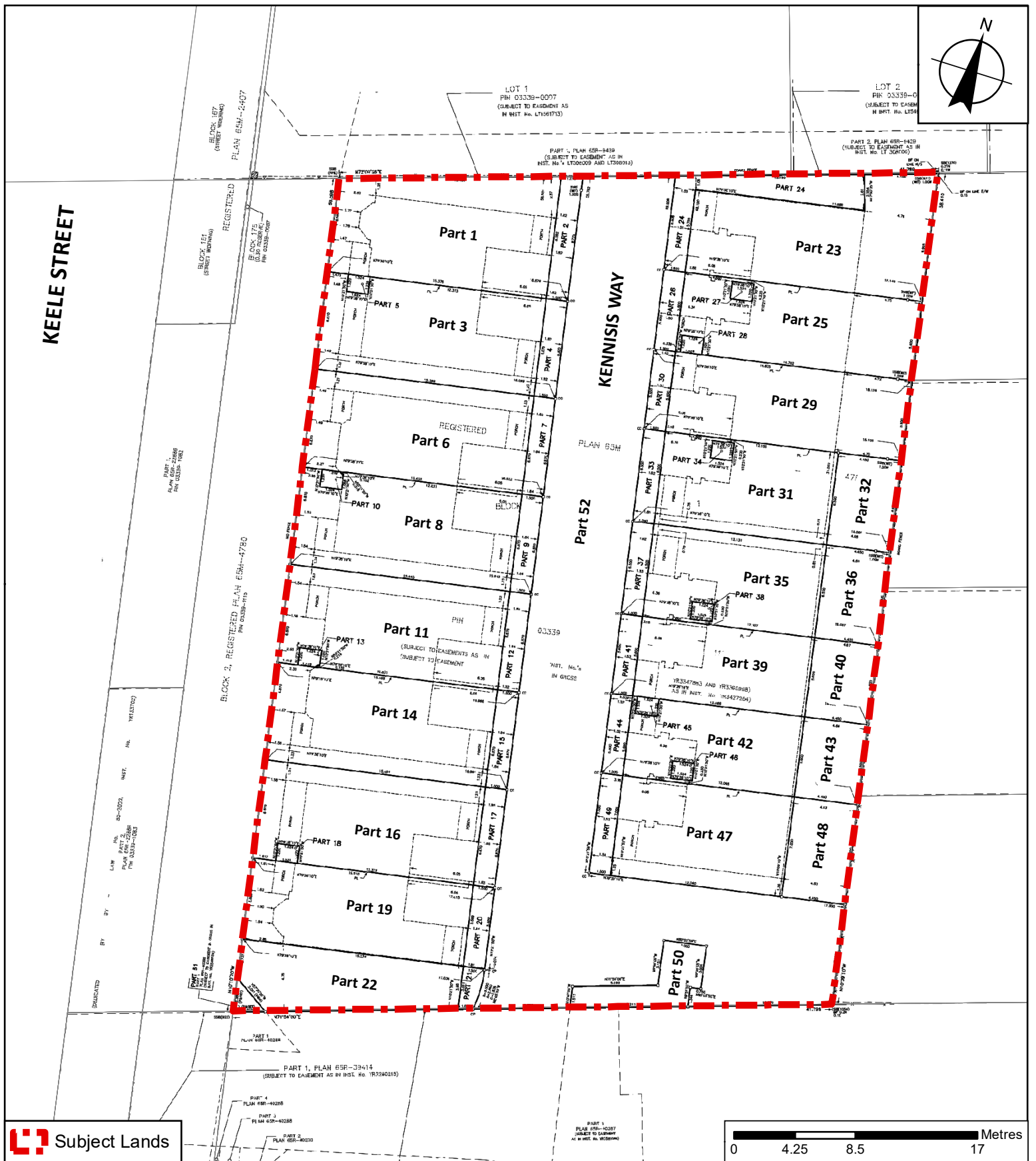


Attachment

File: 19CDM-24V002
Related files: 19T-15V007,
PLC.24.002 and DA.17.068

Date: October 22, 2024

3



Draft Reference Plan - Parcels of Tied Land

Location: 9785 and 9797 Keele Street
Part of Lot 19, Concession 3

Applicant:
Laurier Harbour (Keele) Inc.



Attachment

File: 19CDM-24V002
Related files: 19T-15V007,
PLC.24.002 and DA.17.068

Date: October 22, 2024

4

ATTACHMENT NO. 5

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-24V002
(THE 'PLAN')**

**LAURIER HARBOUR (KEELE) INC. ('THE OWNER')
9785 AND 9797 KEELE STREET
PART OF LOT 19, CONCESSION 3 ('THE LANDS')
CITY OF VAUGHAN (THE 'CITY')**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (THE 'CITY')
THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF
PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-24V002, ARE AS
FOLLOWS:**

City of Vaughan Conditions:

1. The Plan shall relate to a Draft Plan of Condominium, prepared by Schaeffer Dzaldov Purcell Ltd., drawing File No. 16-227-30 dated June 5, 2024.
2. Prior to the execution of the Condominium Agreement, the Owner shall submit a pre-registered Plan of Condominium to the Development Planning Department for review.
3. The Owner shall enter into a Condominium Agreement with the City and shall agree to satisfy any conditions that the City may consider necessary that may be outstanding as part of Site Development File DA.17.068.
4. The following provision(s) shall be included in the Condominium Agreement:
 - a. The Owner/Condominium Corporation shall be responsible for private waste collection services. Private waste collection vehicles shall not back-up onto a public and/or adjacent private property. This development will not be eligible for municipal waste collection services.
 - b. The Owner/Condominium Corporation shall be responsible for the regular cleaning and maintenance of all catch basins, area drains, water treatment and infiltration infrastructure, and sewers within the Lands.
 - c. The Owner/Condominium Corporation agrees that any retaining walls and subsurface infrastructure shall be situated within the Parcels of Tied Land ("POTLs") of the proposed townhouse and semi-detached units fronting onto the common element condominium road pursuant to the Site Plan Agreement

and schedules, and the condominium declaration shall require the Condominium Corporation to maintain and manage the retaining walls and subsurface infrastructure and reserve a right of entry for the Condominium Corporation onto those POTLs to carry out such obligations.

- d. Should archeological resources be found on the Lands during construction activities, the Owner must immediately cease all construction and grading activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division. If human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Region Police Department, the Regional Coroner and the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Public and Business Service Delivery for the purposes of determining whether any future investigation is warranted and complete any such investigation prior to the resumption of construction activities.
5. The following warning clauses shall be included in all Condominium Declarations, Condominium Agreements, and Offers of Purchase and Sale or Lease for all Lots and Blocks on the Plan including but not limited to the following:
- a. "Purchasers and/or tenants are advised that their rear yard lot area has been designed to incorporate an infiltration trench system to achieve groundwater balance. It is the responsibility of the homeowner to maintain the infiltration trench systems in good operating condition, which may include periodic cleaning of the rear yard catch basin. No planting activity or structures are permitted on the infiltration trenches"
 - b. "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of Environment, Conservation and Parks."
6. The following warning clauses shall be included in all Condominium Declarations, Condominium Agreements, and Offers of Purchase and Sale or Lease for all Lots on Block 1, Block 2, Block 3 and Block 4 on the Plan including but not limited to the following:
- a. "This unit has been supplied with an air conditioning system which will allow windows and exterior doors to remain closed, thereby reducing the indoor sound levels to within the Municipality's and the Ministry of Environment, Conservation and Parks noise criteria."

- b. "This dwelling unit has been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning will allow windows and exterior doors to remain closed, thereby ensuring the the indoor sound levels are within the Municipality's and the Ministry of Environment, Conservation and Parks noise criteria. (Note: The location and installation of the outdoor air conditioning device should be done to minimize the noise impact. Air conditioners of 38,900 BTU/hour or less should have a maximum sound power emission rating of 7.6 bels as per ARI Standard 270)."
7. The following warning clauses shall be included in all Condominium Declarations, Condominium Agreements and Offers of Purchase and Sale or Lease for all Lots on Block 5 and Block 6 on the Plan including but not limited to the following:
 - a. "This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of Environment, Conservation and Parks."
8. Prior to the occupancy of each dwelling unit, the Owner shall submit to the City satisfactory evidence that the required warning clauses have been included in the Offers of Purchase and Sale, Lease/Rental Agreements and Condominium Declarations.
9. The Condominium Agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
10. Prior to the registration of the Plan, the Owner shall confirm that the common elements include infrastructure required to service the POTLs.
11. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Building Standards Department. The Owner shall submit all final plans, including fully dimensioned plans and site-statistics, confirming compliance with all By-law 001-2021 requirements, as required, to the satisfaction of the Development Planning and the Zoning Division, Building Standards Department. Should any relief from Zoning By-law 001-2021 be required, the Owner shall successfully obtain approval of a Minor Variance application for the required site-specific exceptions to Zoning By-law 001-2021 from the Vaughan Committee of Adjustment. The Committees decisions regarding the Minor Variance shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.

12. The Owner and their Solicitor and Land Surveyor shall confirm that all required easements and rights-of-way for utilities (Alectra Corporation Utilities, Rogers, Bell, Enbridge Gas Inc.), drainage and construction purposes have been granted to the appropriate authorities.
13. Prior to occupancy of any POTL, the Owner's noise consultant shall certify that the building plans have incorporated the noise control features recommended by the final detailed noise impact assessment report as set out in the Site Plan Agreement. Where mitigation measures such as wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a Professional Engineer at the City's request. The Engineer's certificate must refer to the final detailed noise impact assessment report and be submitted to Vaughan's Chief Building Official and the Director of Development Engineering.
14. The Owner shall confirm that they have paid all outstanding taxes, development charges and levies, as may be required by the Vaughan Financial Planning and Development Finance department.

York Region Conditions:

15. Prior to final approval, the Owner shall provide confirmation that all of the conditions of the Site Plan Approval issued for the Lands on June 22, 2022 under Regional File No. SP.17.V.0303 have been satisfied.
16. Prior to final approval, the Owner shall execute all Regional Agreements and obtain all of the necessary permits required as part of the Site Plan Approval for the Lands issued on June 22, 2022 under Regional File No. SP.17.V.0303.
17. Prior to final approval, the Owner shall confirm that all of the works within the Regional right-of-way have been completed to the satisfaction of the Region or that the Region holds sufficient securities to cover the cost of any outstanding works. Should there be insufficient security to cover the cost of the remaining works, the Owner shall arrange for the deposit of additional securities in the amount sufficient to cover the cost of all outstanding works.
18. Prior to final approval, the Owner shall provide confirmation that all Transfers of Obligation have been completed where Regional Agreements require responsibility to change from the Owner to the Condominium Corporation.

Bell Canada Conditions:

19. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
20. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Enbridge Conditions:

21. If the gas main(s) needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.
22. In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas at no cost.

Canada Post Conditions:

23. The Owner/Condominium Corporation will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
24. The Owner/Condominium Corporation will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.
25. The Owner/Condominium Corporation will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.
26. The Owner/Condominium Corporation will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads.

This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.

27. The Owner/Condominium Corporation will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.

Clearances

28. The City of Vaughan shall advise that Conditions 1 to 14 have been satisfied.
29. York Region Community Planning and Development Services shall advise the Development Planning Department that Conditions 15 to 18 have been satisfied.
30. Bell Canada shall advise the Development Planning Department that Conditions 19 and 20 have been satisfied.
31. Enbridge shall advise the Development Planning Department that Conditions 21 and 22 have been satisfied.
32. Canada Post shall advise the Development Planning Department that Conditions 23 to 27 have been satisfied.

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): ALL

**TITLE: REPEAL AND REPLACEMENT OF BUILDING BY-LAW 050-2018
AND SECURITY DEPOSIT BY-LAW 94-2008, AMENDMENTS TO
FEES FOR 2025, AND OTHER BUILDING STANDARDS
DEPARTMENT UPDATES**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole (2) to repeal and replace building by-law 050-2018 and security deposit by-law 94-2008, and make other related changes, including repealing the Outstanding Building Permits Policy (June 2008).

Report Highlights

- Staff have identified the need for changes to be made to the existing building by-law 050-2018 and the security deposit by-law 94-2008.
- Proposed changes to building by-law include editorial corrections, clarification of who owns the permit application and issued permit, new requirements to manage old open permits, and revisions to refund rules and time-based permits. These changes, and the changes to the security deposit by-law 94-2008 will be reflected in a single new by-law.
- Staff are also looking to update fees for 2025 to account for changes made to building by-law 050-2018 and security deposit by-law 94-2008.
- Staff recommend repealing the City's Outstanding Building Permit Policy (June 2008).

Recommendations

1. THAT the proposed draft building by-law contained in Attachment 1 to this report be approved, in a form satisfactory to Legal Services.
2. THAT the Outstanding Building Permits Policy (June 2008) be repealed and replaced with Standard Operating Procedures in consultation with Legal Services; and
3. THAT the Chief Building Official be delegated the authority to make changes to any other City documents and agreement templates, including development agreements, to reflect the new building by-law, and the other proposed changes discussed in this report.

Background

Building By-law 050-2018

In 2018, Council repealed building by-law 044-2015 and enacted building by-law 050-2018. The changes brought about by by-law 050-2018 were meant to modernize terminology, correct references to provincial statutes and regulations and introduce improvements and editorial changes, including requirements for construction site fencing, conditional permits, related agreements, and delegation of authority.

Since the enactment of building by-law 050-2018, staff have identified the need for changes and enhancements to the by-law which will result in its repeal and replacement. These include:

1. clarifying ownership of the permit application and issued permit;
2. new requirements to manage old open permits;
3. revisions to the refund rules and time-based permits;
4. new language to address digital permit submissions;
5. clarification of transfer of permit/permit application processes;
6. clarification of permit revocation processes;
7. corrections and other editorial updates; and
8. updates to Schedules.

Outstanding Building Permits Policy (June 2008)

During Phase 2 of the Building Standards Audit (2022), the auditor recommended that management implement a policy of dealing with inactive permits and proactively follow up with permit holders to maintain the building permit active. The auditor also recommended that management bring forward a report for Council's consideration that would recommend updating or retracting the outdated 2008 Outstanding Permit Policy.

Security Deposit By-law 94-2008

In 2008 Council approved the adoption of a refundable security deposit that would be collected prior to issuance of a building permit. The purpose of the refundable security deposit was to assist in encouraging the builder to call the City for all the necessary inspections so that the building permit could be closed; however, the security deposit by-law is dated and staff are recommending changes. For ease of reference and to better align these changes with items in the building by-law, staff are recommending that the security deposit by-law 94-2008 be repealed and that any items within that by-law that are to be continued on, will be addressed in the City's fees and charges by-law, and the new by-law that will replace building by-law 050-2018.

Fees and Charges By-law 224-2023

Given that the repeal and replacement of the building by-law 050-2018 and security deposit by-law 94-2008 will result in changes to Building Standards' Schedule "F" beginning in 2025, staff wanted to take this opportunity to present to Council the anticipated Building Standards' Schedule "F" for the 2025 fees and charges by-law.

Previous Reports/Authority

Not applicable.

Analysis and Options

Building By-law 050-2018

1. Clarify ownership of the permit application and issued permit

The current building by-law does not describe who is the owner of the building permit application or issued building permit which has resulted in conflicts between the permit applicant and owner. Therefore, staff are seeking to have the new by-law provide clarity regarding who the City considers the owner of the permit application and issued permit to be. Staff are also revising the Building Standards Department's Building Permit Applicant Authorization form to further clarify ownership of application materials and fees.

2. New requirements to manage old open permits

As noted below under "Security Deposit By-law 94-2008", the new by-law that will replace building by-law 050-2018 and security deposit by-law 94-2008 will, among other things, address fees meant to assist in managing open permits.

3., 4., 5., 6., 7., 8. Refund rules, time-based permits, digital permit submission, etc.

Additional changes and revisions are being proposed to address or clarify the refund rules, time-based permits, digital permit submissions, clarification of transfer of permit and permit application processes, corrections and other editorial updates to Schedules. These new and revised provisions can be found in the draft by-law in Attachment 1.

Outstanding Building Permits Policy (June 2008)

Considering recent developments in the law and to provide greater flexibility staff recommend that the 2008 Outstanding Permit Policy be repealed and replaced with Standard Operating Procedures developed and maintained by Building Standards Department staff in consultation with Legal Services and any other relevant stakeholder departments. The anticipated result of these Standard Operating Procedures will be the continued monitoring and managing of open permits in the City with the City taking a more pro-active approach in ensuring compliance with the Building Code and having the permits closed.

Security Deposit By-law 94-2008

Staff recognize the positive impact that securities, first imposed as part of the security deposit by-law 94-2008, has had on the closing of permits and in reducing the number of outstanding permits. For that reason, staff are proposing a returnable fee for a permit (to be returned upon the permit being closed) and an open permit maintenance fee in the new by-law. The open permit maintenance fee is meant to recover staff time and resources involved in checking in on open permits (which includes attending at the site, correspondence with the owner, etc.). The intention is that this fee only be applied where the permit owner is not responsive or uncooperative with the building inspectors. Staff have engaged a consultant to conduct a cost analysis and believe the fees set out in the proposed Schedule "F" found in Attachment 2, are generally reflective of the costs that would be incurred by staff. Furthermore, any open permit maintenance fees collected will be devoted to the Building Standards Department for continued use in meeting its obligations to manage open permits.

If the imposition of the open permit maintenance fee is warranted under the new by-law, the fee will be added to the tax roll and collected in the same manner as municipal taxes; alternatively, if the City is holding a returnable fee, it may use that fee to satisfy the open permit maintenance fee. Standard operating procedures to advise building owners of the outstanding permit, and the imposition of annual open permit maintenance fees is being developed in consultation with the relevant City departments.

Fees and Charges By-law 224-2023

The proposed repeal and replacement of building by-law 050-2018 and security deposit by-law 94-2008 with the new by-law will result in changes to Building Standards' Schedule "F" of the fees and charges by-law 224-2023 which you can find in Attachment 2. The proposed fees will be included as part of the 2025 budget process.

Financial Impact

There are no negative financial impacts on the operations of the Building Standards department.

Operational Impact

Legal Services has been consulted in the preparation of this report.

Broader Regional Impacts/Considerations

Not applicable.

Conclusion

Staff's proposed recommendations will ultimately assist staff in managing permits and providing further clarity for the public when they are trying to understand the processes surrounding applying for a building permit and otherwise engaging with the Building Standards' Department. These outcomes contribute to fulfilling the City's strategic objectives, namely Service Excellence and Accountability.

This report has been prepared in consultation with Financial Planning and Development Finance, and Legal Services.

For more information, please contact: Ben Pucci, Director of Building Standards, ext. 8872.

Attachments

1. Proposed draft building by-law to replace building by-law 050-2018 and security deposit by-law 94-2008.
2. Proposed amendments to Schedule "F" of the fees and charges by-law 224-2023.

Prepared by

Ben Pucci, Director of Building Standards, Ext. 8872

THE CITY OF VAUGHAN
BY-LAW

BY-LAW NUMBER XXX-2024

A By-Law to regulate permits and inspections for construction, demolition and change of use under the *Building Code Act, 1992 S.O., 1992, c. 23*, and the associated fees, to repeal By-laws 050-2018 and 94-2008, as well as the imposition of fees under the *Municipal Act, 2001, S.O. 2001, c. 25*.

WHEREAS section 7 of the *Building Code Act, 1992 S.O. 1992, c. 23*, (the “Act”) authorizes Council to pass by-laws respecting, among other things, classes of permits under the Act, including permits in respect of any stage of construction or demolition and the applications for those permits, payment and refund of fees, notice requirements, submission requirements, and requirements related to the enclosure of construction and demolition sites;

AND WHEREAS subsection 391(1)(a) of the *Municipal Act, 2001, S.O. 2001, c. 25* (the “Municipal Act”) authorizes municipalities to impose fees or charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS section 398 of the *Municipal Act*, sets out that the fees and charges imposed by the municipality constitute a debt of the person to the municipality and that the treasurer of the municipality may add fees and charges imposed by the municipality to the tax roll and collect them in the same manner as municipal taxes;

AND WHEREAS subsection 446(1) of the *Municipal Act*, as amended, provides that if a municipality has the authority under the *Municipal Act* or any other Act or under a by-law under the *Municipal Act* or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person’s expense;

AND WHEREAS the Council of the Corporation of the City of Vaughan desires to repeal By-laws 050-2018, as amended, and 094-2008, and enact this new Building By-law;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1.0 Short Title

(1) This By-law shall be known and may be cited as the “Building By-Law”.

2.0 Applicability and Scope

(1) The provisions of this By-law apply to the entire *City*.

3.0 Definitions and Interpretation

(1) In this By-law and attached schedules, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine and further, the converse of the foregoing also applies where the context requires.

(2) In this By-law:

“Act” means the *Building Code Act, 1992, S.O. 1992, c. 23*, as amended, or its successor act;

“Applicable Law” means the list of applicable law found in Division A, Part 1, Article 1.4.1.3. of the *Building Code*;

“Applicant” means the *Owner* who applies for a *Permit*, or any person authorized by the *Owner* to apply for a *Permit* on their behalf, or any person or corporation who applies for a *Permit* to carry out work under the authority of a statute or court order and anyone acting under the authority of such person or corporation;

“Building Code” means O. Reg. 332/12 under the *Act*, as amended, or its successor regulation;

“Chief Building Official” means the person appointed by *City Council* to enforce the *Act* in the *City*;

“City” means the Corporation of the City of Vaughan;

“Conditional Permit” means a *Permit* issued under subsection 8(3) of the *Act*;

“Deputy Chief Building Official” means the person(s) holding the positions as designated by *City Council* to have all of the powers, and perform all of the duties, of the Chief Building Official, as directed by the Chief Building Official or when the Chief Building Official is absent;

“Fees and Charges By-law” means the Fees and Charges By-law 224-2023, as amended, or its successor by-law;

“Inspector” means the persons appointed by *City Council*, or the individual to whom the authority to appoint *Inspectors* is delegated to, to enforce the *Act* in the *City*;

“Owner” means the registered owner of the land and shall include a lessee and a mortgagee in possession;

“Partial Permit” means a *Permit* issued by the *Chief Building Official* to construct part of a building;

“Permit” or “Permits” means permission or authorization from the *Chief Building Official* in either written or electronic form to perform work regulated by this By-law and the *Act*, to change the use of a building or part of a building or parts thereof, or for occupancy of a building or part thereof, as regulated by the *Act* and the *Building Code*.

- (3) Any word or term not defined in this By-law that is defined in the *Act* or *Building Code* shall have the meaning as ascribed to it in the *Act* or *Building Code*.

4.0 Classes of Permits

- (1) The classes of *Permits* based on the occupancy classification or type of construction and corresponding fees, are set out in Schedule F of the *Fees and Charges By-Law*.

5.0 Permit Applications

General

- (1) To obtain a *Permit*, the *Applicant* shall file with the *Chief Building Official* an application using the form set out in this By-law, submitted through the *City's* online permitting portal submission platform, unless otherwise directed by the *Chief Building Official*, or their designate.
- (2) Where the application form to be used when applying for a *Permit*, is not one prescribed by the province, it shall be on a *City* application form set out in Schedule A or otherwise available from the *Chief Building Official*, who is also hereby delegated the authority to prescribe the *City* application forms.
- (3) In addition to the requirements listed elsewhere in this By-law, every application for a *Permit* prescribed under the *Building Code*, or any other application set out in this By-law, shall also include:
- (a) payment of any fees prescribed by Part 7.0 of this By-law;
 - (b) a detailed description of the work proposed, as well as the current and proposed use and occupancy of the building;
 - (c) a description of any encroachments onto other properties, including municipal, regional and provincial lands, including encroachments for temporary work (including hoarding, excavation, shoring and site servicing);
 - (d) a description of all access points to the development site, including temporary access, and include existing, expanded and new access points (driveways and walkways);
 - (e) a breakdown of the area of the building corresponding to the occupancy classification or type of construction in Schedule F of the *Fees and Charges By-Law*;
 - (f) where serviced by a municipal potable water supply, and where the proposed water supply is not already fully metered, written confirmation from the *City* of the municipal water connection and *City* issued water meter;
 - (g) where applicable, be accompanied by an "Energy Efficiency Design Summary" form (available from the *City* Building Standards Department's website page);
 - (h) where applicable, be accompanied by a "Commitment to General Review by Architects and Engineers" form (available from the *City* Building Standards

- Department's website page or the Professional Engineers Ontario and Ontario Association of Architects) for all buildings requiring professional review;
- (i) where applicable, be accompanied by an "Ontario Building Code Data Matrix" form (available from the *City* Building Standards Department's website page) for all buildings within the scope of Division B, Part 3 of the *Building Code*;
 - (j) where the application is for a *Permit* for a building(s) that the *Applicant* has declared will be built and installed for less than one year, the application shall indicate when the building(s) will be removed. This *Permit* may be revoked upon one year from the date of the *Permit* being issued or earlier in accordance with the installation and removal timeline set out in the application and may be renewed upon re-application and issuance of an updated *Permit*;
 - (k) where applicable, be accompanied by any other fee or security required by an agreement made between the *City* and the *Owner*;
 - (l) where applicable, be accompanied by backflow preventer installation requirement notice pursuant to the *City's* Backflow Prevention By-law 177-2020, as amended or its successor by-law.
- (4) The submission of a *Permit* application through the *City's* online permitting portal submission platform does not constitute acceptance of the application by the *City*.
 - (5) Where, upon review by the *City*, an application does not contain sufficient information to enable the *Chief Building Official* to determine whether the proposal will contravene the *Act*, the *Building Code* or any other *Applicable Law*, the application is deemed to be incomplete and may not be accepted.
 - (6) If accepted by the *City*, incomplete applications are not subject to the time periods set out in Division C, Part 1, Article 1.3.1.3. of the *Building Code*.
 - (7) An *Owner* may cancel an application at any time by providing written notice to the *Chief Building Official*.
 - (8) Any *Permit* that is issued for part of a building or project should not be construed as authorizing construction or access to lands beyond the *Permit* for which approval was given, nor that approval will necessarily be granted for the entire building or project.
 - (9) Where in the opinion of the *Chief Building Official* an application for a *Permit* remains inactive or incomplete for six months after what the *Chief Building Official* considers to be the last activity from the *Applicant* or *Owner*, the application may be deemed by the *Chief Building Official* to have been abandoned without any further notice to the *Applicant* or *Owner*.
 - (10) Subject to Part 6.0, notwithstanding who obtained or applied for the *Permit*, the *Owner* is the owner of the *Permit* application and issued *Permit*.

Permit to Construct

- (11) Every application for a *Permit* to construct a building under section 8 of the *Act*, shall be made by the *Applicant* on the form “Application for a Permit to Construct or Demolish”, as prescribed by the province, and in addition to all other application requirements, shall include:
- (a) complete plans and specifications and other information as set out in Division C, Part 1, Article 1.3.1.3. of the *Building Code* and as set out in this By-Law;
 - (b) completed forms in accordance with Schedule A of this By-Law; and
 - (c) a lot grading plan that has been filed and accepted by the *City’s* Engineering Department, when required by the *City*.
- (12) Where an application is made for a *Permit* to construct a residential model home under subsection 8(1) of the *Act*, in addition to the requirements of section 5.0(11), the application shall also include:
- (a) a copy of the model home agreement; or
 - (b) where model homes are authorized by a subdivision agreement, the required certifications as set out in the subdivision agreement securing the issuance of the model home building *Permit(s)*.

Permit to Demolish

- (13) Every application for a *Permit* to demolish a building under section 8 of the *Act*, shall be made by the *Applicant* on the form “Application for a Permit to Construct or Demolish”, as prescribed by the province, and in addition to all other application requirements, shall include:
- (a) complete plans and specifications and other information as set out in Division C, Part 1, Sentence 1.3.1.1.(3) and Article 1.3.1.3. of the *Building Code* and as set out in this By-Law;
 - (b) completed forms in accordance with Schedule A of this By-law; and
 - (c) evidence satisfactory to the *Chief Building Official* that the building that is the subject of the application is not governed by sections 27(9), 30(2), 33, 34, 34.5, 34.7(2), 40.1, or 42 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended.

Conditional Permit

- (14) The *Chief Building Official* may, where conditions in subsections 8(3) to 8(5) of the *Act* and section 5.0(17) of this By-law have been fulfilled, issue a *Conditional Permit* for a building subject to compliance with the *Act*, the *Building Code* and any other *Applicable Law*.
- (15) All *Conditional Permits* shall be subject to the *Owner* entering into an agreement with the *City*, as provided in subsection 8(3) of the *Act*.

- (16) The *Chief Building Official* and *Deputy Chief Building Officials* are authorized to enter into a *Conditional Permit* agreement, to execute the agreement on behalf of the *City* and to approve the release of securities collected under a *Conditional Permit* agreement when it is determined by the *Chief Building Official* or *Deputy Chief Building Officials* that those securities are no longer required.
- (17) Every application for a *Conditional Permit* under subsection 8 of the *Act*, shall be made by the *Applicant* on the form “Application for a Permit to Construct or Demolish”, as prescribed by the province, and in addition to all other application requirements, shall include:
- (a) the *Applicant Conditional Permit Checklist*;
 - (b) complete plans and specifications and other information as set out in Division C, Part 1, Article 1.3.1.5 of the *Building Code* and as set out in this By-law;
 - (c) completed forms in accordance with Schedule A of this By-law;
 - (d) endorsement from the Development Planning Department;
 - (e) a statement of the reasons why the *Applicant* believes that unreasonable delays in construction would occur if a *Conditional Permit* is not granted; and
 - (f) a statement of any outstanding approvals which must be obtained in respect of a building *Permit* under subsection 8(1) of the *Act* for the proposed building, and the time in which such approvals will be obtained.
- (18) Prior to making a *Conditional Permit* application, a *Permit* application, in accordance with section 5.0(11) for the entire building(s) shall be submitted to and accepted by the *City* (including all applicable fees paid).

Partial Permit

- (19) The *Chief Building Official* may issue a *Partial Permit* prior to the issuance of a *Permit* to construct the entire building(s), subject to the following requirements, in addition to all other application requirements:
- (a) an application is submitted using the application form “Application for a Permit to Construct or Demolish”, as prescribed by the province, for the portion of the building(s) that is the subject of the *Partial Permit*;
 - (b) include complete plans and specifications as set out in Division C, Part 1, Article 1.3.1.3. of the *Building Code* and as set out in this By-law, for the portion of the building(s) which is the subject of the *Partial Permit* application; and
 - (c) include completed forms in accordance with Schedule A of this By-law.
- (20) Prior to making a *Partial Permit* application, a *Permit* application, in accordance with section 5.0(11) for the entire building(s) shall be submitted to and accepted by the *City* (including all applicable fees paid).

Change of Use Permit

(21) Every application for a change of use *Permit* under section 10(1) of the *Act* shall be made by the *Applicant* on the form prescribed by the *Chief Building Official*, and in addition to all other application requirements, shall include:

- (a) complete plans and specifications showing the current and proposed occupancy of all parts of the building and containing sufficient information for the determination of compliance with the *Building Code*, including floor plans, details of wall, ceiling and roof assemblies, identifying fire resistance ratings and load bearing capacities and details of the existing sewage system as set out in Division A, Part 1, Sentence 1.4.1.3(2) and Division C, Part 1, Article 1.3.1.4. of the *Building Code*; and
- (b) completed forms in accordance with Schedule A of this By-law.

Sewage System Permit

(22) Every application for a sewage system *Permit* under section 8(1) of the *Act* shall be made by the *Applicant* on the form prescribed by the *Chief Building Official*, and in addition to all other application requirements, shall include:

- (a) complete plans and specifications and other information as set out in Division C, Part 1, Article 1.3.1.3. of the *Building Code* and as set out in this By-law;
- (b) a site evaluation which includes the following:
 - (i) the date the evaluation was performed;
 - (ii) the name, address, telephone number, email address and signature of the person who conducted the evaluation; and
 - (iii) a fully scaled and dimensioned site plan that depicts the following:
 - i. the legal description, lot size, property boundaries, rights of way, easements, municipal utility corridors, water service location, water wells;
 - ii. the location of items listed in column 1 of Tables 8.2.1.6.A. and 8.2.1.6.B. and 8.2.1.6.C. of Division B, Part 8 of the *Building Code*;
 - iii. the location of the proposed sewage system;
 - iv. the location of any unsuitable soil, disturbed or compacted areas, or slopes greater than 4:1;
 - v. proposed access routes for system maintenance;
 - vi. depth to bedrock;
 - vii. depth to zones of soil saturation;
 - viii. soil properties including soil permeability and grade conditions including the potential for flooding; and

- ix. if using a treatment unit, a signed maintenance agreement as required under Division B, Article 8.9.2.3 of the *Building Code*.

Occupancy Permit

- (23) Every application for an occupancy *Permit* under Division C, Part 1, Article 1.3.3.1 of the *Building Code* shall be made by the *Applicant* on the form prescribed by the *Chief Building Official*, and in addition to all other application requirements, shall include:
 - (a) a description of the building, or part thereof, for which an occupancy *Permit* is requested.
- (24) Where the application for an occupancy *Permit* referenced in section 5.0(23) above relates to the partial occupancy of a building prior to its completion, a separate application is required for each stage of occupancy.

