

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 1, Report No. 45, of the Committee of the Whole (Working Session), which was adopted, as amended, by the Council of the City of Vaughan on June 27, 2005, as follows:

By approving that the Youth Advisory Council be disbanded and replaced with the Vaughan Youth Cabinet and the budget be transferred accordingly;

By appointing the following applicants to the Vaughan Youth Cabinet:

<i>Adrian Corsin</i>	<i>Theresa Nabus</i>
<i>Mark Anthony Frisoli</i>	<i>Luisa Pariselli</i>
<i>Lauren Grossi</i>	<i>Marianne Perri</i>
<i>Tavlin Kaur</i>	<i>Nicole Ristic</i>
<i>Nancy LaNeve</i>	<i>Adam Settecase</i>
<i>Vittoria LaNeve</i>	<i>Natalie Villani</i>
<i>Stephen Lecce</i>	
<i>Ana-Lisa Lombardi</i>	

By approving that the Clerk's Office provide secretariat services to the Cabinet; and

By receiving the memorandum from the City Clerk, dated June 27, 2005.

1 **CITY OF VAUGHAN YOUTH STRATEGY**
(Clauses 3 and 4 - Referred from the Council meeting of May 24, 2005)

The Committee of the Whole (Working Session) recommends:

- 1) That Council approves in principle the creation of a Vaughan Youth City Councillor and directs that the roles, responsibilities and all relevant issues in regard to this position be the subject of additional study, for consideration by Council in the Fall of 2005;
- 2) That the following deputations and written submissions be received:
 - a) Ms. Nancy LaNeve, Youth Strategy Task Force, 16 Thicket Trail, Woodbridge, L4H 1Y2;
 - b) Mr. David Major, Motivate Yourself, 6 Maxwell Court, Thornhill, L4J 6Y3;
 - c) Mr. Mark Anthony Frisoli, Youth Strategy Task Force, 36 Summerwood Court, Vaughan, L4L 9A3;
 - d) Ms. Jennifer Corriero, Taking ITGlobal, 19 Duncan Street, Suite 505, Toronto, M5H 3H2;
 - e) Mr. Nick G. Pasquino, Youth Strategy Task Force, 11 Misty Well Drive, Richmond Hill, L4E 4J2;
- 3) That the written submission of Ms. Anika Khanna, Institute for Youth Research and Public Policy, President of Central Ontario Development, dated June 21, 2005, be received; and
- 4) That the memorandum of Regional Councillor Mario Ferri, dated June 15, 2005, be received.

Council, at its meeting of May 24, 2005, adopted, in part:

"That Clauses 3 and 4 be referred to the Committee of the Whole (Working Session) meeting of June 21, 2005."

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 1, CW (WS) Report No. 45 – Page 2

Clauses 3 and 4 - Report of Regional Councillor Mario Ferri, dated May 16, 2005.

3. THAT Council approves the creation of a Vaughan Youth City Councillor and accompanying roles and responsibilities for the position.
4. THAT this youth initiative be a pilot project for the duration of this term of Council and that staff report back at a Committee of the Whole in the Fall of 2006 with recommendations for full implementation.

Attachments

#1 - Extract from Council meeting of May 24, 2005.

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 2, Report No. 45, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on June 27, 2005.

**2 PRESENTATION TO COUNCIL BY HERITAGE VAUGHAN COMMITTEE ON ITS PROPOSED
“GOALS FOR HERITAGE PRESERVATION”**

The Committee of the Whole (Working Session) recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated June 21, 2005:

Recommendation

The Commissioner of Community Services, in consultation with the Director of Recreation & Culture recommends:

1. That Heritage Vaughan's presentation entitled "Goals for Heritage Preservation" be received.
2. That the Roles and Responsibilities of Heritage Vaughan as outlined in this report, be approved.

Economic Impact

Heritage Vaughan's presentation entitled "Goals for Heritage Preservation" has a number of initiatives that would require financial resources to implement. Specific projects outlined by the Committee that would require funding include the proposed heritage conservation district study for the Woodbridge historic core area and funding to purchase property for the purpose of establishing a "heritage subdivision". Funds have not been allocated for these initiatives in either the 2005 Capital or Operating Budget. Funding requests will be made as part of the annual budgeting process.

Purpose

Heritage Vaughan committee has prepared a PowerPoint presentation on a proposed "Goals for Heritage Preservation for Council's review. The Committee requested to be placed on a Committee of the Whole (Working Session) agenda to present the subject presentation.

