

ELIZABETH A. BOTTOS

178 Charmaine Road
Woodbridge, Ontario
L4L 1K2

Home: 905-851-3671
Bus: 905-850-0155
Email: liz@piccinbottos.com

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Communication
CW: <u>Jan 15/13</u>
Item: <u>13</u>

January 14, 2013

Via Fax: (905) 832-8535

City of Vaughan Council
City of Vaughan Clerk's Department
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Sirs and Mesdames:

RE: Item #13 on Committee of the Whole Agenda for Tuesday, January 15, 2013
Re: Intersection Stop Sign Control – Charmaine Road and Sarracini Crescent
Intersections
Regency Estates Subdivision 19T-08V07 WARD 2

I write with respect to the above-noted matter for the purpose of urging Council to reject the recommendation of the Commissioner of Engineering and Public Works ("CEPW") to rescind Council's Resolution of May 24, 2011 which Resolution authorized the placement of stop signs at both ends of Sarracini Crescent. The reasons for my request are as follows:

1. **Incorrect Characterization of Charmaine as a Minor Street**

CEPW's recommendation is based on Ontario Traffic Manual Guideline for Stop Controls Book 5 (pg. 19), which provides that stop signs should be "**considered**" at the intersection of a minor street or road with a through street or highway. The decision to place signs on Charmaine Road results from a faulty characterization of Charmaine Road as a "minor street" when in fact it is a continuing and main roadway running from Kiloran to Dorengate and has been for at least 32 years (see highlighted area on Schedule "A" attached). It happens to be a street with two curves not dissimilar to the curve on other streets in Vaughan, for example Langstaff between Pine Valley and Islington. Sarracini Crescent is the minor street being, as its name suggests, a short "C" shaped street which begins and returns to the

same street i.e., Charmaine Road. As such, stop signs should be placed on the minor street being Sarracini Crescent.

What CEPW has done is chopped Charmaine Road into 3 segments:

- a) Charmaine Road from Kiloran to Sarracini (2 house lengths);
- b) Attached the portion of Charmaine Road between the two curves to Sarracini to form a continuous circle of Charmaine and Sarracini;
- c) Charmaine from (b) above to Dorengate.

Just as taking 2 sentences from a paragraph out of context distorts its meaning, breaking Charmaine Road into 3 segments distorts the reality of Charmaine as a continuous road between Kiloran and Dorengate.

2. Yielding the Right of Way

After stop signs are placed on both ends of Sarracini, the concern regarding the 2 potential collision sites raised in the CEPW recommendation are resolved by application of the rules of the road that say a vehicle making a left turn yields to the oncoming traffic.

North Intersection

A vehicle southbound on Charmaine from Kiloran, wishing to turn left onto Sarracini yields the right of way to the vehicle travelling northbound on Charmaine – this is no different than any other situation where a southbound vehicle wishing to turn left yields the right of way to the oncoming northbound vehicle. This has in fact been the situation for the last 32 years as Mr. and Mrs. DiAlessio, who reside at 181 Charmaine Road, have had to cross the northbound lane of Charmaine to get to their driveway and have always done so yielding the right of way to any vehicle travelling northbound on Charmaine.

South Intersection

Same explanation as above. The vehicle travelling southbound on Charmaine wishing to turn left onto Sarracini yields the right of way to the northbound Charmaine vehicle. The house at this end of the street has had to deal with this situation in the same manner as Mr. and Mrs. DiAlessio for the last 32 years.

3. Expectations of Residents of Charmaine

The residents of Charmaine were involved and participated in discussions of the Regency application prior to approval. Our concern with respect to the location of stop signs was brought to Council's attention before approval of the Regency subdivision by letter dated October 3, 2008 and at a Council meeting of October 6, 2008. None of the Councillors present, and no one from the planning department or engineering department and no one at any of the meetings that we attended told us that the Regency subdivision would result in the joining of Sarracini and Charmaine to form one continuous circle when they knew, or ought to have known this and they should have disclosed this to us. Had this been disclosed to us we would have pushed for an alternative configuration of the Regency subdivision that did not have two entrances onto Charmaine. Residents' input is only meaningful if it is informed. We were further misled by Council's Resolution of May 24, 2011 and the placing of the stop signs on Sarracini from that date until October 26, 2012 when they were moved to Charmaine without any warning to us. Even at this time, we were assured that it was a mistake and would be corrected.