Application to Transfer Permit/Permit Application

- (25) Every application for a transfer of *Permit* or *Permit* application shall be made by the *Applicant* on the form prescribed by the *Chief Building Official*, and in addition to all other application requirements, shall include:
 - (a) any other fees required to replace those fees that may be returned to the person who provided them when the *Permit* was originally applied for;
 - (b) if required by the *City*, be accompanied by a true copy of a current parcel register from the Land Registry Office confirming the current registered owner of the land and the date upon which the land was transferred to the current registered owner;
 - (c) if required by the *City*, a copy of the lease agreement or other proof of tenancy to the satisfaction of the *Chief Building Official*;
 - (d) identify the *Permit* or *Permit* application being transferred;
 - (e) be accompanied by the transfer of *Permit* declaration;
 - (f) if required by the *City*, be accompanied by proof of engagement of design professionals to conduct field review.

Alternative Solutions

- (26) Every application for an Alternative Solution proposed to be substituted for an acceptable solution as set out in Division “B” of the *Building Code* shall be made by the *Applicant* on the form prescribed by the *Chief Building Official*, and in addition to all other application requirements, shall include:
 - (a) a description of the proposed alternative solution;
 - (b) contact information for the designer(s) of the alternative solution;
 - (c) identification of the prescribed acceptable solutions under Division B of the *Building Code* for all of the alternative solutions being proposed;

- (d) identification of all assumptions, limiting or restricting factors, special maintenance and operational requirements of the alternative solution being proposed, as required by Division C, Part 2, Article 2.1.1.1 of the *Building Code*;
 - (e) identification of applicable objectives and functional statements in Division A of the *Building Code*;
 - (f) an evaluation of the acceptable solution in Division B of the *Building Code* as compared with the proposed alternative solution; and
 - (g) supporting documentation to establish that the proposed material, system or building design will provide the same level of performance as the acceptable solution in Division B of the *Building Code*; and
 - (h) the qualifications of the designer responsible for the proposed alternative solution.
- (27) The *Chief Building Official* may accept or reject any proposed alternative solution and may impose conditions or restrictions on its use.
- (28) Alternative solutions that are accepted by the *Chief Building Official* pursuant to section 5.0(27) shall be applicable only to the location described in the application and are not transferrable to any other *Permit*.

6.0 Transfer of Permits/Permit Applications

- (1) Where the *Owner* of land that is the subject of a *Permit* or *Permit* application(s) changes, and the new *Owner* wants to have that *Permit* or *Permit* application(s) transferred in their name or is directed to do so by the *Chief Building Official*, they shall transfer the *Permit* or *Permit* application(s) in their name in accordance with section 5.0(25).
- (2) Where the *Owner* of land that is the subject of a *Permit*(s) changes, no person shall carry out any work under any *Permit*(s) that has been issued with respect to that land, until the *Permit* has been transferred in the new *Owner*'s name in accordance with section 5.0(25) of this By-law or as otherwise directed by the *Chief Building Official*.
- (3) The new *Owner* shall, upon transfer of a *Permit*, be the person to whom the *Permit* was issued for the purpose of this By-law, the *Act* and *Building Code*.

7.0 Fees, Charges and Refunds

Application Fees

- (1) The *Chief Building Official* shall determine the required fee for work being proposed, calculated in accordance with Schedule F of the *Fees and Charges By-law* and the *Applicant* shall pay such fees upon submission of the application. Where the review of the *Permit* application determines that additional fees are required, such additional fees shall be paid prior to *Permit* issuance.

Re-Submission Fees

- (2) Should the *City* require the *Applicant*, or if the *Applicant* chooses, to resubmit information/documentation in relation to *Permit* documents previously reviewed by the *City* and that require additional review to determine compliance with the *Building Code*, *Applicable Law* or this By-law, the *Applicant* shall pay the prescribed fee which shall be calculated in accordance with Schedule F of the *Fees and Charges By-law* unless determined otherwise by the *Chief Building Official* or their designate.

Cash in Lieu of Parkland

- (3) Cash in Lieu of Parkland charges set out in any development agreements shall be paid prior to *Permit* issuance.

Returnable Fees

- (4) A returnable fee, calculated in accordance with Schedule F of the *Fees and Charges By-law* shall be paid prior to *Permit* issuance.
- (5) When a *Permit* is closed, cancelled, or revoked the returnable fee, or securities submitted under By-law 94-2008, (or any balance remaining), shall be returned to the person that provided it unless directed otherwise by that person, or determined by the *Chief Building Official*, at its sole discretion, that the returnable fee or securities should be dealt with differently.

Permit Maintenance Fee

- (6) A *Permit* maintenance fee, as set out in Schedule F of the *Fees and Charges By-law*, shall be charged by the *City* to, and paid by, the *Owner* who has a *Permit* associated with their lands if:
 - (a) the *Permit* is not closed;
 - (b) 12 months have passed without an inspection by an *Inspector*;
 - (c) an *Inspector* attends at the lands to conduct an inspection, but is unable to do so; and
 - (d) the *Chief Building Official* or their designate is not satisfied that the *Owner* is taking steps to have the *Permit* closed.
- (7) If the *City* has charged the *Owner* with a *Permit* maintenance fee under section 7.0(6), the 12-month period referred to in subsection 7.0(6)(b) shall begin anew upon the conclusion of the 12 months which led to the *City* charging the *Owner* with a *Permit* maintenance fee.
- (8) If the *City* is holding a returnable fee for a *Permit*, and a *Permit* maintenance fee is charged to and payable by the *Owner* for that same *Permit*, the *City* may draw on the returnable fee to satisfy payment of the *Permit* maintenance fee.

- (9) If the *Permit* maintenance fee is charged by the *City* and not paid, it shall be added to the tax roll of the lands for which the *Permit* is associated and collected in the same manner as municipal taxes.

Fee Refund

- (10) Refunding of fees, other than returnable fees and *Permit* maintenance fees, shall be in accordance with the following:
- (a) in the case of a cancellation of a *Permit* application, fees will be refunded in accordance with subsection 7.0(10)(e);
 - (b) where a *Permit* application has been deemed to have been abandoned as set out in section 5.0(9), fees will be refunded in accordance with subsection 7.0(10)(e);
 - (c) subject to subsection 7.0(10)(d), where a *Permit* is revoked, no fees will be refunded;
 - (d) notwithstanding subsection 7.0(10)(c) where a *Permit* is revoked because it was issued in error or the *Owner* requests revocation no more than six months after the date the *Permit* was issued, fees will be refunded in accordance with subsection 7.0(10)(e);
 - (e) the amount of fees refundable shall be calculated as a percentage of the total *Permit* fee as follows:
 - (i) minimum fee as set out in Schedule F of the *Fees and Charges By-law*, as indexed, is non-refundable;
 - (ii) 80% if the application is cancelled or abandoned prior to review.
 - (iii) 50% if the application is cancelled or abandoned after commencement of the review and prior to *Permit* issuance;
 - (iv) 40% if the *Permit* has been issued and no more than one inspection has been conducted;
 - (v) an additional 5% shall be deducted for each additional inspection/site visit that has been conducted;
 - (f) in the case where an *Applicant* changes the scope of work after a *Permit* application is accepted, which results in a lesser *Permit* fee value, there shall be no reduction in the *Permit* fee originally required.

Fees for Inspections Outside Normal Working Hours

- (11) Subject to availability of resources, inspections outside normal working hours may be requested, and if approved by the *Chief Building Official* or *Deputy Chief Building Official*, additional fees as set out in Schedule F of the *Fees and Charges By-law* apply.

Fees for Fast Track Permit Process

- (12) Subject to section 7.0(13), where the *Applicant* for a *Permit* requests a *Permit* be issued in a shorter period of time than the time frames set out in Division C, Part 1, Article 1.3.1.3 of the *Building Code* (“Fast Track Permit Process”), additional fees as set out in Schedule F of the *Fees and Charges By-law* shall apply.
- (13) The Fast Track Permit Process is only available when operationally feasible as determined by the *Chief Building Official* and it does not guarantee the issuance of a *Permit* in a shorter period of time than the time frames set out in Division C, Part 1, Article 1.3.1.3 of the *Building Code*.

Fees for Commencing Construction, Demolition, Change of Use Without a Permit

- (14) Any person or corporation that commences construction, demolition or change of use of a building before obtaining a *Permit* shall, in addition to any other penalty under the *Act*, *Building Code* or this By-law, pay an additional fee in accordance with Schedule F of the *Fees and Charges By-law*.

8.0 Plans and Specifications

- (1) Every *Applicant* for a *Permit* shall furnish sufficient plans, specifications and documents as set out in the *Building Code* and this By-law to enable the *Chief Building Official* to determine if the proposed construction, demolition or change of use will contravene the *Act*, *Building Code* and any other *Applicable Law*.
- (2) All plans that are to be submitted to the *City* shall be digitally drawn to scale using industry recognized design software in accordance with the guidelines prescribed by the *Chief Building Official*.
- (3) Only in the case of an accepted hard copy paper-based *Permit* application (where a *Permit* has not been issued yet), will the *City* accept subsequent submissions to complete the processing of the *Permit* to be hard copy paper-based. Each hard copy paper-based submission in this case shall include two complete sets of plans, specifications and documents, and other information as required by the *Chief Building Official*.
- (4) Site plans shall reference a current plan of survey, certified by an Ontario Land Surveyor, and, when required to determine compliance with the *Act*, *Building Code* or any other *Applicable Law*, a copy of the survey shall be submitted to the *Chief Building Official*. Site plans shall include:
 - (a) Lot Size and dimensions of the property and setbacks to any existing or proposed buildings;
 - (b) existing and finished ground elevations or grades of the property; and
 - (c) existing rights of way, easements and municipal services.
- (5) On completion of construction of a building, the *Chief Building Official* or *Inspector* may request a set of as-constructed plans, including a plan of survey showing the

location of the building and the *Owner* shall provide them to the *Chief Building Official* or *Inspector*.

- (6) Plans, specifications and documents furnished in accordance with the *Act*, *Building Code* or this By-law become the property of the *City* and will be disposed of, retained, and possibly shared with members of the public, in accordance with relevant legislation, including the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56.

9.0 Permit Issuance

- (1) The *Chief Building Official* shall issue a *Permit* in accordance with this By-law subject to compliance with the *Act* and *Building Code*.
- (2) No person shall conduct any work except in accordance with the plans, specifications, documents and any other information on the basis of which the *Permit* was issued, unless any changes have been approved in accordance with section 9.0(3).
- (3) After the issuance of a *Permit*, any change made to a plan, specification, document or any other information on the basis of which the *Permit* was issued, shall require a revision to the *Permit* which shall be accompanied by the applicable fee set out in the *Fees and Charges By-law*.

10.0 Notices for Inspection

- (1) The person to whom the *Permit* was issued shall notify the *Chief Building Official* at the completion of each stage of construction set out in Division C, 1.3.5.1 of the *Building Code* and listed in Schedule B of this By-Law.
- (2) The person to whom the *Permit* was issued shall notify the *Chief Building Official* of the date of completion of the building or part thereof, prior to occupancy.
- (3) The notice under this section is not effective until it is received by the *Chief Building Official*.
- (4) Upon receipt of notice, the *Inspector* shall undertake an inspection of the building to which the notice relates, in the time frame set out in Division C, 1.3.5.3 of the *Building Code* or subsection 11(4) of the *Act*.

11.0 Construction and Demolition Site Fencing

- (1) Unless granted an exemption under section 11.0(2), every person issued a *Permit* for construction or demolition under the *Act*, shall erect and maintain a fence to enclose the construction or demolition site, including areas where equipment is operated or equipment or material is stored.
- (2) The *Chief Building Official* may grant an exemption from the requirements in section 11.0(1) where they are satisfied that site conditions would not present a particular hazard, having regard for:
 - (a) the proximity of the site to occupied dwellings;

- (b) the proximity of the site to lands accessible to the public, including but not limited to streets, parks and commercial and institutional activities;
 - (c) the hazards presented by the construction activities and materials;
 - (d) the feasibility and effectiveness of site fencing; and,
 - (e) the duration of the hazard.
- (3) Every fence required by this section shall:
- (a) be erected to fully enclose the site;
 - (b) be a minimum of 1.2 metres high, measured from grade outside the fence, and have no gaps larger than 100 millimetres below the fence;
 - (c) be constructed to deter entry by unauthorized persons or vehicles;
 - (d) have no rails or other horizontal or diagonal bracing, attachments or pattern of openings on the outside that would facilitate climbing;
 - (e) contain no opening more than 150 millimetres wide or less than 900 millimetres above the bottom of the fence except where required to facilitate access to and from the site;
 - (f) at any access opening, be equipped with gates that shall:
 - (i) contain wire mesh or similar material to provide visibility for traffic entering and exiting the site;
 - (ii) be constructed to specifications that provide performance and safety equivalent to the fence; and
 - (iii) deter entry by unauthorized persons;
 - (g) be maintained:
 - (i) in good repair with no gaps larger than 100 millimetres below the fencing;
 - (ii) free from health, fire and accident hazards; and
 - (iii) so that access openings are closed and locked or securely reinstalled when the site is unattended; and
 - (iv) be removed no later than 30 days after completion of the construction or demolition work.
- (4) A fence required by section 11.0(1) shall be constructed to the following standards:
- (a) if constructed of wood, the outside face shall be smooth exterior grade plywood or wafer board which is a minimum of 12.5 millimetres thick, securely fastened to 89 millimetre by 89 millimetre vertical posts spaced at 2.4 metre centres and embedded sufficiently deep to provide rigid support and securely nailed to 39 millimetre by 89 millimetre horizontal rails secured to the vertical posts at the top and bottom;

- (b) if constructed using plastic mesh, the fencing shall be fastened securely at 200 millimetre centres to steel “T” posts or similar, spaced at not more than 1.2 metre centres and embedded at least 600 millimetres into the ground with the top and bottom of the plastic mesh secured horizontally by 11 gauge cable threaded through or otherwise attached to the mesh and each post;
- (c) if constructed with chain link, the mesh shall have openings no larger than 50 millimetres and shall be fastened securely to vertical steel posts spaced not more than 2.4 metre centres and to top and bottom horizontal steel rails or 9 gauge steel wire;
- (d) the fence may be a combination of fence types specified in this section or may be constructed of other materials that provide performance and safety equivalent to the fence types specified and the *Chief Building Official* authorizes its use.

12.0 Revocation of Permits

- (1) The *Chief Building Official* may revoke a *Permit* for any of the reasons set out in subsection 8(10) of the *Act* without notice, or at its sole discretion may serve a notice of intention to revoke by registered mail to the last known address of the person to whom the *Permit* was issued.
- (2) The person to whom the *Permit* was issued, may, within 30 calendar days of the day the notice of intention to revoke is dated, submit a written objection to the *Chief Building Official* stating the reasons why the *Permit* should not be revoked.
- (3) After 35 calendar days from the day the notice of intention to revoke is dated, the *Chief Building Official* may, having regard to the *Act*, the *Building Code*, any other *Applicable Law*, and the reasons in the written objection under section 12.0(2), if any were submitted, determine that:
 - (a) there are no grounds for the revocation and in that case the *Chief Building Official* shall not revoke the *Permit*;
 - (b) there are grounds to revoke the *Permit* and, in that case, the *Chief Building Official* shall revoke the *Permit* by sending the person to whom the *Permit* was issued, a notice of revocation;
 - (c) there are grounds to revoke the *Permit*, however, the *Chief Building Official* is of the opinion that the person to whom the *Permit* was issued can take steps to eliminate the grounds of revocation within a specified period of time set out by the *Chief Building Official* and:
 - (i) if the grounds of revocation have been eliminated within the specified period of time set out by the *Chief Building Official*, the *Permit* shall not be revoked;

- (ii) if the grounds of revocation have not been eliminated with the specified period of time and the *Chief Building Official*, at its sole discretion, is not willing to extend the specified period of time, the *Permit* shall be revoked.
- (4) Where construction or demolition has not commenced within 6 months of the date of the *Permit* being issued, the person to whom the *Permit* was issued may request in writing to the Building Standards Department that the *Permit* not be revoked on that basis, and that it be given up to another 6 months to commence construction or demolition under the subject *Permit*. The person to whom the *Permit* was issued can make up to two (2) requests seeking to defer the date upon which the *Chief Building Official* could revoke the *Permit* due to construction or demolition not being commenced, so long as it does not result in a deferral exceeding 18 months from the date of the issuance of the *Permit*, unless the *Chief Building Official*, at its sole discretion, determines otherwise.
- (5) A request for deferral of revocation under section 12.0(4), and a written objection to a notice of intention to revoke under section 12.0(2) shall be accompanied by a non-refundable fee as set out in Schedule F of the *Fees and Charges By-law*.
- (6) Notwithstanding any action taken by the *Chief Building Official* or the person to whom the *Permit* was issued under sections 12.0(1) to 12.0(4), the *Chief Building Official* retains the right to revoke a *Permit* under s. 8(10) of the *Act* at any time at its sole discretion.

13.0 On-Site Sewage System

- (1) A person or corporation who owns an existing on-site sewage system, as described in the City of Vaughan On-Site Sewage System Maintenance Inspection Program, shall provide certification to the *City* that the on-site sewage system has been inspected within the timeframes set out in Division C 1.10.2.4. of the *Building Code*.
- (2) In accordance with section 7 of the *Act* and as required by Division C 1.10.2.2. of the *Building Code*, the *Chief Building Official* is delegated the authority to develop and administer the City of Vaughan On-Site Sewage System Maintenance Inspection Program.

14.0 Offences and Cost Recovery

- (1) Every person or corporation that contravenes any provision of this By-Law is guilty of an offence and, on conviction, is liable to a penalty as set out in section 36 of the *Act*.
- (2) Where the person to whom a *Permit* is issued fails to erect a site fence required under this By-law, and where the *Chief Building Official* has not granted an exemption under section 11.0(2), the *Chief Building Official* may cause a fence to be erected and recover the costs by adding them to the tax roll and collecting them in the same manner as municipal taxes.

15.0 Code of Conduct

- (1) In accordance with section 7.1 of the *Act*, the Code of Conduct for the *Chief Building Official* and *Inspectors* is appended to this By-Law as Schedule C.

16.0 Severability

- (1) If any provision of this By-law or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of the By-law which can be given effect without the invalid provision or application, and to this end the provisions of this By-law are severable.

17.0 Transition

- (1) Notwithstanding section 18.0(1), By-laws 050-2018 and 94-2008 shall continue to apply with respect to:
- (a) *Permit* applications, up until *Permit* issuance, that have been submitted to the *City* prior to January 1, 2025 together with the payment of the minimum fee as set out in Schedule F of the *Fees and Charges By-law*; and
 - (b) any offences that took place prior to January 1, 2025.
- (2) Notwithstanding section 17.0(1), and without limiting the application of this By-law, the provisions of this By-law apply to all issued *Permits*, regardless of whether they were issued prior to or after January 1, 2025 and whether they were issued based on an application that was submitted to the *City* prior to January 1, 2025 together with the payment of the minimum fee as set out in Schedule F of the *Fees and Charges By-law*.

18.0 Repeal

- (1) The Building By-law 050-2018 and the Security Deposit By-law 94-2008 are hereby repealed.

19.0 Force and Effect

- (1) This By-law shall come into force and effect on January 1, 2025.

Voted in favour by City of Vaughan Council this day of , 2024

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. [redacted] of Report No. [redacted]
of the Committee of the Whole ().
Report adopted by Vaughan City Council on , 2024.
City Council voted in favour of this by-law on , 2024.
Approved by Mayoral Decision MDC XXX-2024 dated , 2024.
Effective Date of By-Law: 2024

SCHEDULE “A”

FORMS

Form	Required For
Commonly Used Applicable Laws & Building Permits	New buildings and additions to Industrial/Commercial/Institutional/High-Rise buildings
Building Permit Applicant Authorization	This form must be completed for all building <i>Permit</i> applications where the <i>Applicant</i> is the <i>Owner’s Agent</i>
Acknowledgement of Incomplete Application Form	Only if applicable for new buildings and additions to Industrial/Commercial/Institutional/High-Rise buildings
Application for Alternative Solution	This Form must be completed when an evaluation of an Alternative Solution or Material Evaluation is proposed under the <i>Building Code</i>
Applicant Conditional Permit Checklist	This form must be completed for all <i>Conditional Permit</i> applications
Statement of Design	New Part 3 buildings and additions to Industrial/Commercial/Institutional/High-Rise buildings
Land & Building Use Declaration	All Industrial/Commercial/Institutional/High-Rise and other Non-Residential buildings
Owner’s Letter of Undertaking General Review	Buildings requiring general review under the <i>Building Code</i>
General Review Commitment Form	Buildings requiring general review under the <i>Building Code</i>
Schedule 1: Designer Information Form	Buildings requiring <i>Building Code</i> Identification Number individuals who reviews and takes responsibility for design activities with respect to the project.
Schedule 2: Sewage System Installer Information	Sewage System Installer Information
Residential Plumbing Data Form	New buildings and additions/alterations to plumbing for detached housing & townhouses.
Plumbing Data Form ICI	New buildings and additions/alterations to plumbing for Industrial/Commercial/Institutional/High-Rise buildings.
Energy Efficiency Design Summary Form SB 10	Part 3, Non Residential and some Part 3 Residential buildings. (3 different compliant paths forms)
SB 12 Energy Efficiency Design Summary Form SB-12	Part 9, Residential buildings
Tree Declaration	All properties under the Tree Protection By-law 052-2018, as amended or its successor by-law.

Form	Required For
Mag Lock Installer's/Owner's Declaration Form	This form must be completed for <i>Permits</i> requiring installation of ELECTROMAGNETIC LOCKING DEVICES
Public Pool Checklist	This form must be completed for <i>Permits</i> requiring installation of a Public Pool.
Public Spa Checklist	This form must be completed for <i>Permits</i> requiring installation of a Public Spa.
Sign Variance Application	This form must be completed for applications to the Sign Variance Committee of the Corporation of the City of Vaughan

*This list does not include all applicable forms and it is advised that you:

- visit the Building Standards Department's webpage on the *City's* website at <https://www.vaughan.ca>; or

- call (905) 832-8510 during regular business hours

to ensure that you are aware of all the necessary forms that are applicable to your circumstances.*

SCHEDULE “B”

REQUIRED NOTICES FOR INSPECTION (MANDATORY STAGES)

In accordance with section 10.2 of the *Act*, the person to whom a *Permit* is issued shall notify *Chief Building Official* at each stage of construction as specified in the *Building Code*, and this By-Law, that the construction is ready for inspection.

After the notice is received by the *Chief Building Official*, an *Inspector* shall, not later than two (2) days after receipt of a notice, undertake a site inspection of the building to which the notice relates.

Where a notice relates to matters described in Division C 1.3.5.1.(2) (l) or (m) of the *Building Code*, an *Inspector* shall, not later than five (5) days after receipt of the notice, undertake a site inspection of the sewage system to which the notice relates.

In accordance with subsection 11(2) of the *Act*, the *Chief Building Official* shall be notified of the date of completion of a building or part of a building. An inspection for occupancy will be conducted within 10 days after notice of completion is served on the *Chief Building Official*.

The time periods referred to above shall begin on the day following the day on which the notice is given and shall not include Saturdays, holidays and all other days when the offices of the *City* are closed. When undertaking an inspection required above, the *Inspector* may consider reports concerning whether the building or a part of the building complies with the *Act*, the *Building Code* or any other *Applicable Law*.

The person to whom a *Permit* is issued shall notify the *Chief Building Official* when ready for inspection of the following stages set out in the *Building Code*:

- (a) Commencement of construction of the building,
- (b) Readiness to construct footings
- (c) Substantial completion of footings and foundations prior to commencement of backfilling,
- (d) Substantial completion of structural framing and ductwork and piping for heating and air-conditioning systems, if the building is within the scope of Part 9 of Division B,
- (e) Substantial completion of structural framing and roughing in of heating, ventilation, air-conditioning and air-contaminant extraction equipment, if the building is not a building to which (d) applies,
- (f) Substantial completion of insulation, vapour barriers and air barriers,
- (g) Substantial completion of all required fire separations and closures and all fire protection systems including standpipe, sprinkler, fire alarm and emergency lighting systems,
- (h) Substantial completion of fire access routes,
- (i) Readiness for inspection and testing of,
 - (i) Building sewers and building drains,
 - (ii) Water service pipes,

- (iii) Fire service mains,
- (iv) Drainage systems and venting systems,
- (v) The water distribution system, and
- (vi) Plumbing fixtures and plumbing appliances,
- (j) Readiness for inspection of suction and gravity outlets, covers and suction piping serving outlets of an outdoor pool described in Clause 1.3.1.1.(1)(j) of Division A, a public pool or a public spa,
- (k) Substantial completion of the circulation / recirculation system of an outdoor pool described in Clause 1.3.1.1.(1)(j) of Division A, a public pool or public spa and substantial completion of the pool before it is first filled with water,
- (l) Substantial completion of the pool deck and dressing rooms for a public pool or public spa and readiness for inspection of the emergency stop system for a public pool or public spa,
- (m) Readiness to construct the sewage system,
- (n) Substantial completion of the installation of the sewage system before the commencement of backfilling,
- (o) Substantial completion of installation of plumbing not located in a structure, before the commencement of backfilling,
- (p) Substantial completion of heating, ventilation, air-conditioning and air-contaminant extraction equipment,
- (q) Completion of construction and installation of components required to permit the issue of an occupancy *Permit* under Sentence 1.3.3.1.(3) of Division C or to permit occupancy under Sentence 1.3.3.2.(1) of Division C.
- (r) Completion of construction and installation of components required to permit the issue of an occupancy *Permit* under Sentence 1.3.3.4.(4) or 1.3.3.5.(3) of Division C.
- (s) Completion of a building for which an occupancy *Permit* is required under 1.3.3.4. or 1.3.3.5. of Division C.

SCHEDULE “C”

CODE OF CONDUCT FOR BUILDING OFFICIALS

This Code of Conduct is applicable to all Building Officials at the City of Vaughan

Purpose

The purpose of this Code of Conduct is to promote appropriate standards of behaviour, enforcement actions, honesty, and integrity among building officials and to prevent practices which may constitute an abuse of power including unethical or illegal practices by building officials in the exercise of their power or performance of their duties under the *Act* or the *Building Code*.

Accordingly, all building officials shall:

1. Always act in the public interest, particularly with regard to the safety of building works and structures.
2. Apply all relevant building laws, codes and standards in an impartial, consistent, fair and professional manner, independent of any external influence and without regard to any personal interests.
3. Abide with the provisions of the *Act*, the *Building Code* and other Acts or Laws which regulate or govern Building Officials or their functions.
4. Maintain required legislated qualifications, discharging all duties in accordance with recognized areas of competency.
5. Extend professional courtesy to all.

Breaches of the Code of Conduct

The *Chief Building Official* will review any allegations of breaches of this Code of Conduct made against municipal building officials. Where the allegations are against the *Chief Building Official* the City Manager of the municipality will review the allegations.

A City Manager, Deputy City Manager, Department Head, manager, or supervisor having knowledge of a breach of this Code of Conduct by a municipal building official shall bring such information immediately to the *Chief Building Official* and the City Manager.

Any person who has reason to believe that a municipal building official is committing a breach of this Code may approach the *Chief Building Official* in confidence.

Disciplinary action arising from violations of this Code of Conduct is the responsibility of the municipal employer and may result in disciplinary action up to and including termination of employment.

Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law
pursuant to Section 7 of the *Building Code Act*, 1992, S.O. 1992, c.23, and other fees and charges
pursuant to Section 391 of the *Municipal Act*, 2001, S.O. 2001, c. 25.

Item	Fee or Charge		HST
	2025	2026 ¹	
Document Access or Service Requests			
Routine Disclosure – Property Data/Building Permit Drawings (non-refundable fee which includes 10 small pages or one large page, and reproduction fees apply)	\$90.00	\$93.00	E
Request Copy of Survey – Non refundable fee of \$50.00 charged at application. Balance to be paid if survey is obtained.	\$90.00	\$93.00	Y
Reproduction (Black and White) per Page (large>11x17)	\$0.75/small page; \$6.70/large page	\$0.80/small page; \$6.90/large page	Y
Reproduction (Colour) per Page	\$1.60 up to 11x17 \$10.50 up to 24x36 \$17.50 up to 36x48	\$1.65 up to 11x17 \$10.80 up to 24x36 \$18.00 up to 36x48	Y
Hourly rate for assistance requests, including Project Dox	-	\$104.00 per hour	E
Zoning Service Requests			
Building Compliance Letter	\$187.00	\$192.00	E
Supplementary Building Compliance Letter	\$107.00	\$110.00	E
Written Response to Provincial/Regional Licenses (per letter including revisions up to 6 months from application date)	\$240.00	\$247.00	E
Written Zoning Response (per letter)	\$249.00	\$256.00	E
Inspection Fee – Minor Variance (per application)	\$337.00	\$347.00	Y
Portable Signs & Sign Variance			
Temporary Signs (Portable) - A-Frame (per sign for up to 6 months posting), Feather Banner (up to 6 feather banner signs for up to 6 months posting)	\$236.00	\$243.00	E
Sign Variance Application Fee	\$1,351.00	\$1,391.00	E

Note: All Fees are before HST. E = HST Exempt, Y = HST Applicable. The City reserves the right to review HST applicability for any regulatory or legislative changes.

^{1.} *Fees are indexed annually and are subject to change and Council approval in future years.*

Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law
pursuant to Section 7 of the *Building Code Act, 1992, S.O. 1992, c.23*, and other fees and charges
pursuant to *Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25*.

Classes of Permits Occupancy Classification / Type of Construction	2025 Permit		2026 Permit ⁱ
	Fees	Units	Fees
	190.00 Minimum		195.00 Minimum
Group A (Assembly) - Shell Building (no occupancy/use)	\$22.08	per m ²	\$22.74
Group A (Assembly) - Finished (Shell and Interiors)	\$24.55	per m ²	\$25.28
Group A (Assembly) - Interior Alteration	\$7.42	per m ²	\$7.64
Group A (Assembly) - Additions & Mezzanines	\$24.55	per m ²	\$25.28
Group A (Assembly) – Roof top assembly areas and outdoor areas associated with restaurants and banquet facilities	\$7.42	per m ²	\$7.64
	\$515.00	min.	\$530.00
Group B (Institutional) - Shell Building (no occupancy/use)	\$27.70	per m ²	\$28.53
Group B (Institutional) - Finished (Shell and Interiors)	\$37.60	per m ²	\$38.72
Group B (Institutional) - Interior Alteration	\$7.42	per m ²	\$7.64
Group B (Institutional) - Additions & Mezzanines	\$37.60	per m ²	\$38.72
Group C (Part 3 Buildings) - Finished (Shell and Interiors)	\$19.66	per m ²	\$20.25
Group C (Part 3 Buildings) - Interior Alteration	\$7.09	per m ²	\$7.30
Group C (Part 3 Buildings) – Additions & Mezzanines	\$19.66	per m ²	\$20.25
Group C (Midrise Wood) - Finished (Shell and Interiors)	\$22.23	per m ²	\$22.89
Group C (Midrise Wood) - Interior Alteration	\$7.09	per m ²	\$7.30
Group C (Midrise Wood) - Additions & Mezzanines	\$22.23	per m ²	\$22.89

Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law
pursuant to Section 7 of the *Building Code Act, 1992, S.O. 1992, c.23*, and other fees and charges
pursuant to *Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25*.

Classes of Permits Occupancy Classification / Type of Construction	2025 Permit		2026 Permit ⁱ
	Fees	Units	Fees
	190.00 Minimum		195.00 Minimum
Group C (Part 9 Buildings) - Single Dwelling Unit (including secondary unit)	\$21.19	per m ²	\$21.82
Group C (Part 9 Buildings) - Multi Unit/Stacked Townhouses	\$23.15	per m ²	\$23.84
Group C (Part 9 Buildings) - Semis and Towns	\$23.15	per m ²	\$23.84
Group C (Part 9 Buildings) - Interior Alteration	\$7.09	per m ²	\$7.30
Group C (Part 9 Buildings) - Additions & Mezzanines	\$21.19	per m ²	\$21.82
Group C (Part 9 Buildings) – Garages / Carport less than 55 m ²	\$573.00	flat fee per item	\$590.00
Group C (Part 9 Buildings) – Garages / Carport 55 m ² or greater.	\$9.24	per m ²	\$9.51
Group C (Part 9 Buildings) - Accessory Building no plumbing (Cabana, Garden Shed, Gazebo) less than 20 square meters	\$190.00	flat fee per item	\$195.00
Group C (Part 9 Buildings) - Accessory Building, (Garden Shed, Gazebo) 20 square meters or greater	\$573.00	flat fee per item	\$590.00
Group C (Part 9 Buildings) - Deck, Covered Porch, Basement Walk-up	\$272.00	flat fee per item	\$280.00
Group C (Part 9 Buildings) – Cabana 20 square meters or greater, or with plumbing	\$21.19	per m ²	\$21.82
Group D (Office) - Shell Building (no occupancy/use)	\$17.10	per m ²	\$17.61
Group D (Office) - Finished (Shell and Interiors)	\$22.28	per m ²	\$22.94
Group D (Office) - Interior Alteration	\$7.42	per m ²	\$7.64
Group D (Office) - Additions & Mezzanines	\$22.28	per m ²	\$22.94
Group E (Mercantile) - Shell Building (no occupancy/use)	\$14.69	per m ²	\$15.13

Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law
pursuant to Section 7 of the *Building Code Act, 1992, S.O. 1992, c.23*, and other fees and charges
pursuant to *Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25*.