Background - Analysis and Options

Heritage Vaughan Committee at its meeting of March 23, 2005, endorsed a PowerPoint presentation developed by the Committee's Policy Subcommittee on its proposed "Goals for Heritage Preservation" to help preserve built heritage resources in the City of Vaughan. Heritage Vaughan at the March meeting passed the following motion:

That the Chair of the Subcommittee present this presentation to the Committee of the Whole (Working Session), as soon as possible.

Roles & Responsibilities of Heritage Vaughan Committee

Heritage Vaughan committee, a statutory advisory committee to Council, was first established in 1977 under Section 28 of the Ontario Heritage Act (OHA). Under the OHA, municipal councils are

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 2, CW (WS) Report No. 45 – Page 2

authorized to establish by by-law, a municipal heritage advisory committee to make recommendations on designated property under Part IV or Part V of the Act. In Vaughan this committee is Heritage Vaughan. The main function of the committee is to advise Council on local heritage matters and assist Council in carrying out the City of Vaughan heritage conservation program.

Specific functions of the committee include the following:

- Determines the value of heritage properties being considered for protection through designation under the Ontario Heritage Act; Part IV designation (individual property) or Part V designation (area designation as a heritage conservation district) and makes recommendations to Council on the Designation of properties. (This is a responsibility assigned to the Committee by the Ontario Heritage Act.)
- Reviews requests for exterior changes and or additions to Designated property for recommendation to Council. (This is a responsibility assigned to the Committee by the Ontario Heritage Act.)
- Reviews development applications impacting heritage buildings and provides recommendations on preservation measures for these buildings to the Planning Department. (Heritage Vaughan can review development plans, however, its role under the Act is specific in that it can only make recommendations to Council with regard to the Designation of property it considers having cultural heritage value or property that is already Designated under Part IV or Part V of the Act.)
- Promotes heritage conservation within the community. (This is a responsibility given to the Committee under its general mandate to help promote the need for heritage preservation.)
- Administers and makes recommendation to Council with regard to the City's Designated Property Grant Program (This is a responsibility given to the Committee under the Ontario Heritage Act.)
- Educates the community to encourage the responsible stewardship of the community's heritage assets. (This is a responsibility given to the Committee under its general mandate to help promote and preserve heritage resources.)

The Committee meets once a month and is provided technical/advisory support services through Cultural Services staff under the Department of Recreation & Culture and is provided administrative support services by the City Clerk's Department. The Committee is appointed by Council every three years and its members are appointed concurrently with Council's term of office.

Heritage Vaughan's Proposed "Goals for Heritage Preservation"

In 2004, a Policy subcommittee of Heritage Vaughan committee was established for the purpose of preparing a report that would outline the Committee's concerns, including recommendations on how to improve heritage preservation initiatives in the City of Vaughan. As a result of the efforts of the Heritage Vaughan Policy subcommittee, a presentation was prepared which outlines "Goals for Heritage Preservation" that includes the following points:

1. Develop a strategy to protect all heritage structures with designation under the Ontario Heritage Act.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 2, CW (WS) Report No. 45 – Page 3

2. Recommend a heritage conservation district study for a future District designation of the historic core of Woodbridge (areas along Kipling Avenue and Woodbridge Avenue) similar to those of Thornhill, Kleinberg-Nashville and Maple. (Part V designation under the Ontario Heritage Act.)
3. Develop a strategy that would require the incorporation of significant heritage buildings in new development.
4. Require a Letter of Credit from property owners in Plan of Subdivision and Site Plan agreements that relate to a heritage property cited for preservation. The Letter of Credits requirements would help secure the preservation of heritage buildings in the development process.
5. Develop a strategy to establish a heritage subdivision to move heritage buildings to, in cases where there is no other option for preservation.
6. In consultation with the Finance Department develop a strategy to improve the grants and a new loan program as financial incentives to designated heritage property owners.
7. In consultation with the Finance Department investigate the possibility of establishing a tax-rebate program for owners of designated heritage buildings.
8. Recommend higher fines and other penalties for violations as deterrents (i.e. the demolition of designated buildings without a permit).
9. Develop a strategy with By-Law Enforcement to enforce the requirement to secure vacant heritage buildings by property owners.

