#### **COMMITTEE OF THE WHOLE – JUNE 5, 2018**

#### **COMMUNICATIONS**

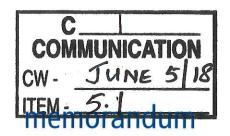
| <u>Distril</u> | outed June 1, 2018   | Item No. |
|----------------|--|----------|
| C1.            | Memorandum from the Integrity Commissioner and Lobbyist Registrar, dated May 31, 2018.   | 5.1      |
| C2.            | Memorandum from the City Clerk, dated June 1, 2018.  | 5.28     |
| Distril        | outed June 4, 2018   |          |
| C3.            | Memorandum from the Deputy City Manager, Public Works, dated June 1, 2018.   | 5.16     |
| C4.            | Mr. Robert A. Kennedy, President, MacKenzie Ridge Ratepayers Association, 87 Georgia Crescent, Maple, dated June 2, 2018.              | 5.35     |
| C5.            | Ms. Tania Lamanna, dated February 8, 2017.   | 5.42     |
| C6.            | Memorandum from the Deputy City Manager, Planning and Growth Management, dated June 4, 2018.   | 5.13     |
| C7.            | Memorandum from the Deputy City Manager, Planning and Growth Management, dated June 4, 2018.   | 5.33     |
| C8.            | Tas Candaras, a.m. candaras associates inc., Weston Road, Woodbridge, dated May 29, 2018.  | 5.39     |
| C9.            | A. Milliken Heisey, Q.C., Papazian   Heisey   Myers, Barristers & Solicitors, King Street West, Toronto, dated June 4, 2018.           | 5.36     |
| C10.           | Memorandum from the Deputy City Manager, Public Works and the Deputy City Manager, Planning and Growth Management, dated June 4, 2018. | 5.41     |
| <u>Distril</u> | outed June 5, 2018 (at the meeting)  |          |
| C11.           | Mr. Peter LiPreti, dated June 5, 2018, submitted by Mr. Chand Kapoor   | 5.5      |
| C12.           | WorldFEST, Vaughan's Multicultural Festival, submitted by Ms. Sejal Gajjar   | Dep. 2   |

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Please note there may be further Communications.





TO:

HONOURABLE MAYOR AND MEMBERS OF COUNCIL

FROM:

SUZANNE CRAIG, INTEGRITY COMMISSIONER AND LOBBYIST REGISTRAR

DATE:

**THURSDAY, MAY 31, 2018** 

SUBJECT:

ITEM # 5.1, REPORT NO. 21: COMMITTEE OF THE WHOLE – JUNE 5, 2018

OFFICE OF THE INTEGRITY COMMISSIONER ANNUAL REPORT AND LOBBYIST

**REGISTRAR UPDATE** 

#### <u>Purpose</u>

To provide Council with the Integrity Commissioner and Lobbyist Registrar 2016-2017 Annual Report (Attachment 1) and Examples of Advice from the Integrity Commissioner (Attachment 2).

#### **Background**

As required under Part B of the Complaint Protocol for the Council Code of Conduct, and as part of the role of the Integrity Commissioner's Office, an annual report shall be submitted to City Council to outline the annual activities of the Office.

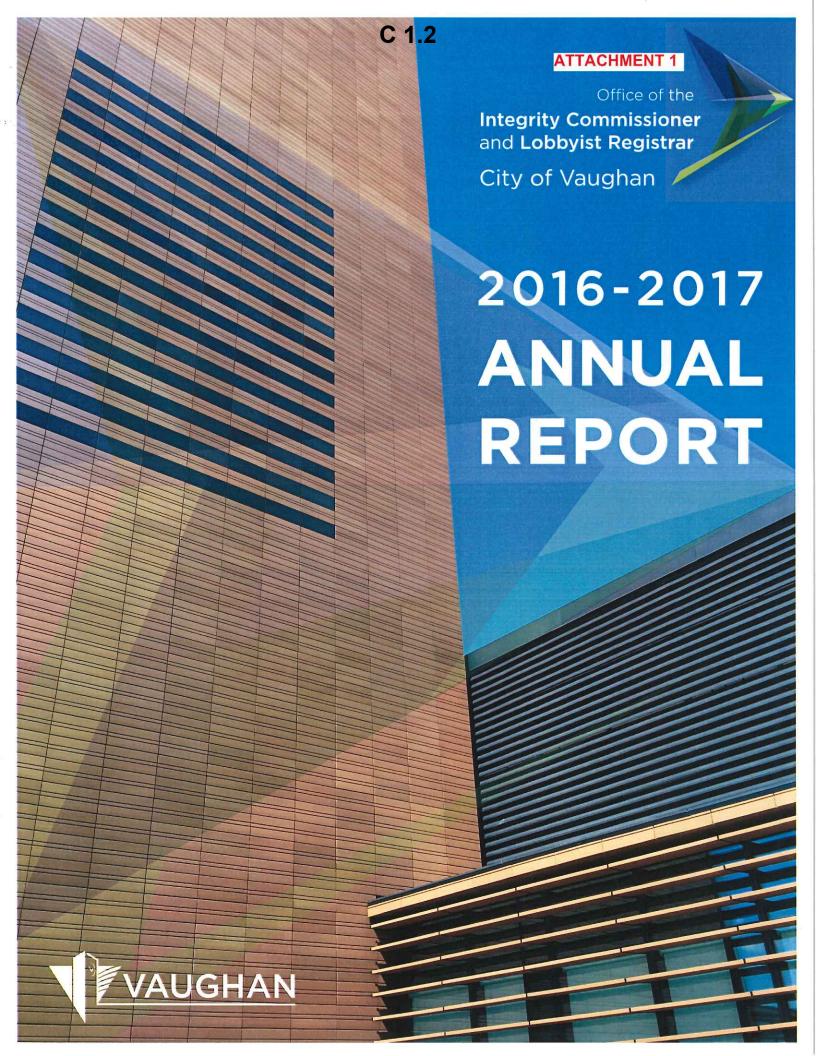
#### Attachments

- 1. Integrity Commissioner and Lobbyist Registrar 2016-2017 Annual Report
- 2. Examples of Advice from the Integrity Commissioner

Respectively submitted,

Suzanne Craig

Integrity Commissioner and Lobbyist Registrar



Vaughan continues to go above and beyond its statutory accountability requirements in its efforts to deliver a quality of government service for its municipal residents and businesses that has served as a model for other municipalities in Ontario and beyond.

Suzanne Craig, Integrity Commissioner

Office of the Integrity Commissioner and Lobbyist Registrar

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#### MESSAGE FROM THE INTEGRITY COMMISSIONER



Suzanne Craig, Integrity Commissioner

This report covers the 2017 reporting year. The last report covered a period during which this office faced extraordinary operating challenges including the absence of administrative support\* vital to an accountability office. The lack of an appropriate level of administrative support significantly impeded the timely reporting obligations of this office.

Under the leadership of the City Manager Daniel Kostopoulos, this office has been kept apprised of the ethical milestones achieved by the City that have been created to work in concert with the rules of the Council Code of Conduct to enhance ethical decision-making and accountability. Mr. Kostopoulos' vision for the City has been instrumental in facilitating the provision of necessary resources to carry out the statutory accountability and oversight functions of this office in an effective and timely manner.

In the 2017 reporting year, I have been greatly encouraged to see Vaughan City Council put its commitment to accountability and transparency into action through the bold statement condemning workplace harassment and staff intimidation following the submission of Complaint Investigation Report #0117.

As I stated unequivocally in that report, there was a substantial power imbalance between a member of staff and a Member of Council. Courts and tribunals now

<sup>\*</sup>Full-time administrative staff compliment was hired January 2016.



recognize that a substantial power imbalance can erode, if not impede, a Complainant's belief that they can refuse unwanted advances. Most victims of workplace harassment fear unforeseen consequences which could be either personal or work-related. In these cases, it is not uncommon for victims of workplace harassment to tolerate unwanted behaviour longer than expected, as was found in Complaint Investigation Report #0117.

At the City of Vaughan, City Council's unanimous adoption of the Integrity Commissioner's Report, categorically underscored that in the face of the Respondent's claim that the victim did not voice her opposition; silence or the lack of "no" is not consent.

Complainants who have suffered sexual harassment must be able to come forward with complaints, as the Complainant did in Report #0117. To encourage such bravery, the City must ensure that the Respectful Workplace Policy is rigorously enforced, including vigilance against reprisals and other conduct that stifles complaints. As noted by the Honourable Marie Deschamps, Justice of the Supreme Court of Canada¹, in her external report on sexual harassment in the Canadian Armed Forces, numerous organizations are struggling to address the prevalence of inappropriate sexual conduct. The time is right for the issue of sexual harassment to be tackled because it not only harms victims, but the integrity and professionalism of the City as a whole.

I am pleased with the level of involvement that my office has had to date with the Chief Human Resources Officer and his staff, with the goal of creating ongoing training to educate staff and Members of Council on the City's Human Resources policies, particularly in the context of addressing workplace harassment, recruitment and the roles and responsibilities of staff and Members of Council.

My deepest appreciation is given to Ms. Cathy Passafiume, whose tireless work goes unseen and whose professionalism continues to provide this Office and the City with an unwavering commitment to excellence.

In January 2018, the City of Vaughan implemented the mandatory lobbyist registry program which was a significant step in demonstrating Council's unwavering commitment to raise the bar and be a national leader to deliver transparency, openness and excellence in government.

'The Honourable Marie Deschamps, External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces (March 27, 2015), accessible at: http://www.forces.gc.ca/assets/FORCES\_Internet/docs/en/caf-community-support-services-harassment/lera-final-report-(april-20-2015)-eng.pdf.



### 1.0ACCOUNTABILITY AND IMPARTIALITY

#### 1.1 Bill 68 – Modernizing Ontario's Municipal Legislation Act, 2016

Bill 68 amended the Municipal Act, the City of Toronto Act and the Municipal Conflict of Interest Act (MCIA), adding new opportunities for increasing the accountability and transparency of municipal councils across the Province of Ontario.

One of the key changes ushered in with the new legislation is the requirement that all municipalities have an integrity commissioner.

Under the new legislation, the provisions affecting the accountability sections of the provincial statutes will come into force in March 2019.

The City of Vaughan instituted the Office of the Integrity Commissioner in 2008 and was one of the first municipal governments in Ontario to voluntarily appoint an Integrity Commissioner to oversee the Code of Conduct for Members of Council.

The new amendments to the MCIA have brought about significant changes to the accountability regimes of municipalities. Of importance are the provisions that will allow integrity commissioners to receive and investigate complaints about compliance with the codes of conduct and the MCIA.

Currently, section 5 of the MCIA sets out rules that apply if a member has a pecuniary interest in a matter and is present at a meeting where the matter is subject to consideration. A new subsection 5 (2.1) sets out special rules that apply where the matter under consideration is whether to impose a penalty on the member under subsection 223.4 (5) or (6) of the Municipal Act, 2001.

A new section 5.1 of the Act requires a member to file a written statement after the member discloses a pecuniary interest under section 5.

Of particular importance for this office is that under the new rules, in addition to an elector, an integrity

commissioner of a municipality or a person demonstrably acting in the public interest, may make an application to a judge in respect of a complaint under the MCIA about a member of municipal council.

On April 11, 2017, I attended the Standing Committee on Policy Bill 68 to provide independent comments on the proposed changes to the municipal governance statutes.

I informed the committee that in a recent decision handed down by the Divisional Court, in referencing the role and expertise of a municipal integrity commissioner, Justice Marrocco A.C., referencing the salient findings from the Bellamy Report, stated that:

"[i]n a municipal government..., [the Office of the Integrity Commissioner] is valuable for the following reasons.

Page 44: An integrity commissioner can help ensure consistency in applying the [municipality's] code of conduct. Compliance with policy improves when:

- Busy councillors and staff cannot be expected to track with precision the development of ethical norms. The Integrity Commissioner can therefore serve as an important source of ethical expertise.
- An Integrity Commissioner provides significant profile to ethical issues inside City government and sends an important message to constituents about the City's commitment to ethical governance.
- An individual will need authoritative advice and guidance.
- Without enforcement, the rules are only guidelines. Although research shows that a valuesbased approach to ethics policy, focusing on defining values and encouraging employee commitment, is preferable to a system of surveillance and punishment, where the public interest is involved, there should be a deterrent in the form of consequences for bad behavior. The rules must have teeth.

Page 46: An effective Integrity Commissioner system provides two basic services:

- 1 An advisory service, to help councillors and staff who seek advice before they act.
- 2 An investigative or enforcement service, to examine conduct alleged to be an ethical breach.

No matter how comprehensive the rules, there will on occasion be situations where the ethical course of action is not clear and an individual will need authoritative advice and guidance<sup>2</sup>.

In explaining to the Standing Committee the challenges faced by integrity commissioners, I pointed to the issue of tenure of office and indemnification. The absence of provisions to address these issues, ran the risk of seriously eroding the independence of the integrity commissioner and the very accountability and ethics framework contemplated by legislation to govern actions and behaviour of elected officials in the public interest. Currently, section 223.3(1) of the Municipal Act states that:

...[the Act authorizes] the municipality to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality...

In the absence of a term of appointment, I informed the Standing Committee that the integrity commissioner's independence is often compromised when she or he, in fulfilment of the role of accountability officer, submits a report with recommendations unfavourable to one or more Members of Council. There exists the real risk that the ability of the integrity commissioner to faithfully and thoroughly investigate a code complaint, is comprised by the ability of the Council to deny budgetary funds required to carry out the integrity commissioner's mandate or for the Council to arbitrarily end the integrity commissioner's appointment in response to her submission of an unfavourable report accountable under the same set of rules.

<sup>2</sup>As quoted from pages 44 and 46 of the decision are taken from *Michael DiBiase v. City of Vaughan; Integrity Commissioner of the City of Vaughan ("Michael DiBiase v. City of Vaughan")*, 2016 ONSC 5620, 2016 CarswellOnt 14568 (Ont. Div. Ct.).



#### 1.2 Mandatory Lobbyist Registry

The City of Vaughan's mandatory Lobbyist Registry came into force in January 2018. Implementing the registry demonstrates the City of Vaughan's commitment to a culture of excellence in governance. The implementation of a Mandatory Lobbyist Registry is an important step in enhancing transparency and accountability.

As explained by experts in the field, in general, lobbying consists of activities that can influence the opinions or actions of a public office holder. Under the definition of "lobby" in the City of Vaughan By-law "lobbying is communicating with a public office holder by an individual who represents a business or financial interest with the goal of trying to influence any legislative action, including, but not exclusively, development, introduction, passage, defeat, amendment or repeal of a by-law, motion, resolution or the outcome of a decision on any matter before Council or Committee of Council, or staff member acting under delegated authority." Lobbying typically involves communicating outside of a public forum such as a Council meeting or a public hearing. It is often, but not always, done by people who are paid or compensated in other ways for their efforts.

What we see throughout Canada, at the federal, provincial and municipal level is that lobbying is one way stakeholders can help public office holders make informed decisions. When transparent to the public and in accordance with the By-law, lobbying public office holders of a city is a legitimate and potentially helpful activity. At the municipal level Council is supreme. Further, individual Members of Council often have relationships, knowledge and receive information, that when received in a transparent way and when part of a rule-based process (i.e. a detailed purchasing policy that outlines the role of Councillors in the fact-finding, pre-qualification, RFQ and RFP stages of tenders), allows opportunities to come forward without the perception of self-interest or bias.

Lobbying is a common and legitimate activity. Registering lobbying activities allows both public office holders and the public to know who is attempting to influence municipal government. That is why, in 2006, the drafters of the amendments to the Municipal Act, included provisions for the establishment of a lobbyist registry and registrar. Granted, not all municipalities are required to enact such elaborate rules and systems. However, at the foundation of the 2006 amendments was the desire of the Ontario legislature to recognize the general trend in municipal government to develop rules around ethical conduct for elected officials so that they may carry out their duties with impartiality and equality of service for all.

A vibrant and diverse world-class city such as Vaughan, asks questions that need to be addressed, including:

1 how to attract and retain a vibrant and diverse business community and professional workforce at the City; and

What is the role of an individual Member of Council before and during a municipal government procurement or planning process?

Under the leadership of Mayor Maurizio Bevilacqua, Vaughan Council has approved the creation of a mandatory Lobbyist Registry which allows the public to see who is communicating with public office holders about governmental decisions. The implementation of this important governance and accountability structure has established an independent mechanism to provide transparency and assurance to the citizens of Vaughan that Council decisions are made without undue influence by any members of Council on staff.

#### 1.3 Emerging Issues

"The perception of real or apparent conflicts of interest will significantly erode the public's confidence in how elected officials discharge their duties of office." In my last Annual Report, I pointed to the activities of Council Members in community events as an issue that required Council's attention. These activities included their participation in fundraising events and in events sponsored by community groups about local issues. I stated that fundraising plays an integral part in the City's support to groups in the community and their ability to respond to local issues. However, I emphasized that the perception of real or apparent conflicts of interest will significantly erode the public's confidence in how elected officials discharge their duties of office.

The Councillor Expense Policy and Code of Conduct Review Task Force made recommendations to Council that amended the rules around Councillor expenses to ensure the appropriate use of their office while avoiding real or perceived conflicts of interests. The Code of Conduct for Members of Council contemplates and recognizes that Members of Council, as leaders, will be asked to help the community in group-specific matters, for which either a Member of Council has a long-standing relationship of participation or the presence of the Member will bring a level of recognition to the initiative required for its success. Members of Council must strike a balance between an appropriate use of their office, name recognition and image (photos), to help the community and participation in activities which may reasonably give rise to the perception of self-promotion. The key principles found in Rule 1 of the Code provide markers that identify an appropriate use of a Member's office. A careful consideration of the key principles will assist Council in determining the various types of community events and activities that are carried out as part of their official City role and in a way that will foster and enhance respect for municipal government and respect for the members of the public.

Avoidance of conflicts of interest, real or perceived, go to the heart of the impartiality of Council decision-making. A conflict of interest arises when a member's duty to act in the public interest is or may be affected by her or his private interest. Generally, the Task Force found that a "private interest" will be pecuniary in nature. However, a private interest can also be non-pecuniary, if it confers a real and tangible benefit on the member or their family or associate.