Classes of Permits Occupancy Classification / Type of Construction	2025 Permit		2026 Permit ⁱ
	Fees	Units	Fees
	190.00 Minimum		195.00 Minimum
Group E (Mercantile) - Finished (Shell and Interiors)	\$19.31	per m ²	\$19.89
Group E (Mercantile) - Interior Alteration	\$7.42	per m ²	\$7.64
Group E (Mercantile) - Additions & Mezzanines	\$19.31	per m ²	\$19.89
Group F1&F2 (Industrial) - Shell Building / Addition / Mezzanine (no occupancy/use)	\$9.44	per m ²	\$9.72
Group F1 & F2 (Industrial) - Finished (Shell and Interiors)	\$13.63	per m ²	\$14.03
Group F1&F2 (Industrial) – Interior Alteration / Occupancy to shell building or parts thereof	\$4.19	per m ²	\$4.31
Group F1&F2 (Industrial) - Interior Alteration, to existing occupied areas. Fee applied to area of work proposed.	\$7.42	per m ²	\$7.64
Group F1&F2 (Industrial) – Additions & Mezzanines Finished (Shell and Interiors)	\$13.63	per m ²	\$14.03
Group F3 (Storage) - (Parking) Garage	\$9.24	per m ²	\$9.51
Plumbing / Sewage Systems			
Site Services - Residential Projects (plus fee for water service/drains)	\$190.00	flat fee plus	\$195.00
Site Services - Other Than Residential Projects (plus fee for water service/drains)	\$190.00	flat fee plus	\$195.00
Water Service 50mm to 100mm	\$41.00	flat fee item	\$42.00
Water Service 150mm 200mm 250mm	\$107.00	flat fee per item	\$110.00
Water Service over 250mm	\$163.00	flat fee per item	\$167.00
Residential Water Service (50mm or less)	\$45.00	flat fee per item	\$46.00

Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law
pursuant to Section 7 of the *Building Code Act, 1992, S.O. 1992, c.23*, and other fees and charges
pursuant to *Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25*.

Classes of Permits	2025 Permit		2026 Permit ⁱ
Occupancy Classification / Type of Construction	Fees	Units	Fees
	190.00 Minimum		195.00 Minimum
Drains – Residential	\$190.00	flat fee per item	\$195.00
Drains – Non-Residential/Multi Res. 100mm 150mm	\$67.00	flat fee per item	\$69.00
Drains – Non-Residential/Multi Res. 200mm 250mm	\$117.00	flat fee per item	\$120.00
Drains – Non-Residential/Multi Res larger than 250mm	\$163.00	flat fee per item	\$167.00
Plumbing Fixtures (Toilets, Urinals, lavatories, sinks, floor drains, vented traps, roof drains, backflow preventers)	\$20.60	flat fee per fixture	\$21.20
Grease Interceptors	\$81.00	flat fee per item	\$83.00
Plumbing – Miscellaneous (manholes, catch basins, area drains)	\$54.00	flat fee per item	\$55.00
***Septic System – Residential, commercial, industrial (GFA less than 186 m ²) Additional fee 186m ² and over	\$675.00	flat fee plus	\$695.00
***Septic System – Residential, commercial, industrial (GFA less than 186 m ²) Additional fee 186m ² and over	\$4.27	per m2	\$4.39
Septic System – Farm related project (without internal plumbing)	\$190.00	flat fee	\$195.00
Septic System – non-habitable addition/structure (no effect on system)	\$190.00	flat fee	\$195.00
Septic System – non-habitable addition/structure (change to system)	\$270.00	flat fee	\$278.00
Septic System – habitable addition/structure (no effect on system)	\$190.00	flat fee	\$195.00
***Septic System – habitable addition/structure (change to system) less than 186m ² Additional fee 186m ² and over	\$675.00	flat fee plus	\$695.00

Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law
pursuant to Section 7 of the *Building Code Act, 1992, S.O. 1992, c.23*, and other fees and charges
pursuant to *Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25*.

Classes of Permits	2025 Permit		2026 Permit ⁱ
Occupancy Classification / Type of Construction	Fees	Units	Fees
	190.00 Minimum		195.00 Minimum
***Septic System – habitable addition/structure (change to system) less than 186m ² Additional fee 186m ² and over	\$4.27	per m2	\$4.39
On Site Sewage System – Maintenance Program Inspection Fee	\$1,854.00	flat fee	\$1,909.00
Mechanical - HVAC			
Mechanical - HVAC - Residential	\$340.00	flat fee	\$350.00
Mechanical – HVAC - Non-Residential	\$679.00	flat fee	\$699.00
Hazardous Processes - Kitchen Exhaust Hood, Spray Booth, Storage of Hazardous Material, Dust Collector	\$650.00	flat fee	\$670.00
Subdivisions – Certified Models			
Certified Models – Single Dwelling Unit up to 3 Different Elevations (additional cost)	\$2,862.00	flat fee	\$2,947.00
One Additional Elevation (beyond 3 included in Certified Model, part of Certified Model application)	\$190.00	flat fee	\$195.00
Change House Type Model (residential plan of subdivision where permit has been issued for a different house type)	\$541.00	flat fee	\$557.00
Change House Type Model – additional cost per m ² or portion thereof	\$14.06	per m ²	\$14.48
Permit Revisions			
Permit Revisions –When original permit calculated as a flat fee or minimum fee	\$190.00	flat fee	\$195.00
Permit Revisions – Residential (includes 3 hours review time)	\$492.00	flat rate	\$506.00
Permit Revisions – Non-Residential (includes 3 hours review time)	\$571.00	flat rate	\$588.00

Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law
pursuant to Section 7 of the *Building Code Act, 1992, S.O. 1992, c.23*, and other fees and charges
pursuant to *Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25*.

Classes of Permits	2025 Permit		2026 Permit ⁱ
Occupancy Classification / Type of Construction	Fees	Units	Fees
	190.00 Minimum		195.00 Minimum
Demolition			
Demolition – Part 9 Residential (plus hourly rate for review over 3 hours)	\$345.00	flat fee	\$355.00
Demolition – Part 3 Residential and Non- Residential (plus hourly rate for review over 3 hours)	\$1,114.00	flat fee	\$1,147.00
Fire/Life Safety			
Active Fire Protection Systems - Fire Alarm, Sprinkler or Standpipe Systems, Mag-Locks (plus additional fee in this section, below)	\$249.00	flat fee	\$256.00
Part 9 Fire Alarm System (additional fee)	\$0.42	per m ²	\$0.43
Part 3 Per Floor (additional fee)	\$179.00	per floor	\$184.00
Sprinkler / Standpipe System (additional fee)	\$0.55	per m ²	\$0.56
Fast Track Permit Process			
Additional fee – (percentage of full permit fee subject to maximum/minimum amounts below)	50	percent	50
Commercial and Industrial	\$956.00	min.	\$984.00
	\$9,546.00	max.	\$9,832.00
Residential - Detached/Semi Detached	\$636.00	flat fee	\$655.00
Residential – Townhouse all types	\$319.00	per unit min.	\$328.00
	\$9,546.00	max. per block	\$9,832.00

Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law
pursuant to Section 7 of the *Building Code Act, 1992, S.O. 1992, c.23*, and other fees and charges
pursuant to *Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25*.

Classes of Permits	2025 Permit		2026 Permit ⁱ
Occupancy Classification / Type of Construction	Fees	Units	Fees
	190.00 Minimum		195.00 Minimum
Designated Structures			
Miscellaneous - Designated Structure/Public Pool/Public Spa/Retaining Wall	\$684.00	flat fee	\$704.00
Solar Collectors (residential Part 9)	\$190.00	flat fee	\$195.00
Solar Collectors (Part 3 residential, industrial, commercial, institutional)	\$617.00	flat fee	\$635.00
Miscellaneous Permits / Services / Fees			
Alternative Solutions (plus cost of additional review/meetings and any 3 rd party review)	\$1,301.00	flat fee plus	\$1,340.00
Balcony, including guards	\$0.61	per m ²	\$0.62
Change of Use where no construction is proposed - For all Types of Classifications (plus hourly rate for each hour or part thereof)	\$374.00	flat fee plus	\$385.00
Conditional Permit (10% of building permit fee in addition to building permit fee)	\$1,351.00	min.	\$1,391.00
	\$3,090.00	max.	\$3,182.00
Conditional Permit Agreement (amendment)	\$269.00	flat fee	\$277.00
Construction/Demolition/Change of Use without permit – additional 50% of permit fee	\$190.00	min.	\$195.00
	\$10,300.00	max.	\$10,609.00
Demising Walls (no other construction)	\$5.39	per linear metre	\$5.55
Demountable Event Structures (platforms, stages, bleachers, structures supporting lighting, audio and similar equipment)	\$190.00	flat fee per structure	\$195.00
Farm Buildings	\$6.72	per m ²	\$6.92

Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law
pursuant to Section 7 of the *Building Code Act, 1992, S.O. 1992, c.23*, and other fees and charges
pursuant to *Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25*.

Classes of Permits Occupancy Classification / Type of Construction	2025 Permit		2026 Permit ⁱ
	Fees	Units	Fees
	190.00 Minimum		195.00 Minimum
Fireplace / Stove	\$190.00	flat fee	\$195.00
Hourly Rate for Review or Inspection (minimum 3 hours may apply)	\$101.00	per hour	\$104.00
Hourly rate for 2 nd and ongoing resubmission review.	-	per hour	\$104.00
Limiting Distance Agreement	\$661.00	flat fee	\$680.00
Occupancy Permit – Div. C. 1.3.3.1. & 1.3.3.5. (per stage of occupancy)	\$345.00	flat fee	\$355.00
Partial Permit (additional fee)	\$309.00	flat fee	\$318.00
Portable Classroom	\$269.00	flat fee per item	\$277.00
Recladding	\$0.55	per m ²	\$0.56
Request to Defer Revocation (extend permit)	\$190.00	flat fee per request	\$195.00
Written Objection to a Notice of Intention to Revoke	\$190.00	flat fee per request	\$195.00
Sales Pavilion	\$10.06	per m ²	\$10.36
Shelf and Racking System	\$5.64	per m ²	\$5.80
Signs – All Signs except Billboard and Temporary (Portable) Signs	\$215.00	flat fee plus	\$221.00
	\$36.00	per m ²	\$37.00
Signs – Billboard	\$185.00	flat fee plus	\$190.00
	\$46.00	per m ²	\$47.00
Shoring	\$11.97	per linear metre	\$12.32

Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law
pursuant to Section 7 of the *Building Code Act, 1992, S.O. 1992, c.23*, and other fees and charges
pursuant to *Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25*.

Classes of Permits Occupancy Classification / Type of Construction	2025 Permit		2026 Permit ⁱ
	Fees	Units	Fees
	190.00 Minimum		195.00 Minimum
Tents/Air Supported Structures	\$7.21	per m ²	\$7.42
Re-install Air Supported Structure to Issued Building Permit	\$545.00	Flat fee	\$561.00
Tents not intended as Permanent Structures	\$190.00	flat fee per tent	\$195.00
Transfer Permit (to new owner)	\$190.00	flat fee	\$195.00
Window Enlargement, new exterior window or door	\$2.63	per m ²	\$2.70
Returnable Fee			
Residential Construction – New Single Detached Dwelling, Semi-Detached Dwelling, or Townhouse	\$5,000.00	per building permit	\$5,150.00
Residential Construction – Additions to Single Detached Dwelling, /Semi-Detached Dwelling, or Townhouse	\$2,500.00	per building permit	\$2,575.00
Residential Construction – Alterations or Secondary Suites to Single Detached Dwelling, Semi-Detached dwelling, or Townhouse	\$2,500.00 or maximum building permit fee, if lesser	per building permit	\$2,575.00 or maximum building permit fee, if lesser
Residential Construction – Accessory Structures (shed, deck cabana, garage) to Single Detached Dwelling, Semi-Detached Dwelling, or Townhouse	\$500.00 or maximum building permit fee, if lesser	per building permit	\$515.00 or maximum building permit fee, if lesser
Non-Residential Construction – New Industrial/ Commercial/Institutional Buildings, or Residential Buildings not noted above	\$10.00 per m ² to max. \$50,000.00	per building permit	\$10.00 per m ² to max. \$51,500.00
Non-Residential Construction – Additions to Industrial/ Commercial/Institutional Buildings, or Residential Buildings not noted above	\$10.00 per m ² to max. \$25,000.00	per building permit	\$10.00 per m ² to max. \$25,750.00
Non-Residential Construction – Alterations or Accessory Structures to Industrial/ Commercial/Institutional Buildings, or Residential Buildings not noted above	\$5,000.00	per building permit	\$5,150.00

Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law
pursuant to Section 7 of the *Building Code Act, 1992, S.O. 1992, c.23*, and other fees and charges
pursuant to *Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25*.

Classes of Permits Occupancy Classification / Type of Construction	2025 Permit		2026 Permit ⁱ
	Fees	Units	Fees
	190.00 Minimum		195.00 Minimum
Returnable Fee excludes; <ul style="list-style-type: none"> • Alternative Solutions; • Certified Models; • Demountable Event Structures including Stages, Platforms, Tents, Bleachers, and Structures Supporting Lighting, Audio and Similar Equipment; • Limiting Distance Agreements; • Municipal, Provincial or Federal Government Buildings; • Permits only to Demolish a Structure, Demolish Part of a Structure or Demolish Interior Construction; • Permits only for Fire Alarm, Sprinklers, Standpipes or Fire Suppression Systems; • Permits only for Plumbing; • Permits only for Mechanical Items; • Permits for Sewage Systems; • Permits for Signs; and • Permits for Solar Collectors; 			
Permit Maintenance Fee			
Part 9 Building Permits for New Residential Units or Dwellings	\$450.00	per building permit per year building permit remains open	\$463.00
Part 9 Building Permits for Accessory Uses, Interior Alterations and Other Minor Residential Permits	\$190.00	per building permit per year building permit remains open	\$195.00

Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law
pursuant to Section 7 of the *Building Code Act, 1992, S.O. 1992, c.23*, and other fees and charges
pursuant to *Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25*.

Classes of Permits Occupancy Classification / Type of Construction	2025 Permit		2026 Permit ⁱ
	Fees	Units	Fees
	190.00 Minimum		195.00 Minimum
Part 3 Building Permits - All	\$775.00 or the actual building permit fee paid, if lesser	per building permit per year building permit remains open	\$798.00

¹ⁱ Fees are indexed annually and are subject to change and Council approval in future years.

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Fees and Charges Schedule F – Building Standards Department

Classes of permits and corresponding permit fees under the Building By-law pursuant to Section 7 of the *Building Code Act, 1992, S.O. 1992, c.23*, and other fees and charges pursuant to *Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25*.

NOTES:

1. Except where a flat fee is indicated for an Occupancy Classification or Type of Construction, the fee per m² of floor area set out in Schedule F, shall be used by the Chief Building Official in determining the permit fee, by multiplying the floor area by the fee per m², subject to maximum and minimum fees where indicated.
2. For new buildings and additions, fees for sprinkler and fire alarm systems, unfinished basements (except within dwelling units), finished basement areas in single detached, semi-detached and townhouse dwellings and any balconies, decks, patio and porch structures are in addition to the Occupancy Group Fee per m².
3. Where a change of occupancy from one classification to another classification of a higher hazard is proposed, the fee for the proposed occupancy applies. Where a change of use permit is denied, fees paid may be credited to an alteration permit which incorporates the construction required to accommodate the change of use.
4. For the purpose of this schedule the occupancy classification and floor area shall be determined on the following basis:
 - a) The occupancy classification shall be established in accordance with the occupancy definitions of the Ontario Building Code.
 - b) Except as provided in 4.d), the floor area is the sum of the areas of all floors including basement, balconies and mezzanines and shall be measured to the outer face of the exterior walls or structure. For interior alterations, measurements are taken to the inner face of walls.
 - c) No deductions shall be made for openings within the floor area, i.e. stairs, elevators, ducts.
 - d) A garage serving only the dwelling unit to which it is attached or built-in and an unfinished basement located within a dwelling unit shall not be included in the area calculations.
 - e) The horizontal projection of sloping and stepped floors shall be used in lieu of actual surface area.
 - f) The fee for common facilities such as corridors, lobbies, washrooms etc., in “shell” buildings shall be calculated at the “finished” rate according to the occupancy classification of the floor area on which the facilities are located.
5. The fees shown in the following table will be used to calculate the total permit fee. However, the minimum fee for any permit shall be \$190.00 (2025 Rate).
6. Fees are indexed annually and are subject to change and Council approval in future years.
7. The fee for any permit or service not listed in this schedule will be charged at the hourly rate for review and inspections and the minimum fee will apply.
8. Previous year's fees are applicable for:
 - a) Submissions made and minimum fees paid by December 31, 2024,
 - b) Enough information to calculate building permit fees received by February 15, 2025, and
 - c) Remainder calculated fees paid by February 28, 2025.
 - d) If these conditions are not met, 2025 fees apply.
- ~~9. All fees and payments in Canadian funds.~~

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): ALL

TITLE: BELL FIBRE-TO-THE-HOME (FTTH) AGREEMENT EXTENSION

FROM:

Shanon Kalra-Ramjoo, Acting Deputy City Manager, Public Works

ACTION: DECISION

Purpose

This report provides an update on the Bell Fibre-to-the-Home Project and seeks Council Authority for staff to extend and amend the “Fibre to the Home (FTTH) Project” Agreement with Bell Canada (Bell).

Report Highlights

- Since 2019, Bell Canada has been expanding its network in Vaughan to bring fibre-optic connectivity to over 100,000 homes and businesses in the city.
- The city has a FTTH Project Agreement with Bell which is set to expire on December 31, 2024.
- Bell’s FTTH project volume is slowing down and reaching project completion with a new focus on multi-dwelling units and businesses. Bell has requested to extend and amend the project agreement to reflect updated staffing needs, without changes to any other terms and conditions.
- City staff support an extension of the project agreement for another year starting on January 1, 2025 and further amending it to reflect updated staffing needs. Any future extensions or amendments, if required, will be assessed on an annual basis and staff will report back to Council.

Recommendations

1. That Council authorize staff to extend and amend the “Fibre to the Home Project” Agreement with Bell Canada, in a form acceptable to Legal Services and the Deputy City Manager, Public Works; and

2. That the Deputy City Manager, Public Works be authorized to execute the extending and amending agreement with Bell.

Background

In February 2019, the City entered into an agreement with Bell Canada to improve high-speed internet communications for the City's residents and businesses.

Bell has upgraded its infrastructure network delivering fibre-optic internet service to over 100,000 homes and businesses with coverage of over 75% of the city. This expansion has replaced aging copper wire technology designed for land-line telephone service, which limits the speed and reliability of internet service that Bell can provide.

Given the scale of the project, Bell has been funding dedicated City resources to review applications and issue permits which ensures all work can be completed safely and efficiently.

As part of the City's review process, staff from the Transportation and Fleet Management Services (TFMS) department review applications and project documents that are prepared and submitted by Bell. Permits are issued to allow construction to proceed. As part of the expiring agreement, Bell and City staff had determined that four (4) dedicated staff were required to provide the service levels requested by Bell. Bell had agreed to fund these staff resources who work – on contract – directly for the City and are dedicated to support the FTTH project. Their roles include permit application review, project coordination, construction oversight, site inspection, and addressing resident enquiries.

Previous Reports/Authority

Bell FTTH Program Agreement, Extract from Council meeting of March 10, 2021 (Item 5, Report No. 8) [Request for Authority to Amend and Renew "Fibre To The Home" Agreement with Bell Canada](#)

Analysis and Options

The FTTH Project Agreement needs to be updated and extended for another year to reflect resource needs associated with declining project volumes, without changing other terms in the agreement.

After expanding fibre-optic connectivity to over 100,000 homes and businesses, Bell is winding down the project on residential units with a new focus on multi-dwelling units and businesses in 2025. The remaining work will still require that service levels be

maintained for permit issuance, approvals, and inspection oversight. Bell, in consultation with City staff, have determined that three (3) dedicated contract staff will now be required to support the project until the end of 2025. Overall, the FTTH project is anticipated to fully end in the next one (1) to two (2) years, subject to annual progress reviews by Bell and City staff.

Extending and amending the FTTH Project Agreement will ensure that Bell continues to fund required resources for the City to meet expected service levels.

Staff support Bell's proposal to extend and amend the FTTH project agreement to ensure Bell continues to provide sufficient resources for project oversight. Any future project extensions, if required, will be assessed on an annual basis. Staff will be reporting back should future extensions be required.

Financial Impact

There are no financial impacts associated with this decision. Bell will fully fund the required city resources to support this project.

Operational Impact

There are no operational impacts associated with this decision. Legal and Finance have been consulted.

Broader Regional Impacts/Considerations

There are no regional impacts associated with this decision.

Conclusion

Building on the successes realized through the first six (6) years of the FTTH Project, authorizing staff to execute the extension and associated amendments with Bell to complete the FTTH Project as it winds down will allow the City to showcase to residents and businesses that Vaughan is a desirable and reliable technological hub, while ensuring sufficient resources to undertake the necessary oversight of construction activities across the City.

For more information, please contact Steven Fantin, Director of Transportation and Fleet Management Services, ext. 6141

Attachments

N/A

Prepared by

Margie Chung, Manager, Traffic Engineering Services, ext. 6173
Rey Shen, Program Manager, Corridor Control, ext. 6363

In consultation with:

Anthony-George D'Andrea, Legal Counsel, ext. 3633

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): ALL

TITLE: DELEGATED AUTHORITY FOR MAINTENANCE AGREEMENTS
WITH NEIGHBOURING MUNICIPALITIES

FROM:

Shanon Kalra-Ramjoo, Acting Deputy City Manager, Public Works

ACTION: DECISION

Purpose

To seek approval to enter, renew, modify, and or cancel maintenance agreements with neighboring municipalities of the Regional Municipality of York, Town of Caledon, and Township of King.

Report Highlights

- Public Works engages in collaborative maintenance activities with neighboring municipalities with the aim of optimizing operational efficiency.
- As part of an internal review, the Transportation and Fleet Management Services department is seeking council approval to enter into formal agreements for activities that have been previously governed by informal agreements.
- Considering the minimal financial impact of these agreements, authorization for the Deputy City Manager of Public Works to amend or renew these agreements will streamline periodic changes.

Recommendations

1. That Council grant approval to enter and execute maintenance agreements with the Corporation of the Town of Caledon, the Corporation of the Township of King, and Corporation of the Region of York on the terms described in this report, in a form satisfactory to Legal Services; and
2. That the Deputy City Manager, Public Works, be authorized to amend and renew the Road Boundary Agreements on behalf of the City, in a form satisfactory to Legal Services.

Background

The City and neighbouring municipalities are seeking to formally establish a contractual agreement delineating responsibilities, rights, costs, and terms.

As part of an internal review, the Transportation and Fleet Management Services (TFMS) department are looking to formalize agreements to ensure proper execution of responsibilities and limitation of liability.

Reciprocal maintenance agreements enable consistent and reliable maintenance of assets and streamline the City's maintenance efforts by leveraging partnerships with neighboring municipalities.

The roads segments covered by these agreements include Mill Road, Huntington Road/10th Concession, Pine Valley Drive/7th Concession, Albion/Vaughan Road, and Teston Road, which falls within the jurisdictions of the Township of King, Caledon, and the Regional Municipality of York, respectively. Additional detail is available in Attachment 1.

Maintenance services on infrastructure for neighboring municipalities include road assets, sidewalks, boulevards, winter maintenance, and other maintenance activities regulated by the *Minimum Maintenance Standards (O.Reg. 239/02, 366/18)*. In turn, maintenance services are also provided to City owned infrastructure by neighboring municipalities, where such maintenance provides opportunities for more efficient and cost-effective operations.

The annual value associated with each of these agreements are anticipated to be below \$25,600 throughout the life of the agreements, and through efficiencies and cost avoidance will result in a net savings to the City.

Reciprocal maintenance agreements provide clarity of maintenance responsibilities and ensures an equitable distribution of responsibilities.

Establishing formal agreements clearly outlines the responsibilities for regulated assets. As regulations evolve, this will reduce the risk by ensuring regulatory changes are captured into the agreements.

This not only guarantees clarity on responsibilities, but also facilitates adequate customer service and public safety through the consistent and effective maintenance of these assets. Through negotiations with bordering municipalities, Public Works can ensure a fair distribution of resources that contribute to the overall benefit of the community.

Previous Reports/Authority

No prior reports or authority exist on this matter.

Analysis and Options

The City of Vaughan Transportation and Fleet Management Services is seeking to enter into formal boundary road maintenance agreements with the Town of Caledon, Township of King, and the Regional Municipality of York.

The following list provides an overview of the road segments by jurisdiction to be covered by the proposed agreement.

1. Township of King
 - a. Mill Road, 0.40 km (maintained by the Township of King)
 - b. Huntington Road, 0.25 km (maintained by the Township of King)
 - c. Pine Valley Drive, 0.90 km (maintained by the City of Vaughan)
2. Town of Caledon
 - a. Albion/Vaughan Road, 2.80 km (maintained by the Town of Caledon)
 - b. Albion/Vaughan Road, 0.40 km (maintained by the City of Vaughan)
3. Regional Municipality of York
 - a. Teston Road, 0.80 km (maintained by the City of Vaughan)

Financial Impact

Granting approval to enter into multi-year Maintenance Agreements will not impose any additional financial burden on the City of Vaughan and will result in a cost avoidance by decreasing the mobilization time demands for City resources.

The City currently maintains a cost-neutral reciprocal maintenance arrangement with the Township of King for various boundary roads, with each municipality assuming maintenance duties on behalf of the other. The City also has a maintenance arrangement with the Town of Caledon for the maintenance of road segments along Albion-Vaughan Road, This is managed by the Township of Caledon on behalf of Vaughan at an annual cost of \$25,600. Lastly, the City maintains segments of Teston Road during winter maintenance operations on behalf of York Region under an arrangement with the Regional Municipality of York where the annual assessed fee is approximately \$7,000.

Any additional funding required, if maintenance costs exceed initial estimates, will be drawn from the existing funds within the Roads Operations operating budget.

Considering the low monetary value associated to these agreements, granting authority to the Deputy City Manager, Public Works, to modify, renew, or terminate these agreements will streamline the process to execute such changes.

Although the agreements are long-term in length, these agreements allow room for negotiation and amendments of nominal value. This may include the adjustment of pricing in accordance with the Consumer Price Index (CPI), potential changes to the maintenance activities in accordance with latest service levels, and/or potential renewals or termination of agreements.

Operational Impact

The reciprocal maintenance agreements can have a positive operational impact by eliminating dual-mobilization and improving response times for remote areas. This becomes especially useful for dead-end streets that may only be accessible for maintenance by entering the neighboring municipalities' roadway.

TFMS has consulted other departmental stakeholders including Environmental Services, Parks, Forestry, and Horticulture Operations, and Infrastructure Delivery, where the department has received an overall acknowledgement that there are no anticipated issues or negative impacts on City operations.

Broader Regional Impacts/Considerations

Enhancing cooperation with neighboring municipalities will have a broader impact, creating opportunities to exchange information, implement best practices, strategize on route optimization, review service levels, and ultimately enhance public safety across the respective Road networks.

Conclusion

Reciprocal maintenance agreements provide an avenue to streamline operations at minimal cost to the City. Authority to the Deputy City Manager, Public Works streamlines minor modifications or amendments to the agreement, including CPI cost adjustments, term renewals, or cancellation of the reciprocal maintenance agreements. These outcomes directly contribute to the realization of the City's strategic objectives, namely Service Excellence and Operational Excellence.

For more information, please contact: Steven Fantin, Director of Transportation and Fleet Management Services, ext. 6141.

Attachments

1. Attachment 1: Road Maintenance Maps and Tables

Prepared by

Hasib Moeen, Program Manager, Roads Operations, ext. 6152.

In consultation with:

Daniel Sepe, Manager, Roads Operations, ext. 6150.

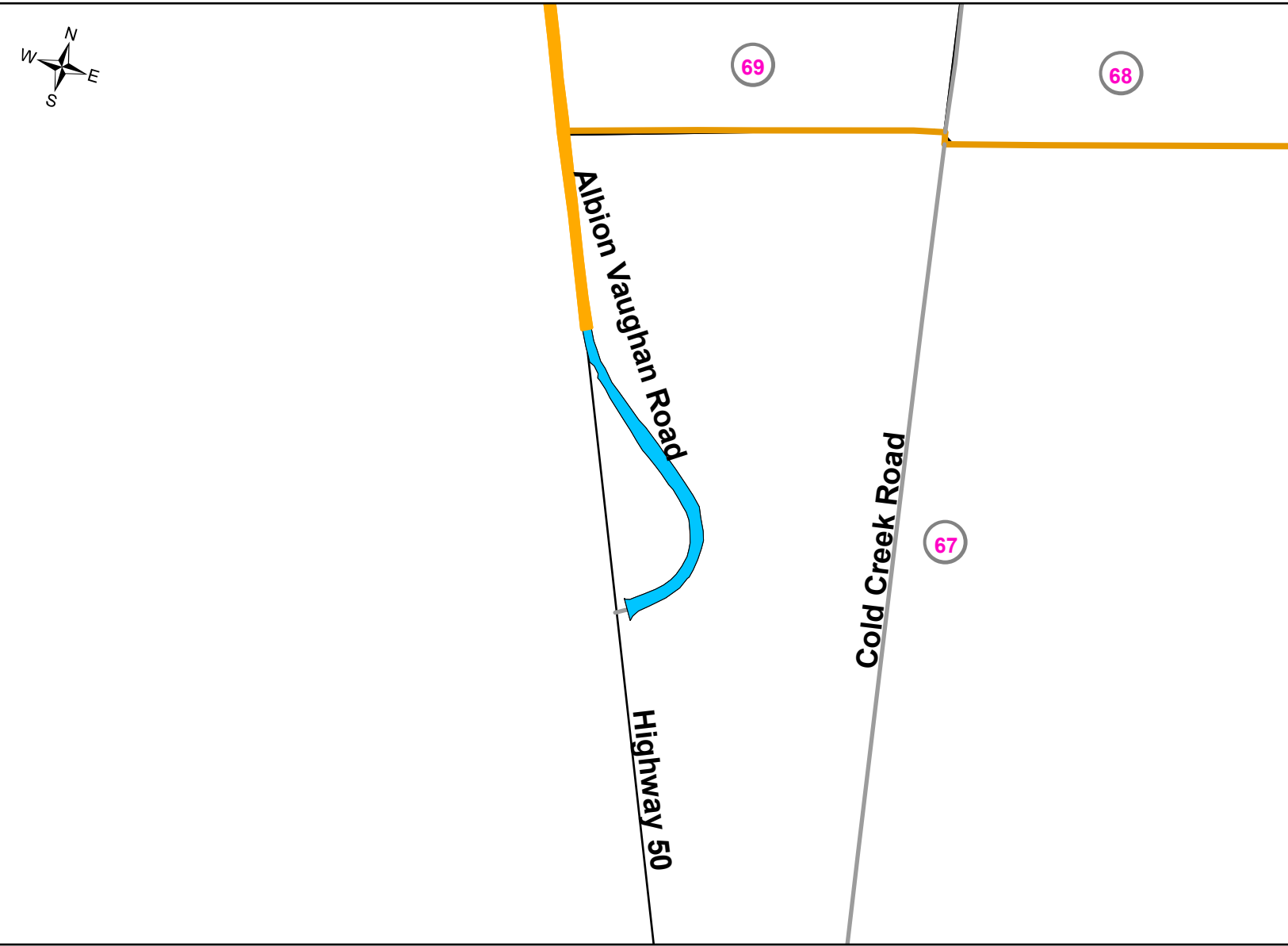
Steven Fantin, Director, Transportation and Fleet Management Services, ext. 6141.