Relationship to Vaughan Vision 2007

Section 4.6 of the Vaughan Vision encourages the preservation and enhancement of the natural and built heritage environment and encourages the preservation of significant historical structures and communities.

This report is consistent with the priorities previously set by Council; however, the necessary resources to implement all points outlined in this report have not been allocated or approved.

Conclusion

The presentation by Heritage Vaughan committee provides information on issues and concerns related to heritage preservation and offers recommendations on the protection of heritage resources in the community.

Attachments

Copy of Heritage Vaughan's PowerPoint Presentation.

Report prepared by:

Diane LaPointe-Kay, Director of Recreation & Culture, ext. 8117
Angela Palermo, Manager, Cultural Services, ext. 8139

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 3, Report No. 45, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on June 27, 2005.

3 PROTECTION OF HISTORICAL BUILDINGS IN FUTURE DEVELOPMENT APPLICATIONS

The Committee of the Whole (Working Session) recommends approval of the recommendation contained in the following report of the Commissioner of Community Services and the Commissioner of Planning, dated June 21, 2005:

Recommendation

The Commissioner of Community Services and the Commissioner of Planning, in consultation with the Director of Recreation & Culture and the Director of Policy Planning/Urban Design recommends:

1. That the proposed "Strategy for the Maintenance & Preservation of Significant Heritage Buildings" be approved; and,
2. That the properties included in the "Listing of Property of Architectural and Historical Significance", be included in the City's Register of Property of Cultural Heritage Value as per Part IV, Subsection 27 of the Ontario Heritage Act; and,
3. That the By-law Enforcement Department work with Cultural Services staff to develop enforcement strategies when issuing a Property Standards Order for vacant heritage buildings as authorized under the Property Standards By-law; and,
4. That Cultural Services staff work with Finance Department to explore the feasibility and economic impact of establishing a tax rebate program under Section 365.2 of the *Municipal Act, 2001*; and,
5. That the Woodbridge historic core area be studied for Designation as a Heritage Conservation District under Part V of the Ontario Heritage Act; and,
6. That Cultural Services staff work with the Finance Department to revise the City's Designated Property Grant program; and,
7. That Cultural Services staff work with the Legal Department to explore the possibility of establishing a not-for-profit foundation; and,
8. That a future report be provided to update Council on the status of the above initiatives.

Economic Impact

There is no immediate economic impact in enforcing the "Strategy" document outside of costs associated with notifying property owners via registered mail of the significance of their property. This cost will be absorbed in the 2005 Cultural Services Operating Budget. Various components of the "Strategy", specifically, "Strategy 6-Financial Incentives" (i.e. a new loan program or the tax-rebate program) will require financial resources and could be implemented in the future. Any initiatives with funding implications will be submitted as part of the 2006/2007 budget submissions.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 3, CW (WS) Report No. 45 – Page 2

Purpose

The purpose of this report is to seek Council approval of the draft “Strategy” for the maintenance and preservation of buildings deemed to be of historical and/or architectural significance.

Background - Analysis and Options

At the February 14, 2005 meeting of Council, staff was directed to draft a “Strategy” for the maintenance and preservation of buildings determined to be of historical and/or architectural significance. The following resolution was adopted:

WHEREAS buildings of significant historical and architectural importance are a valuable asset to the City of Vaughan’s history and culture;

AND WHEREAS it is in the interests of the citizens of the City of Vaughan to protect buildings evaluated and deemed to meet the developed criteria;

AND WHEREAS it is critical to develop a process that assists and encourages the preservation of identified buildings;

MOVE THAT staff develop a strategy that will assist and encourage the maintenance and preservation of identified buildings. This strategy shall include, but not be limited to:

- i. a study to identify buildings of significant historical and architectural importance;
- ii. that these buildings shall be identified to the registered owner by registered mail;
- iii. that the owners be required to submit plans that will provide for the maintenance and preservation of identified buildings on site at the time of the application for Official Plan Amendment;
- iv. that the plans shall be approved prior to the submission of a Zoning Amendment Plan or Plan of Subdivision;
- v. that a letter of credit in the amount of the value of the buildings be provided for the maintenance of the identified buildings prior to approval of the Plan of Subdivision;

AND THAT staff return the strategy for review at an upcoming meeting of the Committee of the Whole (Working Session) for public input prior to approval by Council.