Through the work of the Council Expense and Code of Conduct Review Task Force, the City addressed ongoing accountability issues highlighted in my previous report.



# 2.0 ACTIVITIES OF THE OFFICE OF THE INTEGRITY COMMISSIONER IN 2016-2017

In 2016, (July- December), the Office received four informal complaints and five formal complaints in relation to the Code of Ethical Conduct for Members. Of the five formal complaints, one was mediated with recommendations to the Complainant to pursue outstanding with the appropriate entities, three were dismissed at the intake stage as either outside jurisdiction, insufficient information and one complaint was sustained and the report went to Council with recommendations. In 2017, there were 12 informal complaints and four formal complaints filed against Members of Council. Of the four formal complaints, one was withdrawn/abandoned, two were dismissed at the intake stage as outside the jurisdiction of the integrity commissioner and one was sustained as a Code of Conduct contravention. In the period between July and December 2016, 14 inquiries were received from the public in relation to the application of the Vaughan Code, 22 inquiries from City staff and 12 inquiries from Members of Council. In 2017, this Office received 280 inquiries that were not related to the Code and

rejected as beyond the jurisdiction of the Integrity Commissioner. This was down significantly from 320 the previous year. There were 20 Code related requests for advice from members of council, 37 from City staff and 102 from the public.



#### 2017 INTEGRITY COMMISSIONER ACTIVITIES CODE COMPLAINTS AND INQUIRIES

**Formal complaints** 

4

Informal complaints



12

#### **Inquiries on Code application**

From the public

102

From City staff

37

From Members of Council

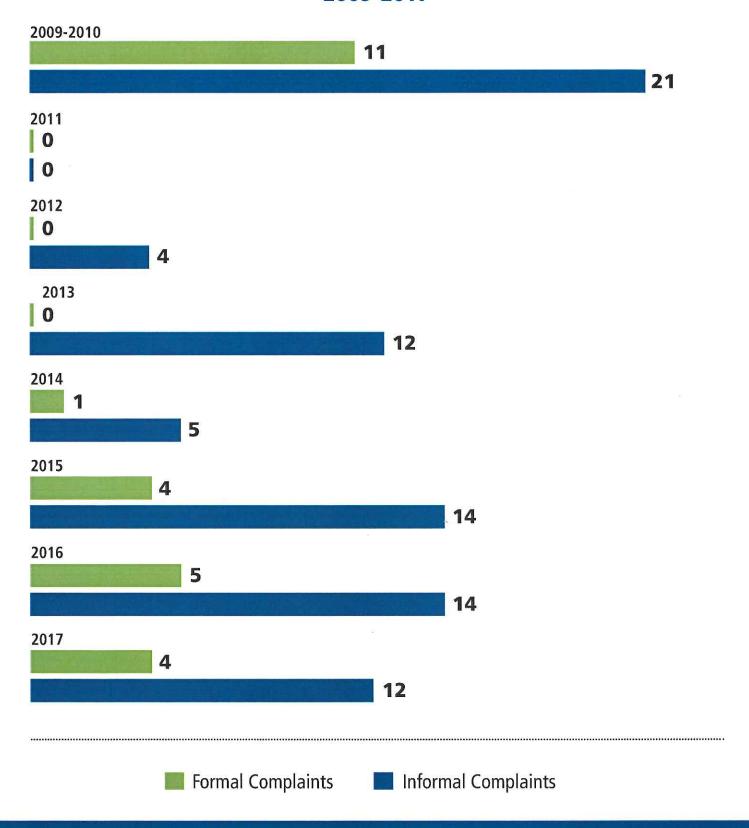
20

Total Code-related 175

| 2017 Statement of Expe   | enditures |
|--------------------------|-----------|
| *Salaries and Benefits   | 235,830   |
| Membership Fees/Dues     | 1,251     |
| Cellular Line Charges    | 263       |
| General Line Charges     | 3         |
| General Dept Meals       | 59        |
| Seminars & Workshops     | 530       |
| Office Supplies          | 1,777     |
| Copier/Fax Lease Charges | 2,628     |
| Office Lease             | 27,123    |
| Professional Fees        | 27,813    |
| Sundry Expenses          | 137       |
| Hardware Equipment       | 2,176     |
| Total Operating Cost     | 299,589   |

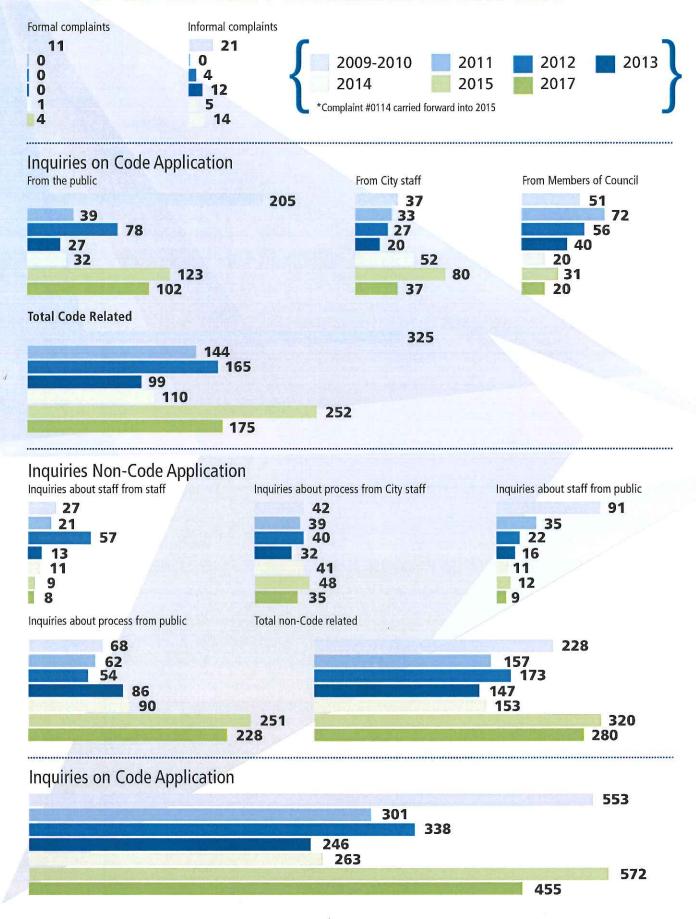
<sup>\*</sup>Office staff complement

#### COMPLAINTS RECEIVED BY THE INTEGRITY COMMISSIONER 2009-2017



C 1.14

#### **ACTIVITIES OF THE CITY OF VAUGHAN OFFICE OF THE INTEGRITY COMMISSIONER 2009-2017**



#### 3.0 SIGNIFICANT ISSUES

#### 3.1 City of Vaughan Code Complaint #0116 and 0117

This Office dedicated considerable time and thoughtful consideration in 2017 to the investigation of Code Complaints #0116 and #0117. In complaint #0117, I considered the substantial power imbalance between the Complainant and the Respondent within the context of workplace harassment. Courts and tribunals now recognize that a substantial power imbalance can erode, if not impede, a Complainant's belief that they can refuse unwanted advances. The victim fears unforeseen consequences which could be either personal or work-related. In these cases, it is not uncommon for victims of harassment to tolerate unwanted behaviour longer than expected.

The Ontario Human Right's Commission notes that a person does not have to object to the harassment at the time it happens for there to be a violation, or for the person to claim their rights under the Code. Even though a person being harassed may take part in sexual activity or other related behaviour, this does not mean they consent.

In Complaint #0117, there was a Respondent who was both the Complainant's functional manager, and a prominent city politician. The Complainant tolerated the Respondent's behaviour with the misguided belief that her frequent protestations would remedy the situation...

In my Complaint Investigation Report, I stated that the Complainant chose to come forward with the complaint, notwithstanding a fear of reprisal and the unwelcome scrutiny that might be levelled against her if she did so. In Complaint #0117, the Complainant, demonstrating unwavering courage, advised me that it is her belief that nobody should be subject to working in an environment in which one is fearful that they will be subject to continuous sexual harassment. She told me that she "knew what people would think." However, she was convinced that nothing in her private life, her financial situation, or her choices gave the Respondent, her employer, a City Councillor, the right to sexually harass her.

In the second significant complaint in 2017, Complaint #0116, I found that the allegation of the complaint had

been sustained and that the actions of the Respondent constituted an improper use of influence of office through his attempt to interfere with the decision-making.

Rule 7 of the Code states: No Member of Council shall use the influence of her or his office for any purpose other than for the exercise of her or his official duties.

- In my complaint investigation report, I set out that such conduct would include attempts to secure preferential treatment beyond activities in which members normally engage on behalf of their constituents as part of their official duties. I also found that holding out the prospect or promise of future advantage through a Member's influence within Council in return for present action or inaction by the beneficiary is a clear violation of a Member's ethical obligations.

The report reiterated the ethical principle enshrined in the Code that Members are required to be free from bias and prejudgment in respect of the decisions that are part of a Member's

political and legislative duties. I found that the test for determining whether there is a reasonable apprehension of bias in respect of a Member is the same as the test established by courts with respect to an administrative tribunal:

"...[W]hat would an informed person, viewing the matter realistically and practically — and having thought the matter through — conclude. Would he think that it is more likely than not that [the decision-maker], whether consciously or unconsciously, would not decide fairly." (Yukon Francophone School Board, Education Area #23 v. Yukon (Attorney General), [2015] 2 SCR 282 at para. 20)

#### 3.2 New Mandatory Lobbyist Registry

It is with great pleasure and honour that I accepted the appointment as the City's first Lobbyist Registrar of the Mandatory Lobbyist Registry.

In January 2018, the mandatory lobbyist regime came into force. The Lobbyist Registry was developed inhouse by the Office of the Chief Information Officer staff, and the costs were absorbed within OCIO's approved budget. These start-up costs consisted of staff time and purchased software required for the development and launch of the application.

The Lobbyist Registry and Lobbying

By-law were designed to ensure both transparency of City decision-making, as well as the creation of rules such that business dealings with the City of Vaughan are conducted in an ethical and accountable way.

Lobbying is a common and legitimate activity. The adoption of a mandatory Lobbyist Registry allows both public office holders and the public to know who is attempting to influence municipal government. That is why the Ontario legislature included provisions for the establishment of a lobbyist registry and registrar in its 2006 amendments to the Municipal Act. The basis for the 2006 amendments was the intent to develop rules around ethical conduct for municipal elected officials so that they may carry out their duties with impartiality and equality of service for all residents of their city.

## "Lobbying is a common and legitimate activity."

Some Ontario municipalities have created a Lobbyist Registry, after instances where Councillors inserted themselves into the procurement process in contravention of City policies.<sup>3</sup> The Vaughan Lobbyist Registry was instituted to build on the City's commitment to accountable government decision-making and not as a result of punitive action to address ethical shortcomings. The mandatory Lobbyist Registry allows the public to see who is communicating with public office holders about governmental decisions. Both Justices Bellamy and Cunningham have recommended in their inquiry reports, the creation of lobbyist registries are to ensure transparency in procurement at the municipal level.

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3 2017 OECD Global Anti-Corruption & Integrity Forum, In the Public Interest: Taking Integrity to Higher Standards, Paris, France March 31, 2017



In 2006, the drafters of the amendments to the Municipal Act, included provisions for the establishment of a lobbyist registry and registrar. While not all municipalities are required to enact elaborate rules and systems, it is important to underscore that at the foundation of the 2006 amendments was the intent of the Ontario legislature to recognize the general trend in municipal government to develop rules around ethical conduct for elected officials so that they may carry out their duties with impartiality and transparency.

Lobbying is a legitimate activity that facilitates Council's receipt of information necessary to make effective decisions that are responsive to the needs of their community. The City has taken another significant and positive step towards strengthening accountability by approving the mandatory Lobbyist Registry, which came into force on January 1, 2018.

Registering lobbying activities does not prohibit individuals and businesses from interacting with government officials in an effort to have their ideas considered: it brings these activities into the light and allows the public to legitimately weigh who is talking with whom so that the reasons for government decisions are transparent."

A 2017 Global Forum on integrity stated that a significant number of

the global population believe that their government is "either largely or entirely run by a few big interests acting in their own best interests." At the forum, international ethicists and public integrity officers discussed how lobbyists walk a thin line between "sharing information, agenda setting and undue influence. Special interest groups inform and influence lawmakers who, in response. sometimes tweak laws, policies and regulations..."4

The outcome is what is commonly known as "policy capture," in which integrity violations and advantages contribute to an increasingly unequal society. Being close to decision-makers in politics and public administration can be a valuable asset, however, problems arise when different interest groups do not wield the same power or have access to the same opportunities to influence policy-making.<sup>5</sup>

The direction of Vaughan City Council is to create a lobbying regime in which lobbying conducted by interested parties is a positive contributor to debate and is an important part of the governing process. The lobbying of Members of Council and staff on municipal issues can enhance the deliberative process by providing the perspective of stakeholders that might otherwise be lost. A balance must be struck between greater transparency of the lobbying process to enhance the public's perception

that decisions are being made in accountable way, and the prevention of one group informing or influencing City lawmakers to the exclusion of other groups with other perspectives.

With a view to avoiding policy capture, to date, this Office has met with senior executives of all City program areas and held a public information session, inviting key stakeholders to hear about how the new City of Vaughan lobbyist registry works. In addition, I have delivered introductory overviews to key industry stakeholders and groups with the goal of sharing the "made in Vaughan" model of public engagement and transparency and learning more about how the business and community groups interface with City public officials.

Recently, to assist the public and staff in response to questions received, my Office is developing an Interpretation Bulletin with respect to the status of not for profits and ratepayers groups under the Lobbying Bylaw. Over the next six months, the Office will continue to listen to staff, the public and elected officials to craft a workable, fair and effective registry program that allows different interest groups to engage and access public office holders on a level playing field.

<sup>&</sup>lt;sup>4</sup> 2017 OECD Global Anti-Corruption & Integrity Forum, In the Public Interest: Taking Integrity to Higher Standards, Paris, France March 31, 2017

<sup>5 2017</sup> OECD Forum, ibid

#### 4.0 MOVING FORWARD

As the City's chief accountability officer, I exercise my statutory authority independent of the administration. My goal remains to perform the duties of this office conscious of the need for the consistent application of the rules of the accountability and transparency provisions of the Municipal Act, with empathy, impartiality and the utmost professionalism.

Though the mandatory Lobbyist Registry is in the early stages of its development, there are significant opportunities to learn from the experiences, positive and otherwise, of the lobbyist registries at the Federal and Provincial levels of government. A 2017 report identified that while "registries generally received high marks for accessibility...a serious shortcoming among Canada's lobbyist registries is that only some types of activity intended to influence public officials need to be registered as lobbying."6

The report goes on to say that "various forms of communications, and lobbying by certain types of nonprofits, may be excluded from registry reporting, and the thresholds for the amount of time spent on lobbying activities that triggers a requirement to register may also be set too high..."

The City of Vaughan Mandatory Lobbyist Registry tracks communication between public office holders and people or businesses who access government decision-makers with respect to influencing changes to legislation, regulations, policies, etc., outside of the normal communication or public engagement process. The intent of the new accountability mechanism is to ensure that everyone can be confident that government is doing business fairly and in a transparent way.

Generally, not-for-profit organizations do not have to register if they lobby while acting in their official capacity. However, when a member of a notfor-profit lobbies for a financial benefit or for a purpose that is generally beyond the purpose of the not-forprofit, or when a consultant lobbyist communicates on behalf of a notfor-profit, the entity or the consultant lobbyist must register.

Vaughan's lobbying regulations.

I am greatly encouraged to see this level of interest and engagement in this new accountability resource, which demonstrates a willingness on the part of the City of Vaughan, residents and businesses to ensure a strong and fair relationship between the participants of the democratic process.

In the six months since the mandatory lobbyist registry has been in force, this office has received a significant number of questions from City staff, the public, for-profit businesses and not-for-profit entities, about the status of not-for-profits under the City of

6 2017 Report by Shareholder Association for Research & Education





#### City of Vaughan

Office of the Integrity Commissioner and Lobyist Registrar

905-832-2281 ext. 8301

2141 Major Mackenzie Drive Vaughan, Ontario L6A 4Y1

#### **EXAMPLES OF ADVICE**

#### From the Integrity Commissioner



A Member of Council has been asked by a community organization to sell tickets for an upcoming fundraising event, with all proceeds going to the not for profit activity.

It was the Commissioner's opinion that the Member should not accept tickets for events, the acceptance of which is based on the understanding that the Member will "sell" tickets or blocks of tickets for the event organizer or group. In June 2017, the Council Expenditure and Code of Conduct Task Force Chair, Councillor Marilyn lafrate, submitted on behalf of the Task Force, amendments to the Code, which included a codified version of the recommendations by the Integrity Commissioner that Members not "sell" fundraising tickets on behalf of a group.

A Member wanted to use their Councillor Expense budget for distribution of their Councillor newsletter in a local newspaper.

It was the Commissioner's advice that any action that a Councillor carries out must be made with a view to upholding the key principles that underpin the Code of Conduct, which are:

- To serve and be seen to serve your constituents in a diligent manner;
- Performing your functions with integrity and transparency
- Not to extend or be perceived to extend preferential treatment to family, groups of friends that you would not extend to all other residents of the City

In keeping with the principles of the Code, a Councillor's newsletter should not be a veiled attempt to promote oneself. Communication by way of a Councillor Newsletter, through any media, should follow the format and contain the content of Councillor/City business or relevant regional business, as a means of informing the community.

Based on the information provided to the Commissioner, the fact that the newspaper distribution boundaries are not the same as the Ward boundaries, is relevant. However, the possibility that some may suggest a Ward Councillor should only provide their Newsletter to their Ward residents is not a consideration that supersedes the overarching Code principle at play here, which is serving a Member's constituents in a conscientious manner by communicating and informing them of relevant City/Regional business in the most cost-effective way.

#### **EXAMPLES OF ADVICE**

#### From the Integrity Commissioner

A Member was asked by residents in their community to host a community Movie Night. The Member asked the Commissioner if they could use their elected official title to promote the community Movie Night.