Road Maintenance Tables and Maps

Albion/Vaughan Road

Attachment 1

ROAD SEGMENT BOUNDARY	FROM ROAD	DIRECTION	TO ROAD	ROAD LENGTH (KM)
Albion/Vaughan Road	30m North of intersection at HWY 50 (County Road 50)	Northbound, Southbound Lanes	400 metres North of intersection at HWY 50 (County Road 50)	0.4



AGREEMENT DETAIL

managed by the Township of Caledon on behalf of Vaughan, at an annual costSegment of Boundary Road under the Jurisdiction of the City of Vaughan to be maintained by the Town of Caledon, except for pavement markings to be maintained by the City of Vaughan:

Legend

MAINTAINED BY

- CALEDON
- KING
- VAUGHAN

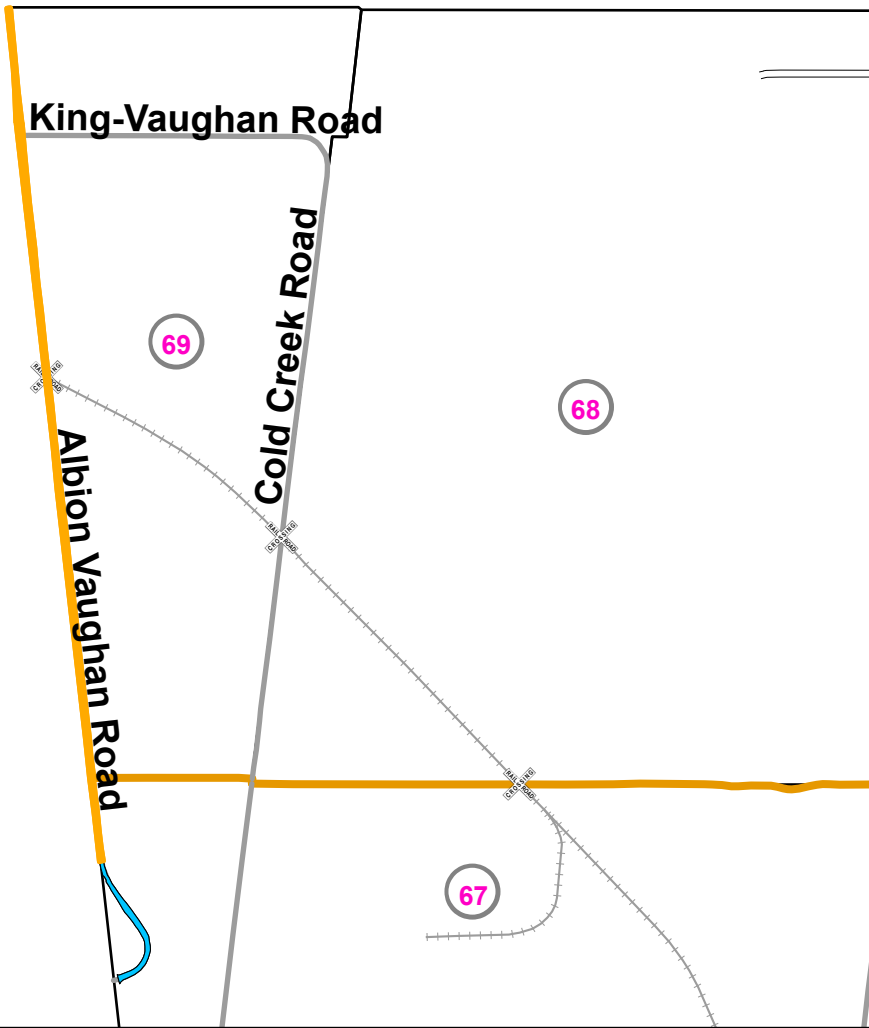
Disclaimer:
Every reasonable effort has been made to ensure that the information appearing on the the map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions.

Data is continuously being updated via staff, projects and public works staff.

Road Maintenance Tables and Maps

Albion/Vaughan Road

ROAD SEGMENT BOUNDARY	FROM ROAD	DIRECTION	TO ROAD	ROAD LENGTH (KM)
Albion/Vaughan Road	400 metres North of the centreline of the intersection at HWY 50 (County Road 50)	Northbound Lanes	208 metres South of the centreline of intersection at Queensgate Blvd	2.8



AGREEMENT DETAIL

City of Vaughan has a maintenance agreement with the Town of Caledon for the maintenance of road segments along Albion-Vaughan Road, managed by the Township of Caledon on behalf of Vaughan, at an annual cost of \$8,055.00.

Legend

MAINTAINED BY

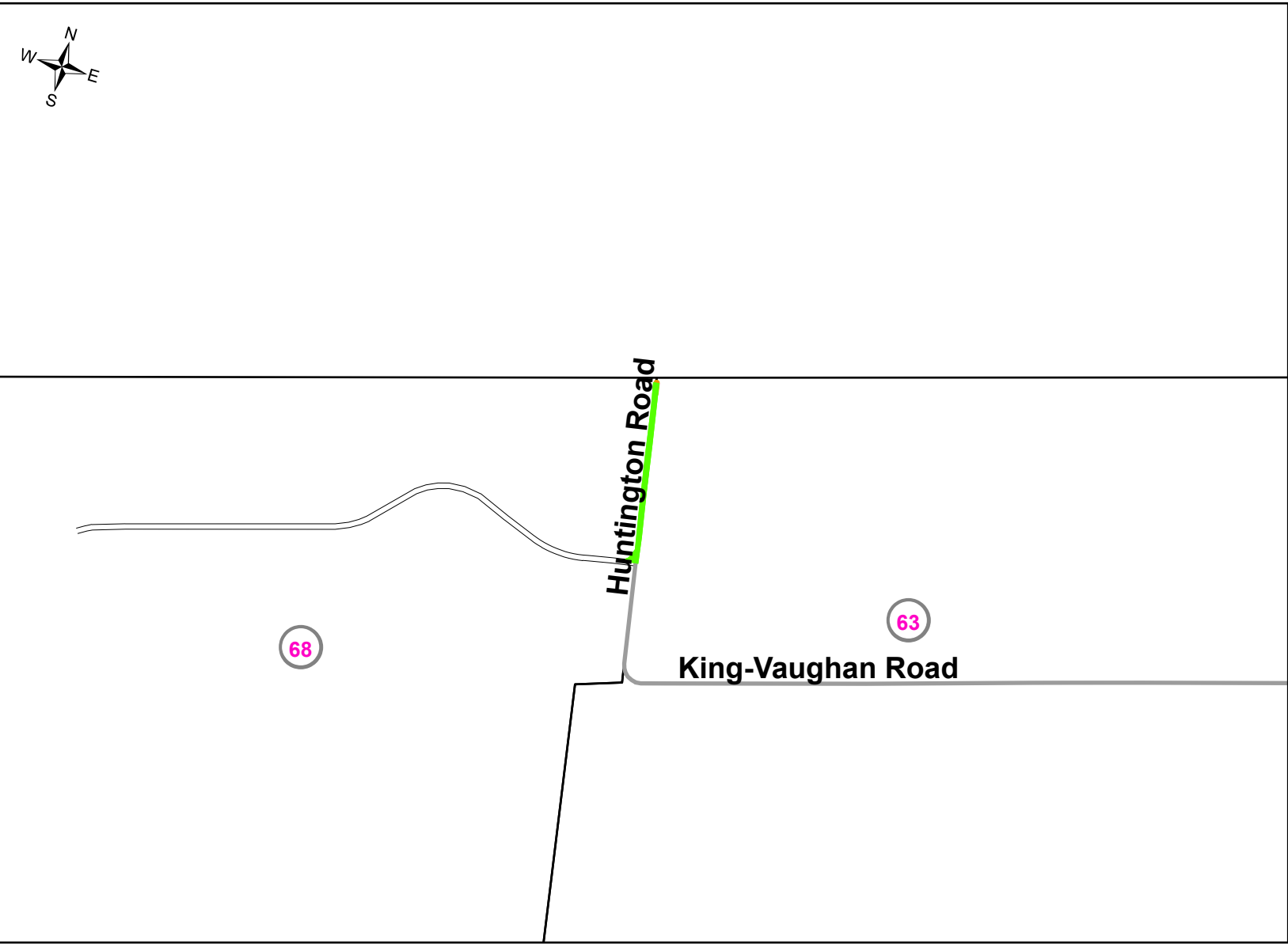
- CALEDON
- KING
- VAUGHAN



Road Maintenance Tables and Maps

Huntington Road / 10th Concession

ROAD SEGMENT BOUNDARY	FROM ROAD	DIRECTION	TO ROAD	ROAD LENGTH (KM)
Huntington Road / 10th Concession	Ranch Trail Road	Northbound, Southbound Lanes	End of King-Vaughan Boundary Limit	0.25



AGREEMENT DETAIL

The City currently maintains a net-neutral reciprocal maintenance agreement with the Township of King for various boundary roads, with each municipality assuming maintenance duties on behalf of the other.

Legend

MAINTAINED BY

- CALEDON
- KING
- VAUGHAN



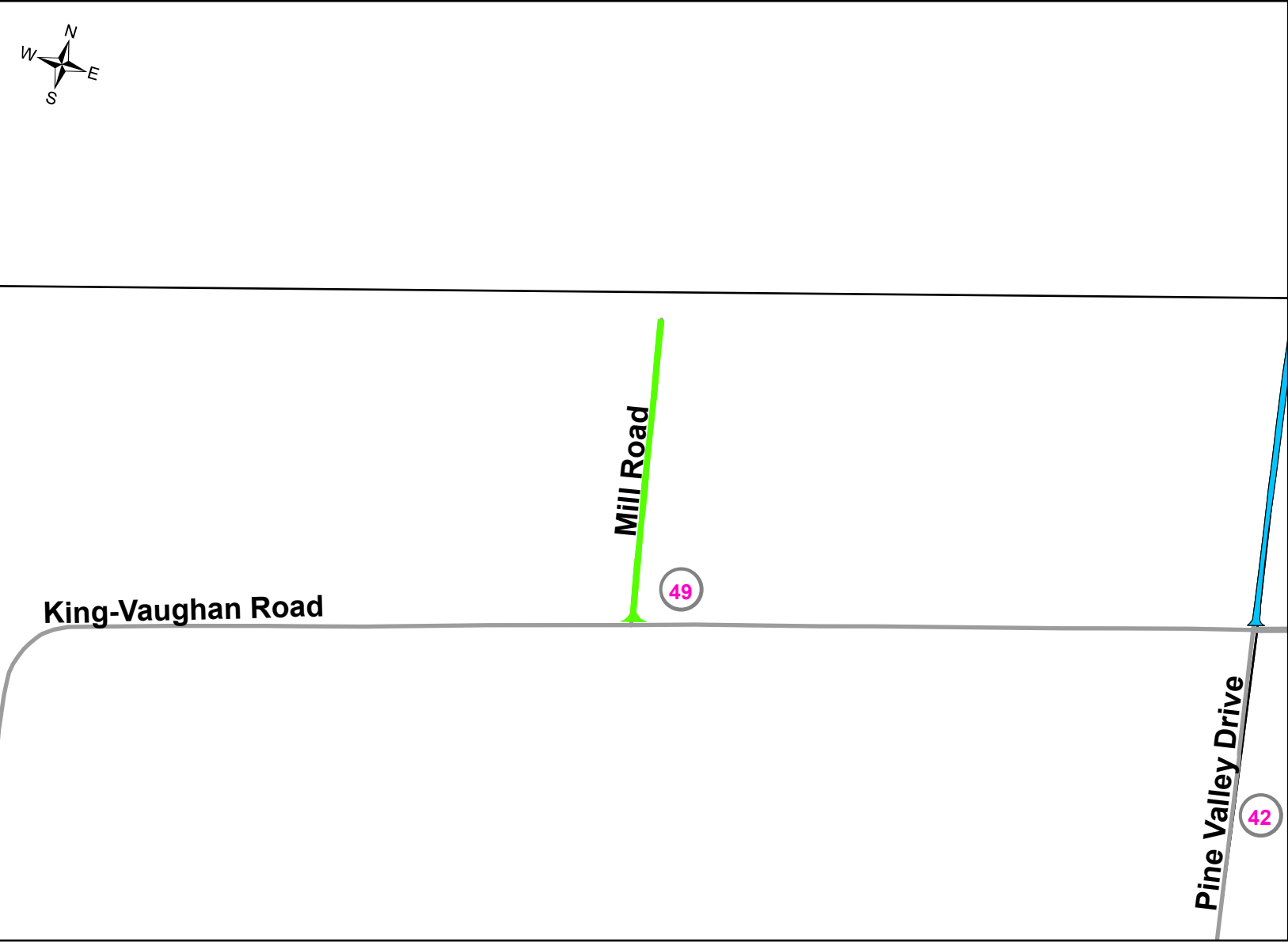
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Data is continuously being updated via staff, projects and public works staff.

Road Maintenance Tables and Maps

Mill Road

ROAD SEGMENT BOUNDARY	FROM ROAD	DIRECTION	TO ROAD	ROAD LENGTH (KM)
Mill Road	King Vaughan Road	Northbound, Southbound Lanes	End of King-Vaughan Boundary Limit	0.4



AGREEMENT DETAIL

The City currently maintains a net-neutral reciprocal maintenance agreement with the Township of King for various boundary roads, with each municipality assuming maintenance duties on behalf of the other.

Legend

MAINTAINED BY

- CALEDON
- KING
- VAUGHAN



Disclaimer:
Every reasonable effort has been made to ensure that the information appearing on the the map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions.

Data is continuously being updated via staff, projects and public works staff.

Road Maintenance Tables and Maps

Pine Valley Drive / 7th Concession

ROAD SEGMENT BOUNDARY	FROM ROAD	DIRECTION	TO ROAD	ROAD LENGTH (KM)
Pine Valley Drive / 7th Concession	King-Vaughan Road	Northbound, Southbound Lanes	End of Pine Valley Drive / 7th Concession	0.9



AGREEMENT DETAIL

The City currently maintains a net-neutral reciprocal maintenance agreement with the Township of King for various boundary roads, with each municipality assuming maintenance duties on behalf of the other.

Legend

MAINTAINED BY

- CALEDON
- KING
- VAUGHAN

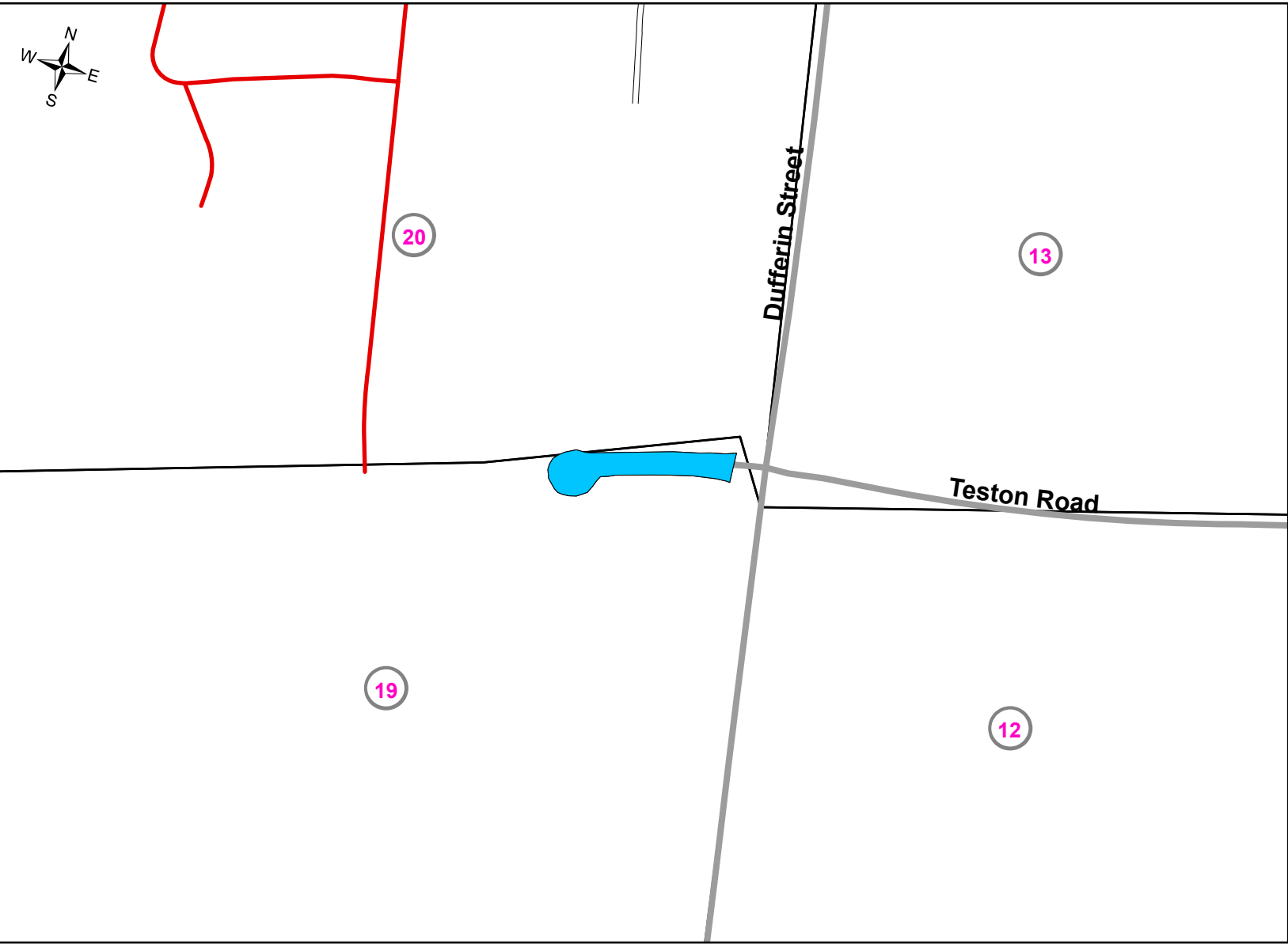
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Data is continuously being updated via staff, projects and public works staff.

Road Maintenance Tables and Maps

Teston Road

ROAD SEGMENT BOUNDARY	FROM ROAD	DIRECTION	TO ROAD	ROAD LENGTH (KM)
Teston Road		Eastbound, Westbound	West to the dead end (end of road segment)	0.3



AGREEMENT DETAIL

City of Vaughan maintains segments of Teston Road during Winter Operations on behalf of York Region under an agreement with the Regional Municipality of York, for an annually assessed fee of approximately \$7,000.00.

Legend

MAINTAINED BY

- CALEDON
- KING
- VAUGHAN



Disclaimer:
Every reasonable effort has been made to ensure that the information appearing on the the map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions.

Data is continuously being updated via staff, projects and public works staff.

Road Maintenance Tables and Maps

Teston Road

ROAD SEGMENT BOUNDARY	FROM ROAD	DIRECTION	TO ROAD	ROAD LENGTH (KM)
Teston Road	Eastern limit of the daylight triangle at the Southeast corner	Eastbound, Westbound Lanes	Western limit of the daylight triangle at the Southwest corner	0.5



AGREEMENT DETAIL

City of Vaughan maintains segments of Teston Road during Winter Operations on behalf of York Region under an agreement with the Regional Municipality of York, for an annually assessed fee of approximately \$7,000.00.

Legend

MAINTAINED BY

- CALEDON
- KING
- VAUGHAN



Disclaimer:
Every reasonable effort has been made to ensure that the information appearing on the the map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions.

Data is continuously being updated via staff, projects and public works staff.

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): 4

TITLE: PARK NAMING REQUEST

FROM:

Shanon Kalra-Ramjoo, Acting Deputy City Manager, Public Works

ACTION: DECISION

Purpose

To seek Council approval with respect to a request for the renaming of the first phase of Edgeley Park to Cortellucci Square.

Report Highlights

- Requests for park naming are guided by City Policy No. TPF – 006 Naming City Parks, Open Spaces, Community Facilities and Other Municipal Buildings and Properties.
- A request was received by staff to rename the first phase of Edgeley Park located within the Vaughan Metropolitan Centre (VMC) Expo City development to Cortellucci Square.
- To align to the City's park naming convention, it is recommended that the first phase of Edgeley Park be renamed Cortellucci Square, which has been endorsed by the Cortellucci family.
- The proposed request to rename this section of Edgeley Park to Cortellucci Park abides by the city's naming policy and does not conflict with other existing park names, and accordingly, staff have no objection to the proposed park naming.

Recommendations

1. That the first phase of Edgeley Park be renamed Cortellucci Square in accordance with City Policy No. TPF-006 Naming City Parks, Open Spaces, Community Facilities and Other Municipal Buildings and Properties.

Background

The public may make requests to the City Clerk to name or change a name of City-owned assets in honour of individuals or groups.

In accordance with City Policy No. TPF-006 Naming City Parks, Open Spaces, Community Facilities and Other Municipal Buildings and Properties, any request to name or change a name in honour of individuals or groups shall be submitted to the Office of the City Clerk in writing by the applicant, with supporting explanation or justification. After an internal review convened by the City Clerk, staff shall forward the application to Council for consideration. A copy of the policy is appended as Attachment 1.

The policy ensures that the names chosen reflect the city's cultural, historical, and geographical significance, and honour individuals or organizations that have made substantial contributions to the community. Council shall consider all applications submitted in honour of individuals or groups.

The City has received a formal request from the Cortellucci family to rename Edgeley Park to Cortellucci Square. This request has been made in recognition of the Cortellucci family's significant economic and social contributions to the City of Vaughan, particularly their involvement in the development of the Vaughan Metropolitan Centre and their philanthropic efforts in the community. A copy of the application is appended as Attachment 2.

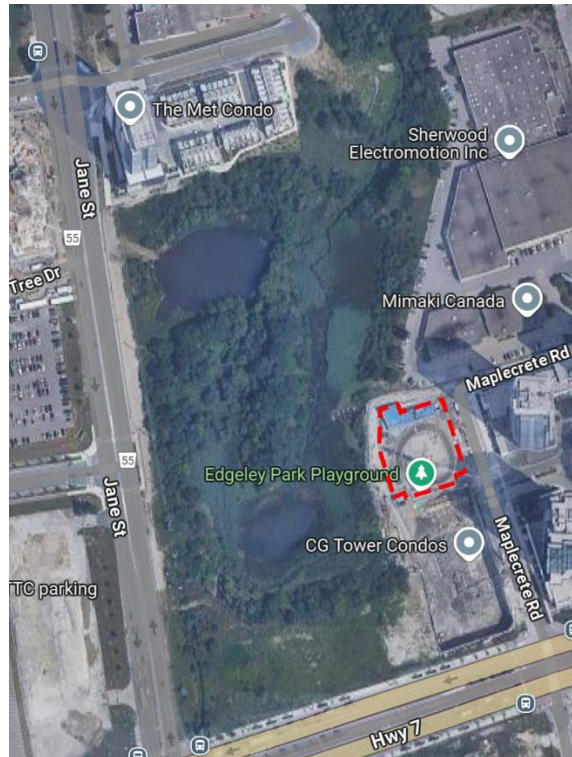
Previous Reports/Authority

Not applicable.

Analysis and Options

The Office of the City Clerk received an application for the proposed renaming of Edgeley Park to Cortellucci Square.

The City Clerk convened a meeting of relevant staff to review the application and once staff determined that all application requirements were met, the application was forwarded to Council for consideration. A copy of the application is appended as Attachment 2. To align to the City's park naming convention, it is recommended that the first phase of Edgeley Park located within the Expo City Development be renamed Cortellucci Square, which has been endorsed by the Cortellucci family. The diagram below depicts the boundaries.



The naming request meets criteria identified in City Policy No. TPF-006 Naming City Parks, Open Spaces, Community Facilities and Other Municipal Buildings and Properties.

The proposed naming request is consistent with City policy, specifically Section 3.3. Criteria and Guidelines for Names Honouring Individuals or Groups:

- 3.3.1 where there has been a significant contribution to the quality of life, well-being of the City of Vaughan, to memorialize or otherwise recognize substantial donations and significant donors, and/or individuals designated by donors and is consistent with Vaughan Vision 20/20; or
- 3.3.4 where there is a major contribution made to the acquisition, development, or conveyance of land and/or building, in question or its subsequent development.

Financial Impact

Not applicable.

Operational Impact

Not applicable.

Broader Regional Impacts/Considerations

Not applicable.

Conclusion

The proposed request to rename the first phase of Edgeley Park to Cortellucci Square abides by the City's Policy No. TPF – 006 Naming City Parks, Open Spaces, Community Facilities and Other Municipal Building and Properties and does not conflict with other existing park names, and accordingly, staff have no objection to the proposed park naming to Cortellucci Square.

For more information, please contact: Shanon Kalra-Ramjoo, Director, Parks, Forestry and Horticulture Operations, ext. 6308

Attachments

1. Policy No. TPF – 006 Naming City Parks, Open Spaces, Community Facilities and Other Municipal Building and Properties, June 8, 2010
2. Application for Parks Naming Submitted by Pietro Cortellucci

Prepared by

Shanon Kalra-Ramjoo, Director, Parks, Forestry and Horticulture Operations, ext. 6308
Jamie Bronsema, Director, Parks Infrastructure Planning and Development, ext. 8858
Christina Bruce, Director, Policy Planning and Special Programs, ext. 8231
Raphael Costa, Director, Economic Development, ext. 8891

CITY OF VAUGHAN POLICY MANUAL

Policy No:	TPF – 006
Department:	TRANSPORTATION SERVICES & ROADS, PARKS AND FORESTRY OPERATIONS
Subject:	NAMING CITY PARKS, OPEN SPACES, COMMUNITY FACILITIES AND OTHER MUNICIPAL BUILDINGS AND PROPERTIES

POLICY FOR NAMING CITY PARKS, OPEN SPACES, COMMUNITY FACILITIES AND OTHER MUNICIPAL BUILDINGS OR PROPERTIES

1.0 Intent of Policy

- 1.1 To provide a policy and guidelines for naming City parks, open spaces, community facilities and other municipal buildings or properties.
- 1.2 To retain a measure of flexibility in the naming policy recognizing the role names play in educating the public, promoting a particular facility, and minimizing conflicting names for emergency services.
- 1.3 This policy does not apply to naming of streets unless there is a formal request to name a street in honour of individuals or groups, in which case, this policy shall apply.

2.0 Name Destination Associated with Functional Use Geographic Location or Historical Significance

- 2.1 Staff may assign a name based on the adjacent street, functional use, geographic feature, community name or historic significance. Examples include:

Worth Park	- Adjacent to Worth Avenue
Thomhill Park	- Community
Glen Shields Park	- Neighbourhood
West Vaughan Community Centre	- Geographic
Joint Operations Centre	- Function
Ansley Grove Woodlot	- Adjacent to Ansley Grove Road/Functional
Benjamin Vaughan Complex	- Historic Significance

- 2.2 Chosen names within this designation shall be assigned at such time as deemed appropriate by Staff and may remain unchanged until a formal request for a name change has been approved by Council.
- 2.3 The chosen name shall not conflict with similar names in whole or in part. For example if a park is named Oak Park no other similar name shall be used such as Red Oak Park.

Council Approval:	2010/06/08	Amended:	N/A
Report No/Item:	26/38	Report No/Item:	N/A
Cross Reference:	Old Policy No. 04.3.11		

Policy No:	TPF – 006
Department:	TRANSPORTATION SERVICES & ROADS, PARKS AND FORESTRY OPERATIONS
Subject:	NAMING CITY PARKS, OPEN SPACES, COMMUNITY FACILITIES AND OTHER MUNICIPAL BUILDINGS AND PROPERTIES

2.4 Generally chosen names shall reflect the adjacent street name. For example: Tori Park – majority street frontage on Tori Street. This is to ensure continuity and minimize conflicts for emergency services.

2.5 Every effort shall be made to avoid conflicts with neighbouring municipalities, especially where streets cross municipal boundaries. Avoid using the same name which may already exist in a neighbouring municipality, for example, Yonge Street Parkette, Vaughan, Yonge Street Parkette, Markham.

3.0 **Name Designation in Honour of Individuals or Groups**

3.1 This section shall apply to any request to name or rename a public park, open space, community facility, or any other municipal building or property in honour of individuals or groups.

3.2 Council shall consider all names in honour of individuals or groups. Any request to name, designate or change a name in honour of individuals or groups shall be submitted to the Clerks Department of the City of Vaughan, in writing, with supporting explanation or justification. Council approval is required.

3.3 Criteria/Guidelines for Names Honouring Individuals or Groups

Names for consideration shall be those of distinguished persons, organizations, corporations, foundations or the families:

- .1 where there has been a significant contribution to the quality of life, well-being of the City of Vaughan, to memorialize or otherwise recognize substantial donations and significant donors, and/or individuals designated by donors and is consistent with Vaughan Vision 20/20; or,
- .2 where there is a strong historical or cultural connection to the City and has made a significant contribution to the historical or cultural preservation of the City; or,
- .3 where there is a significant contribution (other than monetary) toward the environmental preservation, conservation or enhancement of the City consistent with Vaughan Vision 20/20 and / or Green Directions Vaughan; or,

Council Approval:	2010/06/08	Amended:	N/A
Report No/Item:	26/38	Report No/Item:	N/A
Cross Reference:	Old Policy No. 04.3.11		

Policy No:	TPF – 006
Department:	TRANSPORTATION SERVICES & ROADS, PARKS AND FORESTRY OPERATIONS
Subject:	NAMING CITY PARKS, OPEN SPACES, COMMUNITY FACILITIES AND OTHER MUNICIPAL BUILDINGS AND PROPERTIES

.4 where there is a major contribution made to the acquisition, development or conveyance of land and/or building, in question and/or its subsequent development; or,

.5 where there is a direct relationship or association that exists between the place or former place of residence of the person or group and the facility/park/street to be named.

3.4 Naming in honour of City administrative officials, staff or elected or appointed public official shall normally occur only after the City employment or public service has concluded.

3.5 Where the name of an individual is so used, approval shall be obtained from the individual or the next of kin for such naming. A formal request may include a reference letter or letter or recommendation from a distinguished person.

3.6 Notwithstanding the above, Council, by resolution, may approve a name or name change, in honour of individuals or groups when circumstances justify such action. Council may also remove the original name designation when circumstances justify such action.

4.0 Names Derived from Contests or Solicited from the Community

4.1 Council may direct staff to derive names from either contests or staff may establish an ad hoc community group/task force, including staff, to solicit and recommend names.

4.2 With each contest or ad hoc community group task force, Staff shall make recommendation with respect to:

- .1 terms of reference;
- .2 timing;
- .3 membership;
- .4 scope of committee;
- .5 rules and judging for contests.

5.0 Names of Provincial National or International Significance

5.1 Council may approve a name or name change in honour of individuals or group who have made an outstanding contribution to Ontario, Canada or Internationally.

5.2 In such circumstances, and prior to approving the use of any name of individuals or group,

Council Approval:	2010/06/08	Amended:	N/A
Report No/Item:	26/38	Report No/Item:	N/A
Cross Reference:	Old Policy No. 04.3.11		

Policy No:	TPF – 006
Department:	TRANSPORTATION SERVICES & ROADS, PARKS AND FORESTRY OPERATIONS
Subject:	NAMING CITY PARKS, OPEN SPACES, COMMUNITY FACILITIES AND OTHER MUNICIPAL BUILDINGS AND PROPERTIES

staff shall investigate any protocol and/or requirements of any provincial, national or international agency or organization.

6.0 Inventory of Names

- 6.1 The Commissioner of Community Services or the Commissioner's designate shall be responsible for maintaining an inventory of names for parks, open spaces, community facilities, historic houses and municipal buildings.

7.0 Procedures

- 7.1 Procedures for submitting a name designation in honour of an individual or group is outlined in Appendix A, as amended from time to time.

8.0 Signage

- 8.1 The City will be responsible for coordinating the public presentation of signage to acknowledge the name or rename designation. Costs of signage associated with naming, renaming or adopting of a public park, street, facility, building, or property as outlined in this policy will generally be the responsibility of the applicant. Council, dependent on the circumstance, may approve funds associated with the naming or renaming proposal.
- 8.2 The City will have final approval for the selection and location of any signage, including signage text.
- 8.3 The addition of flowers, plant material and other landscaping materials near the signage is encouraged but shall not interfere with visibility. Plans are to be approved by Parks Operations & Forestry Department.
- 8.4 The responsibility of ongoing maintenance for signage will be determined through agreement between the applicant and the City.

Council Approval: 2010/06/08
Report No/Item: 26/38
Cross Reference: Old Policy No. 04.3.11

Amended: N/A
Report No/Item: N/A

Policy No:	TPF – 006
Department:	TRANSPORTATION SERVICES & ROADS, PARKS AND FORESTRY OPERATIONS
Subject:	NAMING CITY PARKS, OPEN SPACES, COMMUNITY FACILITIES AND OTHER MUNICIPAL BUILDINGS AND PROPERTIES

APPENDIX "A"

POLICY FOR NAMING CITY PARKS, OPEN SPACES, COMMUNITY FACILITIES AND OTHER MUNICIPAL BUILDINGS OR PROPERTIES

PROCEDURES FOR NAME DESIGNATION IN HONOUR OF INDIVIDUALS OR GROUPS

- A. 1 An individual or group wishing to submit a request for a name in honour of an individual or group must provide a written proposal to the Clerk's Department of the City of Vaughan, which contain the following minimum information:

- .1 name of the applicant; and,
- .2 identification of the park, street, facility, building or property proposed to be named; and,
- .3 proposed name; and,
- .4 background information which details the accomplishment and/or significant contribution to the City of Vaughan supporting the name designation, (refer to section 3.3); and,
- .5 letter of approval from the individual or the next of kin for using such naming.

Proposals are encouraged to include letters of endorsement supporting the application.

- A.2 The Clerk's Department shall distribute the request to the Mayor and members of Council, City Manager, Commissioner of Community Services and the Director of Legal Services for information.
- A.3 The Clerk's Department shall convene a meeting of staff, as appropriate, to review the request. Staff, in evaluating the request, shall use the criteria outlined in Section 3 and forward a report for Council's consideration.
- A.4 Staff from the following departments shall be involved in reviewing all requests and shall from time to time review this policy.
- .1 Clerks

Council Approval: 2010/06/08
 Report No/Item: 26/38
 Cross Reference: Old Policy No. 04.3.11

Amended: N/A
 Report No/Item: N/A

Policy No:	TPF – 006
Department:	TRANSPORTATION SERVICES & ROADS, PARKS AND FORESTRY OPERATIONS
Subject:	NAMING CITY PARKS, OPEN SPACES, COMMUNITY FACILITIES AND OTHER MUNICIPAL BUILDINGS AND PROPERTIES

- .2 Parks Development
- .3 Parks Operations
- .4 Recreation and Culture
- .5 Buildings and Facilities

- A.5 If a name or rename request is directly associated or on land donated to the City, the original donor or family will be advised when possible.
- A.6 If a name or rename request is submitted, staff shall conduct a historical review of the current name prior to recommending approval.
- A.7 Staff shall review all proposals for signage text, type and location.