In response to Council direction, Culture staff have developed a draft “Strategy for the Maintenance and Preservation of Significant Heritage Buildings” (Attachment 1). Heritage Vaughan reviewed the “Strategy” and approved the document at its meeting of May 18, 2005. Additionally, the draft “Strategy” was circulated to the Policy Planning/Urban Design Department and the recommended changes were incorporated in the final “Strategy” document.

The “Strategy” details nine strategic goals under the following headings:

Strategy 1- Include Provisions for Preservation in Official Plans & Official Plan Amendments.

Strategy 2- Include Provisions for Preservation in Zoning By-law Amendments.

Strategy 3- Include Provisions for Preservation in Plan of Subdivision Agreements.

Strategy 4- Include Provisions for Preservation in Site Plan Control.

Strategy 5- Enforce The City’s Property Standards By-law to Protect Heritage Buildings.

Strategy 6- Provide Financial Incentives to Owners for Heritage Buildings.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 3, CW (WS) Report No. 45 – Page 3

Strategy 7- Designate Heritage Properties under the Ontario Heritage Act.

Strategy 8- Buildings of Significant Historical and Architectural Importance Shall be Preserved Using Provisions Outlined in the Strategy.

Strategy 9- Implement Procedures that Ensure the Identification of Heritage Resources and the Implementation of Strategic Plan Provisions.

Strategies 1-4 - Provisions for Preservation in Official Plans, Official Plan Amendments, Zoning By-law Amendments, Plan of Subdivision Agreements, and Site Plan Control Process

Strategies 1-4 includes direction, and provision for preservation in the Official Plan Amendments. Additionally, the "Strategy" identifies requirements for the preservation of significant heritage buildings in zoning by-law amendments, Plan of Subdivision applications and Site Plan applications. Letter of Credit requirements have also been included in the "Strategy" as a condition of approval in Plan of Subdivision and Site Plan agreements for properties that may contain a building of significant heritage value. These requirements will be monitored by the Culture staff in their review of development applications, and the recommendations shall be forwarded to the Planning Department for further action.

Strategy 5- Enforce The City's Property Standards By-law to Protect Heritage Buildings.

The City's Property Standards By-law allows the City to issue notice to property owners requiring them to board up their buildings should they be left vacant and considered unsafe to the general public. Heritage buildings, if not boarded, may be subjected to vandalism, deterioration and fire. In order to prevent this, Culture staff will request the By-law Enforcement department to issue a Property Standards Order that will require owners to board up vacant heritage buildings.

It is recommended that the By-law Enforcement Department and Cultural Services staff work together to develop standard procedures for issuing a Property Standards Order as authorized under the City's Property Standards By-law to board up vacant heritage buildings. These procedures will also include specific boarding requirements for buildings (i.e. how buildings must be boarded, what materials will be used, etc).

Strategy 6- Provide Financial Incentives to Owners for Heritage Buildings.

Providing financial incentives to heritage property owners is a key component to ensure the long-term preservation and marketability of heritage buildings. There are various models and opportunities that can be further reviewed as a means of providing financial resources to property owners for the maintenance and preservation of their property. These initiatives will require further discussion with the Finance Department and include the following initiatives:

Tax Rebate/Reduction Program under the Municipal Act

Under Section 365.2 of the *Municipal Act, 2001*, municipalities may establish a program to provided tax reductions or refunds to owners of property designated under the Ontario Heritage Act. The amount of the tax reduction or refund provided by the municipality must be between 10 to 40 per cent of taxes levied for municipal and school purposes. The Province shares in the cost of the program by funding the education portion of the property tax relief program. Municipalities fund their own portion of the tax relief. The Towns of Markham and Newmarket have tax rebate programs established in their respective municipalities.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 3, CW (WS) Report No. 45 – Page 4

The Culture Services staff will work with the Finance Department to explore the feasibility of establishing a tax rebate program under Section 365.2 of the Municipal Act. The Region of York will also be approached to investigate the feasibility of establishing a similar program for the Region once the City has completed its own review of the program.

Designated Property Grant Program

Under Section 39.2 of the Ontario Heritage Act, the City may establish a grant program for designated heritage property. Currently, the City under its Designated Property Grant Program provides for a one-time \$5000 grant to property owners for the appropriate repair and restoration of designated property under the Ontario Heritage Act.

This grant program is outdated, as most property owners have received their one-time grant under the program. A revision to the program that may be considered is the removal of the one-time grant allowance requirement.