The Commissioner advised that this was a permissible activity under the Code. Rule 2.3 of the Code of Conduct allows Members to lend their support to and encourage, community donations to not-for-profits groups. Further, rule 2.3 of the Code states that nothing included herein affects the entitlement of a Member of Council to:

i. Use her or his office expense budget to run or support community events subject to the terms of the Councillor Expense Policy section relating to Community Expense Events...

ii. ...

iii. ...

iv. Collaborate with the City of Vaughan and its agencies to hold community events as long as a member does not handle any funds on behalf of any charitable organization or Community group and remains at arm's length from the financial aspects of these community and external events.

A Member was provided with 2 tickets to a fundraising gala. The Member will not be attending but will be giving the tickets to family members. Is there still a Code obligation to declare the receipt of a gift?

Rule 2 of the Code, is the only rule that deems the actions of a family member to be that of the Member. Rule 2 states "for these purposes, a fee or advance paid to or a gift or benefit provided with the member's knowledge to a member's spouse, child or parent, or to a member's staff that is connected directly or indirectly to the performance of the member's duties is deemed to be a gift to that member.

As a result, if a Member of Council receives a gift or benefit (in this case, tickets to a fundraising dinner) and the Member's spouse attends, for the purposes of the Code, the gift is seen to have been provided to the Member. If the value of the tickets exceeds the Code threshold, the Member is required to complete a Councillor Information Statement and submit the declaration to the Integrity Commissioner.

A Member and their family attended the opening event for a new restaurant in the Member's ward. The Member did not incur any cost at the event. The Member asked the Commissioner if the meals should be declared as a gift under Rule 2 of the Code.

It was the Commissioner's advice that as the restaurant is in the Member's ward, provided that the value of the dinner was reasonable and this was the first such invitation the Member received from the restaurant, the event falls under the recognized exception, as outline in rule 2(g) of the Code:

(g) food and beverages consumed at banquets, receptions or similar events, for charitable, not for profit and community purposes, if:

- 1. attendance serves a legitimate public duty purpose; and
- 2. the value is reasonable and the invitations infrequent.

#### **EXAMPLES OF ADVICE**

#### From the Integrity Commissioner

A community organization is applying for funding from a government agency, and has asked a Member of Council to write a letter in support of its application. The Member asked the Integrity Commissioner if writing a letter of support would constitute an improper use of influence or otherwise contravene the Code of Conduct for Members of Council.

It was the Commissioner's opinion that since the agency was a quasi-judicial body, writing letters of support or recommendation on behalf of a community organization could be viewed as an improper use of influence of office. A general letter could be provided if the letter was written in such a way that it could not be construed that the Member was seeking preferential treatment from the agency decision makers as a result of the Member's official City status and if the Member limits their comments to stating that: the organization has been operating in Vaughan/partnering with Vaughan for a number of years and has been a vital part of the community or that the organization has successfully completed work under contract at the City stating the year, duration and nature of the work.

A Member was asked by a constituent group to meet regarding a matter that was under the jurisdiction of an agency of another level of government.

The Commissioner advised that a Member can meet with constituents to discuss Ward matters. However, the Member should be careful to not give the impression that she/he has the authority to take further steps as an individual Member of Council, to further the constituents' cause. An individual Members of Council should not intervene on matters at another level of government that have an established process or procedure. The Commissioner advised that if allowed under the City's procedural by-law, the Member may consider raising the issue at an appropriate Committee of Council for discussion by Council.

A Member was invited by an organization to attend an educational trip. The invitation was extended to women in politics at different levels of government with the purpose of encouraging women to consider participating in public office.

It was the Commissioner's opinion that accepting the gift fell within recognized exception of rule 2(f) of the Code, which states the exception to the prohibition of the acceptance of gifts and allows:

(f) food, lodging, transportation...provided by provincial. Regional and local governments or political subdivisions of them...or by a conference, seminar or event organizer where the Member is either speaking or attending in an official capacity at an official event





memorandum

COMMUNICATION CW- JUNE 5/18

DATE:

June 1, 2018

TO:

Mayor and Members of Council

FROM:

Todd Coles City Clerk

RE:

**OLDER ADULT TASK FORCE FINDINGS REPORT** 

**COMMITTEE OF THE WHOLE, JUNE 5, 2018** 

**REPORT NO. 21, ITEM 5.28** 

#### Recommendation

The City Clerk recommends:

- 1. That the Older Adult Task Force Findings Report, as set out in Attachment 1, dated June 2018, be received; and
- 2. That the Older Adult Task Force Findings Report be referred to staff for review and a comprehensive report addressing the recommendations be provided to a future Committee of the Whole meeting.

#### Background

The Older Adult Task Force has achieved its mandate and has provided a Findings Report containing recommendations that explore opportunities to achieve an age-friendly community.

The last meeting of the Task Force was on May 30, 2018, and it was estimated that the Findings Report would be provided to the Council meeting of June 19, 2018. The Findings Report was completed earlier than anticipated and has therefore been submitted earlier for consideration to the Committee of the Whole meeting of June 5, 2018.

#### **Attachment**

Older Adult Task Force, Findings Report

Prepared by: Rose Magnifico

Acting Deputy City Clerk, Ext 8030

Todd Coles City Clerk

#### FINDINGS REPORT OLDER ADULT TASK FORCE

#### **Recommendations**

The Older Adult Task Force recommends the following to Council for consideration:

- 1. That the City of Vaughan commence the process required to be recognized as an Age-Friendly city and that grants supporting this initiative be pursued; and.
- 2. That consideration be given to funds being included in the 2019 budget process to commence the first step in the age-friendly designation process by developing a community action plan that defines local principles, conducts a community assessment and develops strategies for action; and,
- 3. That consideration be given to the Older Adult Task Force being reestablished in the next term of Council; and,
- 4. That inclusive eligibility models and initiatives that will assist in older adults in remaining in their homes, be explored and developed; and,
- 5. That a hub or hubs of integrated programs and services for seniors, be established; and,
- 6. That the information found in the Attachments to this report related to Ontario's Age-Friendly Planning Model and the Task Force's S.W.O.T. analysis of community issues, be received.

#### <u>Background</u>

At its meeting on October 24, 2017, Council adopted Item 10, Report No. 35 of the Committee of the Whole, entitled "Older Adult Task Force". In so doing, Council approved the establishment of the Older Adult Task Force, its Terms of Reference, and appointed Councillor DeFrancesca, Regional Councillor Ferri and Regional Councillor Singh to the Task Force.



Recruitment was undertaken for six (6) citizen members and one (1) representative from a senior's organization. Advisory and technical staff support for the Task Force was provided by representatives from the City's Community Services and Transportation Engineering departments, as well as from Fire and Rescue Services, Vaughan Public Libraries, York Region Community and Health Services, and the York Catholic District School Board.

The Task Force had a total of three meetings. Appointed members of the Task Force include the following:

Regional Councillor Ferri, Chair
Councillor Rosanna DeFrancesca
Barbara Holmes
Vin Le
Nadia Nascimben
Gerard J O'Connor
Kashmir S. Sangha
Darlene Share
Elissa Shnier
Regional Councillor Singh

The mandate of the Task Force is to make recommendations on the implementation of action items related to Vaughan's Older Adult Strategy, including exploring opportunities to move towards an age-friendly community and promotion of healthy seniors. A requirement of the Task Force is to submit to Council a "Findings Report" by June 2018.

#### **Conclusion**

The Task Force would like to express to Council its thanks for supporting the establishment of an Older Adult Task Force and its consideration of the recommendations in this report.

#### <u>Attachments</u>

- 1. S.W.O.T Analysis of Older Adult Issues in the City of Vaughan
- 2. Ontario's Age-Friendly Community Planning Model



# S.W.O.T. Brainstorming of Older Adult Issues in the City of Vaughan by Task Force Older Adult Task Force Meeting, April 12, 2018

#### Strengths

- Wonderful library services in Vaughan
- batteries on alarms and alerting social services of any issues relating to health Existing Vaughan Fire and Rescue Services (VFRS) "Alarm for Life" Programfirefighters are assisting older adults by checking smoke alarms/changing and safety of seniors
  - VFRS growing role in community safety partnerships to ensure seniors are not in isolation, in unfit habitations or living in conditions that present fire and safety risks (including mental health)
    - Existing "Vulnerable Persons Registry"
- Existing partnership with B.A.S.S.I.C.
- Multiple and many resources in many areas that exist
- Excellent Older Adult Clubs/groups in community centres
- Older Adult Clubs in Vaughan -self serve their cultural groups well
- Recreation Tai Chi, Pilates and Yoga courses and low-key sports/activities eg. bocce, bingo
- SAVI (Umbrella Older Adult Organization in Vaughan) has lots of activities and advocates for Vaughan's older adults
- Transportation -Mobility Plus
- Exercise programs through Recreation at City of Vaughan
- Programs in Vaughan provided through agencies
- Programs for older adult women in Vaughan
- Available computer skills courses for older adults.

## Weaknesses

- Fees for Recreation activities too high
- Recreation activities across the City for older adults are not equal e.g. west end vs. east end
- More housing options for seniors to age in place needed/seniors want to remain in their homes and live independently
  - New homes/buildings are not senior-friendly- lots of stairs
- No formal seniors' education program locally through educational institutions eg. Ryerson etc.
- Caregiver programs are not comprehensive /need to give a break to caregivers/family members caring for seniors

C 2.4

- Need large seniors' hub (one-stop centre that provides information/resources for seniors)
- Scattered services /absence of one-stop service centre for seniors' issues
   Lack of home services for seniors i.e. groceries, cleaning for seniors that cannot leave the house
  - Transportation, especially subsidized and for disabled requires improvement
- Need more space for seniors- not enough room for seniors.
- Elder abuse issues -financial/physical seniors not coming forward due to cultural issues of not wanting to speak about these kind of issues
- Bottom-up community engagement should happen -what are seniors saying about their needs
- Those lower income workers that are now seniors are living in poverty-benefits and pension are not enough to live on
- More handicap parking required at public facilities.

# VAUGHAN

## Opportunities

- Creating service hubs for older adults in community buildings and schools
- Bottom up consultation- go to people for ideas and issues
- Transit system way to help improve seniors' lives
- Built environment -planning for active communities/close by destinations, easy physical access to community resources/parks, community hubs (e.g. commercial shopping areas)
- Accessibility legislation- accessibility for seniors or for seniors that have physical limitations
- Vaughan's open spaces and buildings
- Connected sidewalks and trails system
- Traffic signals crossing time -make sensitive to older generations.
- Subsidize services to lower income for older adults only; those that can pay should pay
- Home sharing for seniors- ability to collect rental income while living with someone that can help older adults still living in home
- Free programming through various agencies

Grants /funding opportunity to service older adults is expanding

- - Take advantage of Provincial investment
- Intergenerational programs to help with socialization and isolation
  - Pedestrian and Bicycle Master Plan -opportunity to help with infrastructure development and accessibility
- City policies, programs, master plans
- Creating non-cultural based older adult groups that are managed and operated by older adult volunteers
- Ensuring both men and women have programs they each would like to participate in.

#### **Threats**

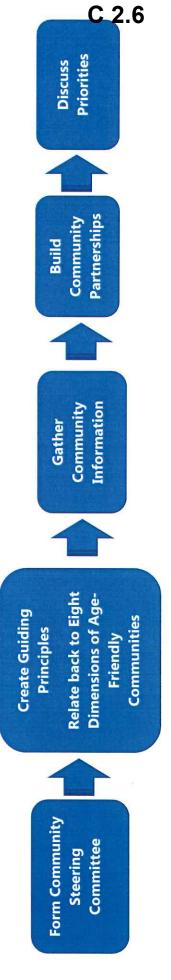
resources must be put towards this age group or critical social issue Older adult population is increasing as a demographic group will be result

Attachment 1

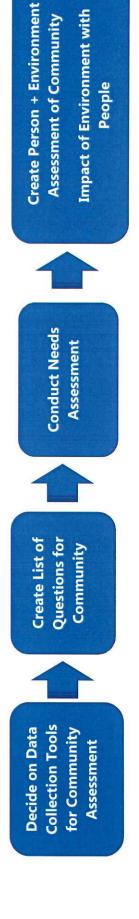
- Government debt -long-term sustainability of programs and services for older adults may not be possible with government debt at upper levels
- Lack of beds in nursing homes creates stress for families/caregivers.

# Ontario's Planning Model to Becoming an Age-Friendly Community

Step 1: Defining Local Principles



Step 2: Conduct Community Needs Assessment

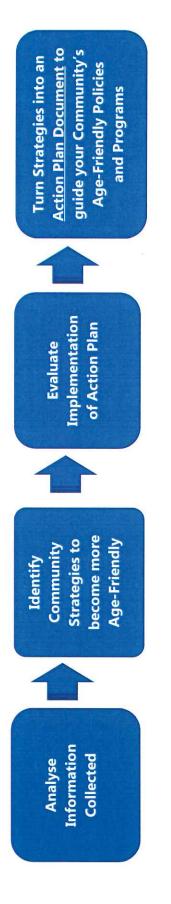


People



# Step 3: Develop an Action Plan

Attachment 2



# Step 4: Implement and Evaluate





Attachment 2

| World Health Organization (WHO)<br>Eight Dimensions of Age-Friendly Communities | Examples  |
|---|---|
| Criteria/Areas to be Considered in Developing a Community<br>Action Plan        |   |
| Outdoor Spaces and Buildings  | Safe and accessible public buildings, removing barriers that limit social and physical opportunities for seniors. |
| Transportation  | Accessible signage, transportation-related infrastructure, (lighting, sidewalks), public transit.                 |
| Housing   | Ability to age in place, access to affordable housing.  |
| Social Participation  | Opportunities for social participation/interaction with community.  |
| Respect and Social Inclusion  | Removal of negative attitudes, intergenerational understanding.   |
| Civic Participation and Employment  | Opportunities to be involved in community life, volunteer opportunities, opportunities to remain employed.        |
| Communication and Information   | Information to community events and resources. Ability to reach diverse cultures.                                 |
| Community Support and Health Services   | Access to services that promotes healthy behaviours and life choices including recreation opportunities.          |



DATE:

June 1, 2018

TO:

Mayor and Members of Council

FROM:

Stephen Collins, Deputy City Manager, Public Works

RE:

COMMUNICATION: COMMITTEE OF THE WHOLE JUNE 5, 2018

**ITEM 5.16** 

YORK REGION TRANSPORTATION PLANNING & TRANSPORTATION

CAPITAL INFRASTRUCTURE STATUS UPDATE

Please find attached a supporting document entitled "Transportation Planning & Capital Infrastructure Update June 5, 2016". The information provided is in lieu of a formal presentation from York Region staff.

Respectfully submitted,

Stephen Collins, P.Eng.

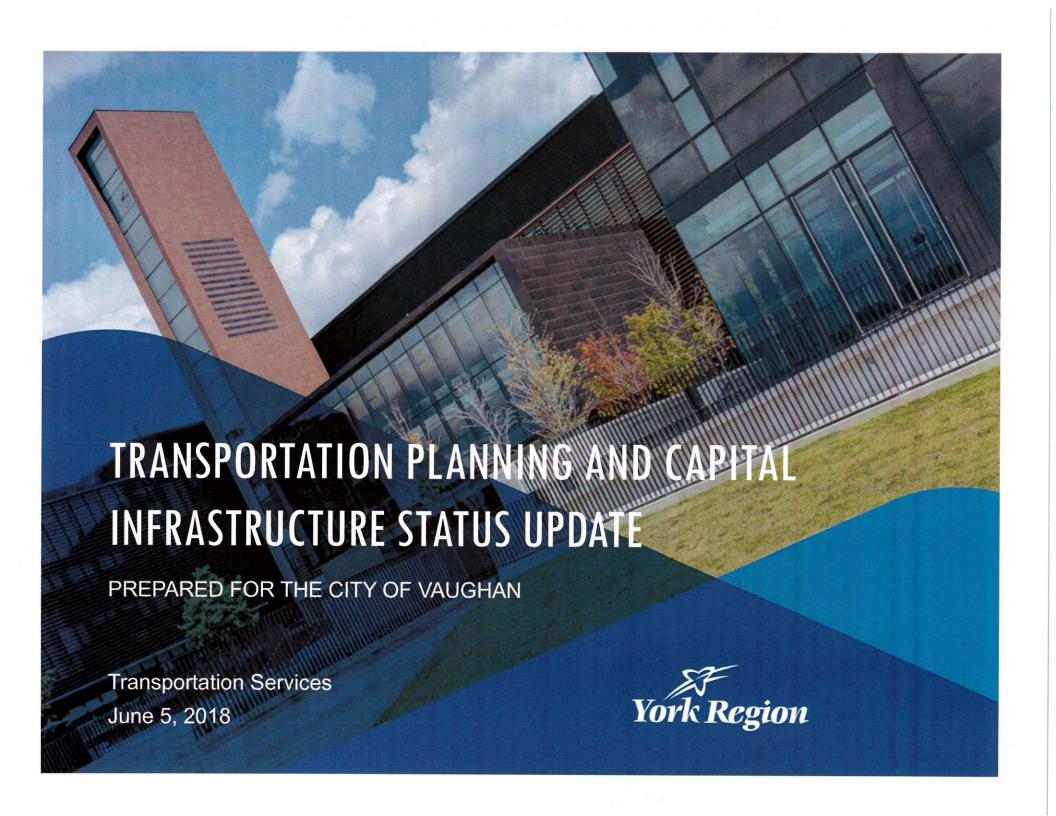
Deputy City Manager, Public Works

RECEIVED

memorandum

JUN - 4 2018

CCO

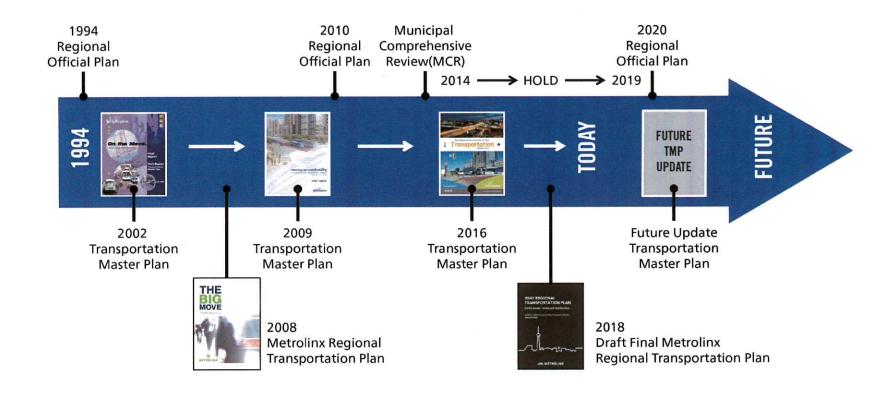


#### OUTLINE

- 1. York Region's 2016 Transportation Master Plan (TMP)
- 2. Existing and Proposed TMP Transportation Network
- 3. Transportation Capital Prioritization and Programming
- 4. 2018 Transportation Capital Construction Program