Council Approval:	2010/06/08	Amended:	N/A
Report No/Item:	26/38	Report No/Item:	N/A
Cross Reference:	Old Policy No. 04.3.11		

Edgeley Park Name Designation in Honour of Individuals or Groups

Applicant

Name: Pietro Cortellucci
 Address: 2800 HWY 7 Vaughan, ON L4K 1W8
 Phone: 9056950800
 Email: peter.cortellucci@cortelgroup.com

Identification of the Proposed Naming Location

I am proposing to name the following location in honour of the Cortellucci Family:
 Location: Edgeley Park, 300 Maplecrete Road Street

Proposed Name

Proposed Name: **Cortellucci Park**

Background Information

The Cortellucci Family has played a pivotal role in the development and transformation of the City of Vaughan and most recently the Vaughan Metropolitan Centre (VMC), Vaughan's most ambitious project to date. Their commitment and vision have been instrumental in shaping the VMC into a thriving urban center.

Significant Contributions:

Pioneering Development in VMC:

The Cortellucci Family was the first to commit to developing urban form mixed use residential in the VMC area, setting a precedent for future developments and inspiring confidence in the potential of the VMC.

Expo City Project:

The launch of Expo City project marked a significant milestone for the VMC. This project served as the catalyst for the growth and development that the VMC is now experiencing. Expo City includes a series of residential and commercial buildings, providing a blend of living spaces, retail outlets, and office spaces that contribute to a vibrant community. It is also home to the first university to call the City of Vaughan home, Niagara University.

Catalyst for Growth:

The success of the Expo City project has attracted other developers and businesses to the VMC, further accelerating the area's growth and establishing it as a key urban hub in Vaughan. The Cortellucci Family's vision and dedication have significantly contributed to the economic and social vitality of the VMC, making it a sought-after destination for residents, businesses, and visitors.

CG Tower:

VMC's signature building, CG Tower, stands as a testament to the Cortellucci Family's innovative and ambitious spirit. The progressive step-backs of the form and distinctive brick cladding create a unique and eye-catching expression, distinguishing CG Tower from other developments. Using made in Vaughan solutions, the CG Tower will act as a landmark, identifying the VMC skyline and symbolizing the transformative impact of the Cortellucci Family.

Impact on the Community:

Economic Development:

The development efforts by the Cortellucci Family have created numerous job opportunities and stimulated economic growth within the VMC and the broader Vaughan community.

Urban Transformation:

Their projects have introduced modern infrastructure, innovative architectural designs, and sustainable development practices, transforming the VMC into a model urban center.

Community Building:

The Cortellucci Family's developments have fostered a sense of community by providing public spaces, recreational facilities, places of learning, and amenities that enhance the quality of life for residents and visitors.

Additional Accomplishments/Contributions:

Community Building:

Beyond physical development, the Cortellucci Family has fostered a strong sense of community within the VMC. Their projects have included public spaces, recreational facilities, and amenities that enhance the quality of life for residents and visitors. By creating welcoming and inclusive spaces, they have helped build a sense of belonging and community spirit in the VMC.

Cortellucci Vaughan Hospital:

The Cortellucci Family's philanthropic efforts are evident through their significant contributions to the Cortellucci Vaughan Hospital. This state-of-the-art healthcare facility provides critical medical services to the Vaughan community and beyond, enhancing the overall well-being of residents.

Mario and Nick Cortellucci Hospice:

The establishment of the Mario and Nick Cortellucci Hospice reflects the Cortellucci commitment to compassionate care. This hospice provides essential end-of-life care and support to patients and their families, demonstrating the group's dedication to community well-being.

Cortel Group VMC YMCA Fitness Area:

The Cortellucci support for the VMC YMCA Fitness Area has provided residents with access to fitness and recreational facilities, promoting healthy and active lifestyles. This contribution underscores their commitment to enhancing the quality of life in the VMC.

Significant Contribution to Niagara University in Ontario, Vaughan's first University:

The Cortellucci Family has extended its philanthropic efforts to education by making a significant contribution to Niagara University in Ontario. This support has assisted the university in bringing its campus to the VMC. Their investment in education underscores their commitment to fostering future generations of leaders and professionals.

Conclusion

In recognition of the Cortellucci Family's pioneering efforts and significant contributions to the development of the VMC, it is proposed that the park located within the Expo City development be named **Cortellucci Park**. This name designation will honour their role in shaping the VMC and acknowledge their lasting impact on the City of Vaughan.

By naming the park **Cortellucci Park**, we celebrate and honour the visionary leadership and contributions of the Cortellucci Family, ensuring their legacy is remembered and acts to inspire future generations.

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): 5

**TITLE: GLEN SHIELDS JUVENTUS TRAINING CENTRE FACILITIES
UPDATE OCTOBER 2024**

FROM:

Zoran Postic, City Manager

Michael Coroneos, Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer

Vince Musacchio, Deputy City Manager, Infrastructure Development

Haiqing Xu, Deputy City Manager, Planning and Growth Management

Gus Michaels, Deputy City Manager, Community Services

Shanon Kalra-Ramjoo, Acting Deputy City Manager, Public Works

ACTION: DECISION

Purpose

To provide an update on discussions for the proposed development of soccer training centre facilities at Concord Thornhill Regional Park (CTRP) and to seek approval for staff to continue discussions and negotiations with Glen Shields Football Club and Juventus Academy Toronto (GSFC-JAT) in line with Scenario 3, detailed below.

Report Highlights

- In September 2024 Council authorized staff to continue discussions and negotiations for the proposed development of facilities at CTRP.
- Proposed facilities would support the training needs and program growth of GSFC-JAT as well as provide for community uses.
- GSFC-JAT's proposal, at a high level, would see a third-party commercial entity constructing permanent and semi-permanent structures on City-owned lands that would include turf soccer fields, a soccer bubble, a permanent soccer training facility with stadium field, indoor training, restaurant facilities, sports medicine clinic, and private school uses; the proposed padel courts have been removed from the proposal at this time.

Report Highlights continued

- Three (3) potential scenarios were explored with GSFC-JAT including project development as a Private Facility, Hybrid Public-Private Facility, or as a Public-Private Partnership.
- Staff are seeking Council's direction to continue exploring this project in line with Scenario 3 as outlined in this report.

Recommendations

1. THAT staff be authorized to continue discussions and negotiate agreement terms with Glen Shields Football Club and Juventus Academy Toronto (GSFC-JAT), or a separate, non-arm's length entity on behalf of GSFC-JAT, in line with the proposal outlined as Scenario 3 in this report, and report back as negotiations proceed.

Background

In September 2024 Council authorized staff to continue discussions and negotiations for the proposed design, build, operation, and maintenance of a major soccer training facility and supporting facilities at CTRP and directed Staff to report back with an update in the October meeting cycle.

The project vision presented by GSFC-JAT involves development of a major training centre, parking, stadium field, additional turf fields, and supporting amenities including possible medical centre, educational facilities, and restaurant uses within the same building at CTRP. The padel courts have been removed from the proposal at this time in an effort to reduce overall project costs. Proposed facilities are intended to provide year-round programming and to be the home for the Glen Shields Juventus Football Club and Juventus Academy Toronto (GSFC-JAT) along with community uses.

GSFC-JAT and/or partners are proposing to fully fund the design, construction, operation, and maintenance of the proposed facilities, representing a capital investment of approximately \$25M-\$30M, with the City to provide approximately 3.8 Ha (9.4 acres) of land at CTRP. The training centre would provide high-performance athlete training space and league play, host facilities for tournaments and visiting international teams, and shared-use facilities for the local community.

The project is identified to be completed in three (3) phases:

- Phase 1 – domed artificial turf field (completed for the 2025/2026 season)
- Phase 2 – new FIFA approved grass or artificial turf field (completion in 2026)
- Phase 3 – training centre, parking, stadium field, etc. (completion in 2026+)

The original time pressure to have facilities in place as possible training grounds for the 2026 FIFA World Cup is no longer a factor in the project schedule, however, urgency remains to have agreement(s) in place to allow GSFC-JAT the ability to start construction and complete Phase 1 works ahead of the 2025/2026 winter season.

Previous Reports/Authority

[Glen Shields Juventus Training Centre Facilities at Concord Thornhill Regional Park](#)

Item 12, Report No. 30 of the Committee of the Whole (2), September 17, 2024

[Giovinco Training Centre Presentation](#), Communication C5 Committee of the Whole (1) June 4, 2024

[Council Meeting Minutes Extract](#), Item 17, Report No. 22 of the Committee of the Whole which was adopted without amendment by Council June 25, 2024

Analysis and Options

Three (3) scenarios have been explored during the most recent discussions between staff and GSFC-JAT, as further detailed below.

Scenario 1. Private Facility

This scenario would involve GSFC-JAT leasing land from the City at market rate to fully design, construct, operate, and maintain the proposed facilities for predominantly private club use for Glen Shields Juventus and Juventus Academy Toronto. The City would have access to non-prime time hours for community use, with prime time hours for community use to be provided at the discretion of GSFC-JAT or their facility operator.

Key considerations of this scenario include:

- 100% GSFC-JAT control of facilities including existing soccer fields
- Lease rate based on market assessment for entire site (building and fields)
- Revenue sharing for facility usage, compensation for lost City field permit revenue, lost investment/opportunity costs, sponsorship and naming rights
- Reserve fund contributions for asset lifecycle repairs and replacement
- Development Charges and property tax considerations for the entire leased area and proposed uses
- City loss of 2 premium lit grass fields and 1 lit artificial turf field with limited community use of facilities

To support the City's analysis of Scenario 1, staff commissioned D. Bottero & Associates Limited to complete a Fair Market Annual Rental Rate Report, for negotiation purposes. The report estimated the Fair Market Annual Rent for the Subject Property as of September 13, 2024 at \$1,400,000 for 9.40 acres of land on a net basis. The report also recommended the annual rental rate be linked to fluctuations in the

Consumer Price Index (CPI). Should the Lease Area increase or decrease in size the value would be adjusted accordingly.

Scenario 1 was deemed not viable to staff based on impact to community use of facilities and not affordable to GSFC-JAT because of the DC and property tax requirements.

Scenario 2. Hybrid Public-Private Facility

This scenario would involve the City investing, constructing, operating, and maintaining soccer field improvements (i.e. conversion of grass fields to artificial turf) and GSFC-JAT investing, constructing, operating, and maintaining the training centre facilities and dome. The City would retain and expand field permitting hours for community use and GSFC-JAT would operate the club facilities and supporting amenities aligned with their vision.

Key considerations of this scenario include:

- Separate controls for facility components with the City responsible for the soccer fields and GSFC-JAT responsible for training facilities and dome
- Lease rate based on market assessment for partial site (building only)
- Reserve fund contributions for asset lifecycle repairs and replacement (building only)
- Development Charges and property tax considerations for the partial leased area and proposed uses
- Net increase in City permissible prime time hours for community use

While Scenario 2 would result in reduced third-party capital investment, it was considered by GSFC-JAT as not likely to be affordable because of the DC and property tax requirements along with reduced revenue-generating opportunities to support their capital investment and operating requirements.

Scenario 3. Public-Private Partnership

This scenario would involve the City and GSFC-JAT partnering to develop the project as a public-private partnership. In this arrangement, the City would provide a portion of land at CTRP for use during the agreement term, with GSFC-JAT providing capital investment for all proposed facilities. The operating model for this scenario would need to be further discussed and details determined for Council's consideration.

Key considerations of this scenario include:

- Shared control of the facilities
- 100% capital investment through private funding
- Base lease arrangement
- Gross revenue sharing for all revenue generated at the facility

- Reserve fund contributions for asset lifecycle repairs and replacement
- Net increase in City permittable prime time hours for community use
- A commitment to continued partnership between Juventus Academy Toronto and Glen Shields FC

Through the discussion process staff identified the following community benefits that could result from development of proposed facilities at CTRP through partnership with GSFC-JAT:

- Assists in meeting ATMP provision target for soccer fields to 2031
- Net increase in permittable prime time hours for community use
- Cost avoidance of land acquisition needed to develop 1.5 ULE soccer fields at another location
- Allows City capital funding for soccer fields to be allocated to other projects
- Reduced operating costs by Parks Operations
- Supports economic development and sports tourism objectives
- Provides opportunities for community meeting space and other amenities
- Facility potential to support a professional sports team in Vaughan

Given the partnership, a Municipal Capital Facility (“MCF”) could be considered to provide relief from tax and DC obligations, should Council be of the opinion that an MCF is warranted.

Staff are seeking Council direction to continue discussions and negotiations to explore Scenario 3 in more detail.

Considering development of Parks and Recreation facilities and programs through partnerships is consistent with recommendations of the ATMP

The purpose of the ATMP is to identify current needs and future facility provision strategies consistent with the City’s commitment to providing safe, accessible, and community-responsive parks and facilities that appeal to a wide range of interests and abilities. Given that Vaughan is one of the fastest growing communities in Canada, it is critical to ensure that facility and service provisions keep pace with development. A key component of the ATMP implementation strategy is for the City to consider new and innovative levels of service and provision strategies, including promotion of appropriate community and public-private partnerships to leverage additional resources, expedite development, improve accessibility, and enhance maintenance and programming (2018 ATMP Recommendation #23).

Should Council support continuing with the exploration and negotiation process, staff will continue discussions with GSFC-JAT to further explore proposed terms, including the structure of any ownership entities, financial viability of the proposal, long term

community and financial impacts. Staff will identify the appropriate legal forms of agreement that will be needed to advance this project and mitigate risk to the City.

Financial Impact

Glen Shields Football Club and Juventus Academy Toronto have committed to fully funding the design, construction, operation and maintenance of the proposed facilities and request that the City provides them with, at minimum, priority access to the three existing soccer fields at the park.

The City aspires to negotiate an annual base lease amount, revenue sharing, and/or community use of facility benefits to the City or a combination of these to ensure adequate return on the City's investment. Staff recommend and have discussed with GSFC-JAT providing confirmation of financial backing to support the significant capital and operating costs associated with a building and facilities of this magnitude, and providing audited financial statements annually for the City's review.

Other financial considerations to be further explored include capital improvements related to the existing park assets and repayment of any incremental City costs that could reasonably be expected as a result of the proposed development.

Operational Impact

There are no immediate operational impacts associated with the recommendations of this report. Long-term operational impacts continue to be explored. GSFC-JAT have proposed to assume all responsibility within the perimeter of the leased area(s) and the City will continue to be responsible for operations and maintenance for the balance of park areas and facilities.

Broader Regional Impacts/Considerations

Completion of this project requires continued discussion and coordination with a variety of external agencies related to site servicing.

Conclusion

Through continued discussions between staff and GSFC-JAT a proposed Public-Private partnership development scenario may be possible. Staff are seeking Council approval to continue exploring Scenario 3 as outlined in this report.

For more information, please contact: Jamie Bronsema, Director, Parks Infrastructure Planning and Development, extension 8858

Attachments

N/A

Prepared by

Jamie Bronsema, Director, Parks Infrastructure Planning and Development ext. 8858

Anna Dara, Director, Recreation Services, ext. 8028

Blaze Co, Recreation Manager, Client Services, ext. 8964

Louise Vrebosch, Deputy City Solicitor, Legal Services, ext. 8969

Elizabeth Agbi, Legal Counsel, ext. 8385

Michael Marchetti, Director Financial Planning & Development Finance/Deputy City Treasurer, ext. 8271

Mike Menary, Project Leader, Partnerships & Infrastructure Financing, ext. 8186

Nelson Pereira, Manager, Development Finance, ext. 8393

Raphael Costa, Director, Economic Development, ext. 8891

Don De Los Santos, Senior Manager, Economic Services, ext. 8874

Julie Flesch, Manager, Strategic Economic Initiatives, ext. 8893

Cristina Prinzo, Program Manager, Municipal Partnerships & Corporate Initiatives, ext. 8187

Christina Bruce, Director, Policy Planning & Special Programs, ext. 8231

Paul Salerno, Director, Real Estate, ext. 8473

Dino Macchiusi, Senior Manager, Real Estate, ext. 8489

Shanon Kalra-Ramjoo, Director, Parks, Forestry & Horticulture Operations, ext. 6308

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): ALL

TITLE: 2025 SCHEDULE OF MEETINGS

FROM:

Wendy Law, Deputy City Manager, Legal and Administrative Services & City Solicitor

ACTION: DECISION

Purpose

To seek Council's approval of the 2025 Schedule of Meetings for the City of Vaughan's Council, Committee of the Whole and Standing Committees. Upon adoption, meetings will be posted on the City's website and will be the primary means of advising the public of the times and dates of meetings.

Report Highlights

- This report is to seek approval for the Council, Committee of the Whole and Standing Committee meeting schedule for 2025.
- Monthly meetings have been structured on a four-week cycle, with some variations occurring due to scheduling conflicts.

Recommendations

1. That the 2025 Schedule of Meetings be adopted in accordance with the calendar as set out in Attachment 1; and
2. That the City Clerk be authorized to amend the schedule by changing the time and/or date of a scheduled meeting or cancelling meetings that are not required, subject to posting such amendments on the City's website in accordance with the Procedure By-law.

Background

The 2025 Schedule of Meetings has been structured based on a monthly four-week cycle, in which there is a week between Committee of the Whole (2) and Council meetings. This allows time to process any further requests from Committee of the Whole to Council and processing of By-Laws. It takes into consideration statutory holidays, significant faith days and Regional Council and Committee meetings. The schedule has been prepared with a dual Committee of the Whole meeting structure which was approved by Council in June 2019 and in accordance with the Procedure By-law 7-2011, as amended.

Previous Reports/Authority

N/A

Analysis and Options

Council and Committee of the Whole meetings have been scheduled with every effort being made to avoid meetings on significant faith and cultural days, which Council and staff have been made aware of. The following Conferences have also been considered in preparing the schedule:

- The Federation of Canadian Municipalities (FCM) Conference scheduled from May 28-June 1, 2025;
- The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) Conference scheduled from June 8-11, 2025; and
- The Association of Municipalities of Ontario (AMO) Conference scheduled from August 17-20, 2025.

Council and Committee of the Whole meetings have not been scheduled in July and August.

The 2026 Budget meetings are usually scheduled in November and December, which will be confirmed closer to the meeting dates.

Special Council (Closed Session) Education Sessions have been scheduled quarterly, based on an “if required” basis and a start time of 9:30 am.

In addition, the Audit Committee meetings have been added to the calendar, this will ensure no conflicts in scheduling. The Audit Committee meetings take place every other month, excluding July and August.

Deviations to the Schedule

Some deviations have been made to the structure of the schedule to accommodate statutory holidays and significant faith days.

Some of the significant changes are noted below:

January	Due to statutory holidays, the January meeting cycle starts on the fourth week of the month to allow time for the production and preparation of agenda materials.
March	To accommodate the March Break, there are no meetings scheduled the week of March 10-14, 2025. Committee of the Whole (2) and Committee of the Whole (Closed Session) have been scheduled on the third week of the month with Council scheduled the following week.
April	Due to significant religious holidays, Council is scheduled on Wednesday to allow time for preparation of any meeting material received.
June	To accommodate the AMCTO Conference and significant religious holidays, Committee of the Whole (1) and Committee of the Whole (Public Meeting) have been scheduled on the Wednesday. Committee of the Whole (Working Session) has been scheduling on the third Wednesday and Committee of the Whole (2) and Committee of the Whole (Closed Session) have been scheduled on the third week of the month with Council scheduled the following week.
September	Due to a statutory holiday and religious holidays, the September meeting cycle starts on the second week of the month. Committee of the Whole (Working Session) has been scheduled to the third week and Council has been scheduled on Monday with a start time of 9:30 am.
October	Due to significant religious holidays, the October cycle of meeting starts the last week of September with Committee of the Whole (1) and Committee of the Whole (Public Meeting) scheduled the last Tuesday of September and Committee of the Whole (Working Session) on the Wednesday. Committee of the Whole (2) and Committee of the Whole (Closed Session) have been scheduled on the third week of the month with Council scheduled the following week.
December	Due to statutory holidays, Council is scheduled the week immediately following Committee of the Whole (2).

Financial Impact

There is no financial impact related to the approval of the recommendations in this report.

Operational Impact

No operational impact is expected.

Broader Regional Impacts/Considerations

The Regional 2025 Council and Committee Meeting Calendar was adopted at the September 19, 2024 Regional Council meeting and has been amalgamated into the City's meeting calendar.

The 2025 Committee and Council meeting schedule is provided for adoption. It has been prepared in accordance with the Council-adopted committee structure, the Procedure By-law, statutory holidays and significant faith days.

For more information, please contact: Todd Coles, City Clerk, Extension 8281.

Attachment

1. 2025 Schedule of Meetings Calendar

Prepared by

Adelina Bellisario, Legislative Specialist, ext. 8698

January 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 New Year's Day	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16 9:00 Committee of the Whole	17	18
19	20	21 1:00 pm – CW (1) 5:00 pm – CW (CS) 7:00 pm – CW (PM)	22 1:00 pm – CW (WS) 4:00 Agriculture & Agri-Food Advi. Committee	23 9:00 Housing York Inc. Board	24	25
26	27 10:00 am – Audit Committee	28 1:00 pm – Council	29 Chinese New Year	30 9:00 Regional Council 11:00 YR Rapid Transit Corporation 1:00 Audit Committee	31	

➤ * Jewish holidays begin at sundown of the previous day, unless otherwise indicated.
➤ Indicate York Region Meetings

February 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 1:00 pm – CW (1) 7:00 pm – CW (PM)	5 1:00 pm – CW (WS)	6	7	8
9	10	11 1:00 pm – CW (2) 5:00 pm – CW (CS)	12	13 9:00 Committee of the Whole	14	15
16	17 Family Day	18	19	20 9:00 YTN Telecom Network Inc. ((Private Mgt.))	21	22
23	24	25 9:30 am – Sp. Council (Closed Session) Education Session (if required) 1:00 pm – Council	26 4:00 Accessibility Advisory Committee	27 9:00 Regional Council 11:00 YR Rapid Transit Corporation	28	

➤ * Jewish holidays begin at sundown of the previous day, unless otherwise indicated.
➤ Indicate York Region Meetings

March 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 1:00 pm – CW (1) 7:00 pm – CW (PM)	5 1:00 pm – CW (WS)	6 9:00 Committee of the Whole	7	8
9 Daylight Saving Time (Spring Forward)	10 March Break	11 March Break	12 March Break	13 March Break	14 March Break * Purim	15
16	17	18 1:00 pm – CW (2) 5:00 pm – CW (CS)	19 4:00 Agriculture & Agri-Food Advi. Committee	20	21	22
23	24	25 1:00 pm – Council	26	27 9:00 Regional Council 11:00 YR Rapid Transit Corporation	28	29
30	31 10:00 am – Audit Committee					

➤ * Jewish holidays begin at sundown of the previous day, unless otherwise indicated.
➤ Indicate York Region Meetings

April 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 1:00 pm – CW (1) 7:00 pm – CW (PM)	2 1:00 pm – CW (WS)	3	4	5
6	7	8 1:00 pm – CW (2) 5:00 pm – CW (CS)	9	10 9:00 Committee of the Whole	11	12
13 *First Day of Passover	14	15	16	17 9:00 YTN Telecom Network Inc. ((Private Mgt.))	18 Good Friday	19
20 Easter Last Day of Passover	21 Easter Monday	22	23 1:00 pm – Council 4:00 Accessibility Advisory Committee	24 9:00 Regional Council 11:00 YR Rapid Transit Corporation	25	26
27	28	29	30			

➤ * Jewish holidays begin at sundown of the previous day, unless otherwise indicated.
➤ Indicate York Region Meetings

May 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6 1:00 pm – CW (1) 7:00 pm – CW (PM)	7 1:00 pm – CW (WS)	8 9:00 Committee of the Whole	9	10
11	12	13 1:00 pm – CW (2) 5:00 pm – CW (CS)	14 4:00 Agriculture & Agri-Food Advi. Committee	15 9:00 Housing York Inc. Board	16	17
18	19 Victoria Day	20	21	22 9:00 Regional Council 11:00 YR Rapid Transit Corporation	23	24
25	26 10:00 am – Audit Committee	27 9:30 am – Sp. Council (Closed Session) Education Session (if required) 1:00 pm – Council	28 FCM Conference	29 FCM Conference	30 FCM Conference	31 FCM Conference

➤ * Jewish holidays begin at sundown of the previous day, unless otherwise indicated.
➤ Indicate York Region Meetings

June 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 FCM Conference	2 *Shavuot	3 Shavuot	4 1:00 pm – CW (1) 7:00 pm – CW (PM)	5 9:00 Housing York Inc. Board 11:00 YTN Telecom Network Inc. ((Private Mgt.))	6	7
8 AMCTO Conference	9 AMCTO Conference	10 AMCTO Conference	11 AMCTO Conference	12 9:00 Committee of the Whole 1:00 Audit Committe	13	14
15	16	17 1:00 pm – CW (2) 5:00 pm – CW (CS)	18 1:00 pm – CW (WS) 4:00 Accessibility Advisory Committee	19	20	21
22	23	24 1:00 pm – Council	25	26 9:00 HYI, YRRTC, YTN Shareholder Meetings Regional Council (immediately following) 11:00 YR Rapid Transit Corporation	27	28
29	30					

➤ * Jewish holidays begin at sundown of the previous day, unless otherwise indicated.
➤ Indicate York Region Meetings

July 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 Canada Day	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

➤ * Jewish holidays begin at sundown of the previous day, unless otherwise indicated.
➤ Indicate York Region Meetings

August 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 Civic Holiday	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
AMO Conference	AMO Conference	AMO Conference	AMO Conference			
24	25	26	27	28	29	30
31						

➤ * Jewish holidays begin at sundown of the previous day, unless otherwise indicated.
➤ Indicate York Region Meetings

September 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 Labour Day	2	3	4	5	6
7	8	9 1:00 pm – CW (1) 7:00 pm – CW (PM)	10 4:00 Agriculture & Agri-Food Advi. Committee	11 9:00 Committee of the Whole	12	13
14	15	16 1:00 pm – CW (2) 5:00 pm – CW (CS)	17 9:30 am – Sp. Council (Closed Session) Education Session (if required) 1:00 pm – CW (WS)	18 9:00 Housing York Inc. Board 11:00 YTN Telecom Network Inc. ((Private Mgt.))	19	20
21	22 9:30 am – Council	23 *Rosh Hashana	24 4:00 Accessibility Advisory Committee *Rosh Hashana	25 9:00 Regional Council 11:00 YR Rapid Transit Corporation	26 9:00 Human Services Planning Board	27
28	29 10:00 am – Audit Committee	30 1:00 pm – CW (1) 7:00 pm – CW (PM)				

➤ * Jewish holidays begin at sundown of the previous day, unless otherwise indicated.
➤ Indicate York Region Meetings

October 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 9:30 am – CW (WS)	2 *Yom Kippur	3	4
5	6	7 *Sukkot	8 *Sukkot	9 9:00 Committee of the Whole	10	11
12	13 Thanksgiving	14 *Shemini Atzeret	15 *Shemini Atzeret	16 9:00 Housing York Inc. Board Simchat Torah	17	18
19	20	21 1:00 pm – CW (2) 5:00 pm – CW (CS)	22	23 9:00 Regional Council 11:00 YR Rapid Transit Corporation	24	25
26	27	28 1:00 pm – Council	29	30	31	

➤ * Jewish holidays begin at sundown of the previous day, unless otherwise indicated.
➤ Indicate York Region Meetings

November 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2 Daylight Saving Time (Fall Back)	3	4 1:00 pm – CW (1) 7:00 pm – CW (PM)	5 1:00 pm – CW (WS)	6 9:00 Committee of the Whole (1) (Budget)	7	8
9	10	11 Remembrance Day 1:00 pm – CW (2) 5:00 pm – CW (CS)	12 9:00 Committee of the Whole (2) (Budget)	13	14	15
16	17	18	19 4:00 Agriculture & Agri-Food Advi. Committee	20 9:00 Housing York Inc. Board 11:00 YTN Telecom Network Inc. ((Private Mgt.))	21	22
23	24 10:00 am – Audit Committee	25 9:30 am – Sp. Council (Closed Session) Education Session (if required) 1:00 pm – Council	26 4:00 Accessibility Advisory Committee	27 9:00 Regional Council 11:00 YR Rapid Transit Corporation	28	29
30						

➤ * Jewish holidays begin at sundown of the previous day, unless otherwise indicated.

➤ Indicate York Region Meetings

December 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2 1:00 pm – CW (1) 7:00 pm – CW (PM)	3 1:00 pm – CW (WS)	4 9:00 Committee of the Whole	5	6
7	8	9 1:00 pm – CW (2) 5:00 pm – CW (CS)	10 9:00 Regional Council 11:00 YR Rapid Transit Corporation	11	12	13
14	15 *First Day of Hanukkah	16 1:00 pm – Council	17	18	19	20
21	22 Last Day of Hanukkah	23	24 Christmas Eve	25 Christmas	26 Boxing Day	27
28	29	30	31			

➤ * Jewish holidays begin at sundown of the previous day, unless otherwise indicated.
➤ Indicate York Region Meetings

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): ALL

TITLE: JOINT INTERNET VOTING PROCUREMENT INITIATIVE

FROM:

Wendy Law, Deputy City Manager, Legal and Administrative Services & City Solicitor

ACTION: DECISION

Purpose

To request Council authorization to enter into an agreement with York Region municipalities for the purposes of a joint procurement initiative for an internet voting solution for the 2026 Municipal Election.

Report Highlights

- Council authorized the use of internet voting as an alternate voting method at its meeting of June 25, 2024.
- A joint procurement initiative for internet voting will procure a common solution for internet voting across the majority of York Region municipalities at an advantage price.

Recommendations

1. That the City Clerk / Returning Officer be authorized to enter into an agreement with York Region municipalities for the purposes of a joint procurement of an internet voting solution, in a form satisfactory to Legal Services.

Background

Elections Vaughan outlined the roadmap for the 2026 and 2030 Municipal Elections at the Committee of the Whole (Working Session) meeting of November 29, 2023, which included the future use of internet voting for municipal elections in Vaughan. A subsequent report on voter verification for internet voting was put to Committee of the Whole (2) on May 14, 2024. Council passed a by-law authorizing the use of internet

voting as an alternate voting method for municipal elections in the City of Vaughan at its June 25, 2024 meeting.

Preliminary discussions have been had with several other York Region municipalities who have expressed an interest in entering into a joint procurement initiative for the purposes of procuring an internet voting solution for the 2026 Municipal Election.

Previous Reports/Authority

[ELECTIONS VAUGHAN ROADMAP 2030, Committee of the Whole \(Working Session\) Report No. 50, Item 3, 12 December, 2023.](#)

[UPDATE ON INTERNET VOTING VERIFICATION, Committee of the Whole \(2\), Report No. 20, Item 13, 22 May, 2024.](#)

[BY-LAW 103-2024, A By-law to authorize the use of internet voting for municipal elections in the City of Vaughan.](#)

Analysis and Options

Elections Vaughan intends to leverage their experience and resources to lead a joint procurement initiative amongst a majority of York Region municipalities for the purposes of procuring an internet voting solution for the 2026 Municipal Election. This joint procurement initiative would make use of the shared experiences and knowledge of the participating municipalities and their staff to draft and issue a Request for Proposals (RFP), conduct a shared evaluation of bids, and secure a contract with advantageous pricing for all participants.

The procured solution would be deployed for the 2026 Municipal Election and participants would thereafter have the benefit of shared experiences deploying a common solution across much of York Region. The City of Vaughan's procurement policies and procedures will govern the joint procurement process. Upon vendor selection, individual municipal participants will be responsible for final negotiation of their respective contract between themselves and the successful proponent. Entering into an agreement provides clarity around roles and responsibilities for the various participating municipalities and provides for appropriate controls to manage risk.

Financial Impact

All costs associated with the conduct of a municipal election are funded from the Election Reserve. A joint procurement initiative will attempt to obtain more advantageous pricing for all participants.

Operational Impact

Procurement and Legal Services staff are providing support to the Office of the City Clerk to lead this initiative.

Broader Regional Impacts/Considerations

Participation by other York Region municipalities will result in a consistent deployment of an internet voting solution across the majority of the Region and provide favorable pricing for the procurement of such a solution by all participants. Opportunities to share best practices and materials during the deployment may also be possible between election administrators during the 2026 Municipal Election.

Conclusion

A joint procurement initiative for an internet voting solution will leverage the knowledge and expertise of a majority of York Region municipalities to procure technology for the 2026 Municipal Election negotiated at a favorable price for all participants. The City of Vaughan's procurement policies and procedures will govern the joint procurement, with each participating municipality being responsible for negotiating the final contract between the successful proponent and their respective municipality.

For more information, please contact: Evan Read, Manager, Election, Registration and Protocol Services, evan.read@vaughan.ca

Attachments

N/A

Prepared by

Evan Read, Manager, Election, Registration and Protocol Services, ext.8241

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): ALL

TITLE:TRANSPORTATION AND INFRASTRUCTURE ADVISORY
COMMITTEE - VACANCY

FROM:

Wendy Law, Deputy City Manager, Legal and Administrative Services & City Solicitor

ACTION: DECISION

Purpose

To inform Council of the vacancies created in the Transportation and Infrastructure Advisory Committee and seek direction with respect to filling the vacancies.

Report Highlights

- A member has resigned and another member has forfeited his membership on the Transportation and Infrastructure Advisory Committee.
- The Transportation and Infrastructure Advisory Committee recommends filling the vacancies by choosing from within the most recent pool of applicants.
- Direction is required with respect to filling the vacancies.

Recommendations

1. That the resignation of Ms. Tanya Nagayeva and the forfeiture of Mr. Andres Larios, be received;
2. That Council provide direction with respect to filling the vacancies.