4. Sustainability and Pedestrian Safety

If, as indicated in the recommendation of CEPW, pedestrian safety really is the issue then sidewalks must be installed in the Regency subdivision for the following reasons:

- a) Placing stop signs on Charmaine will alter the existing traffic patterns with some of the northbound and southbound traffic on Charmaine being diverted to Sarracini resulting in more traffic on Sarracini than was originally contemplated as it is now part of a continuing road system as opposed to a crescent. Vehicles stopping at Charmaine can now make the decision to either go left or right. If staying on Charmaine requires a vehicle to yield the right of way to Sarracini, it will be quicker to take Sarracini than Charmaine;
- b) Charmaine has a sidewalk. If Sarracini and Charmaine now form one continuing circular road, the whole of the road should have sidewalks for the protection of both the Charmaine and Sarracini pedestrians as the Charmaine pedestrians will be using both Charmaine and Sarracini;
- c) The decision of whether sidewalks should be installed on Sarracini was left to the residents. As Charmaine and Sarracini will form one circular road, the residents of Charmaine should have a say in this decision as the residents of Charmaine will be walking and biking on Sarracini as well as Charmaine;

- d) The traffic study in support of the Regency subdivision concluded that a sidewalk is not required in the Regency subdivision because the number of pedestrians is expected to be minimal. The conclusion is flawed because it was based on a study which did not consider Sarracini and Charmaine as one continuing road and therefore did not take into account the additional pedestrian traffic to be generated by Charmaine vehicles and pedestrians;
- e) The Sarracini/Charmaine continuing road has in excess of 40 houses which is the Vaughan threshold;
- f) Economic Impact – there would be no immediate economic impact to installing sidewalks as the developer has posted a letter of credit for payment of same. Delaying the installation of the sidewalk would most likely result in an economic impact if in the future sidewalks have to be installed and the City no longer has the developer's letter of credit to pay for same.

5. Accident Free Intersection

CEPW cites, as support for its recommendation to place stop signs on Charmaine, that during the period of time that the stop signs were on Charmaine (October 26, 2012 to the date of report) a **short period of two months**, there were no reported accidents. I wish to point out that while stop signs were on Sarracini from the fall of 2011 until October 26, 2012 (**a period of at least one year**) there were no accidents, nor in fact have there been any accidents on Charmaine for the 32 years that I have lived there.

6. Driver Confusion

If anything, placing the stop signs on Charmaine has created driver confusion as evidenced by the email to Councillor Carella from Julian Fantino dated November 18, 2012 a copy of which is attached as Schedule "B" and the comments raised by those in attendance at the December 5, 2012 meeting and alluded to in the CEPW report "...in addition some residents raised questions with respect to which motorist has the right of way at the new intersection with the stop controls only on Charmaine".

7. Relationship to Vaughan Vision 2012 Strategic Plan

In consideration of the strategic priorities related to Vaughan Vision 20/20, a recommendation to place stop signs on Sarracini only and to install sidewalks in the Regency subdivision will assist in:

- The pursuit of excellence in service delivery;
- Enhancing and ensuring community safety;
- To advocate for, protect and enhance community safety, health and wellness through education, design and enforcement;
- Promoting effective governance; and
- Planning and managing growth and economic vitality.

I submit that the requests set forth in this letter are therefore consistent with the priorities previously set by Council.

8. **Other Concerns**

In addition to requesting that Council reject the request of the CEPW to rescind its May 24, 2011 Resolution, I would like to draw to your attention the following concerns that I have relating to the procedures that have been followed in this matter:

- a) If a stop sign is placed in a location approved by Council Resolution and staff mistakenly (by their own admission) move the stop sign to a different location, why does the stop sign not have to be immediately returned to the approved location pending Council's rescission of the Resolution? By what authority does the stop sign remain in the wrong location? If the stop sign is in a location not approved by Resolution, is compliance with the stop sign enforceable?
- b) Who has ultimate jurisdiction in the matter of determining the location of stop signs – Council or City staff? I would have thought that the decision of Council is paramount. However, we were advised that the legal opinion of the City solicitor (of which I have a copy) was that the stop sign must remain in the "unapproved" location because City staff determined the "approved" location was a hazard. If this is correct, Resolutions of Council approving the locations of stop signs are meaningless and can be overruled by City staff, who are not accountable to the electorate, and I find this disturbing.

I appreciate your taking the time to review my submissions.