The Cultural Services staff work with the Finance Department to investigate the feasibility and economic impact of revising the City's current Designated Property Grant program and report back to Council.

Designated Property Loan Program

The City, in the early 1980s, received \$70,000 in seed money from the Ministry of Citizenship and Culture to implement the City of Vaughan's Community Heritage Loan Program for designated property under the Ontario Heritage Act. Loan amounts ranged from a minimum of \$2,000 to a maximum of \$25,000. Loans would be used by property owners for the restoration and repair of significant architectural features or for the purchase of a designated heritage building. The Loan Program was discontinued in the late 1990s and all remaining funds from the Program returned to the Province.

Under Section 39.2 of the Ontario Heritage Act, the City may consider creating a new loan program that provides a low-interest loan for the repair and restoration of designated heritage property. Cultural Services staff will work in conjunction with the Finance Department to investigate the feasibility and economic impact of establishing a new Community Heritage Loan Program under Section 39.2 of the Ontario Heritage Act and report back to Council.

Creation of a Non-Profit Foundation

Establishing a non-profit foundation for the purpose of raising funds and receiving donations to purchase and assist in the preservation of heritage buildings and property is also being considered. The Foundation could be created as an arms-length organization of Council having a general mandate to preserve heritage buildings in the City.

Culture Services staff, in conjunction with the Legal Department will explore appropriate "Foundation" models to determine their advantages/disadvantages, along with the legal implications to the City and report back to Council.

Strategy 7- Designate Heritage Properties under the Ontario Heritage Act.

Under "Strategy #7", the Designation of properties under the Ontario Heritage Act is being encouraged as a means to preserve significant heritage buildings. The Ontario Heritage Act

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 3, CW (WS) Report No. 45 – Page 5

allows municipal councils to designate individual buildings and or property of cultural heritage significance under Part IV of the Act. An area determined to be of cultural heritage value may be designated under Part V of the Act as a Heritage Conservation District. All buildings and property located within that boundary area, whether a heritage building or a contemporary building, is considered designated under Part V of the Act. The City currently has 48 properties designated under Part IV of the Ontario Heritage Act. Part V Designated Heritage Conservation Districts are in place for the historic cores of Thornhill and Kleinburg-Nashville. Council approved a heritage conservation district study for Maple in 2004 and a study is currently underway.

The historic core of Woodbridge (generally along sections of Woodbridge Avenue and Kipling Avenue) is the only former village core area not proposed for or designated as a Heritage Conservation District under the Ontario Heritage Act. The “Strategy” includes for Council’s consideration, the future study of the Woodbridge historic core as a Heritage Conservation District.

Should Council approve the strategy the Policy Planning/Urban Design Department will take the lead role, in making budget provisions for the study of the Woodbridge historic core area as a Heritage Conservation District. This study should be conducted in conjunction with Cultural Services Division.

Strategy 8 – Buildings of Significant Historical and Architectural Importance Shall be Preserved Using Provisions Outlined in the Strategy.

Under this strategy, a study was completed identifying “buildings of historical and architectural significance”. As a result, the document entitled “Listing of Buildings of Historical and/or Architectural Significance” was created for the purpose of this report (See Attachment 3). The document lists properties considered “significant” for their architectural, historical and contextual value. The “Built Heritage Evaluation Form” as found in Attachment 2 was used as criteria to evaluate heritage buildings. This evaluation form was approved by Heritage Vaughan Committee at its meeting of May 18, 2005. Those buildings rated “very significant” or “significant” were included in the final “Listing of Buildings of Architectural and Historical Significance”.

It should be noted that this listing does not include all buildings of heritage interest. Buildings included in the Thornhill and Kleinburg-Nashville Heritage Conservation Districts that are contemporary in construction, but are designated under Part V of the Ontario Heritage Act by the fact that they are in the District boundaries, are not included in this final listing.

Every effort has been made to identify buildings of significant heritage value, however, buildings may be added or removed in the future as more information becomes available.

This document will assist in the preservation of buildings identified in the “Listing of Buildings of Architectural and Historical Significance”.

Notification to Property Owners by Registered Mail

Council directed that property owners of buildings identified as “significant” be notified of their property’s heritage value. If Council approves the “Listing of Buildings of Architectural and Historical Significance”, staff will proceed in notifying owners of the “significance” of their property via registered mail.