Background

Transportation and Infrastructure Advisory Committee currently has three (3) vacancies. The first vacancy was due to a resignation. The Office of the City Clerk received an email from Tanya Nagayeva indicating her intention to resign from her Council-appointed position on the Transportation and Infrastructure Advisory Committee.

The second vacancy was due to attendance requirements. As per the Council-Appointed Advisory Committees Policy, the Office of the City Clerk monitors attendance at Committee meetings. As per Section 6, (Attendance), in part, the following applies:

6.2 If a member is absent from meetings of the Advisory Committee for two consecutive regularly scheduled meetings, the City Clerk or their designate shall contact and advise the member, in writing, that three absences may result in a forfeiture of their position on the Advisory Committee.

6.3 If the member does not attend the next regularly scheduled meeting after written notification from the City Clerk or their designate and no reasonable explanation is provided, the position will be deemed vacant by the City Clerk or their designate.

Mr. Andres Larios was notified and advised in accordance with the above. However, the Office of the City Clerk did not receive any response; therefore, his position on the Transportation and Infrastructure Advisory Committee has been forfeited and deemed vacant.

The third vacancy was a result of a resignation in October 2023 that Council decided not to fill at the time.

Upon discussions with the Chair, a report was brought forward to the September 18, 2024 Transportation and Infrastructure Committee meeting, at this meeting the following recommendations were put forward (Report 4, Item 2):

1. That the resignation of Ms. Tanya Nagayeva, be received;
2. That the vacancies created by the resignation and the forfeiture of Mr. Andres Larios, be filled from the initial list of applicants which was brought forward during the appointment to non-statutory Committees for the 2022-2026 Term of Office.

Previous Reports/Authority

[APPOINTMENTS TO NON-STATUTORY COMMITTEES FOR THE 2022-2026 TERM OF OFFICE \(Addendum No. 2, Council, June 20, 2023\)](#)

Analysis and Options

The Terms of Reference provides that a maximum of 12 members serve on the Advisory Committee. As a result of the vacancies, there are currently 9 members (2 members of Council and 7 public members) on the Advisory Committee.

Staff is proposing the following two options to fill the vacancies for the remainder of the Term of Council.

Option 1

Based on the Advisory Committee's recommendation, it is recommended:

1. That Council appoint members from the list of applicants from the recruitment conducted in May to June 2023 provided as Attachment 1; and
2. That the names of the appointees be made public upon Council ratification.

A list of former applicants and their applications are provided in Confidential Attachment 1 for Council's consideration. The Office of the City Clerk has contacted the former applicants and has confirmed that the list of applicants brought forward are still interested in being appointed to the Transportation and Infrastructure Advisory Committee.

Option 2

Alternatively, Council may direct the Office of the City Clerk to initiate the regular recruitment process to fill the vacancies, therefore it is recommended:

1. That staff initiate the standard recruitment process and report back with the applications received once the recruitment process is completed.

Financial Impact

No new funds are required as the operational expenses are covered within the Office of the City Clerk's budget.

Operational Impact

N/A

Broader Regional Impacts/Considerations

There are no Regional Impacts/Considerations associated with this report.

Conclusion

The City Clerk is requesting that Council provide direction with respect to the vacancies created by the resignation of Tanya Nagayeva and the forfeiture of Mr. Andres Larios on the Transportation & Infrastructure Advisory Committee.

For more information, please contact: Todd Coles, City Clerk, Extension 8281.

Attachments

1. Confidential - Transportation & Infrastructure Advisory Committee Application Package

Prepared by

Adelina Bellisario, Legislative Specialist, ext. 8698

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): ALL

**TITLE: VAUGHAN PUBLIC LIBRARY BOARD – MEMBER
RESIGNATION**

FROM:

Wendy Law, Deputy City Manager, Legal and Administrative Services & City Solicitor

ACTION: DECISION

Purpose

To inform Council of a vacancy on the Vaughan Public Library Board, due to the resignation of a trustee, and seek direction with respect to filling the vacancy.

Report Highlights

- Carol Herzog submitted her resignation, effective August 6, 2024, from her appointment as a Trustee of the Vaughan Public Library Board.
- The Vaughan Public Library Board recommend that Council not fill the vacancy.

Recommendations

1. That the resignation of Carol Herzog as a Trustee of the Vaughan Public Library Board, be received; and
2. That Council provide direction with respect to filling the vacancy.

Background

At its meeting of September 19, 2024, the Vaughan Public Library Board approved the following resolutions:

1. THAT the Board receive the resignation of Carol Herzog with many thanks for her service to the Vaughan Public Library Board; and

2. THAT the Board request that Council not fill the vacancy.

The Vaughan Public Library Board's purpose is to ensure the delivery of library services to people who live, work or study in Vaughan, as required by the Public Libraries Act. The Library Board provides guidance and oversight to the Vaughan Public Library Executive Management Team and plays a key role in their strategic direction.

The Vaughan Public Library Board trustees are appointed by Council. On February 22, 2023, Council approved appointment of twelve (12) members of the public and five (5) members of Council to the Vaughan Public Library Board. Any changes to its membership require Council approval. In May 2024, Council accepted the resignation of a trustee and did not fill that vacancy.

Previous Reports/Authority

[Appointments to Statutory Committees and Vaughan Public Library Board – 2022-2026](#)
(Committee of the Whole (Closed Session), Item 1, Report No. 10, February 22, 2023)

[Vaughan Public Library Board – Member Resignation](#)

(Committee of the Whole, Item 15, Report No. 20, May 22, 2024)

Analysis and Options

Carol Herzog submitted her resignation, effective August 6, 2024, from her appointment as a Trustee of the Vaughan Public Library Board for the 2022-2026 term.

The Vaughan Public Library Board has recommended that the vacancy not be filled.

Financial Impact

N/A

Operational Impact

N/A

Broader Regional Impacts/Considerations

N/A

Conclusion

Council direction with respect to the vacancy on the Vaughan Public Library Board is requested.

For more information, please contact: Todd Coles, City Clerk, ext. 8281.

Attachments

1. Letter to Council – Resignation of Board Trustee Carol Herzog

Prepared by

Assunta Ferrante, Legislative Specialist, ext. 8030

September 23, 2024

His Worship Mayor Steven Del Duca
and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mayor and Members of Council:

Re: Resignation of Library Board Trustee

This is to advise that Carol Herzog submitted her resignation effective August 6, 2024 from her appointed position as a Trustee of the Vaughan Public Library Board for the term 2023 – 2026.

At its meeting of September 19, 2024, the Vaughan Public Library Board approved the following resolutions:

MOTION:	THAT the Board receive the resignation of Carol Herzog with many thanks for her service to the Vaughan Public Library Board.
Moved BY:	M. Racco
SECONDED BY:	C. Ainsworth

MOTION:	THAT the Board request that Council not fill the vacancy.
Moved BY:	P. Pallante
SECONDED BY:	L. Pavese
MOTION CARRIED.	

Sincerely,



Margie Singleton
Chief Executive Officer
Vaughan Public Libraries

cc: Todd Coles, City Clerk, City of Vaughan

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): ALL

TITLE: FORMAL CODE OF CONDUCT COMPLAINT INVESTIGATION
REPORT #071624(1), 071624(2)

FROM:

Suzanne Craig, Integrity Commissioner and Lobbyist Registrar, Office of the Integrity Commissioner and Lobbyist Registrar

ACTION: DECISION

Purpose

Under Part B of the Complaint Protocol for the Vaughan Council Code of Ethical Conduct (the “Code”), following the investigation of a formal Code complaint, the Integrity Commissioner shall report her findings to Council.

Report Highlights

- This Report sets out the findings of 2 Complaints. The first Complaint that alleged that the Respondent’s conduct contravened Rules 10, 13, 15 of the Code of Conduct for Members of Council and Local Boards by:
 - making derogatory comments about a matter that was subject of litigation before the OLT knowing that the Respondent would be unable to respond;
 - commenting himself on the matter before the OLT, denigrating Council’s decision-making; and
 - making disparaging comments about a majority of Members of Council.
- The second Complaint alleged that the Respondent did not conduct himself with appropriate decorum in contravention of Rule 15 of the Code, when he:
 - removed the Complainant Member of Council from an email thread initiated by a resident, and making disparaging comments about the Complainant (and Council) without her knowledge and to ascribe a negative motive to the Complainant’s lack of action.

Report Highlights continued

While I did not consolidate the Complaints, I determined that due to the overlap between them, as well as the information contained in the Respondent's responses, I have set out my findings in a single report.

I find that the allegations of the Complaints have been sustained.

Recommendations

1. That Council issue a formal Reprimand to Local and Regional Councillor Mario G. Racco in relation to his actions in contravention of the Code set out in the findings in the Complaint Investigation Report; and
2. That Council suspend the remuneration paid to Local and Regional Councillor Mario G. Racco for a period of 10 days.

Background

The Complaints relate to a contentious development project at Langstaff Road and Highway 400. A developer made a planning application concerning 661 and 681 Chrislea Road to Vaughan Council. The matter was considered at a Council meeting on December 12, 2023.

The Complaint alleged that the Respondent made offensive statements in emails dated June 26 and July 5, including those which denigrated a Council decision.

The Complainant alleged in Complaint 2 that the Respondent removed her from an email thread inappropriately. She alleged that he did so to damage her reputation with the residents as she would continue to appear silent (i.e., not "for the people").

Previous Reports/Authority

N/A

Analysis and Options

As set out in the *Commentary* to Rule No. 13, a "Member must not denigrate a City by-law in responding to a citizen, as this undermines confidence in the City and the rule of law."¹ Municipal officials are free to vigorously debate and discuss matters of public interest, however, they must act reasonably and respectfully and satisfy themselves as to the truth of any allegations.

¹ Hogg & Wright at para 38:13. See also Conseil scolaire francophone de la Colombie-Britannique v British Columbia, 2020 SCC 13 at para 153.

The Respondent went beyond stating his position that he disagreed with a decision of Council. He referred to their “childish actions”. The Respondent’s “childish actions” comment is an allegation that Vaughan Council responded in a *childish* way to the Minister’s actions, through the council decision they made. This was not about the right of a Member of Council to dissent. Referring to Council’s actions as “childish” can only be reasonably viewed as disparaging of members and denigrating of Council’s decision.

The intentional removal of the Complainant from the email thread is inappropriate and does not evidence the Respondent behaving in an exemplary manner. By removing the Complainant from the thread and criticizing the lack of response from others on council (which includes the Complainant), the Respondent ensured that the Complainant could not respond.

Removing a fellow Council Member from an email thread is not an act of efficacy as suggested by the Respondent. A Member of Council may decide to remove staff or individuals or organizations external to the City of Vaughan. The Code does not preclude a Member from limiting to whom they will include in a response. However, when the email “to” line, includes 2 Members of Vaughan Council and when one Member (the Respondent in this case) removes the email address of the other from the email thread, and includes all others on the original email, this action is deliberate and not a function of email management efficacy and had the result of causing, the Councillor to not view the ongoing comments and questions of a resident of Vaughan and not provide her comments whether through email response or inviting the resident to a meeting or a discussion by phone.

Rule 15 of the Code requires that Members act with appropriate decorum. The Respondent failed to do so; his conduct was not exemplary. He manufactured a situation to prove his point – that other members of council are not helping the resident – when the resident had reached out to two members of council, including the Complainant. There is no adequate explanation for this conduct.

Financial Impact

N/A

Operational Impact

N/A

Broader Regional Impacts/Considerations

N/A

Conclusion

In deciding on a recommendation, I considered the purpose of an accountability regime and having Code of Conduct rules.

I determined that the actions of the Respondent warrant more than a reprimand but that the length of any suspension of pay should not be overly punitive but that a meaningful sanction was necessary to prevent repetition of the offence by the Respondent or others.

The Role of Council when receiving Integrity Commissioner Code of Conduct Reports

When the Integrity Commissioner submits to Council a Code of Conduct Complaint Investigation Report, Council:

- receives the Report which contains the Integrity Commissioner's findings and recommendations;
- may accept, vary or reject the Integrity Commissioner recommendation on sanctions, if any;
- may ask the Integrity Commissioner questions of clarification on her process. Questions seeking clarification go to the Integrity Commissioner. The Member subject of the Complaint is not investigated at Council;
- may not ask questions of the Member who has been investigated. The Integrity Commissioner is the third-party investigator and fact finder and the only person who may question the Member in the course of the investigation process. Once the Integrity Commissioner's Report is before Council, the investigation is complete and Members may not re-open the Integrity Commissioner's Investigation or attempt to fetter the fulfilment of her statutory role.

Section 223.6(2) of the *Municipal Act* sets out that:

Report about conduct

(2) If the Commissioner reports to the municipality or to a local board his or her opinion about whether a member of council or of the local board has contravened the applicable code of conduct, the Commissioner may disclose in the report such matters as in the Commissioner's opinion are necessary for the purposes of the report.

The Integrity Commissioner is the finder of fact and has statutory authority to manage Code complaints pursuant to provisions of the Complaint Protocol. The Code of Conduct regime set out in Part V.1 of the *Municipal Act* does not contemplate questioning of the Respondent by Council or further consideration of the underlying facts of the complaint after the Integrity Commissioner has made a report. Neither may the Respondent raise new issues or request a reconsideration by the Integrity Commissioner or Council or any matters relating to the investigation.

Exception to disqualifying pecuniary interest, consideration of penalty

Section 5 (2.1) of the *Municipal Conflict of Interest Act* (the “MCIA”) states that if a matter is under consideration at a meeting or a part of a meeting of Council to consider whether to suspend the remuneration paid to the member under [subsection 223.4 \(5\)](#) or [\(6\)](#) of the [Municipal Act, 2001](#):

1. Despite clauses (1) (b) and (c), ***the member may take part in the discussion of the matter, including making submissions to council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.*** (emphasis added)
2. Despite subsection (2), in the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration. [2017, c. 10](#), Sched. 3, s. 3.

The Respondent may attend and speak at the meeting (or submit a written statement). The Respondent is not permitted to vote on the matter.

For more information, please contact: Suzanne Craig, Integrity Commissioner and Lobbyist Registrar 905-832-2281 x8301.

Attachments

1. Formal Code of Conduct Complaint Investigation Report #071624(1), 071624(2)

Prepared by

Suzanne Craig, Integrity Commissioner and Lobbyist Registrar 905-832-2281 x8301

Formal Code of Conduct Complaint Investigation Report #071624 (1 and 2)

Summary

This report presents the findings of my investigation under the City of Vaughan Code of Ethical Conduct (the “Code”) relating to the conduct of Regional Councillor Mario G. Racco (the “Respondent”) in connection with 2 complaints (“Complaint #1, Complaint #2, together the “Complaints”). While I did not consolidate the Complaints, I determined that due to the overlap between them, as well as the information contained in the Respondent’s responses, I have set out my findings in a single report.

Complaint #1 alleges that the Respondent did not conduct himself with appropriate decorum in contravention of Rule 15 of the Code, when he responded by email on June 26 and July 5 to resident emails about a development project that was the subject of litigation before the Ontario Land Tribunal (“OLT”). The Respondent copied executives from ratepayer associations throughout the city, elected officials from all levels of government, and various media outlets. The Complainant alleged that in the email, the Respondent:

1. made derogatory comments about a matter that was subject of litigation before the OLT knowing that [Councillor Martow] would be unable to respond;
2. commented himself on the matter before the OLT, denigrating Council’s decision-making; and
3. made disparaging comments about a majority of Members of Council.

The Complainant alleged that the Respondent’s actions left her “with two unpalatable options regarding the email thread”):

- a. “Option 1: Follow the advice¹ by staying silent and not defend [her]position”;
- b. “Option 2: Go against the advice and request of our esteemed leadership team by responding to both the email chain and the insulting accusations in [the Respondent’s] public response.”

I find that the alleged conduct raised in Issues #1, #2 and #3 were borne out and constituted a violation of Rules 10, 13 and 15.

Complaint #2 alleged that the Respondent did not conduct himself with appropriate

¹ The Complainant received advice from staff that she should not comment on matters before the OLT.

decorum in contravention of Rule 15 of the Code, when he removed the Complainant Member of Council from an email thread initiated by a resident's association, in an attempt to post disparaging comments about the Complainant (and Council) without her knowledge and to ascribe a negative motive to the Complainant's lack of action.

I find that the allegation raised in Complaint 2 was borne out, and it constituted a violation of Rule 15.

The Process

On July 16, 2024, the Office received the formal complaints.

On July 19, 2024, I notified the Respondent of the receipt of the Complaints and that I had decided to begin a formal investigation. In accordance with section 7(i)(a) of the Complaint Protocol, I required the Respondent to provide a written reply to each Complaint within 10 days. On July 30, 2024 the Respondent submitted his written reply to the Complaint.

On July 30, 2024, in accordance with section 7(i)(b) of the Complaint Protocol, I provided the Complainant with a copy of the Respondent's reply to each Complaint with an invitation to submit her comments, if any, in 10 days.

On August 2, 2024, the Complainant provided her reply.

Section 8 of the Complaint Protocol sets out that following receipt and review of a formal complaint, or at any time during the investigation, where the Integrity Commissioner believes that an opportunity to resolve the matter may be successfully pursued without a formal investigation, and both the complainant and the Member agree, efforts may be pursued to achieve an informal resolution. However, having reviewed the responses to the Complaints and the supporting documents, and having spoken with the Complainant and Respondent, I determined that there was no opportunity for an informal resolution. I made the decision to proceed to a formal investigation resolution.

I determined that the Complaints were not frivolous. Many Ontario statutes contain provisions that allow an administrative decision-maker to refuse to investigate, or to dismiss a complaint where the complaint is frivolous, vexatious or not made in good faith. In general, in the administrative law context, a complaint is frivolous or vexatious when it is a waste of time or when it aims to harass the subject of the complaint.² As Integrity Commissioner for the City of Vaughan, I take allegations of complaint very seriously. At the same time, I recognize that the member is entitled to have allegations investigated given the potential impact on the reputation of a duly elected official and the potential sanctions as set out in the *Municipal Act*. If a complaint is properly addressed to matters within the Code, I will accept the complaint for investigation.

During my investigation, I reviewed relevant public City documents and emails from the Complaint. I spoke with staff at the City in order to receive clarification on City

² *Modi v. Paradise Fine Foods Ltd.*, 2007 HRTO 30 at para. 18

processes and protocols. I also sought clarification from the Complainant about certain aspects of the Complaint. This Complaint involves emails. The documentary evidence is before me. I determined that it was not necessary to interview witnesses external to the City during my investigation.

In his response, the Respondent stated that the Complaints had insufficient or no grounds to investigate and was made in bad faith. I disagree. A complaint that addresses alleged misconduct caught by the Code will generally not be in bad faith, in the absence of a design to mislead or deceive, or a dishonest purpose. I received no evidence of that here.

On September 8 and 9, 2024 , I provided a copy of my draft findings to the Complainant and Respondent and provided them with an opportunity to provide comments on errors or omissions of fact and that I would take these into consideration in drafting a final report.

On September 13, 2024, the Respondent wrote to me advising:

“I have finished my reply, but I wish to review for potential errors. Until what time do I have to reply to you”

In my response I said:

In my communication on September 10th, I requested that you provide your comments if any to my draft find with respect to errors or omissions of fact, by Friday September 13th. While generally, end of business day would be preferred, I will accept at any time today.

Please be reminded that I will take into consideration your comments regarding errors or omissions of fact, in the drafting of my final report. Please also be reminded that this is not an opportunity to make supplementary submissions, introduce new evidence or dispute my findings. Should you disagree with my findings, you are permitted to speak to the item when received by Council.

On September 19th, I received the Respondent's comments to my draft findings. At the conclusion of his comments, the Respondent wrote:

I did not think I needed a lawyer to address the complaint since I felt that there was no ground on the accusation, but after your draft report email to me on the evening of the 10 September 2024, I did not have the time to get professional help.

On September 19th I wrote to the Respondent and my communication included the following:

On July 19, 2024 I provided you with Notice of Receipt of a Formal Code of Conduct Complaint in which you were named as Respondent. In that correspondence, I set out that in accordance with section 6 of the Code of Conduct Complaint Protocol, I am required to conduct an initial classification to

determine if the matter is, on its face a complaint with respect to non-compliance with the Code of Conduct, and not covered by other legislation, or other Council policy as described in subsection 3 of the Complaint Protocol. I further stated that I had completed my preliminary review and I decided to proceed with an investigation of the matter as I determined that the Complaint appeared *prima facie*, to be a complaint within the jurisdiction of the Integrity Commissioner and that it appeared not to be frivolous, vexatious or made in bad faith. I concluded my correspondence to you by stating that in accordance with section 7(i)(a) of the Complaint Protocol, I required you to provide me with a written response to the allegations in the Complaint within ten days on or before July 29th, 2024.

After receiving your response, I prepared my draft findings and provided them to you. In your September 13, 2024 email, you state at the end of your comments that:

I did not think I needed a lawyer to address the complaint...I did not have the time to get professional help”

[...] you considered but elected not to obtain legal advice... I take it that you now wish to have the opportunity to do so. While I would typically determine that you are bound by your earlier decision not to seek advice, I have decided to exercise my discretion to grant you additional time to obtain legal advice. This is outside my normal process, and I do not intend to provide opportunities to belatedly seek legal advice to members in the future. The Complaint Protocol does not provide for the Respondent to submit additional comments after the Integrity Commissioner has concluded her investigation. Ordinarily I would not provide this option to a Respondent, however, in the unique circumstances of this Complaint being filed during the summer hiatus during which time there are no regularly scheduled Committee of the Whole or Council meetings, and given that I am within the time limitations for submitting my final report, I will grant you until September 29th, to obtain legal advice and provide additional comments, should you decide to do so.

On September 25th, I received correspondence from the Respondent's lawyer with his additional comments in response to my draft findings. In these comments from the Respondent's lawyer, they stated that “only one complaint has been listed”. The Respondent's submissions went on to state that “I will now address the complaints not formally listed in the Complainant's Affidavit dated July 15th, even though I stand by the position that it was an error to consider these complaints in the first place.” The Respondent is incorrect. He was provided with a copy of the two Complaints and supporting documentation emails on July 19. On July 23rd, the Respondent provided his comments which included the following:

I am in receipt of 4 emails making reference to two formal complaints. From what I have read it seems that there is nothing unreasonable that I said/wrote nor that

a reasonable taxpayer would object to. We are elected to public office to make good decisions for our constituents and disagreements occur daily, communicating with our constituents and letting out constituents know our position on the issues important to them in something that taxpayers expect.

On October 3rd, I provided the Complainant and Respondent with my final report. I subsequently followed the City's process and submitted a copy of the final report to the City Clerk's Office to be included in the agenda of the next Council meeting.

Background

Complaint 1 referenced advice provided to the Complainant. While I did not provide any Integrity Commissioner advice with respect to this particular matter, I sent a January 2023 Memorandum to Members of Council which stated, in relevant part:

"...Member of Council must avoid comments that denigrate the decisions of the City or that cast aspersions on the integrity of Members of Council or City staff. Healthy and respectful debate and disagreement is part of the democratic foundation of a municipal Council. However, it is a violation of the Code of Conduct to make comments that do not enhance respect for City decisions or to make utterance that impugn the reputation of staff and suggest illegal activity of staff. In a 2018 Code of Conduct Investigation Report of the former Integrity Commissioner of the City of Toronto¹, the following observations were made:

When questioning staff reports or actions, members of Council should ensure that their comments are in the nature of "fair comment" and related to the substance of the report and not the authors or their suggested motivations. This means that members of Council can raise concerns about whether information is correct, or whether staff considered certain information, such as local concerns. The Toronto public service is prepared (and expect) to respond to these kinds of questions from City Council. City Council discharges its duties when it is robustly and fairly scrutinizing the information and advice that staff provide.

[...]

I reminded all Members of Council that it is not a Code contravention to have an opinion, even a strong one and a dissenting perspective that differs from the perspective of your colleagues on Council. However, the Code requires Members must avoid making statements that may injure the professional reputation of City staff and integrity of Council.

A Member does not have limitless free speech. A Member's utterances at meetings are limited by the rules of the Code of Conduct, in particular statements that would discredit or compromise the integrity of Council, City Staff and the municipality during meetings, made in bad faith or that suggest wrongdoing or illegal activity. When expressing individual views, Members must adhere to the rules of the Code. Failure to follow the agreed upon rules contained in the Code

may result in the Member being named in a Code complaint and the matter being formally investigated by the Integrity Commissioner.

The Allegations of the Complaints

The Complaints relate to a contentious development project at Langstaff Road and Highway 400. A developer made a planning application concerning 661 and 681 Chrislea Road to Vaughan council. The matter was considered at a Council meeting on December 12, 2023. The application was approved and confirmed by By-law 222-2023.³

Despite the approval, certain residents continued to raise objections to the development project.

Complaint #1: Alleged Derogatory and Inappropriate Comments by the Respondent

The Complaint alleged that the Respondent made offensive statements in emails dated June 26 and July 5, including those which denigrated a Council decision.

Included in the supporting documentation to the Complaint are two email exchanges: (i) between residents and the Deputy City Manager, Planning and Growth Management (“DCM”) and (ii) between Council and the DCM.

On June 22, residents wrote to City Council stating that “...the public was promised that after the public meeting, all issues identified would be addressed in a comprehensive report to be scheduled at a future Committee of the Whole... [w]e are shocked that the City made the application lapse as there were so many issues addressed at the Public hearing that required answers...” The DCM responded and stated that “... [s]taff will be reporting to Council in the fall and before hearing to seek a Council direction and form a position on this application”.

On June 24, the DCM wrote to Council advising that once the matter (subject of the discussions from the resident) was under appeal, “regardless of whom launched the appeal, the approval authority of this application moves from Council to Ontario Land Tribunal (OLT). The developer, the City, and the residents would all become “parties” at the hearing (if the OLT grants a “party” status to the residents).”

Certain residents continued to send communications to Council. In response, the Respondent wrote emails dated June 26 and July 5, which included the following statements:

June 26 “I have been doing more than my job in trying to stop the massive development taking place because we do not have the infrastructure in place (Traffic, etc.). Unfortunately, the present Members of Council & the Provincial Government are not helping. You should know that. Have you got any

³ [By-Law 222-2023](#)

attention/response from the other elected officials: Local Councillors (2); MPP; MP that I saw you copied in past communication?"

July 5 "I think that the present council has taken the position that they are in charge and do not care about the People's position. It will be up to the People to stand up and request Fairness and Good Planning. Council tried to have the Province make the decision so that the Province will be blamed by the People, but Minister Tibollo intervened and Council is mad/confused and have taken childish actions."

July 5 "I appreciate that your area elected 6 of the 10 members of council and expect us 10 to do our job and represent the wishes of the people we were elected to represent. But clearly in this case we have not since only 2 of us supported the People and 8 did not. So if you will wait for the 10 of us to do what the people want, in this case, it will not happen unfortunately. I am with you. The majority is not."

The Respondent's June 26th and July 5th emails copied several elected officials at various levels of government.

Complaint #2: Alleged Removal from Email Thread to Hide the Derogatory Comments

Based on my preliminary classification, I had determined that Rule 15 of the Code had been triggered by Complaint 2. I also considered the application of Rules 10 and 13 of the Code.

The Complainant alleged in Complaint 2 that the Respondent removed her from an email thread inappropriately. She alleged that he did so to damage her reputation with the residents as she would continue to appear silent (i.e., not "for the people"). The details of the exchanges are set out here.

In a June 25th email, a resident wrote to a City of Toronto Member of Council, his office staff, a City staff person and others. A City of Vaughan resident (the "Vaughan resident") was also copied on the email which advised that the applicant of a proposed development had proposed "814 units to 866 units to now proposing 960 units". In his email, the resident went on to say:

We must have a strategy to stop his massive overdevelopment at the corner of Steeles and Dufferin.

2,148 new units = approx..4200 new residents at the corner of Steeles and Dufferin.

THE DEVELOPERS OWN TRAFFIC CONSULTANTS STATED THAT THIS INTERSECTION HAS ALWAYS BEEN PROBLEMATIC

James you are our city councillor and you are our only person who can stop what is happening.

[A named City of Toronto staff person] as our city planner you are the person who must not allow such unbridled development.

On June 25th, the York Centre Councillor responded to the email stating:
We do not support this proposal. Period

On June 25th, a Vaughan resident wrote to two City of Vaughan Councillors – the Complainant and the Respondent - copied to the author of the original email, the Complainant's EA, the Respondent's EA, Glen Shields Ratepayers and others. The email stated:

Councillors,

It is time to coordinate the unreasonable density underway with no regard for the consequences. A collaborative approach is overdue.

What is your position on 1875 and 1881 Steeles?

Also on the hyper development from Dufferin to Yonge along the 4.2km stretch on both sides of Steeles? This would permit the equivalent population of Thunder Bay, the 25th largest city in Ontario.

On June 25th, the Respondent replied,

To make a reasonable decision, I need & I am required to see a staff technical report. Based on discussions I have had for years & knowing the area, seems that the proposal can't be supported.

I am not aware of anyone supporting the proposal, except the proponents.

My position is clear [a named Vaughan resident]. I leave to others the boiler plate responses.

On June 25th, the named Vaughan resident wrote:

As this particular property is on the Toronto side of Steeles I'm not sure when or what reports you have access to.

A goal would be to review with [the City of Toronto Councillor] in order to coordinate.

On June 26, 2024, the Respondent wrote to the author of the original email, with copy to the Vaughan resident, Glen Shields Ratepayers, other individuals and the Complainant's executive assistant. The Complainant's email address had been removed from the email. He wrote:

Hi [a named Toronto resident]

Members of Council have a duty to represent everyone fairly within their jurisdiction. To take a position before having read a technical staff report, in my case, from the City of Vaughan and/or the Region of York, in my opinion is unwise & unprofessional, that is why I wrote what I did.

Based on what I know, I can't support it, but I do not have the technical report to provide me the information that I should have before making my position known.

I have tried to get City of Vaughan staff to attend the meeting & speak at the meeting, but staff agreed only to potentially send a planner to hear the concerns potentially raised by the residents of Vaughan. It seems to be a jurisdiction issue.

I am very familiar with what has been approved & proposed in the general area that you referred to. I thought you knew it already, after all we have exchanged emails & have spoken about the issue a number of times. I have been doing more than my job in trying to stop the massive development taking place because we do not have the infrastructure in place (Traffic, etc.). **Unfortunately, the present Members of Council & the Provincial Government are not helping. You should know that.**

Have you got any attention/response from the other elected officials: Local Councillors (2); MPP; MP that I saw you copied in past communication?

Please let me know if you have a question.

On June 28th, the Complainant's EA wrote to the Vaughan Resident saying:

Hi [a named Vaughan Resident]

There's been a lot of back and forth in a flurry of emails regarding your concerns for the Dufferin/Steeles area. It's been confusing for our office because Councillor Martow was included on the thread initially and was suddenly removed and was not aware that emails were continuing on the matter.

[...]

Was there a reason that Councillor Martow was removed the email chain?

On June 28th, the Vaughan Resident replied:

Perhaps if she acknowledged or offered comment it would have indicated she could help or was not too busy.

Let me know the rough time Gila seems to have been dropped or the last time she was included/received an email on the topic.

I'll try to send her cc you what I have.

Then on the same day, the Vaughan Resident wrote,

I looked quickly through some emails and noticed Mario dropped you and Gila on some. I added you both back in when I noticed. If you can provide a time frame as requested I'll go through the emails.

The Respondent's Position

In reviewing the Respondent's reply to Complaint 2, it appears that he may have confused the allegations in the two complaints.

With respect to the allegations of the Complaint 1, the Respondent set out in his reply that:

Complaint #071624a is a complaint regarding the removal of Councillor Gila Martow from an email thread. The submitted email correspondence as evidence deals with two planning files: 1) 10,20,24 Wigwoss and 661 Chrislea Rd (vicinity of Langstaff and highway four hundred). Both respective planning files are in Ward 2 and 3. None of these planning files concern Ward 5 residents, which Councillor Martow is the local Councillor for.

The notion that Councillor Martow was removed from the email thread is wrong. Copied on both email threads is the council@vaughan.ca email address, which was sent to every member of Council in Vaughan. On each planning file, Council@vaughan.ca was included in the copy line.

In the complaint it was mentioned that I made disparaging comments about Councillor Martow. In the correspondence you provided there is no evidence to make such a claim. On the [...] file, I asked Deputy City Manager Xu to reply to the resident, which he did. That was the end of my engagement on that thread. With respect to the Langstaff and highway four hundred email thread, no comment was made about Councillor Martow specifically. I only mentioned the recorded vote of that specific planning application which was 8-2. This is a matter of public record. Per rule ten of the code of conduct, I am within my rights to disagree with a decision, so long as I do it in a respectful way, which I did.

With respect to the notion of Deputy City Manager Xu saying, "Please do not comment," none of the correspondences you provided demonstrate this to be the case. While Deputy City Manager Xu said he and his planning team cannot comment because the [...] file is in front of the OLT, this is not instructions to Members of Council. Moreover, the Deputy City Manager is not a solicitor and cannot provide legal advice, moreover, he has no authority over what a Councillor can and cannot say. As Deputy City Manager Xu has said countless times in Council since the beginning of the term, the role of staff is to provide a recommendation to council, not decide.

Again, in both planning files there is zero reference to Councillor Martow. She does not represent any of the residents on either planning files. With the evidence you have provided me with, there is no evidence whereby Rule No. 15. was violated. If we look at the commentary in the Code of Conduct, there was no abuse, bullying or intimidation. I have disproven every allegation made in the complaint, as the allegations were false.