# 2016 TRANSPORTATION MASTER PLAN (TMP)

#### YORK REGION'S TMP IS UPDATED PERIODICALLY



Regional Transportation Master Plan evolves to keep pace with Regional growth and objectives and coordinate with broader GTHA Transportation Planning

### YORK REGION'S 25-YEAR OUTLOOK FOR INVESTMENT IN TRANSPORTATION INFRASTRUCTURE

### 2016 TMP has two main components that include:

- Five Strategic Objectives
- Infrastructure Vision







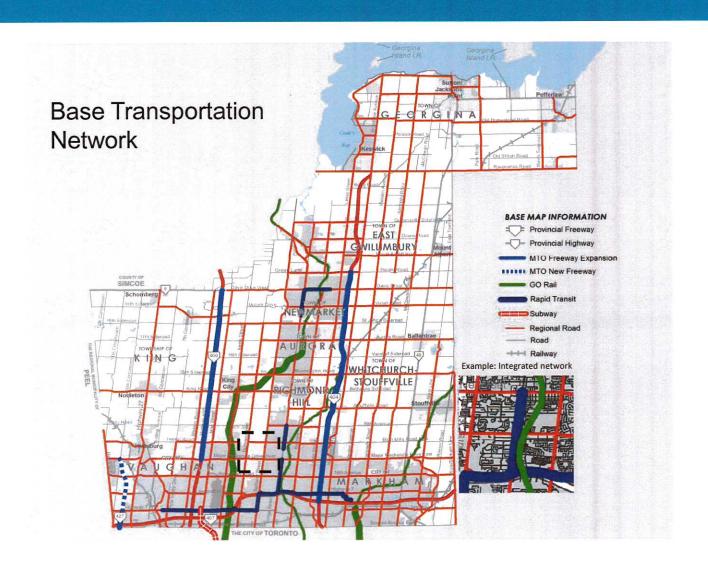
The TMP builds on the foundation of the 2002 and 2009 Master Plans to develop strategic objectives which align with the Region's Vision 2051

## THE FIVE STRATEGIC OBJECTIVES OF THE 2016 TMP POSITION THE REGION FOR THE FUTURE

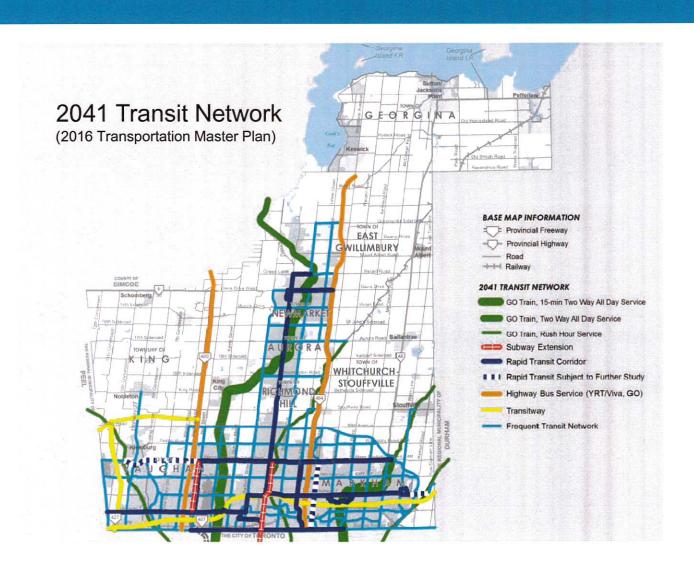


The 2016 TMP objectives support an interconnected multi-modal network

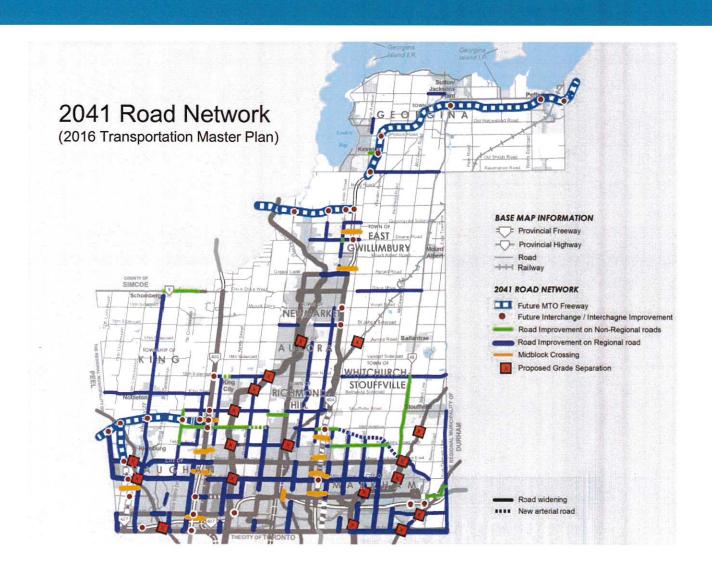
## THE REGION BENEFITS FROM A STRONG REGIONAL AND PROVINCIAL TRANSPORTATION NETWORK



## THE 2016 TMP BUILDS ON EXISTING REGIONAL AND PROVINCIAL INVESTMENTS IN TRANSIT



## THE 2016 TMP BUILDS ON EXISTING REGIONAL AND PROVINCIAL INVESTMENTS IN ROADS



### THE INFRASTRUCTURE VISION OF THE 2016 TMP IS FINANCIALLY UNCONSTRAINED

- Transportation Master Plans are typically aspirational long-term documents
- Technology continues to evolve
- Investment by others is always subject to change
- The TMP's affordability and deliverability is reviewed through the annual budgeting and programming process







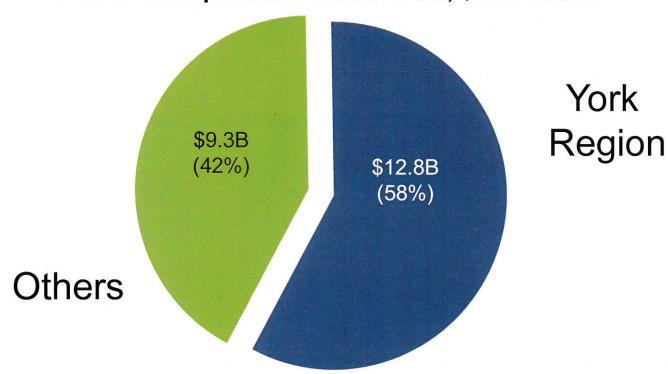
#### KEY MESSAGES

- 1. 2016 TMP has two main components:
  - Five Strategic Objectives
  - Infrastructure Vision
- 2. 2016 Transportation Master Plan includes a financially unconstrained infrastructure plan

# FUNDING THE 2016 TRANSPORTATION MASTER PLAN

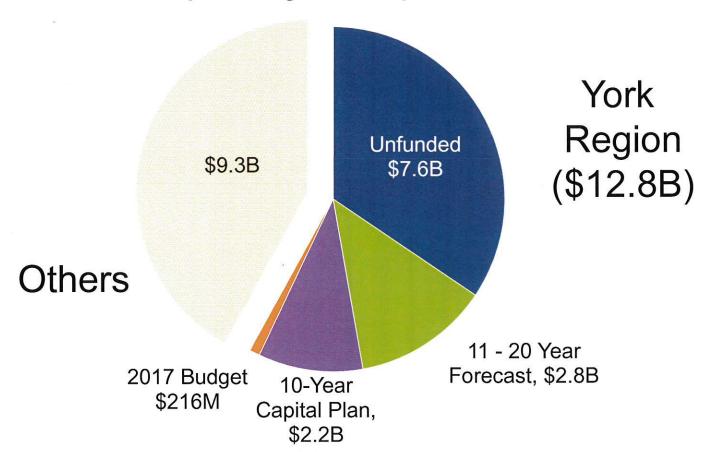
# OF THE \$22.1B INFRASTRUCTURE VISION, THE REGION'S SHARE OF THE 2016 TMP IS ANTICIPATED TO BE \$12.8B OVER 25 YEARS

2016 Transportation Master Plan, \$22.1 Billion



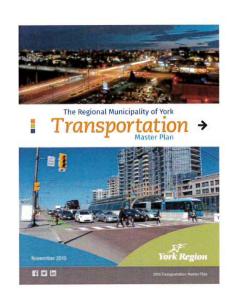
### 60% OF THE REGIONAL TMP COST IS NOT ACCOMMODATED IN THE FISCAL PLAN

#### Forcasted Capital Program Compared to TMP Vision

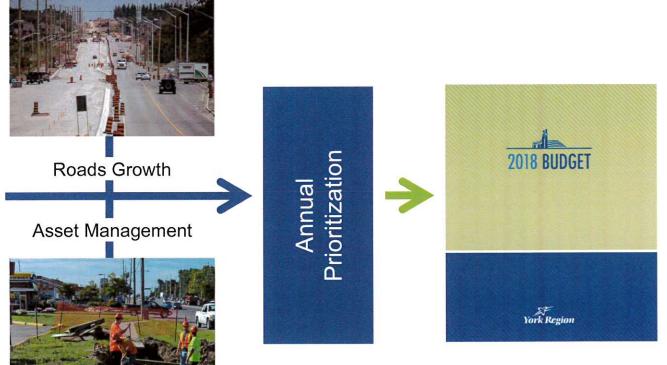


# TRANSPORTATION CAPITAL PRIORITIZING AND PROGRAMMING

## THE 10-YEAR ROADS CAPITAL PLAN INCLUDES BOTH ASSET MANAGEMENT AND GROWTH PROJECTS







Approved 10-Year Capital Program

## COUNCIL-APPROVED PRIORATIZATION FRAMEWORK IS BASED ON MULTIPLE CRITERIA

The main principles that drive the multi-criteria prioritization process include:

#### Capacity

- Current volume / Capacity
- Future volume / Capacity

#### **Development**

- Active Development
- Population Growth
- Employment Growth

#### Population and Employment

- Current population
- Current Employment

#### **Multi Modal Network**

- Bus Score
- Truck % Score
- Centres and Corridors Score
- Highway Connection Score



10-Year Roads and Transit Capital Program is reviewed annually to ensure infrastructure meets Regional growth and maintenance priorities

# TRANSPORTATION CAPITAL PRIORITIES BALANCE THE IMMEDIATE AND LONG TERM NEEDS



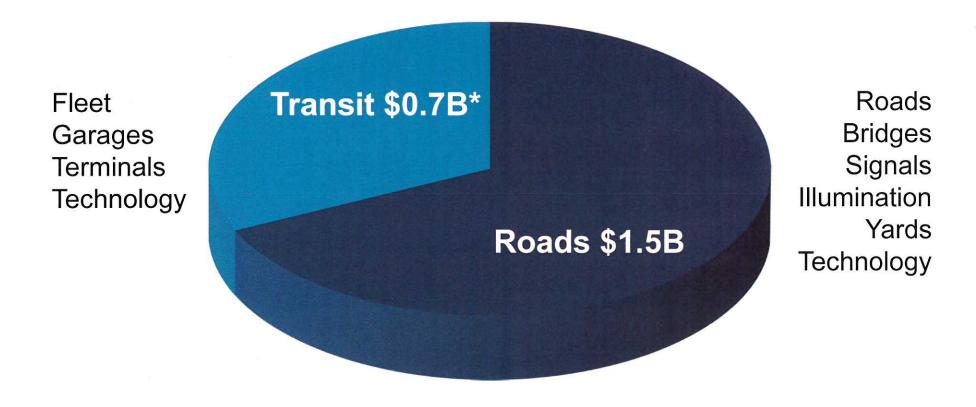
18

#### KEY MESSAGES

- York Region has an established Prioritization
   Framework for both roads asset management and
   growth projects
- Short and immediate term objectives exceed current funding abilities
- 3. Considerations for transportation capital priorities continue to balance the immediate and long term needs of the Region's nine local municipalities

# 2018 TRANSPORTATION CAPITAL CONSTRUCTION PROGRAM

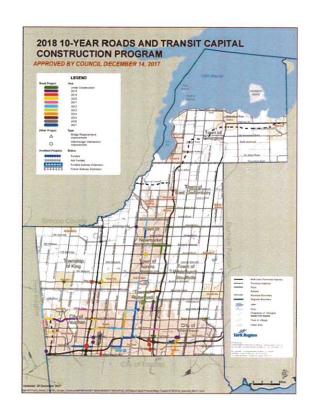
#### \$2.2B\* 10-YEAR TRANSPORTATION CAPITAL BUDGET



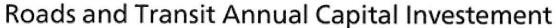
<sup>\*</sup>Excludes investments in YRRTC program

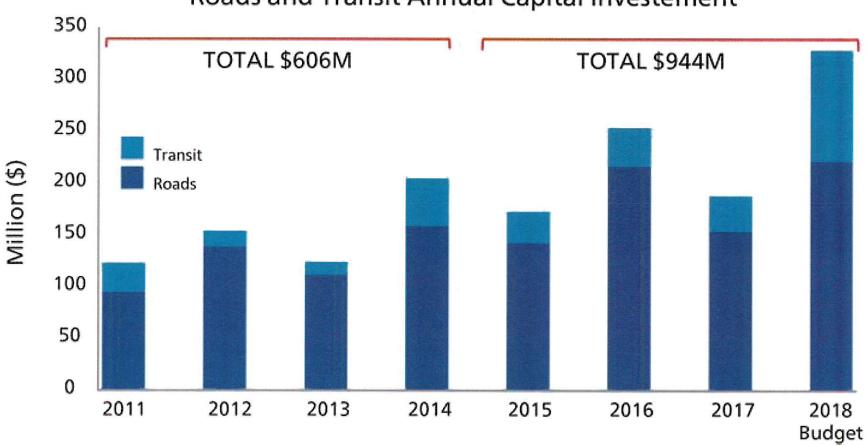
# 10-YEAR CAPITAL CONSTRUCTION PROGRAM IS THE ANNUAL PRODUCT OF THE PRIORITIZATION FRAMEWORK

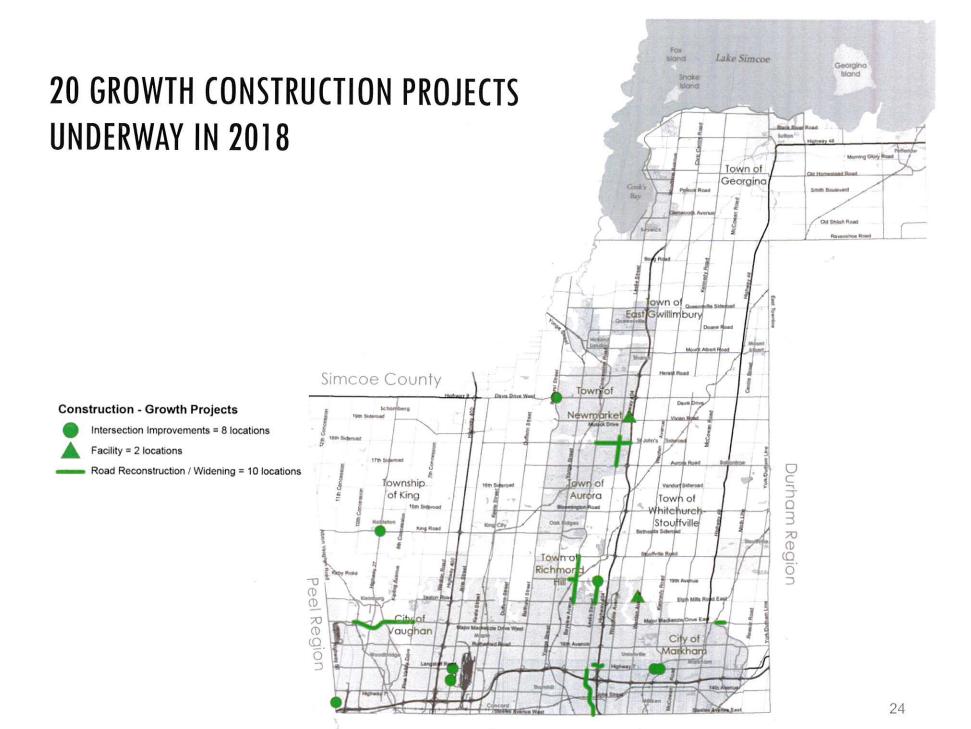
- 2018 10-Year Capital Program for roads and transit supports:
  - 165 new lane kilometres of road
  - New intersections and bridge rehabilitation
  - Transit Investment
  - Asset Management
- \$2.2B 10-Year roads and transit investment for 2018 to 2027 period



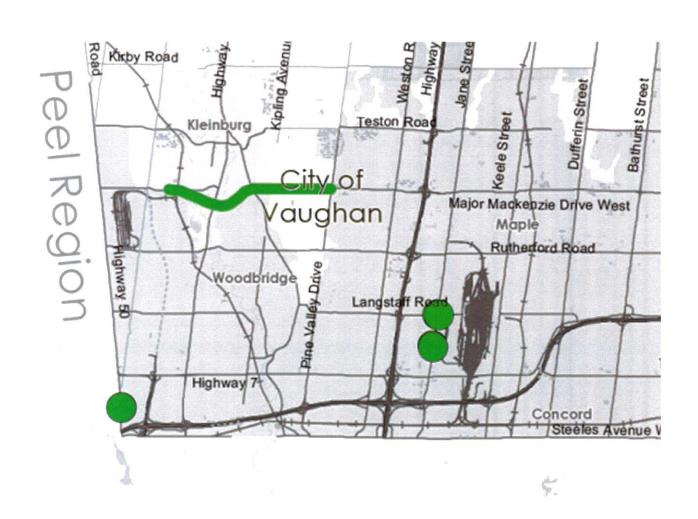
#### INCREASED FUNDING IN ROADS AND TRANSIT