The new amendments to the Ontario Heritage Act through Bill 60 (Approved in May 2005), now requires municipalities to maintain a register of property designated under Part IV or Part V of the Act. In addition, that register may also include a listing of property

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 3, CW (WS) Report No. 45 – Page 6

considered of “cultural heritage value”. If this “Listing” is approved by Council, these properties will be placed on the City’s register of “Properties of Cultural Heritage Value” as provided under Part IV, Subsection 27 of the Ontario Heritage Act.

Strategy 9 - Implement Procedures that Ensures the Identification of Heritage Resources and the Implementation of Strategic Plan Provisions.

Procedures are already in place that requires all development applications, demolition permit applications, and Committee of Adjustment applications to be circulated to the Cultural Services Division for review. This ensures that heritage properties are identified and that property owners are provided with information on heritage property requirements by staff at the beginning of any application process. With the endorsement of this “Strategy”, Staff will enforce the provisions outlined in the document.

Relationship to Vaughan Vision 2007

Section 4.6 of the Vaughan Vision encourages the preservation and enhancement of the natural and built heritage environment and encourages the preservation of significant historical structures and communities.

This report is consistent with the priorities previously set by Council and the necessary resources have not been allocated and approved.

Conclusion

The proposed “Strategy” includes not only the Planning tools identified in the Council resolution, but other provisions that may help preserve heritage buildings in the Municipality. Many of the requirements outlined in the Strategy are procedural changes that would be initiated in the review of development plans by Culture Services staff, in collaboration with the Planning Department.

“Strategy 6” recommends providing financial incentives to owners of heritage buildings. A number of incentives are outlined that would require considerable financial resources to implement, therefore additional research and consultation with the Finance Department will have to be completed in order to determine their feasibility.

The proposed “Strategy for the Maintenance and Preservation of Significant Heritage Buildings”, if implemented, can greatly improve the preservation efforts of buildings deemed to be of cultural heritage value.

Attachments

1. Strategy for the Maintenance and Preservation of Significant Heritage Buildings.
2. Built Heritage Evaluation Form.
3. Listing of Buildings of Architectural and Historical Significance (A copy of the Attachment is filed in the Clerk’s Department).

Report prepared by:

Diane LaPointe-Kay, Director of Recreation & Culture, ext. 8117
Angela Palermo, Manager of Cultural Services, ext. 8139

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 4, Report No. 45, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on June 27, 2005.

4 **TOURISM FOR BUSINESS DEVELOPMENT:
VAUGHAN TOURISM DEVELOPMENT STRATEGY**

The Committee of the Whole (Working Session) recommends:

- 1) That Clause 1 of the following report of the Commissioner of Economic/Technology Development and Communications, dated June 21, 2005, be approved;
- 2) That the recommended 5-year action plan be approved, subject to amending the budget contributions, as follows: from the City of Vaughan \$75,000, from the Annual Bash \$125,000 and from Advertising \$100,000, yearly, for the years 2007 to 2010; and
- 3) That the following deputations be received:
 - a) Ms. Diana Dodge, VTAC and Dodge Suites Hotel, 3600 Steeles Avenue West, Vaughan, L4L 8P5; and
 - b) Ms. Tracey Desjardins, Ministry of Tourism and Recreation, 180 Dundas Street East, Suite 502, Toronto, M7A 2R9.

Recommendation

The recommendations, as prepared by urbanMetrics Inc., were developed in consultation with the Vaughan Tourism Advisory Committee, the Commissioner of Economic/Technology Development, and the Senior Manager of Business Development. This report recommends:

1. That Council receive the "City of Vaughan Tourism Strategy" as prepared by urbanMetrics Inc.;
2. That Council provide staff with direction regarding how they wish to proceed with Vaughan's tourism function.

Economic Impact

The Vaughan Tourism Strategy proposes a Five (5)- Year Action Plan, including the budgetary requirements for its implementation in each of those years.

Should Council decide to proceed with the adoption of the recommendations contained in the Vaughan Tourism Strategy, the following economic impact would apply:

Year One (to December 31, 2006): No economic impact as there are monies in the 2005 Operating Budget, specifically \$140,000, which represent the net proceeds from the Discover Vaughan Bash 2004, and which were carried forward from the 2004 Operating budget. Some of these funds (\$40,000) were earmarked for a tourism study and the development of a Tourism Strategy, as mandated through Council's approval of a recommendation in a report to Committee of the Whole on June 27, 2004. A net amount of \$100,000 remains in the operating budget line item under the Economic/Technology Development department's "business development" budget.