In response to the allegations of Complaint #2, the Respondent stated that:

The Code of Conduct does not prohibit managing email threads in a way that ensures efficiency and effectiveness. It is important to note that the email thread

was initiated by a City of Toronto resident, [named resident], which is not Councillor Martow's resident. As a Local and Regional Councillor, I represent directly all the residents that she represents, including those in Ward 5, and the rest of the Wards in the City of Vaughan. We are all responsible for addressing concerns from our residents within our area. Inclusion in the initial email thread does not mandate perpetual involvement, especially if I did not see any reply from Councillor Martow, because the residents' main concern was traffic on regional roads (Steeles, Dufferin). Furthermore, I have complied with City of Vaughan corporate policy CL-006, which states correspondences of regional responsibility be responded by the appropriate Local and Regional Councillor.

As you know, local councillors have no authority when it comes to regional responsibilities. This is a planning application taking place in the City of Toronto; therefore, the local Councillor of Ward 6- York Centre has taken responsibility for the file and has reassured all the ratepayers interested that he is not supportive of the application. I spoke with the Toronto Councillor and trusted that he was doing his job, as expected by the taxpayers and he did because the City of Toronto Council have refused the application. I cannot recall of any communication on any application around the Dufferin/Steeles area from Councillor Martow ever. I do not believe that she has shown interest in the past, but if she did, she has not copied me on the email thread.

Finally, the correspondence you provided to me displays no evidence of denigrating remarks about Councillor Martow. In any of the responses, she was not mentioned by name once, making it impossible to "damage (her) personal and professional reputation." Any comments written by me follow the Code of Conduct, which are fair and reasonable comments that I have made countless times in the past both in Council and in the community.

The Complainant's Supplementary Comments

The Complainant made the following comments in reply:

You will be aware that Mr. Racco has confused and conflated my two separate complaints. I made two complaints:

071624a. Mr. Racco made derogatory comments about a matter that was the subject of litigation before the Ontario Land Tribunal, knowing that I would be unable to respond. He himself commented on the matter before the OLT.

071624b. Mr. Racco attempted to remove me from an email so that I would not see his derogatory comments.

The two complaints are related. They both arise from derogatory email comments that Mr. Racco made about previous Council decision making and about other Councillors.

[...]

Clearly, he did breach Rule 10. The Code of Conduct states: "A Member may state that he or she did not support a decision or voted against the decision. A Member should refrain from making disparaging comments about other Members, and the processes and decisions of Council or the local board, as the case may be."

Mr. Racco did much more than state his lack of support. He attacked the decision and he attacked everyone on the other side of the issue. He wrote that we, "do not care about the People's position," "have taken childish actions," and "are not helping." He said that we are not doing "our job and represent[ing] the wishes of the people we were elected to represent."

He is entitled to disagree, but he is not entitled to attack us personally or to disparage the majority's decision.

[...]

Mr. Racco also contravened Rule 13, which says, "A Member must not denigrate a City by-law in responding to a citizen, as this undermines confidence in the City and the rule of law."

By his own admission in the Response, his comments about eight members not representing the people referred to the application concerning 661 and 681 Chrislea Road in the vicinity of Langstaff Road and Highway 400. The decision he denigrated was made on December 12, 2023: see [minutes](#). As you are aware, at the end of every Council meeting, we adopt a by-law to confirm all our decisions. By responding to a citizen in a manner that bad-mouthed our decision concerning 661 and 681 Chrislea Road, Mr. Racco denigrated By-law Number 222-2023, being a by-law to confirm the proceedings of Council at its meeting on December 12, 2023.

Mr. Racco claims that he did not disparage me personally and did not mention me by name. That is not a defence. He very clearly made disparaging comments about most of his Council colleagues. Disparaging other Councillors individually or collectively is a breach of the Code.

[...]

Mr. Racco claims his comments were fair and reasonable. They were not.

[...]

Further, the Complainant explained that she had called the Vaughan Resident soon after the initiation of the email thread and reminded him that she had spoken numerous times to the City of Toronto Councillor in whose ward the development was proposed and always expressed her concerns. The Complainant also reminded the Vaughan Resident that there were restrictions on what meetings she attended and in what capacity. The Complainant explained to me that:

“unfortunately, [the Vaughan Resident] did not share this information on the thread; he was well aware that I was not ignoring him [...] and he seemed surprised to discover that I had been removed from the thread and able to ascertain that my colleague was responsible for my removal. The [Vaughan Resident] appeared apologetic, and offered to forward the missing emails. I find it upsetting when residents and volunteers are left to feel responsible for challenges which should be the responsibility of staff or elected officials”.

Commenting on Matter Before the OLT

Mr. Racco admits that he made comments about the Wigwoss matter which is before the OLT. His position is that Deputy City Manager Xu cannot tell a Councillor what to do. This is not a defence. Commenting on current case before the OLT is a contravention of the Code of Conduct.

[...]

A lot of Mr. Racco’s response – in fact, most of it – is devoted to long explanations about ward boundaries (whether the applications affect my ward) and about how dropping people from emails promotes “efficiency.”

I don’t agree with him on these points. I had a ward interest in the communications and some of the people who received Mr. Racco’s emails were my constituents. Also, he did try to drop me from the email.

However, I will not dwell on these points because Mr. Racco is trying to distract from the central issues:

- He emailed to residents several disparaging comments about a majority of Councillors.
- He denigrated Council’s decision-making.

The Complainant provided several Integrity Commissioner reports that in her view supported her position that the Respondent’s comments constitute a violation of the Code.

Code Rules

The potentially relevant Code rules are set out below, together with the Code commentary.

Rule No. 10

Media Communications

- 1. Members will accurately communicate the decisions of Vaughan's Council and local boards, even if they disagree with the decision, so that there is respect for and integrity in the decision-making processes of Council and local boards.**

Commentary

A Member may state that he or she did not support a decision or voted against the decision. A Member should refrain from making disparaging comments about other Members, and the processes and decisions of Council or the local board, as the case may be.

Rule No. 13

Encouragement of Respect for the City and Its By-Laws

- 1. Members shall encourage public respect for the City and its by-laws.**

Commentary

A Member must not denigrate a City by-law in responding to a citizen, as this undermines confidence in the City and the rule of law.

Rule No. 15

Discreditable Conduct

- 1. Members shall conduct themselves with appropriate decorum at all times.**

Commentary

As leaders in the community, Members are held to a higher standard of behaviour and conduct, and accordingly their behavior should be exemplary.

All Members of Council and local boards have a duty to treat members of the public, one another, and Staff appropriately and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination and harassment.

Analysis

The Code provisions contained in Rules 10, 13 and 15 are in place with a view to ensuring that municipal elected officials do not act in a manner that would undermine decisions of Council or act in manner which is inappropriate and constitutes abuse, bullying, or intimidation. These rules prohibit members from making disparaging comments about other Members and about the processes and decisions of Council when communicating the decisions of Council. Doing so repeatedly or in an egregious

way, could rise to the level of abuse, bullying, or intimidation.

The rules of the Code do not require a Member of Council to express public support for a Council decision with which the Member disagrees. In this way, the Code does not interfere with the member's right of dissent. However, a member is prohibited from making disparaging comments in stating that they did not support the decision or voted against it.

Rule 15 sets out the Members' obligation to conduct themselves with appropriate decorum. It is in place to inform the application of decorum and captures speech or conduct which fails to meet the requirement. The commentary interprets this language as (i) conduct which falls below the higher standard of behaviour required of councillors (i.e. their behaviour is not appropriate); or (ii) conduct which fails to treat other members appropriately and without abuse, bullying or intimidation or which fails to ensure that their workplace is free from discrimination and harassment. I interpret this definition of "appropriate decorum" to relate both to the manner and content of comments or conduct of a member of council.

This rule requires that Members conduct themselves with appropriate decorum as a stand alone imperative. The commentary then provides guidance that this rule also sets a duty for Members to conduct themselves with appropriate decorum and they have a duty to refrain from "abuse, bullying, or intimidation" or discrimination or harassment.

The Respondent made comment on my draft findings. He wrote:

It is an error to refer to my comments in the emails sent on June 26th and July 5th as denigrating. The term "Denigrating" involves unfairly belittling or maliciously attacking someone's character or reputation. A statement cannot be considered denigrating if it is based on fact and made in response to inappropriate actions. Observations grounded in truth and aimed at addressing misconduct or improper behavior are not intended to unfairly harm or belittle, but rather to highlight issues that require attention. My comments were based on the fact that the public has expressed clear opposition and concern regarding the proposed developments at Hwy 400 and Langstaff Road, a sentiment the Council has not adequately addressed. Not only have members of Council failed to adequately address the public's concerns regarding these proposed developments, they have also dealt with opposition to the proposed developments in an unfair and inappropriate manner. When Minister Tibollo and I shared this information at a ratepayer's meeting, the Mayor responded by revoking Minister Tibollo's invitation to the Mayor's Gala Dinner and removed me from the Vaughan Metropolitan Centre Committee and replaced me with the Complainant, who notably voted in favour of the development.

As a reminder, Rule 9 of the Code of Ethical Conduct requires transparency and openness in decision-making, as well as in members' duties, so that stakeholders can view the process and rationale used to reach decisions, and understand the

reasons for taking certain actions. In making the comments I did, I was upholding my duty to the public by informing them about how Council made its decisions regarding the developments. My intent was to ensure that the community was fully aware of the processes and reasoning behind decisions that directly impact them, as is required by the principles of transparency and openness. In removing me from the committee due to my opposition to the development, those responsible have neither acted with transparency and openness nor in good faith.

[...]By removing me from the committee and replace me with the Complainant, followed by the Complainant subsequently launching attacks on me and my character, it suggests that the Complainant may have been motivated by personal or political interests rather than a genuine concern for proper conduct, further casting doubt on the fairness of the process.

Furthermore, my comments were not personal nor denigrating attacks on individual Councillors. Instead, they were focused on addressing the broader issue of ensuring progress in blocking developments that the public has openly opposed and expressed concern about. My intention was to advocate for the public's interests, not to disparage anyone personally. I firmly believe that the proposition advanced by the Complainant that a Councillor who disagrees with a Council decision should be limited to simply noting their dissent is entirely incorrect. If freedom of speech and democracy mean anything, we must have the ability to engage in public discussion on the merits of Council decisions and on the performance of Council. Even strong language in support of sincerely held beliefs must be protected.

[...]

These comments were not personal or denigrating attacks on individual Councillors but rather an effort to address the lack of action on an issue of importance to the community.

There is nothing wrong in expressing a view that Council as a whole has erred and that it has failed to meet the expectations that the electorate should have of it. Not only was it an error to consider the complaints not listed in the Complainant's July 15th Affidavit, it was also an error and an omission not to consider the possibility of bad faith, especially given the circumstances surrounding my removal from the Vaughan Metropolitan Centre Committee.

I have considered these comments in my final report. I address some clarification around the interpretation of the provisions with reference to past communications with the member or all of Council. I have also added clarification in the analysis section below.

In a 2023 Memorandum to Council, I set out that with reference to Rule 16 – Conduct Respecting Staff, that the *Commentary* to this rule underscores that City staff provide a high quality of advice and work to the City based on political neutrality and objectivity irrespective of party politics, the loyalties of persons in power or their personal opinions.

These rules, read together, highlight the requirement that each Member of Council must avoid comments that denigrate the decisions of the City or that cast aspersions on the integrity of Members of Council or City staff. Healthy and respectful debate and disagreement is part of the democratic foundation of a municipal Council. However, it is a violation of the Code of Conduct to make comments that do not enhance respect for City decisions or to make utterance that impugn the reputation of staff and suggest illegal activity of staff.

In a March 2023 Council Education session, I advised Council that as Members of Council, the Code requires that Members avoid making statements that cast aspersions on the professional reputation or injure the professional reputation of staff. In addition, I advised that Members must avoid making statements that will discredit the integrity of Council colleagues, or undermine public trust in the fair decision-making of Council and the municipality in general.

I further stated that Members are entitled to comment fairly on matters of public interest. Such comments are protected by a qualified privilege if they are found to be comments, and are made honestly, and in good faith, about facts which are true on a matter of public interest. In order to be fair, it must be shown that the facts upon which the comment is an honest expression of opinion relating to those facts. The protection of fair comment (or qualified privilege at Council) may be lost if it is shown that the comment was made maliciously, in the sense that it originated from some improper or indirect motive, or if there was no reasonable relationship between the comment that was made and the public interest that it was designed to serve.

The Respondent's reply suggests that the Complaints were vexatious (i.e. brought forward the Complaints as political motivation) or were advanced as a form of reprisal for having a different opinion with respect to this development proposal. I do not accept this.

First, the Respondent does not bring any evidence to support his claim of bad faith on the part of the Complainant except to say that the Complainant was appointed to the reconstituted Vaughan Metropolitan Centre ("VMC") Sub-Committee, and he was not. The Respondent notes that this was a decision of the Mayor, not the Complainant. The Mayor exercised his strong mayor powers on June 25, 2024 to dissolve the existing VMC Sub-Committee and reconstitute it. The Complainant had no influence over that decision.

Accordingly, I find no basis to conclude that the complaint was ill-motivated.

Second, Code Rule 19, states:

No Member shall threaten or undertake any act of reprisal against a person initiating an inquiry or complaint under the Code of Ethical Conduct or who provides information to the Integrity Commissioner in any investigation.

Based on the Respondent's theory, he suffered a reprisal by being removed from the VMC Sub-Committee for having a different opinion on the redevelopment project. This Complaint is separate from the composition of the committee. The Complainant had already been added to the new VMC Sub-Committee. She had no reason to reprise against the Respondent by initiating a complaint.

I conducted a preliminary review at the outset of this investigation and determined that there were grounds to proceed and that the Complaint was made in good faith. I further conclude that it was not a reprisal.

Complaint 1

I was tasked with determining whether the Respondent made derogatory or disparaging comments in his emails regarding a matter that would be subject of litigation before the OLT, contrary to Rules 10, 13, and/or 15 of the Code.

For the reasons that follow, I determined that the Respondent breached Rules No. 10 and 13, through his statements in the June 26th email, copying several elected officials at different levels of government. In this email, the Respondent criticized the decision made by council and made disparaging comments about the members. The comments taken together, rose to the level of disrespect for and denigrating a decision of Council, when he stated:

[...] Unfortunately, the present Members of Council & Provincial Government are not helping...

And in the July 5th email:

I think that ***the present council has taken the position*** that they are in charge and ***do not care about the People's position***.

[...]

Council tried to have the Province make the decision so that the Province will be blamed by the People, but Minister Tibollo intervened and ***Council*** is mad/confused ***and have taken childish actions***.

[...]

I appreciate that your area elected 6 of the 10 members of council and expect us 10 to do our job and represent the wishes of the people we were elected to represent. But ***clearly in this case we have not since only 2 of us supported the People and 8 did not***. So if you will wait for

the 10 of us to do what the people want, in this case, it will not happen unfortunately. I am with you. ***The majority is not.***”

Did the Respondent state only his “dissent” in accordance with the Code?

The Respondent stated in his reply that “[p]er rule ten of the code of conduct, I am within my rights to disagree with a decision, so long as I do it in a respectful way, which I did.” The Respondent’s comments to my draft findings take the position that if a Member of Council holds a position and the rest of Council does not support this position, the Member is free to do or say whatever they want. This interpretation of the Rule 10 would render the provision meaningless.

The principle of a municipal councillor’s right to dissent has been explained in several municipal Integrity Commissioners’ reports. Aptly summed up in one report, the Brampton Integrity Commissioner stated in *Miles v. Fortini*⁴:

Brampton is a democracy. The minority always has the right to dissent from majority decisions. Rule No. 10(1) cannot be interpreted as removing the right to dissent. What Rule No. 10(1) requires is that the majority decision be accurately communicated. This does not prevent criticism of a decision. It merely requires that the criticism depict the decision accurately. [...]

A Council Member is always entitled to explain why he or she voted a particular way. This is not a privilege conferred by the Code; it is a basic democratic right. [...]

The commentary to Rule No. 10(1) states that, “A member should refrain from making disparaging comments about Members of Council and Council’s processes and decisions.” This commentary must be interpreted in light of the right to dissent and the right to explain one’s vote.

The Code requires Members of Council to accurately describe the decisions of Council, it does not require that Members endorse positions with which they disagree and does not prevent Council Members from explaining their reasons for disagreement. There is a difference between expressing one’s disagreement with the position of colleagues on Council in a respectful way and making statements that demean and disparage individual Member of Council and/or Council decisions. Comments directed about Members of Council, such as the Respondent’s statement “***Council*** is mad/confused ***and have taken childish actions***” do not express disagreement with a position of a Member of Council or the decision of Council, but rather disparage Council as a whole, suggesting that Members are not competent because they have acted in a childish manner in matters of grave importance.

⁴ [2018 ONMIC 22](#) at paragraphs [72 to 75](#).

The Complainant states in her supplementary reply that,

“Mr. Racco did much more than state his lack of support. He attacked the decision and he attacked everyone on the other side of the issue. He wrote that we, “do not care about the People’s position,” “have taken childish actions,” and “are not helping.” He said that we are not doing “our job and represent[ing] the wishes of the people we were elected to represent.”

In making his comments in the June 26 and July 5 emails, the Respondent directed toward Members of Council, an inaction such that they were “not helping” and that the “vote [of Council] that took place on this issue” was ineffective and not made in the interests of the *People* of the City of Vaughan. This is the Respondent’s opinion. However, the absence of doing what residents may want Council to do does not translate into “not helping”. There is an inference that the views of a group of residents represents all of “the People” and “they” all believe what the Respondent believes.

A reasonable person would believe that Members of Council who are “not helping” would entail a deliberate refusal to act and turning a deaf ear to cries of residents for actions that support their vision for development in their wards and the City overall. The Complainant advises that she prides herself on responding to residents and assisting them in navigating where in the City and to which department, residents could obtain clarification on their queries.

The Respondent went beyond stating his dissent.

I conclude that the Respondent’s email statements were problematic in that they were disparaging of other Members of council.

The Respondent’s comments were not simply expressions of his *respectful* disagreement with his fellow Council Member colleagues’ vote and the resulting Council decisions, but rather were disparaging of the Members themselves by referring to their actions as “childish” and not for the citizens of Vaughan. One definition of “childish” is “marked by or suggestive of immaturity and lack of poise”⁵. Calling a group of elected adults “childish” can only be and be intended to be disparaging. The Respondent’s comments referring to Council as having “taken childish actions” suggests that Council is unprofessional and shows a lack of judgement.

The parameters against which a Member’s “free speech” and voicing an opinion, are curtailed are the bookends of the Code of Conduct. As long as statements are true (and the Member has made a reasonable effort to determine the veracity of the statements) AND the statements do not disparage staff, the public, or another Member of Council, and do not denigrate decisions of Council or contravene other imperatives of the Code, the statement may not violate the Code. In my Code of Conduct orientation, as well as in my January 2023 Memorandum to Members of Council, I advised Members that they should not publicly state or imply that a particular public servant, or

⁵ [Childish Definition & Meaning - Merriam-Webster](#)

group of public servants, acted for political or private motivations or in a way that is negligent or that failed to meet professional standards. This also applies to comments about fellow Members of Council. The Code does not prohibit a Member from stating that they did not support a decision or voted against a decision of Council or they believe a past decision needs to be revisited. However, Members must accurately communicate the decisions of Vaughan Council and local boards, even if they disagree with the decision, so that there is respect for and integrity in the decision-making processes of Council and local boards. The Code sets out limits on the language that a member may use. Pursuant to the Rule 10 commentary, a Member should refrain from making disparaging comments about other Members.

As set out in the *Commentary* to Rule No. 13, a “Member must not denigrate a City by-law in responding to a citizen, as this undermines confidence in the City and the rule of law.”⁶ Municipal officials are free to vigorously debate and discuss matters of public interest, however, they must act reasonably and respectfully and satisfy themselves as to the truth of any allegations.⁷

The Respondent’s comments also appeared to set out his view of the role of Members of Council.

To assist in reviewing what the role of a Member of Council may be, in the Ontario Municipal Councillor’s Guide, Members are given some guidance on their role.

There is no single, correct approach to the representative role. On many issues you may find that you fall somewhere between two, sometimes opposing viewpoints. You will quickly develop a caseload of citizen inquiries that will need to be further investigated and, if possible, resolved. You may get these inquiries because of your background and interests or because of the issues in your particular ward, if your municipality operates with a ward structure.

Understandably, you will want to try to help your constituents. However, be sure to familiarize yourself with any policies or protocols that your municipality may have for handling public complaints and inquiries, and remember to consult municipal staff.

There may also be circumstances where decisions are made by designated staff who operate at arm’s length from the council, and where it could be inappropriate for elected officials to interfere or be seen to be interfering. Examples of this include decisions made by statutory officers such as the clerk, treasurer, fire chief, chief building official or medical officer of health. These individuals may

⁶ Hogg & Wright at para 38:13. See also *Conseil scolaire francophone de la Colombie-Britannique v British Columbia*, 2020 SCC 13 at para 153.

⁷ *Prud’homme v Prud’homme*, 2002 SCC 85 at para 43 [Prud’homme], *CITING Hill v Church of Scientology of Toronto*, 1995 CanLII 59 (SCC) at para 108.

also be acting in accordance with accountability provisions under other pieces of legislation, which may impact their advice to council.

In his final reply, the Respondent states that he did not name the Complainant. Instead, he referred to all Members of Council. Whether he referred to each of the other members by name or as a collective, the Respondent has disparaged those falling within the group of eight who allegedly are not “for the people”. The Respondent holds himself out as the only Member serving the public and “for the people”. Necessarily, this supports the position that the other Members of Council do not serve or care about the residents of Vaughan. Given that the position that is purported to be not serving the public, is a decision of Council which took into consideration the professional advice of staff, the Respondent’s statements are not simply statements of opinion but rather casting aspersions on the decision of Council and those Council Members that voted in favour of the decision.

The Respondent went beyond stating his position that he disagreed with a decision of council. He referred to their “childish actions”. The Respondent’s “childish actions” comment is an allegation that Vaughan Council responded in a *childish* way to the Minister’s actions, through the council decision they made. This was not about the right of a Member of Council to dissent. In my view, referring to Council’s actions as “childish” can only be reasonably viewed as disparaging of members and denigrating of Council’s decision.

Other Members of Vaughan Council had their perspectives on the planning matters and reasonably believed that their decision not to comment and respond to the emails from the Vaughan and Toronto Resident, may be viewed in a negative light. However, they did not comment. I find that the entire email, taken in context, inclusive of responding with comments that undermine the decision of Council, was an attempt to draw attention to the Respondent as a champion of the people as contrasted to the *non-action, non-supportive, childish* actions of Council. The entirety of the Respondent’s email comments, taken in context of the planning application and the need for individual Members of Council to refrain from making statements on ongoing matters before the OLT denigrated the decisions of Council.

The Respondent’s email statement sheds a negative light on Members of Vaughan City Council, depicting Council and its Members as inert, disengaged and deliberately silent. His statements contravene Rule 10 and 13. As set out in the *Commentary* to Rule No. 13, a “Member must not denigrate a City by-law in responding to a citizen, as this undermines confidence in the City and the rule of law.”

Members of Council have a Charter right to free expression that is limited by the rules of the Code of Conduct which requires them to refrain from certain kinds of speech because being elected to office has changed their public status. The Code is not in place to regulate frivolous comments or political banter. This went beyond frivolous comments or political commentary.

The impugned speech is expressive activity which engages the Respondent's Charter rights under s. 2(b). There are statutory objectives behind the various rules of the Code. Rules 10 and 13 of the Code are intended to ensure that decisions of the majority of council are respected by Council member and not undermined by individual members who disagree with them. Rule 15 emphasizes the importance of modelling behaviour for the community that is exemplary, treats others appropriately and with respect and can also mean without abuse, bullying or intimidation. However, the commentary does not mean that in order for there to be a breach of rule 15, all elements of the commentary must be present. The benefits that flow from this statutory objective are obvious: it will promote public benefit of having respectful discussion on key issues and it will ensure respect for final decisions.

Here, the rules limit the Respondent's Charter right. But a finding of misconduct in relation to inappropriate and rude emails sent by the Respondent that does not engage the core values underpinning the right of freedom of expression. The language which denigrates decisions and disparages other members of council is not limiting discussion about matters of policy substance.

The Code does not eliminate a member's right to state that he disagrees or dissent. However, the Code curbs a members' absolute right to speak freely about a bylaw or decision, to ensure that decisions are respected. This principle undergirds the roles of the Council Member as one part of the decision maker Council, that has the best interests of the public in mind during its deliberations.⁸ This is a proportionate infringement on the member's right to speak given that council operates as a collective body and that denigrating its decisions is harmful to the public perception of council and its members. Members of Council are required to comply with the Code to allow for finality on issues, particularly contentious ones. The confidence of the public in the planning decisions requires that its decision-making process come to an end with a decision respected by all members of council, even if one disagrees.

Rule 15

With reference to Rule No.15 of the Code, the comments in the emails of June 26th and July 5th violate the standard of "appropriate decorum". Decorum refers to propriety of behaviour and conducting oneself with dignity – or exemplary behaviour. Referring to the conduct of other councillors as "childish" and criticizing their failure to "help the People" falls below this standard. These types of petty and insulting comments about council and other members have no place in communications with residents (or anyone else). These instances may not amount to abuse, bullying or intimidation, but do amount to inappropriate decorum.

I find that the Respondent has failed to act with appropriate decorum in his communications with residents in the emails of June 26 and July 5.

⁸ Ibid., 29 at para. 140

Complaint 2

I was tasked with determining whether (i) the Respondent removed the Complainant Member of Council from an email thread initiated by a resident's association and (ii) whether that violates the Code.

I find that the Respondent did remove the Complainant from the email thread. In the particular circumstances of this issue, I find that this conduct constitutes a violation of Rule 15.

A resident sent an email to the Complainant and the Respondent, copying a number of third parties. While it was likely unknown to the Respondent at the time of the exchanges, the Complainant had spoken with this resident. She did not immediately respond. The Respondent did respond to the email thread – *except to the Complainant* – to state that no members of council were “helping” and asking “Have you got any attention/response from the other elected officials: Local Councillors (2), MPP; MP that I saw you copied in past communication?”. The Respondent actively removed the Complainant from an email thread and proceeded to criticize her (and all of council) for not helping to stop the massive development taking place. He implied that various politicians at all levels of government have ignored the resident while the Respondent was the only one helping.

The June 28 email from the resident confirms that the Respondent removed the Complainant from several emails and that her EA was also removed. The Respondent asserted at first that the email was copied to all of council; it was not. The Respondent asserted that he left the Complainant's EA on the thread; that also appears incorrect. In fact, in a June 28th email to the Complainant's EA, the Vaughan resident states that “I looked quickly through some emails and noticed that Mario dropped you and [the Complainant] on some. I added you both back in when I noticed.”

The intentional removal of the Complainant from the email thread is inappropriate and does not evidence the Respondent behaving in an exemplary manner. While the resident who started the email thread knew that he had spoken to the Complainant, it was unlikely that was known by the others on the thread. By removing the Complainant from the thread and criticizing the lack of response from others on council (which includes the Complainant), the Respondent ensured that the Complainant could not respond. The Respondent has not provided an adequate explanation for this conduct. He stated that the removal was a function of his managing emails.

In his reply to the Complaint, the Respondent stated that:

The Code of Conduct does not prohibit managing email threads in a way that ensures efficiency and effectiveness. It is important to note that the email thread was initiated by a City of Toronto resident, [a named Toronto Resident] which is not Councillor Martow's resident. As a Local and Regional Councillor, I represent directly all the residents that she represents, including those in Ward 5, and the

rest of the Wards in the City of Vaughan. We are all responsible for addressing concerns from our any reply from Councillor Martow, because the residents' main concern was traffic on regional roads (Steeles, Dufferin). Furthermore, I have complied with City of Vaughan corporate policy CL-006, which states correspondences of regional responsibility be responded by the appropriate Local and Regional Councillor. residents within our area. Inclusion in the initial email thread does not mandate perpetual involvement, especially if I did not see.

The Code does not prohibit a Member managing their emails to ensure efficiency and effectiveness. However, removing one of the two City of Vaughan councillors to whom the email was written, does not appear to be an act to ensure effectiveness and efficiency. Indeed, the resident appeared to be complaining about the lack of action by councillors. Removing the Complainant from the thread had the inevitable effect of ensuring that she could not weigh in on the Respondent's criticism of her and other council members.

The Complainant's office wrote to the Vaughan Resident to confirm that she had been removed from the thread. In response, the resident wrote:

Perhaps if she acknowledged or offered comment it would have indicated she could help or was not too busy.

The Complainant could have responded to the initial email sent June 25; however, having spoken to the resident, she determined it was not immediately necessary to do so.

The Complainant advised that she receives inquiries and questions from her Ward constituents, from neighbouring Wards and from throughout the City. The area around Steeles and Dufferin is a hub that borders on the cities of Toronto and Vaughan. The Complainant advised that she had spoken at length with the Vaughan Resident, thus her lack of comment to his June 25th email, appeared to be deliberate and indicative of her inaction. The lack of interest in a very important matter to a Vaughan resident was made even more plausible to the Vaughan Resident, by the Respondent's comment in the email, in which he had removed the Complainant's email address. The Respondent suggested that while he had removed the Complainant, the email was copied to all Members of Council. This was not the case.

Whether the Respondent was referring to the Local City of Toronto Councillors or Local City of Vaughan Councillors, removing the Complainant from the email thread left the residents only to conclude that the Complainant's lack of response, whether within her jurisdiction or not, was intentional inaction – and fed into the Respondent's narrative that she was not helping. The Complainant was not included in this email response. The email from the Vaughan resident on June 25th was to the two Vaughan Members of Council: the Respondent and the Complainant.

Having spoken at length in the past with the Vaughan Resident who authored the initial June 25th email, after the Respondent removed her email address for the email thread, the Complainant was “out of the loop” on the email conversation, until her EA discovered that the Complainant’s name had been removed from the email thread. This shows why the Complaint 2 conduct was particularly harmful as the Respondent was criticizing members of council for not being “for the People and for not helping – while at the same time making it impossible for the councillor to do so. Only once she was informed by her EA , did the Complainant recognize that emails from the thread had continued without her input. Moreover, removing her email address from the email thread, and making the statement that “the present Members of Council [...] are not helping...” led the Vaughan Resident to reasonably believe that the Complainant (and other Members of Council) had chosen to not help and intentionally did not respond.

Removing a fellow Council Member from an email thread is not an act of efficacy as suggested by the Respondent. Often residents will write to a Member or Members of Council and copy dozens of others. In an effort to reduce the distribution of their response to those to whom the Member(s) believes are more involved in the matter and with a view to limiting the number of individuals that may weigh in on the matter, a Member of Council may decide to remove staff or individuals or organizations external to the City of Vaughan. The Code does not preclude a Member from limiting to whom they will include in a response. However, when the email “to” line, includes 2 Members of Vaughan Council and when one Member (the Respondent in this case) removes the email address of the other from the email thread (Councillor Martow in this case), and includes all others on the original email, this action is deliberate and not a function of email management efficacy and had the result of causing, in this case, Councillor Martow to not view the ongoing comments and questions of a resident of Vaughan and not provide her comments whether through email response or inviting the resident to a meeting or a discussion by phone.

I do not believe that it would have been inappropriate for the Respondent to, for example, call the resident or to respond directly to him alone. However, by including all of the individuals on the thread except the Complainant, the Respondent was intentionally excluding her in an effort to ensure that she could not respond to his criticisms – and in effect, prove his point.

Rule 15 requires that members act with appropriate decorum. The Respondent failed to do so; his conduct was not exemplary. He manufactured a situation to prove his point – that other members of council are not helping the resident – when the resident had reached out to two members of council, including the Complainant. There is no adequate explanation for this conduct.

Conclusion and Recommendation

In deciding on a recommendation, I considered the purpose of an accountability regime and having Code of Conduct rules. In so doing, my considerations included:

- a) the likelihood of a repetition of the offence (specific deterrence);
- b) the nature of the action committed;
- c) any extenuating circumstances surrounding the commission of the contravention;
- d) the detriment to the municipality occasioned by the contravention; and,
- e) the need to deter others from committing a similar actions (general deterrence).

The Commentary to the Preamble of the Code sets out that:

A written Code of Ethical Conduct protects the public interest and helps to ensure that the Members of Council and Members of local boards share a common basis for acceptable conduct. The standards are designed to provide a reference guide and supplement to the legislative parameters within which the Members must operate.

Members of Council and local boards are therefore expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny. In turn, adherence to the standards set out in this Code will protect and enhance the City of Vaughan's reputation and integrity.

In recommending the appropriate sanction, I took into consideration that the Respondent cooperated in the investigation and that this is the first time that I have found a violation under the Code against the Respondent. I considered the nature of the offence which was to undermine a decision of Council in relation to a matter before the OLT (a statutory tribunal) and to disparage other members. The civility of members is extremely important especially in relation to final decisions of Council. I also considered that I had provided advice to Council and to the member about the Code-prohibitions on this type of conduct before he committed these acts. I determined that these actions warrant more than a reprimand but that the length of any suspension of pay should not be overly punitive but that a meaningful sanction was necessary to prevent repetition of the offence by the Respondent or others.