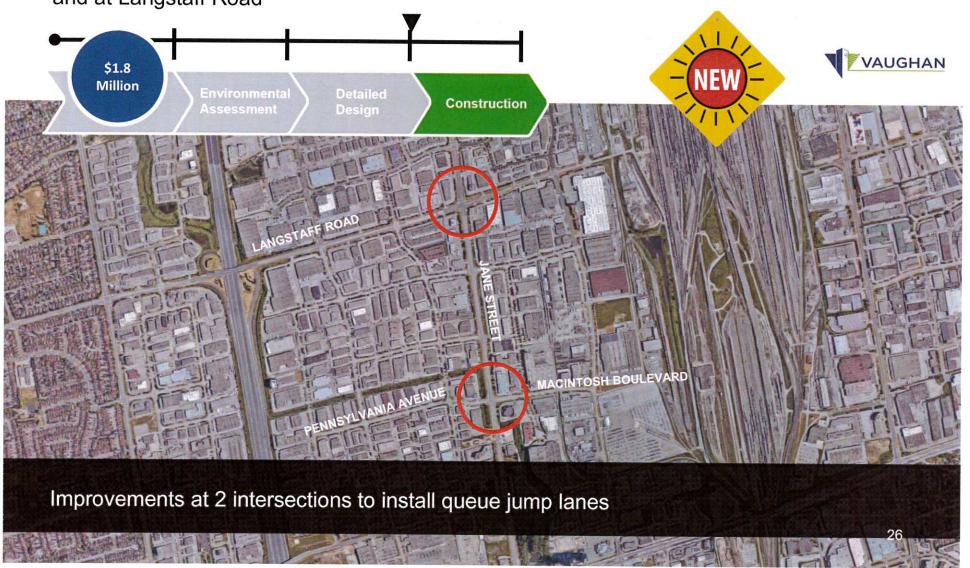


## IN THE CITY OF VAUGHAN, 4 GROWTH CONSTRUCTION PROJECTS UNDERWAY IN 2018



#### JANE STREET

Intersection Improvements at Pennsylvania Avenue/MacIntosh Boulevard and at Langstaff Road



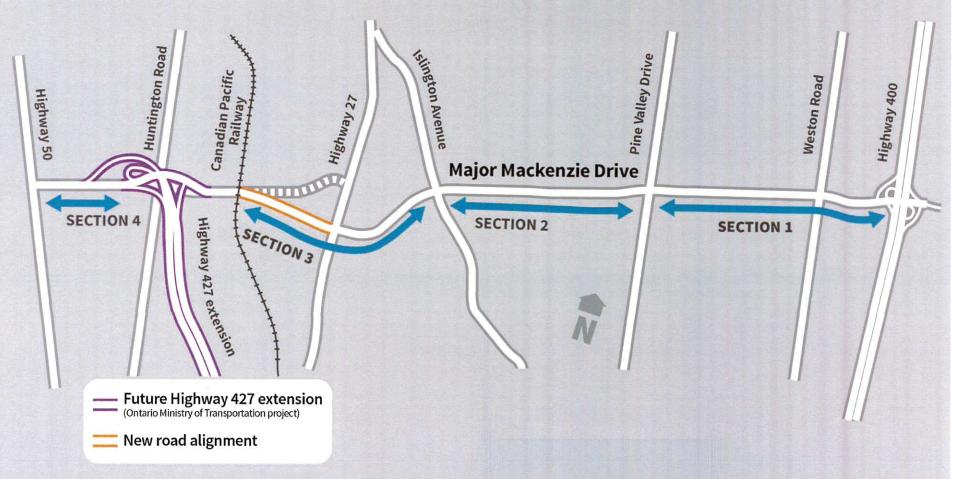
#### MAJOR MACKENZIE DRIVE

Section 1: Construction complete

Section 2: To be tendered late 2018

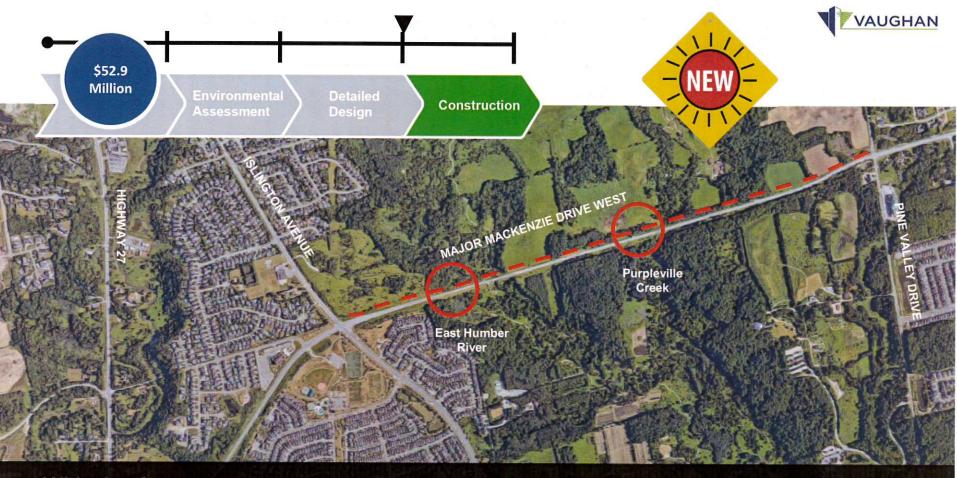
Section 3: Construction underway

Section 4: To be tendered in 2020



#### MAJOR MACKENZIE DRIVE

Islington Avenue to Pine Valley Drive



Widening from two to six lanes, including bridges over East Humber River and Purpleville Creek, multi-use path, sidewalk and illumination

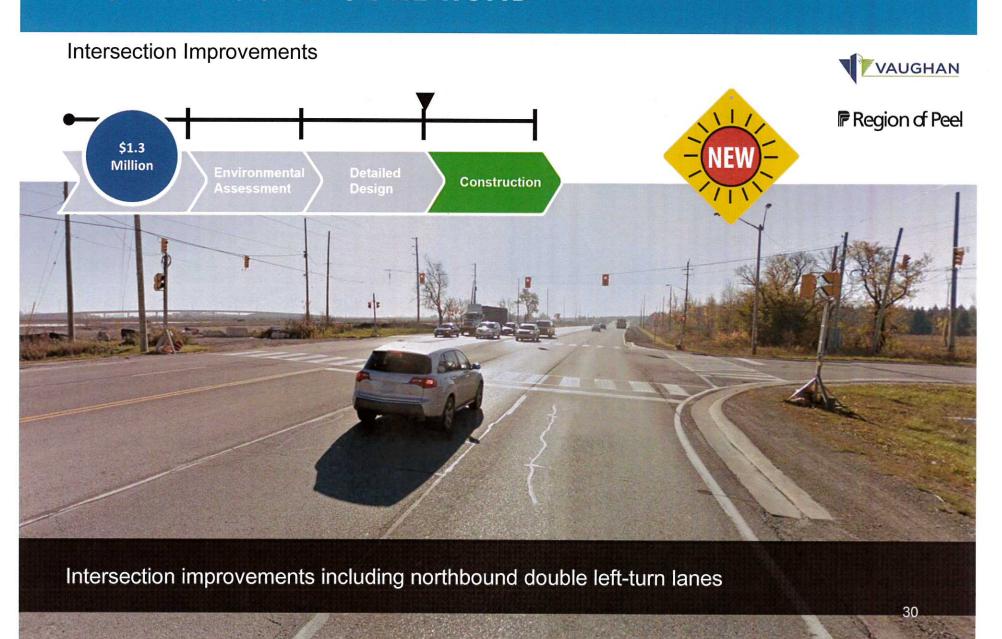
#### MAJOR MACKENZIE DRIVE

**CPR Tracks to Islington Avenue** 

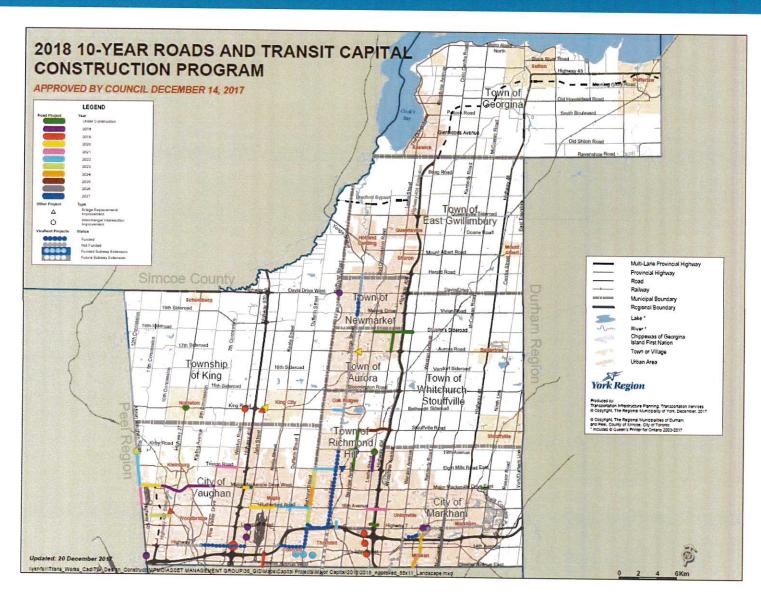


Widening from two to six lanes, including eliminating the jog at Highway 27 and building bridges over the Canadian Pacific Railway tracks and the Humber River

### HIGHWAY 50 AT GORE ROAD



### PLANNING FOR THE FUTURE

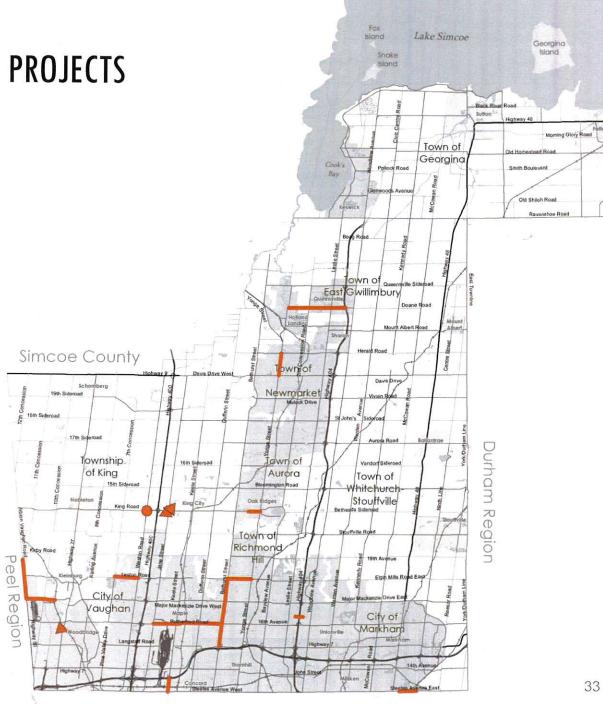


#### GROWTH PHASES AND TIMELINES

#### Growth projects take 8 to 10 years from start to finish



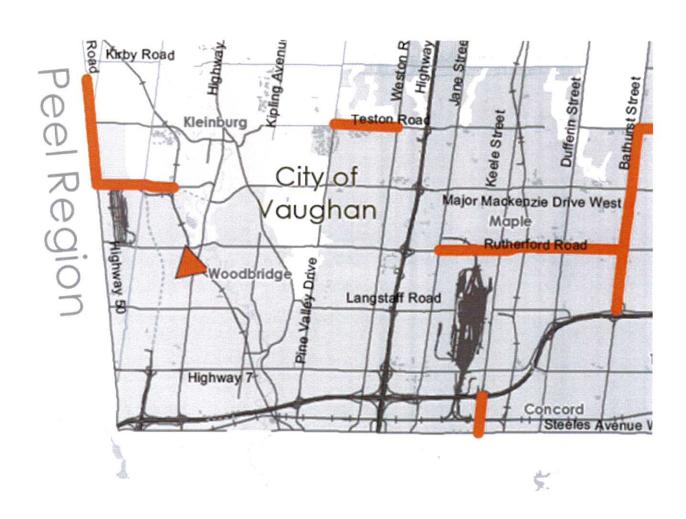


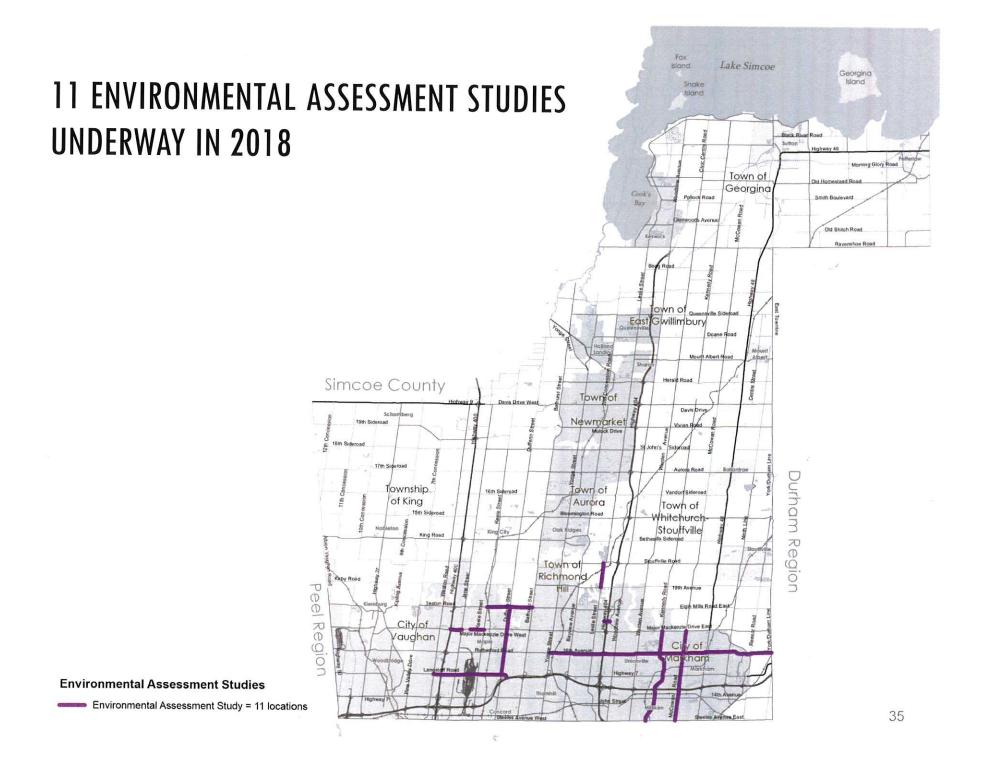


#### **Detailed Design**

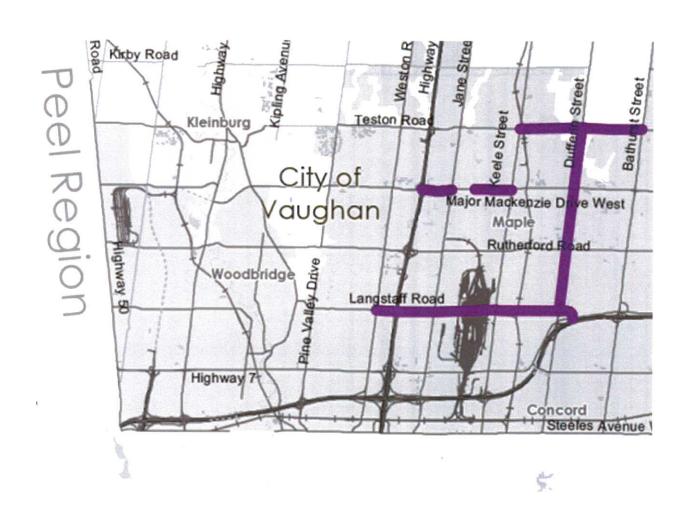
Intersection = 1 location Structures = 3 locations Roads = 14 locations