Very truly yours,

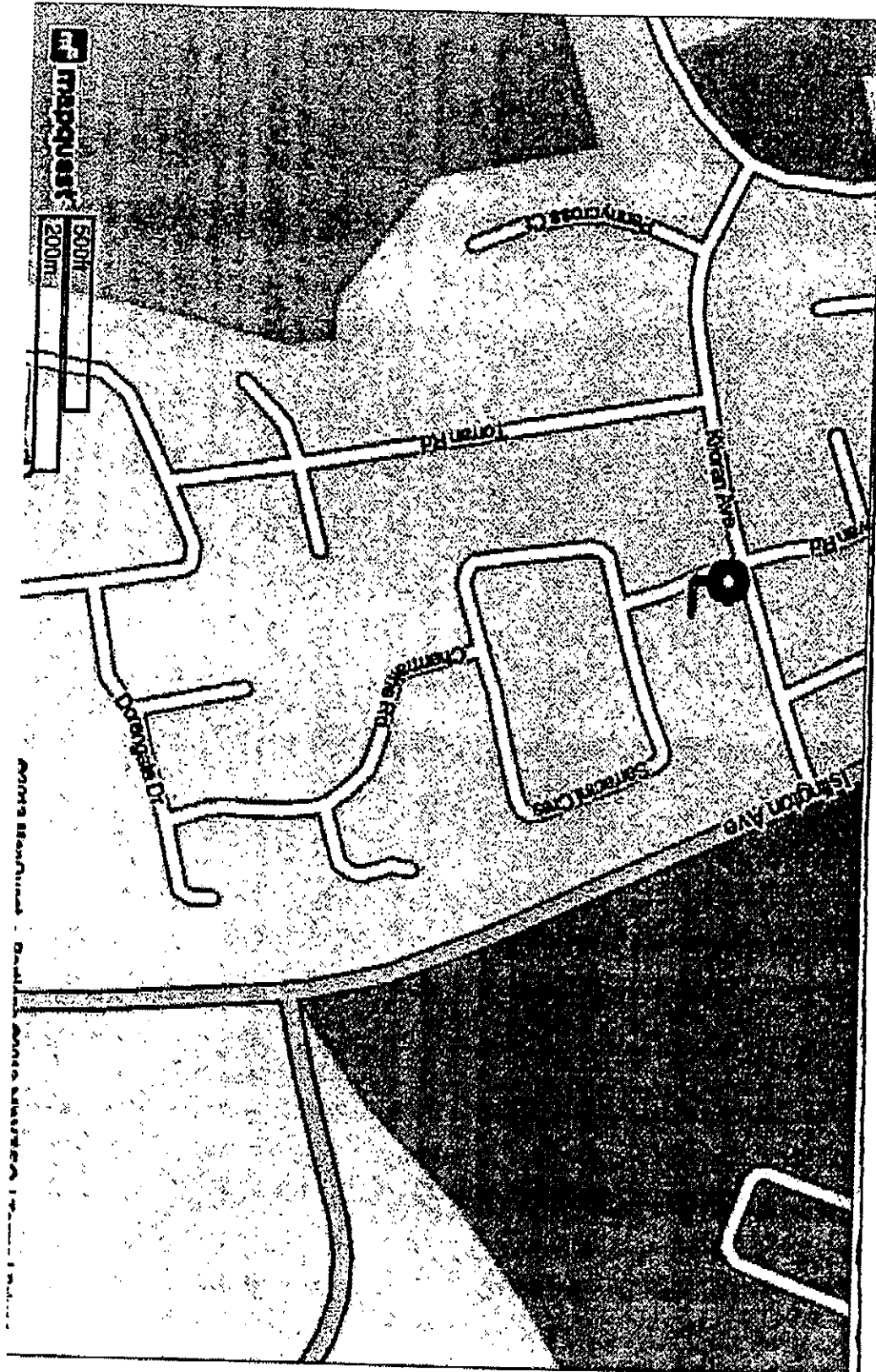


Elizabeth A. Bottos

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Encl.

Schedule "A"



Schedule "B"

liz

From: Liviana Fantino [jlhome172@sympatico.ca]
Sent: Sunday, November 18, 2012 9:59 PM
To: tony.carella@vaughan.ca
Cc: 'liz'
Subject: Traffic Signage (Charmaine/Saracini Cres)

Dear Tony:

I have not engaged in this matter previously believing, apparently incorrectly, that common sense would prevail. I don't profess to be a traffic engineer, however I do have considerable traffic management and accident collision investigation experience to the extent that I feel compelled to challenge the City's brain trust who came up with the current signage configuration at the north intersection of Sarracini Cres., and Charmaine Road. Aside from what historic undertakings were made about traffic controls at said intersection I would like someone in authority at the City to explain to me exactly which of two vehicles, according to the Highway Traffic Act, has the right of way as follows: Vehicle #1 proceeding west on Sarracini Cres., intending to continue south on Charmaine Road when simultaneously it meets in the intersection vehicle #2 traveling east then north on Charmaine Road. As it is, both vehicles can enter the intersection unimpeded by nothing more than a courteous yield by one of the drivers and nothing more. Obviously, a similar scenario applies on the south end where Sarracini Cres., and Charmaine Road intersect. All to say that if/when a collision or worse occurs in either of the two intersections, with the current situation not corrected, the City will surely find itself in a deserved law suit. The law of averages and judging from the way people drive in Woodbridge regardless, it is only a matter of time before my concerns will be validated.

In my earlier life I learned a great deal about risk managing situations believing always that prevention is always the best option. I also learned that if it is predictable it is preventable. All to say that collision avoidance begins with proper traffic management which obviously must include proper signage; all of which I submit is lacking at this time.

Regards.

Julian