I recommend that the City of Vaughan Council:

- i) Issue a formal Reprimand to Regional Councillor Mario G. Racco in relation to his actions in contravention of the Code set out in the findings above; and
- ii) Suspend the remuneration paid to Regional Councillor Mario G. Racco for a period of 10 days.

Respectfully submitted,

October 2, 2024

Suzanne Craig
Integrity Commissioner and Lobbyist Registrar

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD: 4

**TITLE: PROPOSED RENOVATION AND ADAPTIVE REUSE OF
BASSINGTHWAITE HOUSE LOCATED AT 10090 BATHURST
STREET, A DESIGNATED PROPERTY UNDER THE ONTARIO
HERITAGE ACT (TRANSMITTAL REPORT)**

FROM:

Heritage Vaughan Committee

ACTION: DECISION

Purpose

To forward recommendations from the Heritage Vaughan Committee meeting of September 26, 2024, (Item 1, Report No. 12) with respect to the subject matter, for consideration by Committee of the Whole.

Report Highlights

- Recommendations from the September 26, 2024, Heritage Vaughan Committee meeting are forwarded for consideration by Committee of the Whole.

Recommendations

1. That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management, dated September 26, 2024, be approved; and
2. That the presentation by Nick Borcescu, Senior Heritage Planner, Development Planning, be received.

Recommendations of the Deputy City Manager, Planning and Growth Management, dated September 26, 2024:

THAT Heritage Vaughan recommend Council approve the proposed renovations for adaptive reuse under *Ontario Heritage Act*, subject to the following conditions:

- a) Any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, which shall be determined at the discretion of the Director of Development Planning and Manager of Urban Design and Cultural Heritage;
- b) That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the *Ontario Planning Act* or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application;
- c) That prior to issuance of Heritage Permit, the applicant enters into a Tree Protection Agreement to the satisfaction of the City.
- d) That a review of the exterior treatment and restoration of the heritage asset and other details will be provided prior to issuance of Heritage Permit; and
- e) That the applicant submit Building Permit stage architectural drawings and building material specifications to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division

Background

At its meeting on September 26, 2024, the Heritage Vaughan Committee considered recommendations contained in the report of the Deputy City Manager, Planning and Growth Management [Attachment 2].

Attachment 1 of this report contains the Location Map of the subject property.

Previous Reports/Authority

N/a.

Analysis and Options

Recommendations from the Heritage Vaughan Committee meeting of September 26, 2024, are forwarded for consideration by Committee of the Whole.

Financial Impact

N/a.

Operational Impact

There are no operational impacts or considerations.

Broader Regional Impacts/Considerations

N/a.

Conclusion

This is a transmittal report from the City Clerk, on behalf of the Heritage Vaughan Committee, forwarding recommendations from its meeting of September 26, 2024, for consideration by Committee of the Whole.

For more information, please contact Todd Coles, City Clerk, extension 8281.

Attachments

1. Location Map.
2. Due to the size of the staff report and attachments, here is a link to the September 26, 2024, Heritage Vaughan Committee meeting [Agenda Item 1: 10090 Bathurst Street](#).

Prepared by

John Britto, Legislative Specialist, Office of the City Clerk, extension 8637.



Location Map

Location:
10090 Bathurst Street
Part of Lot 22, Concession 2



Attachment

DATE:
September 26, 2024

1

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD: 1

**TITLE: PROPOSED ALTERATIONS TO RESIDENTIAL/COMMERCIAL
BUILDING LOCATED AT 10489 ISLINGTON ROAD,
KLEINBURG-NASHVILLE HERITAGE CONSERVATION
DISTRICT (TRANSMITTAL REPORT)**

FROM:

Heritage Vaughan Committee

ACTION: DECISION

Purpose

To forward recommendations from the Heritage Vaughan Committee meeting of September 26, 2024, (Item 2, Report No. 12) with respect to the subject matter, for consideration by Committee of the Whole.

Report Highlights

- Recommendations from the September 26, 2024, Heritage Vaughan Committee meeting are forwarded for consideration by Committee of the Whole.

Recommendations

1. That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management, dated September 26, 2024, be approved;
2. That all the windows facing Islington Avenue are of the same material and have the same look as per the Kleinburg-Nashville Heritage Conservation District Plan Guidelines, to be approved by Urban Design and Cultural Heritage staff; and
3. That the presentation by Nick Borcescu, Senior Heritage Planner, Development Planning, be received.

Recommendations of the Deputy City Manager, Planning and Growth Management,
dated September 26, 2024:

THAT Heritage Vaughan recommend Council approve the proposed alterations to residential/commercial building at 10489 Islington Road under Section 42 of Ontario Heritage Act, subject to the following conditions:

- a) Any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, which shall be determined at the discretion of the Director of Development Planning and Manager of Urban Design and Cultural Heritage;
- b) That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the Ontario Planning Act or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application;
- c) That prior to issuance of Heritage Permit, the applicant enters into a letter of undertaking for the purpose of completion of all landscaping in accordance with the approved plans to the satisfaction of the City; and
- d) THAT prior to issuance of Heritage Permit, the applicant applies for a Private Tree Removal to the satisfaction of the City.
- e) That the applicant submits Building Permit stage architectural drawings and building material specifications to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

Background

At its meeting on September 26, 2024, the Heritage Vaughan Committee considered recommendations contained in the report of the Deputy City Manager, Planning and Growth Management [Attachment 2].

Attachment 1 of this report contains the Location Map of the subject property.

Previous Reports/Authority

N/a.

Analysis and Options

Recommendations from the Heritage Vaughan Committee meeting of September 26, 2024, are forwarded for consideration by Committee of the Whole.

Financial Impact

N/a.

Operational Impact

There are no operational impacts or considerations.

Broader Regional Impacts/Considerations

N/a.

Conclusion

This is a transmittal report from the City Clerk, on behalf of the Heritage Vaughan Committee, forwarding recommendations from its meeting of September 26, 2024, for consideration by Committee of the Whole.

For more information, please contact Todd Coles, City Clerk, extension 8281.

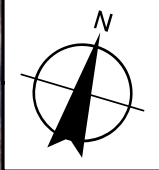
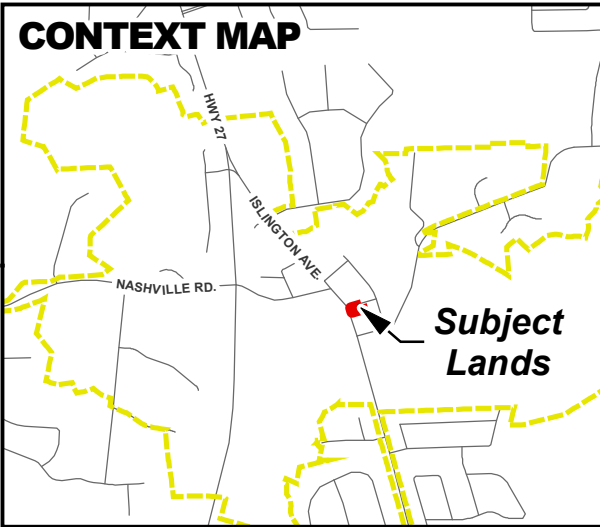
Attachments

1. Location Map.
2. Due to the size of the staff report and attachments, here is a link to the September 26, 2024, Heritage Vaughan Committee meeting [Agenda Item 2: 10489 Islington Avenue](#).

Prepared by

John Britto, Legislative Specialist, Office of the City Clerk, extension 8637.

CONTEXT MAP



Location Map

LOCATION:
10489 Islington Avenue
Part of Lot 24, Concession 8



Attachment

DATE:
September 26, 2024

1

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD: 5

TITLE: PROPOSED RENOVATION OF EXISTING DWELLING AND
REAR ADDITION GARDEN SUITE – LOCATED AT 15 MILL
STREET, THORNHILL HERITAGE CONSERVATION DISTRICT
(TRANSMITTAL REPORT)

FROM:

Heritage Vaughan Committee

ACTION: DECISION

Purpose

To forward recommendations from the Heritage Vaughan Committee meeting of September 26, 2024, (Item 3 Report No. 12) with respect to the subject matter, for consideration by Committee of the Whole.

Report Highlights

- Recommendations from the September 26, 2024, Heritage Vaughan Committee meeting are forwarded for consideration by Committee of the Whole.

Recommendations

1. That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management, dated September 26, 2024, be approved;
and
2. That the presentation by Nick Borcescu, Senior Heritage Planner, Development Planning, be received.

Recommendations of the Deputy City Manager, Planning and Growth Management,
dated September 26, 2024:

THAT Heritage Vaughan recommend Council approve the proposed renovations of existing structure and proposed rear addition at 15 Mill Street in the Thornhill Heritage Conservation District under Section 42 of *Ontario Heritage Act*, subject to the following conditions:

- a) Any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, which shall be determined at the discretion of the Director of Development Planning and Manager of Urban Design and Cultural Heritage;
- b) That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the *Ontario Planning Act* or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application;
- c) That prior to issuance of Heritage Permit, the applicant enters into a Tree Protection Agreement to the satisfaction of the City.
- d) That the applicant submits Building Permit stage architectural drawings and building material specifications to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

Background

At its meeting on September 26, 2024, the Heritage Vaughan Committee considered recommendations contained in the report of the Deputy City Manager, Planning and Growth Management [Attachment 2].

Attachment 1 of this report contains the Location Map of the subject property.

Previous Reports/Authority

N/a.

Analysis and Options

Recommendations from the Heritage Vaughan Committee meeting of September 26, 2024, are forwarded for consideration by Committee of the Whole.

Financial Impact

N/a.

Operational Impact

There are no operational impacts or considerations.

Broader Regional Impacts/Considerations

N/a.

Conclusion

This is a transmittal report from the City Clerk, on behalf of the Heritage Vaughan Committee, forwarding recommendations from its meeting of September 26, 2024, for consideration by Committee of the Whole.

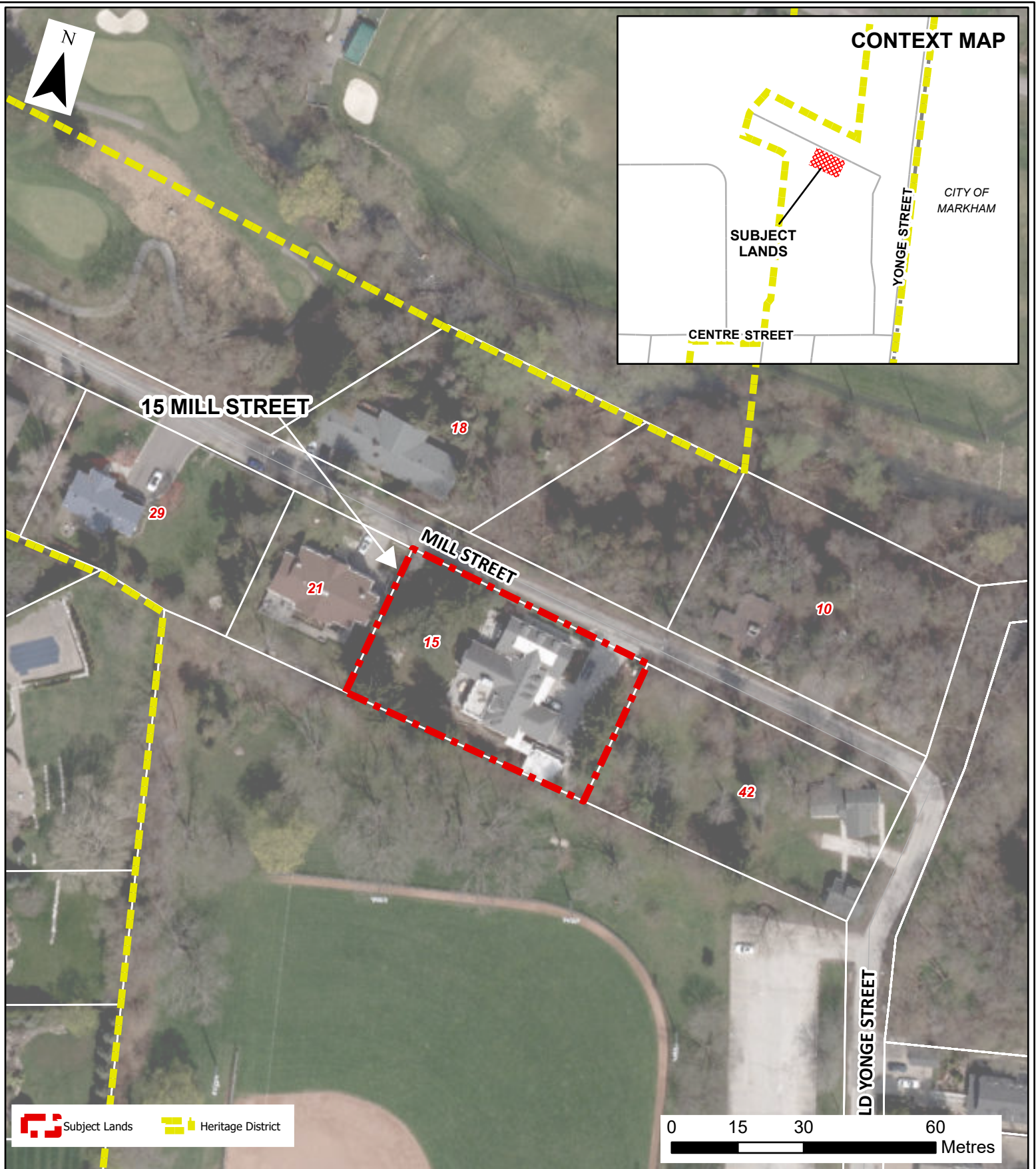
For more information, please contact Todd Coles, City Clerk, extension 8281.

Attachments

1. Location Map.
2. Due to the size of the staff report and attachments, here is a link to the September 26, 2024, Heritage Vaughan Committee meeting [Agenda Item 3: 15 Mill Street](#).

Prepared by

John Britto, Legislative Specialist, Office of the City Clerk, extension 8637.



Location Map

LOCATION:
15 Mill Street
Part of Lot 31, Concession 1



Attachment

DATE:
September 26, 2024

1

**CITY OF VAUGHAN
REPORT NO. 4 OF THE
TRANSPORTATION AND INFRASTRUCTURE
ADVISORY COMMITTEE**

*For consideration by the Committee of the Whole
of the City of Vaughan
on October 22, 2024*

The Transportation and Infrastructure Advisory Committee met at 9:35 a.m. on September 18, 2024, via electronic participation. The following members were present at the meeting:

Councillor Rosanna DeFrancesca, Chair
Regional Councillor Mario G. Racco
Elias El Ferezli
Guillermo Rybnik
Oguzhan Tekin
Aydin Yuce

Staff

Margie Chung, Manager of Traffic Engineering
Christopher Tam, Manager, Transportation Planning and Engineering
Alicia Jakaitis, Program Manager, Transportation Planning and Research
Erynn Sally, Manager, Corporate and Strategic Communications
Nicole Birrell, Communications Advisor
Adelina Bellisario, Legislative Specialist

The following items were dealt with:

1. ACTIONS FOR TERM OF COMMITTEE - CONFIRMATION UPDATE

The Transportation and Infrastructure Advisory Committee advises Council:

- 1) That the presentation by Alicia Jakaitis, Program Manager, Transportation Planning and Research and Communications C1 and C2, Action Logs, were received.**

**TRANSPORTATION AND INFRASTRUCTURE ADVISORY COMMITTEE
FOR CONSIDERATION BY THE COMMITTEE OF THE WHOLE,
OCTOBER 22, 2024**

**2. INTRODUCTION TO MOBILITY ACTION PLAN AND
TRANSPORTATION DATA MANAGEMENT STRATEGY**

The Transportation and Infrastructure Advisory Committee advises Council:

- 1) That the presentation by Alicia Jakaitis, Program Manager, Transportation Planning and Research and Communication C3, presentation material, entitled, “Transportation and Infrastructure Advisory Committee” dated September 18, was received and referred to staff; and
- 2) That the comments by Claudio Bevilacqua, Wycliffe Avenue, Woodbridge, were received.

3. MEMBERSHIP UPDATE

The Transportation and Infrastructure Advisory Committee advises Council:

1. That the resignation of Ms. Tanya Nagayeva, be received;
2. That the vacancies created by the resignation and the forfeiture of Mr. Andres Larios, be filled from the initial list of applicants which was brought forward during the appointment to non-statutory Committees for the 2022-2026 Term of Office.

The meeting adjourned at 11:05 a.m.

Respectfully submitted,

Councillor Rosanna DeFrancesca, Chair



**CITY OF VAUGHAN
REPORT NO. 12 OF THE
HERITAGE VAUGHAN COMMITTEE**

***For consideration by the Committee of the Whole
of the City of Vaughan
on October 22, 2024***

The Heritage Vaughan Committee met at 7:00 p.m., on September 26, 2024, via electronic participation. The following members were present at the meeting:

Members Present:

Giacomo Parisi, Chair
John Senisi, Vice Chair
Charlie (Hao) Zheng
Michael Eckler
Ricardo Orsini
Sandra Colica
Zohaib Malhi
Councillor Marilyn Iafrate
Councillor Chris Ainsworth

Staff Present:

Shahrzad Davoudi-Strike, Manager, Urban Design & Cultural Heritage, Development Planning
Nick Borcescu, Senior Heritage Planner, Development Planning
Katrina Guy, Heritage Specialist, Development Planning
Michael Maugeri, Heritage Specialist, Development Planning
Vanessa Lio, Heritage Specialist, Development Planning
Isabel Leung, Manager, Administrative Services and Deputy City Clerk
John Britto, Legislative Specialist, Office of the City Clerk

Others Present:

Evan Sugden, Anatolia Block 59 Developments Limited, Kingston Road, Scarborough
Joseph Gulizia, Cares for One, Edgeley Boulevard, Vaughan
Josh Berry, Anatolia Block 59 Developments Limited, Huntington Road, Vaughan
Roy Murad, Mill Street, Thornhill, Vaughan
Stephen Pham, Weston Consulting, Millway Avenue, Vaughan
Tony Baldasara, Cares for One, Great Gulf Drive, Concord
Valentina Perrelli, Islington Avenue, Kleinburg, Vaughan

The following items were dealt with:

1. PROPOSED RENOVATION AND ADAPTIVE REUSE OF BASSINGTHWAITE HOUSE LOCATED AT 10090 BATHURST STREET, A DESIGNATED PROPERTY UNDER THE ONTARIO HERITAGE ACT

The Heritage Vaughan Committee recommended that the following recommendations be forwarded to Council for approval:

- 1) That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management, dated September 26, 2024, be approved; and**
- 2) That the presentation by Nick Borcescu, Senior Heritage Planner, Development Planning, be received.**

Recommendations

THAT Heritage Vaughan recommend Council approve the proposed renovations for adaptive reuse under *Ontario Heritage Act*, subject to the following conditions:

- a. Any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, which shall be determined at the discretion of the Director of Development Planning and Manager of Urban Design and Cultural Heritage;
- b. That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the *Ontario Planning Act* or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application;
- c. That prior to issuance of Heritage Permit, the applicant enters into a Tree Protection Agreement to the satisfaction of the City;
- d. That a review of the exterior treatment and restoration of the heritage asset and other details will be provided prior to issuance of Heritage Permit; and
- e. That the applicant submit Building Permit stage architectural drawings and building material specifications to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

2. PROPOSED ALTERATIONS TO RESIDENTIAL/COMMERCIAL BUILDING LOCATED AT 10489 ISLINGTON ROAD, KLEINBURG-NASHVILLE HERITAGE CONSERVATION DISTRICT

The Heritage Vaughan Committee recommended that the following recommendations be forwarded to Council for approval:

- 1) That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management, dated September 26, 2024, be approved;**

- 2) That all the windows facing Islington Avenue are of the same material and have the same look as per the Kleinburg-Nashville Heritage Conservation District Plan Guidelines, to be approved by Urban Design and Cultural Heritage staff; and
- 3) That the presentation by Nick Borcescu, Senior Heritage Planner, Development Planning, be received.

Recommendations

THAT Heritage Vaughan Committee recommend Council approve the proposed alterations to residential/commercial building at 10489 Islington Road under Section 42 of the *Ontario Heritage Act*, subject to the following conditions:

- a. Any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, which shall be determined at the discretion of the Director of Development Planning and Manager of Urban Design and Cultural Heritage;
- b. That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the *Ontario Planning Act* or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application;
- c. That prior to issuance of Heritage Permit, the applicant enters into a letter of undertaking for the purpose of completion of all landscaping in accordance with the approved plans to the satisfaction of the City;
- d. THAT prior to issuance of Heritage Permit, the applicant applies for a Private Tree Removal to the satisfaction of the City; and
- e. That the applicant submits Building Permit stage architectural drawings and building material specifications to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

3. PROPOSED RENOVATION OF EXISTING DWELLING AND REAR ADDITION GARDEN SUITE LOCATED AT 15 MILL STREET, THORNHILL HERITAGE CONSERVATION DISTRICT

The Heritage Vaughan Committee recommended that the following recommendations be forwarded to Council for approval:

- 1) That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management, dated September 26, 2024, be approved; and
- 2) That the presentation by Nick Borcescu, Senior Heritage Planner, Development Planning, be received.

Recommendations

THAT Heritage Vaughan recommend Council approve the proposed renovations of existing structure and proposed rear addition at 15 Mill Street in the Thornhill Heritage Conservation District under Section 42 of *Ontario Heritage Act*, subject to the following conditions:

- a. Any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, which shall be determined at the discretion of the Director of Development Planning and Manager of Urban Design and Cultural Heritage;
- b. That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the *Ontario Planning Act* or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application;
- c. That prior to issuance of Heritage Permit, the applicant enters into a Tree Protection Agreement to the satisfaction of the City;
- d. That the applicant submits Building Permit stage architectural drawings and building material specifications to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

4. PROPOSED DESIGNATION OF 6120 KING-VAUGHAN ROAD UNDER PART IV OF THE ONTARIO HERITAGE ACT

The Heritage Vaughan Committee recommends:

- 1) **That consideration of this matter be deferred to a future Heritage Vaughan Committee meeting in accordance with the recommendation contained in Communication C1., Memorandum from the Deputy City Manager, Planning and Growth Management dated September 25, 2024:**
 1. **That Items 4, 5 and 6 be deferred to a future Heritage Vaughan Committee meeting.**

Recommendations

THAT Heritage Vaughan recommend Council approve the proposed designation as presented, subject to following conditions:

1. That Council approve the recommendation of the Heritage Vaughan Committee to designate 6120 King-Vaughan Road in accordance with Part IV, Section 29 of the *Ontario Heritage Act* R.S.O. 1990, c. O.18.
2. That Staff be authorized to publish and serve the Notice of Intention to Designate in accordance with the requirements under Part IV, Section 29 of the *Ontario Heritage Act* R.S.O. 1990, c.O.18 to the Property Owner, the Ontario Heritage Trust, and published on the City Website.

3. If no objection is served on the City Clerk within 30 days of the date of publication of the Notice of Intention, Council shall pass a By-law designating 6120 King-Vaughan Road and a copy of the By-law shall be served on the Owner and Ontario Heritage Trust and a notice shall be published on the City Website.

5. PROPOSED DESIGNATION OF 3740 KING-VAUGHAN ROAD UNDER PART IV OF THE ONTARIO HERITAGE ACT

The Heritage Vaughan Committee recommends:

- 1) That consideration of this matter be deferred to a future Heritage Vaughan Committee meeting in accordance with the recommendation contained in Communication C1., Memorandum from the Deputy City Manager, Planning and Growth Management dated September 25, 2024:
 1. That Items 4, 5 and 6 be deferred to a future Heritage Vaughan Committee meeting.

Recommendations

THAT Heritage Vaughan recommend Council approve the proposed designation as presented, subject to following conditions:

1. That Council approve the recommendation of the Heritage Vaughan Committee to designate 3740 King-Vaughan Road in accordance with Part IV, Section 29 of the *Ontario Heritage Act* R.S.O. 1990, c. O.18.
2. That Staff be authorized to publish and serve the Notice of Intention to Designate in accordance with the requirements under Part IV, Section 29 of the *Ontario Heritage Act* R.S.O 1990, c.O.18 to the Property Owner, the Ontario Heritage Trust, and published on the City Website.
3. If no objection is served on the City Clerk within 30 days of the date of publication of the Notice of Intention, Council shall pass a By-law designating 3740 King-Vaughan Road and a copy of the By-law shall be served on the Owner and Ontario Heritage Trust and a notice shall be published on the City Website.

6. PROPOSED LISTING UNDER SECTION 27, PART IV OF THE ONTARIO HERITAGE ACT OF 2601 KING-VAUGHAN ROAD

The Heritage Vaughan Committee recommends:

- 1) That consideration of this matter be deferred to a future Heritage Vaughan Committee meeting in accordance with the recommendation contained in Communication C1., Memorandum from the Deputy City Manager, Planning and Growth Management dated September 25, 2024:

1. That Items 4, 5 and 6 be deferred to a future Heritage Vaughan Committee meeting.

Recommendations

THAT Heritage Vaughan recommend Council approve the proposed listing as presented, subject to following conditions:

1. That Council approve the recommendation of the Heritage Vaughan Committee for the proposed Listing of 2601 King-Vaughan Road in accordance with Part IV, Section 27 of the *Ontario Heritage Act* R.S.O. 1990, c. O.18.
2. That within 30 days of the addition of the property to the Municipal Heritage Register, The City send a notice to the owner of the property.

7. TEMPORARY RELOCATION OF JOHN FLEMING HOUSE, LISTED UNDER PART IV, LOCATED AT 9151 HUNTINGTON ROAD, WOODBRIDGE (REFERRED)

The Heritage Vaughan Committee recommended that the following recommendations be forwarded to Council for approval:

- 1) That Council annul the heritage easement agreement to permit demolition of the John Fleming House located at 9151 Huntington Road under Section 27 of the Ontario Heritage Act, and release the Letter of Credit Security in the amount of \$980,595.00;
- 2) That Council approve a commemorative display, and material salvage and reuse, in a manner that recognizes and carries forward the legacy of the John Fleming House to the satisfaction of the City, to be finalized through the site plan agreement;
- 3) That Council approve the delisting of the John Fleming House located at 9151 Huntington Road from the Municipal Register Listing of Significant Heritage Structures (LSHS);
- 4) That the report of the Deputy City Manager, Planning and Growth Management, dated July 24, 2024, be received;
- 5) That the comments from the following Speakers be received:
 1. Josh Berry, Senior Development Manager, Anatolia Block 59 Developments Limited, Huntington Road, Vaughan; and
 2. Evan Sugden, Professional Heritage Consultant, representing Anatolia Block 59 Developments Limited, Huntington Road, Vaughan; and
- 6) That Communication C2., Memorandum from the Deputy City Manager, Planning and Growth Management, dated September 25, 2024, be received.

Recommendations

Council at its meeting of September 24, 2024, adopted the following recommendation (Item 15, Committee of the Whole Report No. 27):

By approving that this matter be referred to the Heritage Vaughan meeting of September 26, 2024.

Recommendations of the Committee of the Whole of September 10, 2024:

The Committee of the Whole recommends that consideration of this matter be deferred to the October 8, 2024, Committee of the Whole (1) meeting to provide Development Planning staff the opportunity to respond to new information received.

Transmittal report recommendations from the Heritage Vaughan Committee, dated July 24, 2024:

THAT Heritage Vaughan recommend Council approve the proposed temporary relocation of the John Fleming House at 9151 Huntington Road under Section 42 of *Ontario Heritage Act*, subject to the following conditions:

1. Any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, which shall be determined at the discretion of the Director of Development Planning and Manager of Urban Design and Cultural Heritage;
2. That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the *Ontario Planning Act* or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application;
3. That the Owner submits Building Permit stage architectural and structural engineering drawings and specifications outlining the relocation, and Building Condition report following the relocation, to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

The meeting adjourned at 8:26 p.m.

Respectfully submitted,

Giacomo Parisi, Chair



**CITY OF VAUGHAN
REPORT NO. 4 OF THE
AUDIT COMMITTEE**

***For consideration by the Committee of the Whole
of the City of Vaughan
on October 22, 2024***

The Audit Committee met at 10:01 a.m., on September 30, 2024.
The following members were present at the meeting:

Council Members:

Councillor Rosanna DeFrancesca, Chair
Councillor Chris Ainsworth, Vice Chair
Regional Councillor Gino Rosati
Councillor Adriano Volpentesta

Citizen Members:

John Glicksman
Geneviève Grenier

Staff Present:

Nick Spensieri, City Manager
Kevin Shapiro, Director of Internal Audit
Hemingway Wu, Audit Project Manager
Luca DeFazio, Audit Project Manager
Mike Petrilli, Audit Project Manager
Rebecca Burchert, Audit Project Manager
Michael Coroneos, Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer
Wendy Law, Deputy City Manager, Legal and Administrative Services & City Solicitor
Jennifer Ormston, Director, Communications, Marketing and Engagement
Michael Marchetti, Director, Financial Planning & Development / Deputy City Treasurer
Nancy Tuckett, Director, Development Planning
Nancy Yates, Director, Financial Services and Deputy City Treasurer
Shahzad Davoudi-Strike, Manager, Cultural Heritage
Mary Caputo, Senior Manager, Development Planning
Juan Carlos Molina, Manager, Planning GIS & Analytics
Susan Teicht, Communications Specialist, Client Services, Communications, Marketing and Engagement
Stephanie Ferreira, Executive Assistant, DCM, P&GM
Dorianne Squadrilla, Office Coordinator, Development Planning
John Britto, Council/Committee Administrator, Office of the City Clerk

The following items were dealt with:

1. MUNICIPAL ACCOMMODATION TAX AUDIT – STATUS OF MANAGEMENT ACTION PLAN #1

The Audit Committee advises Council:

- 1) That the recommendation contained in the report of the Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer, dated September 30, 2024, was approved.**

Recommendation

1. That this report on the status of Management Action Plan #1 be received for information.

2. DEVELOPMENT PLANNING AUDIT

The Audit Committee advises Council:

- 1) That the recommendation contained in the report of the Director of Internal Audit, dated September 30, 2024, was approved; and**
- 2) That the presentation by Kevin Shapiro, Director of Internal Audit, was received.**

Recommendation

1. That the Internal Audit Report on Development Planning be received.

The meeting adjourned at 10:30 a.m.

Respectfully submitted,

Councillor Rosanna DeFrancesca, Chair



CITY OF VAUGHAN
REPORT NO. 7 OF THE
AGE-FRIENDLY VAUGHAN ADVISORY COMMITTEE

*For consideration by the Committee of the Whole
of the City of Vaughan
on October 22, 2024*

The Age-Friendly Vaughan Advisory Committee met at 3:33 p.m., on September 30, 2024, in the Woodbridge Room (242/243). The following members were present at the meeting:

Members Present

Regional Councillor Mario Ferri, Chair
Gerry O'Connor, Vice Chair
Giuseppina Di Luciano
Marina Di Battista
Councillor Rosanna De Francesca
Randi Lopatin

Also Present

Mubina Jaffer, The Abilities Centre Whitby, Thornhill Woods, Vaughan

Staff Present

Adam Mobbs, Recreation Manager, Community Centres, Recreation Services
Leigha King, Program and Project Coordinator, Recreation Services
Susan Teicht, Communications Specialist, Client Services, Corporate and Strategic Communications
Joanne Wood, Recreation Supervisor, Community Development & Planning, Recreation Services
Stella Martinella, EA to Regional Councillor Ferri
Andrew Abballe, Council Research Assistant (Ferri)
Iulia Negutoiu, Administrative Services Representative, Recreation Services
Stephen O'Sullivan, AV Tech.
John Britto, Legislative Specialist, Office of the City Clerk

The following items were dealt with:

1. GROWING TOGETHER: VAUGHAN COMMUNITY SPACES PLAN

The Age-Friendly Vaughan Advisory Committee advises Council:

- 1) That the presentation by Melanie Taylor, MJMA Architecture and Design, Liberty Street, Toronto, was received; and**
- 2) That the comments from the Committee were received.**

2. SHIVI DARUBRA – RESIGNATION

The Age-Friendly Vaughan Advisory Committee advises Council:

- 1) That the resignation of Shivi Darubra was received.**

3. NEW BUSINESS – OCTOBER 28, 2024, MEETING

The Age-Friendly Vaughan Advisory Committee advises Council:

- 1) That the Committee agreed that the October 28, 2024, Age-Friendly Vaughan Advisory Committee meeting will be held in-person at City Hall.**

The foregoing matter was brought to the attention of the Committee by Regional Councillor Mario Ferri, Chair.

The meeting adjourned at 4:40 p.m.

Respectfully submitted,

Regional Councillor Mario Ferri, Chair

CITY OF VAUGHAN
REPORT NO. 4 OF THE
ACCESSIBILITY ADVISORY COMMITTEE

*For consideration by the Committee of the Whole
of the City of Vaughan
on October 22, 2024*

A meeting of the Accessibility Advisory Committee was scheduled for Monday, September 30, 2024, held electronically via Microsoft Teams; however, a quorum was not reached. A roll call of members present was taken at 7:30 p.m. with the following present:

Members:

Councillor Gila Martow, Chair
Michelle Zaldin, Vice Chair
Paresh Jamnadas
Nida Khurshid

Staff:

Mark Bond, Chief Human Resources Officer
Michael Genova, Chief, Communications and Economic Development
Rouya Botlani, Manager, Inclusion and Community Outreach
Rudi Czekalla-Martinez, Manager, Policy & Business Planning
Adam Mobbs, Recreation Manager, Community Centres
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