## IN THE CITY OF VAUGHAN, 9 DETAILED DESIGN PROJECTS UNDERWAY IN 2018





## IN THE CITY OF VAUGHAN, 5 ENVIRONMENTAL ASSESSMENT STUDIES UNDERWAY IN 2018



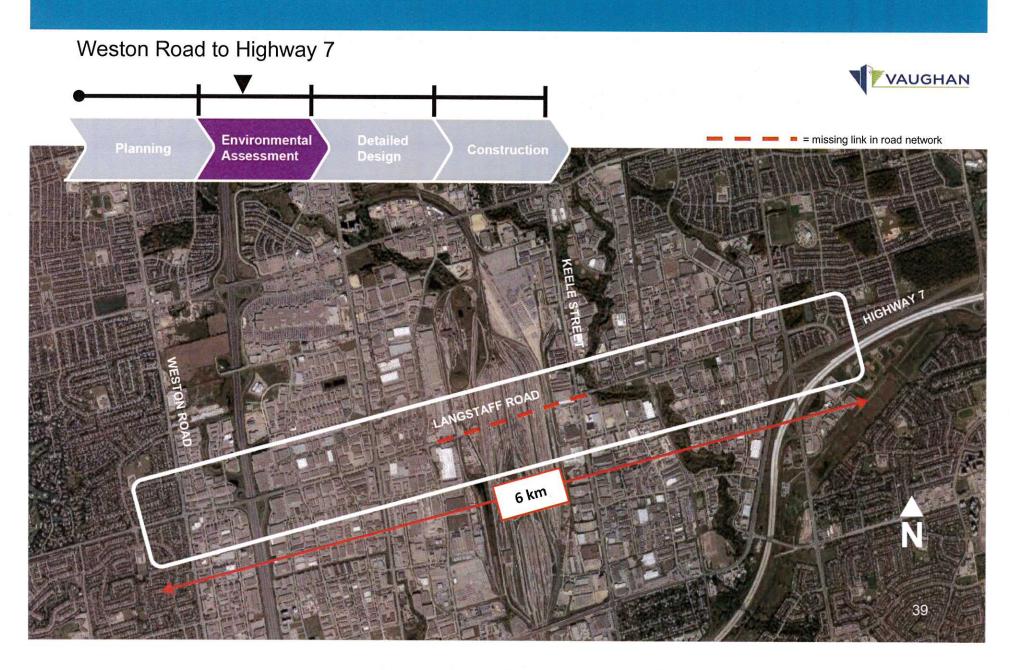
### **DUFFERIN STREET**



### MAJOR MACKENZIE DRIVE WEST

Highway 400 to Jane Street VAUGHAN **Environmental Assessment** 

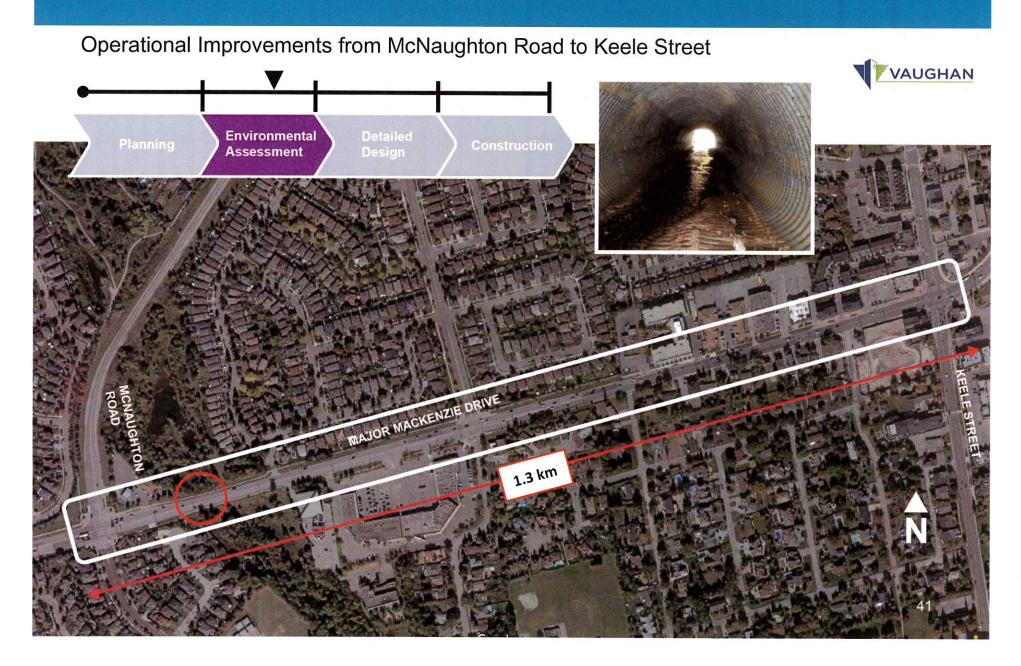
### LANGSTAFF ROAD



### **TESTON ROAD**



## MAJOR MACKENZIE DRIVE





### Lake Simcoe Georgina Island Snake Island Town of Georgina Old Shiloh Road East Gwillimbury Simcoe County Townsof Newmark Durham Region Township. of King Aurora Town of Whitehurel Stouffville Town of Richmond Peel Region Vaughan City of Markham

Fox Island.

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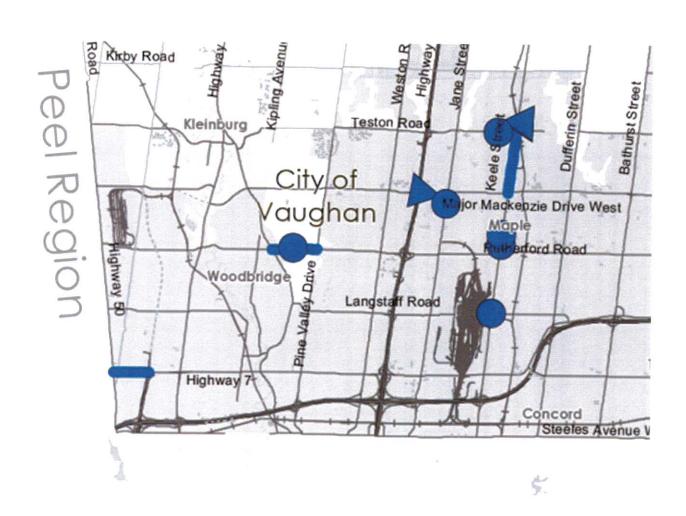
#### **Asset Management**

Intersection Improvement = 19 locations

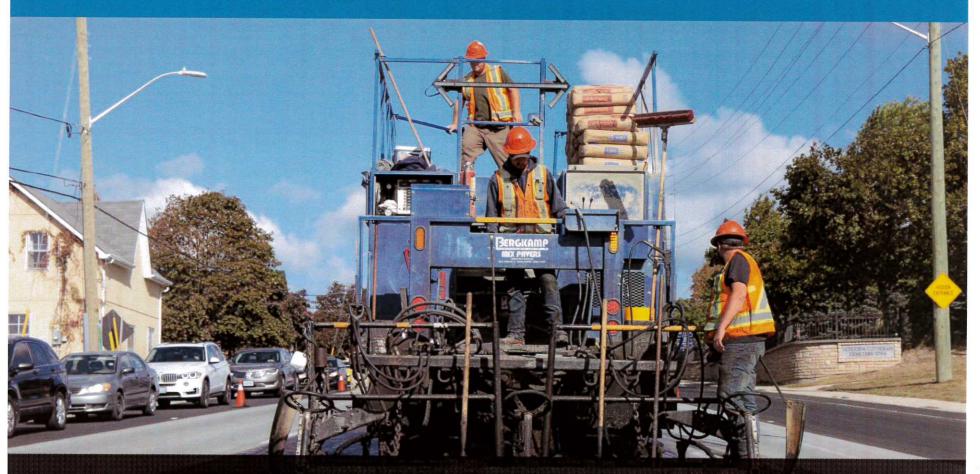
Structure Improvement = 7 locations

Rehabilitation / Resurfacing = 14 locations

# IN THE CITY OF VAUGHAN, 11 ROADS ASSET MANAGEMENT PROJECTS UNDERWAY IN 2018



## 2018 ROAD REHABILITATION AND RESURFACING





Rehabilitate 68 lane kilometres in York Region Resurface 45 lane kilometres in York Region

# 2018 ROAD REHABILITATION AND PRESERVATION IN VAUGHAN



| Road Name                        | From                                  | То                              |
|----------------------------------|---------------------------------------|---------------------------------|
| Highway 7 - Rehabilitation       | 40m east of Highway 50                | Highway 427                     |
| Keele Street -<br>Preservation   | 15m north of<br>Major Mackenzie Drive | 220m north of<br>Teston Road    |
| Rutherford Road - Rehabilitation | 230m east of Islington Avenue         | 100m east of Pine Valley Drive  |
| Yonge Street -<br>Rehabilitation | 95m south of John Street              | 135m south of Langstaff<br>Road |

## 2018 STRUCTURE REHABILITATION



\$7.0 Million

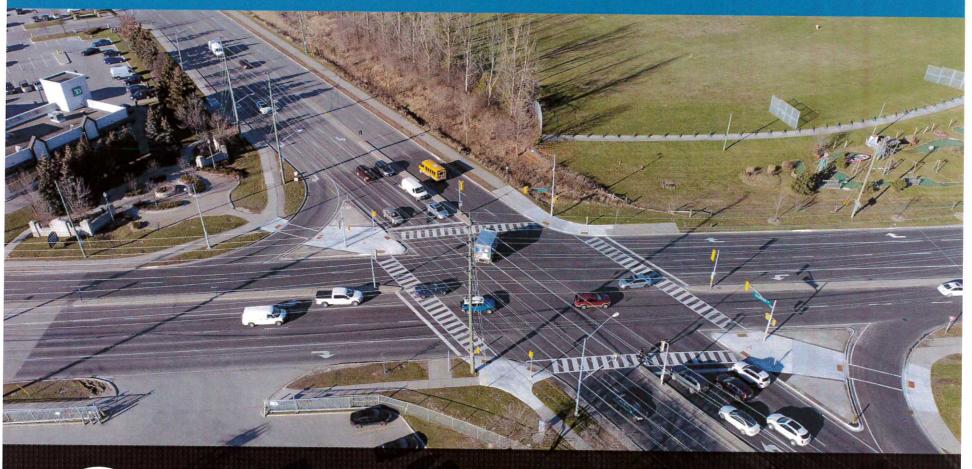
Rehabilitate 8 structures in York Region

# 2018 STRUCTURE REHABILITATION — 2 LOCATIONS IN VAUGHAN



| Project Name                  | Location                  |  |
|-------------------------------|---------------------------|--|
| Major Mackenzie Drive Culvert | East of Highway 400       |  |
| Keele Street Bridge           | 310m north of Teston Road |  |

## 2018 INTERSECTION IMPROVEMENTS



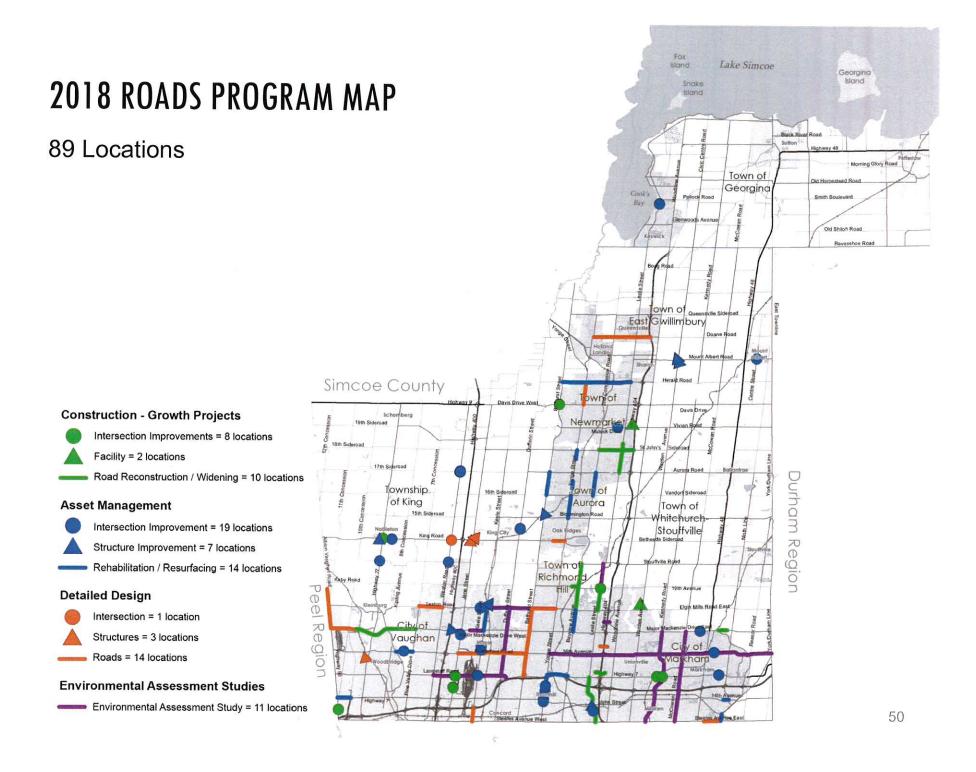
\$6.1 Million

Improve 18 Intersections in York Region

# 2018 STRUCTURE REHABILITATION — 12 LOCATIONS IN VAUGHAN



| Intersection                                    | Scope                           |  |
|---|---------------------------------|--|
| Highway 27 and King-Vaughan Road                | Traffic Signal Installation     |  |
| Jane Street and Avro Road                       | Traffic Signal Modifications    |  |
| Keele Street and Cromwell Road/ Fieldgate Drive | AODA Intersection Modifications |  |
| Keele Street and Dina Road                      | AODA Intersection Modifications |  |
| Keele Street and Langstaff Road                 | Traffic Signal Modernization    |  |
| Rutherford Road at Emily Carr Secondary School  | Traffic Signal Modernization    |  |
| Teston Road and St Joan of Arc Avenue           | Traffic Signal Installation     |  |
| Weston Road and King-Vaughan Road               | Traffic Signal Installation     |  |
| Yonge Street and Uplands Ave                    | Intersection Improvement        |  |
| Yonge Street and Royal Orchard Blvd             | Intersection Improvement        |  |
| Yonge Street and Centre Street                  | Intersection Improvement        |  |
| Yonge Street and John Street                    | Intersection Improvement        |  |



### KEY MESSAGES

- York Region has made a record investment in transportation services during this term of Council
- Regional Council approved a Capital Program that balances growth and asset management needs
- York Region focuses on coordinating delivery of infrastructure through partnerships with the Province, local municipalities and agencies
- 4. York Region is building a network to service the needs of the Region's 1.2 million residents and businesses

## QUESTIONS / DISCUSSION

For more information

Salim Alibhai

salim.alibhai@york.ca

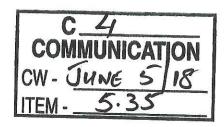
Ext. 75229

**Brian Titherington** 

brian.titherington@york.ca

Ext. 75901





JUN - 4 2018

| <b>Date:</b> June 2, 2018 a   | age Kate Payers Association < <u>mackenzieridgerpa@gmail.com</u> ><br>at 12:23:47 PM EDT   |           |
|-------------------------------|--|-----------|
| To:                           |  |           |
|                               | Aeran Yoon, Alexand  | dra Tiano |
|                               | , Ali Semsi Andolina Sebastiano  |           |
|                               | , Andrei Avsian "Ange's mail"  |           |
|                               | , Angelo Conte, Angelo S   |           |
|                               | , Anna Di Ruscio , Ben and Mary Pre  | te        |
|                               | Bruno Bressi, Cathey Hugnh   |           |
|                               | "Ciampa, Gina" < <u>Gina.Ciampa@vaughan.ca</u> >, City of Vaughan - N  | ∕larilyn  |
| lafrate < <u>Marilyn.lafr</u> | ate@vaughan.ca>, Clement and Sharon Ward   |           |
|                               | Domenico Pace , Douglas Reg  | an        |
| "5 L L S L "5                 | , "Dr. Perry Bender & Barbara Bender"  | ,         |
| "E. John Deluca"              | , Elena Chery , Elio T   | iano      |
|                               | Emily Fusco , Gary Sangha  | D         |
| *                             | "Jinyong & Yun Sil", Joan and Livia  | по коссо  |
|                               | , john buell , John Chiarelli  |           |
|                               | John Mazza John Vitale , "Joseph & Natasha Vukman" , Karl Harba  |           |
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| Gortana                       | , Michael Nowak , Mike Muzzo   | 111120    |
|                               | 'Min, Emmy" , Murtaza Jacksi   |           |
| Nahid V                       | , Noel Gabriel , Oskar Sikoti  |           |
|                               | , pam, Pat Viele   | 7. "Pia & |
| Dino Molella"                 | , Ray and Lina Dacillo , Rhoda Gelbard   |           |
|                               | , Rob Kenedy , Ronald Marcos   |           |
|                               | , Russ ,   |           |
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|                               | , Susan Sigrist , Tarun Khandelwal   |           |
| 1                             | , Tony , Vitaliy Petrenko  | , Y       |
| Sun                           | ,  |           |
| council@vaughan.ca            | a, Todd.Coles@vaughan.ca   |           |
|                               |  |           |

Subject: 1600 Teston -FILE OP.17.010 ZONING BY-LAW AMENDMENT FILE Z.17.026 FILE 19T-17V009

TESTON SANDS INC. DUFFERIN STREET AND TESTON ROAD

Dear Neighbours, Mayor Bevilacqua, and Vaughan City Councillors,

As of 5pm this Friday June 1, 2018 we received this package containing **750 pages of addendum** materials that include 1600 Teston (FILE 19T-17V009) for a meeting that will take place on Tuesday June 5, 2018. Essentially, we have, at best, three days to look through this material. We think it is very unfair that you provide essentially one business day to look over this complicated material containing various reports. This document is so large, it cannot be attached to this e-mail, but instead only put into Google Drive (see below).

If you consider the materials for this meeting, it is well over a 1000 pages (including the communication). We do not find this equitable nor acceptable. The 1600 Teston file is 80 pages long and we have to read over these complicated reports with no time to consult or discuss this as neighbours or with other community members.

We still object to the proposed development based on the petition sent in March 2018 and our other concerns sent in 2017 (see below) as few, if any significant changes have been made (see our concerns below).

We are asking that the 1600 Teston (FILE 19T-17V009) file, material, and decision be postponed to a later meeting in Fall 2018.

Best,

Rob

#### June 5, 2018 V2 at 11am Addendum Package - Comm...

Robert A. Kenedy, PhD
President of the MacKenzie Ridge Ratepayers Association
Associate Professor
Department of Sociology
235 McLaughlin College
York University
4700 Keele Street
Toronto, Ontario M3J 1P3
CANADA
rkenedy@yorku.ca
416 736-2100 ext. 77458
FAX 416 736-5715

Main Comment: The MacKenzie Ridge Ratepayers Association does not support this application as submitted.

The members of the MacKenzie Ridge Ratepayers Association have been trying to work with Mr. Milani in order to have complementary executive lots in the proposed development, meeting with him on three different occasions since May 2017. He has not been interested in considering our request to ensure the 1600 Teston Rd development has executive lot sizes that are 60-90 feet wide, consistently in MacKenzie Ridge and much larger lots directly north of us. In short, the intensity of this proposed development is not in keeping with our entire subdivision and overall development that is made up of executive estate lots from Germana Place to Kirby Rd, which has significantly larger lots.