Year Two (2007): City of Vaughan's operating budget contribution: \$150,000
Year Three (2008): City of Vaughan's operating budget contribution: \$150,000
Year Four (2009): City of Vaughan's operating budget contribution: \$150,000
Year Five (2010): City of Vaughan's operating budget contribution: \$150,000

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 4, CW (WS) Report No. 45 – Page 2

Purpose

The purpose of this report is to present to Council the results of the tourism study, undertaken in December 2004 and now completed, in the form of the “City of Vaughan Tourism Strategy”. In addition, staff seeks Council direction regarding how to proceed with the City’s tourism function.

Background - Analysis and Options

Over the past several years, the tourism function has been predominantly executed through outside agencies such as the Vaughan Chamber of Commerce and York Region. However, both of these entities have focused on very broad, generic forms of promotion of the attractions and events/activities offered in Vaughan.

In addition, with the arrival of the Vaughan Mills mega mall, tourist traffic in Vaughan has been significantly impacted already in just six short months. Mills Corporation research shows that more than 2 million visitors are anticipated to pass through the Mills on an annual basis, and tourist traffic will account for a full 20% of all visitors. For example, as one of the anchor tenants of the Mall, the Bass Pro store management indicated in a recent media clip that their attendance numbers show that between November 2004 and April 2005, they have seen more than 2 million visitors to their store.

In an effort to be proactive in preparation for the impact of the Vaughan Mills project on tourism in Vaughan, the Vaughan Tourism Advisory Committee was struck in 2004. In addition, as mentioned above, in June 2004, Mayor Di Biase and Council gave staff direction to organize a fundraiser in support of Tourism in Vaughan, resulting in net proceeds of approximately \$140,000.

Seven (7) Recommendations contained in Vaughan Tourism Strategy document:

1. **Improve Directional Signage**
2. **Attract Hotels and Improve Cross-Promotional Channels**
3. **Build Brand Awareness in Vaughan, GTA, South-Western/Central Ontario**
4. **Convert Vaughan Residents into Ambassadors for Attractions**
5. **Spearhead Package Deals & Partnerships**
6. **Facilitate Best in Class Community Events & Festivals**
7. **Spearhead Signature Events**

In addition, the Strategy document identifies 13 recommended actions, emanating from the 7 Strategic Directions listed above. These 13 recommended actions are divided into three groups according to the timeline for their implementation: immediate, medium-term and long-term, with immediate being within the first year (late 2005-end of 2006).

Relationship to Vaughan Vision 2007

The recommendations contained in the “City of Vaughan Tourism Strategy” are in support of the “Finance and Economic Development” strategic priority, specifically

- 2.5 “Strengthen the City’s economic base” and
- 2.5.3 “Develop a tourism strategy in conjunction with York Region”.

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 4, CW (WS) Report No. 45 – Page 3

Conclusion

Strengthening tourism in Vaughan will mean greater opportunities in the business community as a whole. It will further diversify our economic base and add an additional dimension to our business expansion and retention goals.

The City of Vaughan has grown into a vibrant, dynamic place to live, work and play. Almost one quarter of a million people have chosen Vaughan for its quality of life, for its diversity and excellent lifestyle. Augmenting our efforts to showcase the myriad activities, events, attractions and exceptional business community will further cement our sense of civic pride in our beautiful City.

Adoption of the recommendations contained in the “City of Vaughan Tourism Strategy” document will support growth and a strengthened economic position for our tourism businesses and our business community as a whole.

Attachments

Copy of “City of Vaughan Tourism Strategy” document.

Report prepared by:

Frank Miele, Commissioner of Economic/Technology Development and Communications
Emilia Valentini, Senior Manager of Business Development

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 5, CW (WS) Report No. 45 – Page 2

Report of the Commissioner of Planning dated April 12, 2005

Recommendation

The Commissioner of Planning recommends that this report BE RECEIVED for information; and, that the street name reserve list provided on Attachment #1, BE ADOPTED.

Purpose

To provide the Committee with an update on the revised street name reserve list related to plans of subdivision and condominium applications.

Background

On April 19, 2004, the Development Planning Department reported to the Committee of the Whole for approval of a reserve list of street names to be used by the development community. Council referred the item to a future Committee of the Whole (Working Session) for discussion. The list has been revised and is provided as Attachment #1.