- This proposed development is an area of the Oak Ridges Moraine, which is still quite pristine with various steep hills and ridgelines typical of a moraine. The proposed development on this part of the Oak Ridges Moraine will require an **astronomical amount or quantity of** fill that is not the norm for the amount of fill used in other developments, especially one that is part of the Oak Ridges Moraine. In short, to build an entire subdivision on fill is ridiculous and the amount of tapering necessary to compact this soil and the accompanying vibrations will cause structural damage to homes (this has already happened in other parts of Vaughan when fill has to be tapered).
- Beyond being concerned about the many metric tons or quantity of fill, the **quality of fill** being used is a major concern. Will there be an authority onsite that will monitor the quality of fill being brought in? So far 1600 Teston has been abused by unauthorized tree-cutting, so how can we be sure that **unauthorized fill potentially contaminated** will not be brought onto the site.
- This proposed development is an area that is part of the Oak Ridges Moraine, which is still quite pristine and at one point had a notable forest canopy that has now been reduced due to the unauthorized tree and woodland removal by the current owner. This unauthorized removal of trees was done deliberately and conveniently in the exact location of the main entry road is now located in the submitted plan. We are quite concerned that this happened and would like to know the status. In addition, neighbors on Germana or Giorgia backing onto 1600 Teston were not able to cut down the marked trees or level their properties. So while we respect the by-laws and rules, the developer seems to be able to participate in unauthorized tree removal and apply to regrade 1600 Teston Rd. Please note that our neighbors have retained the proof that they cannot remove trees on their property or regrade their backyards.
- Have the ramifications and integrity of the Oak Ridges Moraine been considered **regarding fill amount**, **rainfall**, **and water flow**? Presently, the rainfall and other runoff flows south into the valley in the middle of the property and the proposed subdivision. What will happen when this is filled? What kind of settlement will occur and how does this effect the settlement of units built on fill?
- Given the demonstration of the unauthorized tree and woodland removal, to complement the city and agency review, a peer review of the hydro-geological and environmental impact study that considers the natural heritage, natural habitat, wetlands, woodlands, as well as area sensitive breeding birds and amphibians is necessary. The Developer should pay for this peer review and the peers need to be selected by the City of Vaughan and the TRCA.

- There should also be a **publically owned (City of Vaughan) 30 meter setback or buffer** around the proposed development that are bordering on the houses on Germana to the east, Giorgia to the north (house backyards), and the forests to the west and south (by Teston).
- Finally, this application for 96 units does not address the obvious points that there is **no public transit** along Dufferin between Major MacKenzie Drive and King Rd, along Teston between Dufferin and Via Romano, or on Kirby between Dufferin and Ravineview Dr. Also, the **local primary and secondary schools are at capacity** with extensive portable use and the recent cancelation of a Catholic School next to Herbert Carnegie PS just adds to this problem. There does not appear to be any immediate plans to build nearby schools in the immediate future.

Sincerely,

Robert Aaron Kenedy, PhD
President, MacKenzie Ridge Ratepayers Association
Giorgia Cres
Maple, ON
L6A 4R2

Associate Professor Department of Sociology York University 4700 Keele Street Toronto, Ontario M3J 1P3 CANADA rkenedy@yorku.ca 416 736-2100 ext. 77458

#### Britto, John

From:

DiGirolamo, Diana

Sent:

Friday, June 1, 2018 3:58 PM

To:

Britto, John

Subject:

FW: Pine Valley Enclaves II (Z.16.038, DA.16.046, 19CDM-16V006)

Attachments:

Letter to Council - Pine Valley Enclave II.pdf

## Communication for Pine Valley Enclave II (Files Z.16.038, DA.16.046 and 19CDM-16V006) – to be considered as the Committee of the Whole on June 5, 2018.

This communication relates only to the attached letter. The below comments were captured as part of the CW(PH).

Best regards,

#### Diana DiGirolamo

#### **Planner**

905-832-8585 ext. 8860 | diana.digirolamo@vaughan.ca

#### City of Vaughan I Development Planning Department

2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1

vaughan.ca



From: Tania Lamanna [mailto:

Sent: Wednesday, February 08, 2017 3:43 PM

To: DiGirolamo, Diana < Diana. DiGirolamo@vaughan.ca>

Subject: Re: Pine Valley Enclaves II (Z.16.038, DA.16.046, 19CDM-16V006)

Thank you Diana for all your assistance in explaining the by-laws to me. It is most appreciated and I'm very grateful for the assistance as I came into this with no knowledge of policy planning and by-law and I found it to be very overwhelming. You helped a citizen of this community understand the information in a very objective way.

Thank you again. I've attached my questions/comments to this email.

Best regards to you,

Tania

From: DiGirolamo, Diana < Diana. DiGirolamo@vaughan.ca>

Sent: October 27, 2016 1:34 PM

To: 'Tania Lamanna'

Subject: RE: Pine Valley Enclaves II (Z.16.038, DA.16.046, 19CDM-16V006)

Thank you Tania. Your comments will be forwarded to our Clerks Department for inclusion into the public record for the Council Public Hearing on the subject development applications.

Best regards,

#### Diana DiGirolamo

#### **Planner**

905-832-8585 ext. 8860 | diana.digirolamo@vaughan.ca

City of Vaughan I Development Planning Department 2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1

#### vaughan.ca



From: Tania Lamanna [mailto:

Sent: October-27-16 1:14 PM

To: DiGirolamo, Diana

**Subject:** Re: Pine Valley Enclaves II (Z.16.038, DA.16.046, 19CDM-16V006)

Hello Diana,

Thank you for the email. I'm sending you this request as per our conversation.

There are a number of mature trees that line the lots behind the house on Pine Grove Rd. There are also several large trees that line the lots within the development in question. I am asking that these trees not be cut down for this development. The trees have been there for more than 30 years and provide a home to numerous wildlife species as well as privacy which is something this community has had and cherished for decades. I don't understand why a lonely developer comes along and suddenly can wipe out these trees with only a mere obligation to replant a little tiny tree in its place.

This community has lost everything because of Chris Zeppa and City Park Homes and they very least the city can do in our defense is leave the trees as they are. There is absolutely no reason why they should go.

I will be taking this forward to other individuals and will escalate if needed. I appreciate that your hands are tied to whatever council decides but I do hope that you can influence them in this regard. If not rest assured, I'll be influencing their election campaigns come voting season.

Thank you kindly for your assistance with this,

Tania Lamanna

From: DiGirolamo, Diana < Diana. DiGirolamo@vaughan.ca>

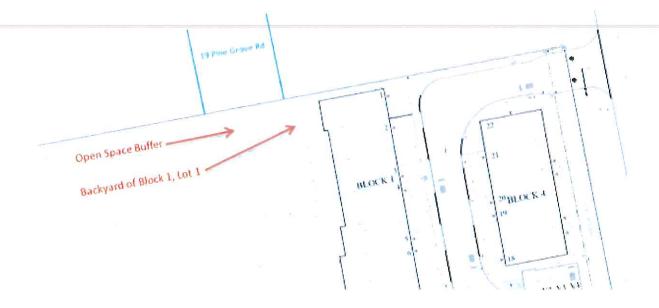
Sent: October 25, 2016 11:04 AM
To:

**Subject:** Pine Valley Enclaves II (Z.16.038, DA.16.046, 19CDM-16V006)

Hi Tania,

Further to our conversation from earlier today, please find attached a copy of the Site Plan that was submitted with the development applications for Pine Valley Enclaves II (Files Z.16.038, DA.16.046 and 19CDM-16V006).

As discussed, it appears that 19 Pine Grove Road will be abutting the proposed Open Space Buffer, and a private backyard.



Best regards,

#### Diana DiGirolamo

#### **Planner**

905-832-8585 ext. 8860 | diana.digirolamo@vaughan.ca

City of Vaughan I Development Planning Department 2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1

vaughan.ca



This e-mail, including any attachment(s), may be confidential and is intended solely for the attention and information of the named addressee(s). If you are not the intended recipient or have received this message in error, please notify me immediately by return e-mail and permanently delete the original transmission from your computer, including any attachment(s). Any unauthorized distribution, disclosure or copying of this message and attachment(s) by anyone other than the recipient is strictly prohibited.

To: Members of Council February 8<sup>th</sup>, 2017

Re: Re: Pine Valley Enclaves II (Z.16.038, DA.16.046, 19CDM-16V006)

Committee of the Whole Hearing – February 7<sup>th</sup>, 2017

I attended the Committee of a the Whole Public hearing on February 7<sup>th</sup>, 2017 and I spoke in regards to item #1 regarding the proposed townhouse development, Pine Valley Enclave II. I had 5 minutes to speak and that didn't allow me time to address certain items of concern regarding this proposal and specifically Mr. Zipay.

- 1. I applaud Councillor lafrate's response to the notion that the "Plan to Grow" project initiated by the province is the sole reason for the level of townhouse and condo development going on in existing, mature neighbourhoods. She took the words right out of my mouth, that Council has the power to determine how and where it will intensify and they should be doing so while respecting and reinforcing the existing neighbourhoods and the existing citizens who reside there. What this means is that they can easily approve 14, 2-storey semis and fit the mandate of intensification without overdeveloping the area. That is not part of the mandate of Plan to Grow
- 2. Mr. Zipay made a notion that the lot setbacks and allotment were below minimum standards due the fact that with infill developments, you have to sometimes reduce these items to make them fit. I would accept this answer for the items that are reduced by 0.5m maybe but the minimum lot area required is 230 square meters and the proposal is for a minimum lot area of 108 square meters. That is less than half. If you can't provide the minimums or at the very least, closest to the minimum, then that means you have too many units for the area and you need to reduce.
- 3. Mr. Zipay did not address the comment on whether the trees were taken down without a permit nor did anyone from council ask about it. Were the trees removed lawfully? How many trees exactly were removed and has this been confirmed by the Forestry department? Was any regard given to the photographs provided by a community resident? Why did the city allow this action to happen and why is he not being reprimanded for taking such unnecessary and evasive steps towards a development that hasn't even been approved. If City Park homes was open to developing within and with the community, he would have at least spoken to us first and tried to meet us halfway. He could have tried to work around the trees or at least waited to see what could be done before destroying them but his actions show a complete disregard for the community members who have been here for 40 years. To the Councillor lafrate's point, you can't just come in and impose on the existing community negatively.
- 4. Mr. Zipay also did not respond to the speaker who asked about the traffic report. Has this been conducted? I have a concern about the traffic on Pine Valley in terms of traffic going northbound, making a left into the area. Pine Valley has seen increased traffic over the years (despite the Provincial government's push towards transit on this road apparently) and now we have cars making left turns at two different points less than 20m from each other from a live

lane. This left lane already sees increased traffic due to the backlog of cars making the left onto Langstaff. Now there will be traffic forced into the intersection of Pine Valley and Willis Road as a result of cars making lefts just north of a traffic light. A similar example of this conflict is on Major Mackenzie just before Keele St where all the plazas sit on the north side. The left lane of traffic is always halted due the number of driveways and cars turning left at various points. The one difference on Major Mack is that there is no intersection to impede whereas at Pine Valley and Willis there is.

- 5. No members of council asked about the issue of townhouses being more than 3 stories due to grading. If the grading is going to force the units to stand at 4 stories tall, then the builder should be incorporating this into the design and make the units shorter.
- 6. Mr. Zipay did not address the remark of the houses already being "sold" prior to the application being permitted. A resident called the sales office and was told that they are all sold except for a corner lot. Isn't this practice illegal? Why do we support this?
- 7. I disagree with Mr. Zipay's assertion that the VOP 2010 is not the sole cause of this unrest in this community. The hearing was a testament to the fact that community members are angry about the volume and type of infill development being proposed and accepted. They have been speaking about it for years and there's been articles published about it and surely there have been numerous hearings before the one yesterday where the same frustration has been expressed. The message is pretty clear it's not the infill per se, it's the type and volume. Like I said, had the builder come through with a scaled down, low rise option, the residents likely wouldn't have an issue because it would actually respect and reinforce the neighbourhood.
- 8. Have environmental reports been produced and have they been shared with the Community?
- 9. I challenge the notion that certain members of council don't have a conflict of interest with this application. I say this with respect and not with the notion that "councillors pockets are lined with developer's money" as one person said disrespectfully during the hearing. However, facts are facts and according to a Vaughan citizen article, Toronto Star article and Global News report, City Park homes holds \$1000 a plate fundraisers for Vita Nova which is a charity that Councillor Carella's wife is the Executive Director for. How can Mr. Carella be allowed to make planning decisions with respect to this developer when his wife's endeavors benefit directly from them?

Stemming from this concern, it showed in the report that during the first phase of Pine Valley Enclaves, the developer entered into a "settlement offer" with Council and in exchange, no report was developed by city planners to produce at council meetings and no evidence was submitted to challenge the development at the OMB hearing. This makes sense now why at the OMB hearing, the residents could not understand why city planners were not present to speak or challenge certain elements of the proposal nor did the city's lawyer say anything to challenge the proposal. My understanding was the city planners did not support aspects of the proposed

development and therefore they would have been crucial at this hearing to speak to what they opposed. However the residents were left alone. Not one person represented the city on this matter at the hearing. I have tried to get information on this settlement but it is private as it was agreed to during a closed door meeting of council. How is this permitted and how is Mr. Carella permitted to vote on such actions, in a closed door meeting to boot? Wouldn't it serve his best interests to vote in favour of this developer? I'm very confused as to how this is ok.

Now I digress from my respectful tone when I say this whole thing reeks of suspicion. At the hearing, all councillors seemed very against the developer and architect of the Major Mack and Prince Rupert development. Everyone was quite vocal about the issues and challenged the developer at every point they made, however the same did not quite happen for City Park homes? Outside of Mr. Rosati and Ms. Iafrate voicing their discontent with this application in its current form, there wasn't much else and yet the developments are very similar. I find this to be suspicious as I know ACE Developments are not big players but City Park Homes has some big backers. I don't want to draw conclusions however it's only natural for one to make these assumptions in absence of a similar reaction or action.

- 10. I also reject the notion from Mr. Zipay that we should "watch what we wish for" as I see this directly as an intimidation tactic. To say that we shouldn't fight the townhouses because we could instead get stacked townhouses or worse, a condo, is likened to say "women shouldn't complain about not having equal pay. It could be worse, they could not have a job at all so be careful what you wish for." The whole notion is absurd and strangely enough, Councillor Carella gave me the same argument when I called him to voice my concern about the development.
- 11. I challenge Mr. Zipay in his statement about how lot sizes have changed over the years. He's correct in that they have gotten smaller but at least that is designated for new areas where everything is the same, not in established areas. Established areas should try and retain the same look where possible. Also just because there is a trend of reducing lot size, doesn't make it right in all instances. Let's look to the houses in the Rutherford and Weston Rd area that were built on 80' deep lots. That practice stopped because it got to a point where it was ridiculous that detached houses were being built on such small lot sizes. The same can hold true for excessive infill development.

I would like these comments to be included with the Public Hearing minutes. It's not quite fair that residents only get 5 minutes but the developer gets to take all the time they want. I hope that Council will take this matter seriously and act in the best interests of their community members.

Sincerely.

Tania Lamanna



### memorandum

C 6 COMMUNICATION CW - JUNE 5/18 ITEM - 5-13

DATE:

**JUNE 4, 2018** 

TO:

MAYOR AND MEMBERS OF COUNCIL

FROM:

JASON SCHMIDT-SHOUKRI, DEPUTY CITY MANAGER, PLANNING

AND GROWTH MANAGEMENT

RE:

ITEM 5.13 - COMMITTEE OF THE WHOLE- JUNE 5, 2018

CITY OF VAUGHAN OFFICIAL PLAN - VOLUME 1 AND VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN- VOLUME 2, SECTION

37 POLICIES AND SECTION 37 IMPLEMENTATION GUIDELINE

REVIEW

#### Recommendation

The Deputy City Manager, Planning and Growth Management recommends:

- 1. That Recommendation 1 of the staff report dated June 5, 2018 be deleted and replaced with the following as Recommendation 1:
  - i) That staff be directed to provide Notice in accordance with the *Planning Act* for a Statutory Public Hearing to be held in September 5, 2018; and
  - ii) That staff bring forward an Official Plan Amendment to the Vaughan Official Plan 2010, Volume 2, (Vaughan Metropolitan Secondary Plan-Chapter 11.13) in the first quarter of 2019 for Council adoption.

#### Purpose

To amend the Vaughan Metropolitan Centre Secondary Plan (VMC SP) to introduce an amendment that exempts development applications in the Vaughan Metropolitan Centre (VMC) from having to be processed as an Official Plan Amendment if a Section 37 contribution is being provided, only after it has been determined that the proposed development is considered to be good planning.

#### **Background and Analysis**

Council on December 11, 2017 considered a Communication (C2, Item No. 3) (Attachment 1) from the Deputy City Manager, Planning and Growth Management, and the Director of Policy Planning and Environmental Sustainability. The purpose of the Communication was to seek a resolution of Council to allow for Official Plan Amendments to the VMC SP to be made despite the two-year moratorium set out in the *Planning Act*, and to seek direction from Council for staff to investigate and report back on the potential elimination of the need for an Official Plan Amendment in the VMC SP area for a change in height and/or density that is initiated by a landowner in conjunction with a Section 37 bonusing request. The Communication was presented to address the matters identified above as raised by the Applicant.

In considering the communication, Council recommended that staff be directed to report no later than June 30, 2018 on an amendment to the VMC SP to clarify that modifications to height and/or density in the VMC SP area, that are being requested through Section 37 bonusing shall be implemented through a Section 34 zoning by-law amendment and that an Official Plan Amendment would not be required notwithstanding Policy 9.4.4 in the VMC Secondary Plan and Policy 10.2.1.7 in Volume 1 of the Vaughan Official Plan 2010 (VOP 2010).

The Vaughan Metropolitan Centre is Vaughan's new downtown. The effective and efficient approvals of development applications in the VMC, for which the terminus station of the \$4.2 billion TTC Line 1 extension has been built, the \$32.1 million SmartCentres Place bus terminal has been built, and the \$1.4 billion York Viva bus rapid way connection, is paramount to the continued success of the creation of a world class transit hub. The current VMC SP establishes heights and densities through Schedule I of the Plan. Development applications currently being approved and submitted in the VMC have established greater heights and densities then those that are prescribed. Given this significant investment in the downtown, flexibility is required in order to ensure the timely approval of applications to support the growth adjacent to the subway station.

The timely approval of applications within the VMC, upon being considered as appropriate or good planning, will provide the City with Section 37 contributions. These Section 37 contributions provide greater opportunities for the City to increase the community benefits that would otherwise not be available or have to be funded by the City. This is particularly important as implementation of the VMC is a long term build out that will be phased over time. As such, it is imperative that the City has flexibility to secure the necessary community benefits to support the continued growth of the downtown as it builds out over time.

Planning Act, R.S.O. 1990, c.P. 13

Section 37, subsection (1) of the *Planning Act* allows municipalities to secure public benefits "in a by-law passed under Section 34, to authorize increases in the height and density of development otherwise permitted by the by-law". Subsection (2) also states that "a by-law shall not contain the provisions mentioned in subsection (1) unless there is an Official Plan in effect".

Although Section 37 of the *Planning Act* provides a municipality to pass a by-law pursuant to Section 34, it does not distinctly state that this must occur by way of an Official Plan Amendment.

City of Vaughan Official Plan 2010 (VOP 2010)- Volumes 1 and 2

Policy 10.1.2.9 a) of VOP 2010 states "In accordance with Section 37 of the Planning Act, Council may authorize an increase in the building height and/or density of development otherwise permitted in areas of the City, as contained in Volume 1 or Volume 2 of the Plan, or as contained in a site-specific zoning by-law, in return for the provision of community benefits...". VOP 2010 also states under Policy 10.1.2.12 "increased building height and density provisions under Section 37 of the Planning Act will be implemented by site- specific Zoning By-laws".

Notwithstanding the general Section 37 policies contained in VOP 2010, there is a more specific policy direction provided in both Volumes 1 and 2 of VOP 2010, as it relates to prescriptive or defined heights and densities, which have been previously identified in the communication of December 2017 and the current staff report (Item 5.13).

Notwithstanding the above noted references, similar to the *Planning Act*, there is no requirement in VOP 2010 that requires an Official Plan Amendment, if a Section 37 contribution is being secured.

#### Conclusion

Council directed that staff review amendments to the VMC SP to permit an increase in height and density beyond the current maximums outlined within the VMC SP without the need for an Official Plan Amendment if a Section 37 contribution is supported by Council. Based on the recent investment in the VMC consisting of the TTC Line 1 expansion, the Bus Terminal and York Viva bus rapid way connection, in conjunction with the current development activity in the core, it is important to provide flexibility in order to allow development applications to proceed in a timely manner. Accordingly, staff recommend that an amendment to the VMC SP be brought forward for Council adoption as follows:

i) That staff be directed to provide Notice in accordance with the *Planning Act* for a Statutory Public Hearing to be held on September 5, 2018; and

ii) That staff bring forward an Official Plan Amendment to the Vaughan Official Plan 2010, Volume 2, (Vaughan Metropolitan Secondary Plan-Chapter 11.12) in the first quarter of 2019 for Council adoption.

Respectfully Submitted,

JASON SCHMIDT-SHOUKRI

Deputy City Manager, Planning and Growth Management

cc. Daniel Kostopoulos, City Manager

Todd Coles, City Clerk

Bill Kiru, Director of Policy Planning and Environmental Sustainability

Mauro Peverini, Director of Development Planning

/lm



### memorandum

C 7 COMMUNICATION CW - JUNE 5/18 ITEM - 5.33

DATE:

**JUNE 4, 2018** 

TO:

MAYOR AND MEMBERS OF COUNCIL

FROM:

JASON SCHMIDT-SHOUKRI, DEPUTY CITY MANAGER,

PLANNING AND GROWTH MANAGEMENT

RE:

COMMITTEE OF THE WHOLE – JUNE 5, 2018 ADDENDUM ITEM No. 5.33 - ATTACHMENT #6

**NEW COMMUNITY AREA - BLOCK 27 SECONDARY PLAN** 

**STUDY FILE 26.4.1** 

#### Recommendation

The Deputy City Manager, Planning and Growth Management recommends:

 THAT Attachment 1 to this Communication, be added as an additional response to Attachment 6 of Item 5.33 "NEW COMMUNITY AREA – BLOCK 27 SECONDARY PLAN STUDY FILE 26.4.1".

Respectfully submitted,

JASON SCHMIDT-SHOUKRI

Deputy City Manager

Planning and Growth Management

Copy to:

Daniel Kostopoulos, City Manager

Todd Coles, City Clerk

Bill Kiru, Director of Policy Planning and Environmental Sustainability

/lm

# Attachment 1:

| Part B: Section 3.6 and 7.2 Community Hub   |   |   |
|---|---|---|
| Section 7.2<br>Community Services<br>and Facilities   | Active Together Master<br>Plan 2018<br>Section 7.1<br>(Community Centres<br>and Community Hubs),<br>Section 8.4<br>(Recommended<br>Provision Strategy)  |   |
| The Block 27 Secondary Plan provides for a Community Hub in the northern section of the Block. The Provincial Policy Statement 2014 and Growth Plan 2017 require the provision of public services including recreation facilities as a central component of complete communities. In accordance with Provincial policy, Section 7.2.1 of the VOP 2010 requires the integration of community services and facilities in New Community Areas. Community services and facilities are required to be centrally located within their service areas and co-located with other services where possible (Section 7.2.1.1.b.,7.2.1.3). | The City of Vaughan Active Together Master Plan 2018, adopted by Council on May 23, 2018 identifies the need for a Community Hub and library facility in the northern portion of Block 27 for the long-term. Section 7.1 (Community Centres and Community Hubs) includes Recommendation #57 to "Develop a community hub in Block 27 (North Maple), with a tentative timeframe of 2028 or later (subject to development activity that meets population thresholds, funding, etc). Site investigations should begin in the short-term". Recommendation #9 of Table 19 (Recommended Library Development Program) in Section 8.4 (Recommended Provision Strategy) and recommendation #86 (Public Libraries) in the ATMP 2018, recommends that the City "pursue the development of a branch library in the community hub proposed for Block 27" within the 2028 + timeframe, to be confirmed through a future study. | Given the recommendations provided in the 2018 ATMP, the Secondary Plan will provide for the consideration and protection of a Community Hub and library facility in the northern area of Block 27. |
| Community<br>Centre   |   |   |

From: Tas Candaras [mailto:tas@amcai.com]

**Sent:** May-29-18 3:05 PM

To: Jeffers, Judy < Judy. Jeffers@vaughan.ca >; lafrate, Marilyn

<Marilyn.lafrate@vaughan.ca>

Cc: Ciampa, Gina < Gina. Ciampa@vaughan.ca>; Peverini, Mauro

<MAURO.PEVERINI@vaughan.ca>; Marrelli, Carmela

<Carmela.Marrelli@vaughan.ca>; Caputo, Mary <Mary.Caputo@vaughan.ca>

Subject: RE: Committee of the Whole Courtesy Notice - Files Z.17.024 + 19T-17V008

Thank you for providing us with the notice for the upcoming meeting of June 5, 2018.

I still have concerns regarding lots 29, 30 and 31. The frontages and areas of these proposed lots should be consistent with the existing lots on Whisper Lane. Lot 29 is an oddly configured lot having a very shallow side lot depth of only 24.4 m and furthermore the siting of a house would result in potentially the front of the house facing the side yards of the existing lot to the east or the proposed lot 30.

Tas Candaras, P.Eng. a.m. candaras associates inc. 8551 Weston Road, Suite 203 Woodbridge, Ontario L4L 9R4

Tel:(905)850-8020,Ext.222

Fax:(905)850-8099

Email: Tas@amcai.com

#### Britto, John

From:

Alan Heisey <heisey@phmlaw.com>

Sent:

Monday, June 4, 2018 3:41 PM

To:

Clerks@vaughan.ca

Cc:

Racco, Sandra; Quinto Annibale (qannibale@loonix.com); Steven Zakem; Scarcella,

Isabella; Susanne Glenn-Rigny; Saadia Jamil

Subject:

Committee of the Whole Public Meeting June 5, 2018 - Rutherford - Block 4 - OP.06.028

and Z.06.075

**Attachments:** 

AMH June 4 2018 Draft letter to Committee of the Whole Re Block 4 Rutherford

subdivision from CNR 2.pdf

Follow Up Flag:

Follow up Completed

Flag Status:

Attached please find a letter concerning this matter Please confirm receipt in writing.

A. Milliken Heisey Q.C.

Papazian | Heisey | Myers,

Barristers & Solicitors/Avocats

Standard Life Centre,

Suite 510, 121 King St. W.,

P.O. Box/C.P. 105,

Toronto, ON, M5H 3T9

Tel: 416 601 2702 | F: 416 601 1818

Website | Bio

#### **IMPORTANT NOTICE - AVIS IMPORTANT**

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B.B. Papazian Q.C.
P.F. Rooney
C.D. O'Hare
J. Papazian
M.S. Myers
A.B. Forrest
J.S. Quigley
M. Krygier-J

M.S. Myers
A.B. Forrest
J.S. Quigley
M. Krygier-Baum

A.M. Heisey Q.C.
C.G. Carter
W.O. Lewis

A.M. Heisey Q.C. Direct: 416 601 2702 Assistant: 416 601 2002 heisey@phmlaw.com

June 4, 2018

File No. 88070

#### VIA EMAIL - clerks@vaughan.ca

Councillor Sandra Racco and The Committee of the Whole Vaughan Civic Centre 2141 Major Mackenzie Rd Vaughan, ON L6A 1T1

Chair Racco and Members of Council:

Re: Committee of the Whole Public Meeting June 5, 2018

Re: Rutherford - Block 4 - OP.06.028 and Z.06.075 The Vaughan Mills Centre Secondary Plan

Please be advised that we are the solicitors for Canadian National Railway ("CN") on this matter.

Our client owns and operates the MacMillan Classification Yard (the "Yard") located east of Jane Street nearby the eastern edge of the proposed Plan. The Yard comprises about 1,000 acres and is about three times the size of the total proposed Vaughan Mills Center Secondary Plan Planning Area.

CN employs 1,500 people at this location and has, over the last fifty years, attracted numerous other industries to the employment lands that have developed around the Yard in the heart of Vaughan. The Yard is one of the most important transportation terminals in Canada and North America.

This yard was developed in response to constraints on expansion of CN's facilities in the City of Toronto. In response to mounting political pressure to relocate a majority of those freight operations outside of Toronto and the movement of new industries to suburban locations, CN commenced planning in the late 1950's for the ultimate relocation of its rail classification freight yard activities from central Toronto locations to a northern location outside of urban development in what was then a rural area.

The MacMillan Yard was ultimately constructed and opened in the 1960's. The amount of land acquired and the facilities that it can accommodate were designed to ensure sufficient capacities for CN's freight operations into the distant future.

When the MacMillan Rail Yard was designed, the pull back track which runs north of the yard beyond Rutherford Road was designed so that it went directly northbound in the direction of the then rural community of Maple.

As a result of objections by Maple residents, CN redesigned the yard and its pull back track to a less efficient configuration such that the pull back track went north of Rutherford Road and then curved west toward Jane Street where it terminates.

Over the last twenty-thirty years, there have been considerable residential encroachments permitted by the City adjacent to Yard. Initially in the 1980's residential development was allowed to the north of the yard's pull back track at a distance of 150 metres. This community generated a number of complaints for CN and Vaughan given the twenty-four hour noise generated by the Yard.

Subsequent to that the Villa Giardino residential condominium development was approved by Vaughan in 1999 and then for the first time, south of the yard's pull back track north of Rutherford Road high rise residential development was permitted by the OMB in 2004 after a lengthy hearing over the objections of the City of Vaughan and CN Rail.

CN has an outstanding appeal to the Vaughan Mills Centre Secondary Plan is it applies to the lands that are the subject of this proposed Official Plan and Zoning Bylaw Amendment Application at the south east corner of Rutherford Road and Jane Street.

CN has unsuccessfully attempted to negotiate policies for the VMCSP as it affects these lands to ensure the appropriate implementation and maintenance of noise mitigation measures if the lands are feasible for residential development.

The conceptual site plan shown for Block 4 that is the subject of this partial approval, shows proposed mixed use high-rise, with residential condominium towers. This area is within the noise influence area of the Yard and within the original setback zone established by the Township of Vaughan established to protect residential areas from excessive noise.

At this point in time CN is negotiating in good faith with the proponent to secure the required mitigation, an environmental easement in favour of CN and an agreement made

pursuant to the *Industrial and Mining Lands Compensation Act* to enable a partial approval for Block 4 to go forward before the Local Planning Appeal Tribunal at the proposed consent hearing scheduled for June 21, 2018.

Failure to properly secure the needed mitigation and other measures needed to protect the MacMillan Yard and future residents could threaten the continued successful operation of the Yard. The Yard is an integral part of the local, regional, national and international economy. Affordable rail transportation is a key part of the York regional economy.

Kindly provide the author with written notice of any further meetings and/or decisions by Council or its Committees in respect of this matter and provide the author with Notice of Approval of any Draft Plan of Subdivision or Condominium Approval affecting the property or any portion of it.

We would request copies of the Minutes of the Committee of the Whole and Council meetings addressing this matter.

Kindly acknowledge receipt of this letter in writing.

Yours very truly,

A. Milliken Heisey, Q.C.

AMH/lg

cc:

Susanne Glenn-Rigny, RPP, OUQ, MCIP Senior Officer, Community Planning and Development

Canadian National Railway

Steve Zakem, solicitor for Granite Real Estate

Quinto Annibale, Solicitor for Rutherford/Caldari

Councillor Sandra Yeung Racco, Ward 4



C\_LO memcommunication CW-JUNES 18 ITEM-5-41

DATE:

**JUNE 4, 2018** 

TO:

HONOURABLE MAYOR AND MEMBERS OF COUNCIL

FROM:

STEPHEN COLLINS, DEPUTY CITY MANAGER, PUBLIC WORKS

JASON SCHMIDT-SHOUKRI, DEPUTY CITY MANAGER,

PLANNING AND GROWTH MANAGEMENT

RE:

ITEM 5.41, REPORT 21; COMMITTEE OF THE WHOLE - JUNE 5, 2018

YORK MAJOR HOLDINGS INC.

**ZONING BY-LAW AMENDEMENT FILE Z.17.044** 

SITE DEVELOPMENT FILE DA.17.086

RETRACTION OF RECOMMENDATION NO. 2 b) vii

#### Purpose

To provide Council with the background information necessary to support the retraction of Recommendation No. 2 b) vii).

#### Recommendation

1. That Recommendation No. 2 b) vii) be deleted.

#### Background

The City's Focus Area Core Servicing Strategy Study was completed in December of 2017. The study was undertaken to assess residual sanitary sewer system capacity to support specific intensification and redevelopment areas. Although the subject site contributes to the potentially constrained areas, it is premature to secure financial contribution towards improvements at this time since an implementation strategy has not been finalized.

It is anticipated the implementation strategy will be finalized in conjunction with the upcoming Water / Wastewater Master Plan Update to support the City's overall Growth Management Strategy.

Respectfully submitted,

STEPHEN COLLINS

Deputy City Manager,

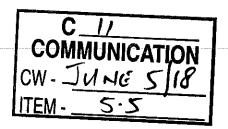
**Public Works** 

JASON SCHMIDT-SHOUKRI

Deputy City Manager,

Planning and Growth Management

June 5, 2018



Mayor and Members of Vaughan Council

Re: Zoning By-law Amendment File Z.17.029

Mr. Mayor and Members of City Council,

Thank you for the opportunity of allowing me to provide feedback on the report presented today, in reference to the zoning amendment and site plan of this property.

I would also like to thank the local Councillor for facilitating an additional consultative meeting with the community and adjoining property owners, in an effort to address concerns with transportation issues,

Variances requested, site plan and overall development.

I realize that zoning changes and land use changes upset neighbours, and other residents. However, changes are inevitable and Vaughan Council has a vision for the future which is shared by many people.

I am in favour of appropriate development along the Keele Corridor. I have serious difficulties with section B (II) of the report, specifically in reference to "these easements will be implemented as a condition of development, Should the owners of the properties 7635 and 7577 and 7575 Keele st submit development applications for their lands...."

I am disturbed by this reference to easements as it will possibly block any future development of our own site at 7635 if other land owners do not espouse to the idea of a laneway. For the record, at the last meeting of this application I discussed a comprehensive redevelopment plan with other property owners in order to allow easy flow from the rear of our properties and facilitate the flow of traffic on Keele st. without ingress and egress that would stifle traffic. However, both the residential community as well as the commercial owners have decided not to pursue this option.

To put this recommendation as a condition of approval that may have serious consequences for our development application is not fair. Each development application has to be viewed on its own merit and not on a comprehensive plan that none shared.

I also wanted to draw attention to the report on Page 77. "The owner of the adjacent commercial property indicated that they have no immediate plans to redevelop......" This statement is wrong.

As property owners for 7635 Keele st. we have hired a planner and an architect and will file our application shortly. This is why we have serious concerns with the easement proposal at this time.

A third reason for our concerns is that the variances requested on this application are not minor.

For instance the bylaw requires 157 parking spaces and only 100 are provided.

Minimum lot depth is 60 metres whereas 43 metres are existing. Additionally, setbacks, lot coverage Are all variances which in my opinion are not minor.

Finally our position remains the same. There is a need for comprehensive development on Keele st.

Although I totally sympathize with our next door neighbours who are anxious to move forward with this application, you will set aside a very unique opportunity to make sure that Keele St will continue to be a major arterial and corridor with appropriate development.

Thank you

Peter LiPreti

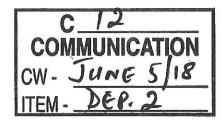
### WorldFEST

#### Vaughan's Multicultural Festival

Dear Hon. Mayor Bevilacqua and Council Members,

The Vaughan Multicultural Festival (WorldFest) is an initiative that the following Organizations will be working together to create for the City of Vaughan:

- WEConnect Community Services
- Mozaika Charity
- Fuerza Latina Community Services
- Federation of Chinese Canadians
- Filipino Canadian Association of Vaughan
- Humber College, Aboriginal Resource Centre
- Vaughan African Canadian Association
- Maple Lions Club
- Human Endevour
- CHIN



Our City is proud to be home to a large multicultural population and it would be a great privilege for the community to come together to celebrate such diverse cultures in one festival. WorldFest will be a platform for different Non-Profit Community Organizations to showcase their cultural heritage but also to appreciate and learn about other cultures that contribute to the diverse makeup of our City. The vision is to create a multicultural festival to increase multiculturalism, tourism and economic growth in the city of Vaughan.

With the support of the City, WorldFest will delight guests from all over Canada and abroad with an exciting exhibition of different cultures. From delicious food, rich cultural history to vibrant performances this event is certain to be one of Vaughan's top attractions.

We look forward to your support in making WorldFest a success.

Sincerely,