The purpose of a street name reserve list for use by the development community is to encourage the use of names that have some historical significance and that have already received approval by Council.

The City of Vaughan is the approval authority for all plans of subdivision and condominium applications submitted within the municipality. Staff co-ordinates the conditions of draft plan approval and clearances for final approval. A standard condition of approval imposed by both the City and the Region of York requires that the road allowances included in draft plans be named to the satisfaction of both the Vaughan and Regional Planning Departments.

The current practice is for the applicant to submit proposed street names to the Development Planning Department for review and approval. Planning Staff reviews the proposed names with the Region of York with respect to whether the name duplicates or is similar to another street name within the Region. The Region replies in writing as to the suitability of the proposed names. A report is then prepared by the Development Planning Department to the Committee of the Whole for street name approval.

Street Name Reserve List

The Street Name Reserve List would provide the development community with a Council pre-approved set of street names for use in naming streets in plans of subdivision or condominium.

Planning staff conducted a survey of street naming practices in seven other municipalities. The municipalities that were contacted; Town of Markham, City of Mississauga, Town of Richmond Hill, Town of Whitby, Town of Oakville, City of Brampton and City of Toronto have street naming procedures similar to those used in Vaughan.

The Regional Planning Department has advised staff that should Council approve a reserve street name list, the names could be reserved solely for use by the City of Vaughan, and not be made available for use by other York Region municipalities.

Staff considered whether the City should charge a fee for the use of the pre-approved street names. Of the municipalities canvassed by Planning Staff, no municipality imposed a fee for the naming of streets. The recent increase in subdivision and condominium application fees would

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 5, CW (WS) Report No. 45 – Page 3

cover the costs associated with the processing of planning applications, including providing a co-ordinated review of technical aspects of applications such as street names. As a result, staff do not recommend that a fee be charged for the approval of street names.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

This report provides a list of street names for the Committee's consideration as the basis for a pre-approved list of names for use by applicants. The recent increase in planning application fees would cover the costs associated with delivering the development application service (including street names), and it is not recommended that a fee for street names be imposed.

Attachment

1. Street Name Reserve List

Report prepared by:

Jack McAllister, Senior GIS Technician, ext. 8209
Grant Uyeyama, Manager of Development Planning, ext. 8635

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 6, Report No. 45, of the Committee of the Whole (Working Session), which was adopted, as amended, by the Council of the City of Vaughan on June 27, 2005, as follows:

By approving that Clauses 2 and 3 of the Committee of the Whole recommendation be deleted and replaced with the following:

- 2) ***That the property owner be advised in advance if their property is being considered by a Statutory Committee; and***
- 3) ***That the attendance policy not be in effect for the months of July and August.***

6

**GUIDELINES AND PROCEDURES FOR
STATUTORY AND NON-STATUTORY
COMMITTEES AND BOARDS**

(Referred from the Committee of the Whole (Working Session) of May 25, 2005)

The Committee of the Whole (Working Session) recommends:

- 1) **That the recommendation contained in the following report of the City Clerk, dated June 21, 2005, be approved;**
- 2) **That property owners be advised if their property is being discussed at a public meeting;**
- 3) **That Statutory and Non-Statutory Committees respect Council recess periods in July and August; and**
- 4) **That the memorandum of the City Clerk dated May 24, 2005, be received.**

The Committee of the Whole (Working Session), at its meeting of May 25, 2005 recommended:

That this matter be referred to the June 21, 2005 Committee of the Whole (Working Session) meeting.

Report of the City Clerk dated May 25, 2005

Recommendation

The City Clerk recommends:

- 1) That advertisements for appointments to all statutory and non-statutory advisory committees and boards be placed in all local papers, in accordance with the Advertising Policy, in November of an election year and posted on the City's website. That the advertisements include relevant information such as the mandate of the committee, where application forms can be obtained and the deadline for submission of applications;
- 2) That a Selection Committee, comprised of the Councillor(s) that have been appointed by Council to each of the statutory and non-statutory committees, as well as support staff, be struck to review applications received for each committee, conduct interviews as may be necessary and forward the names of the applicants recommended for appointment to the City Clerk; and

That the current practice with respect to appointments to the Vaughan Public Library Board continue, i.e. the City Clerk forwards completed applications to a Committee of the Whole (Closed Session) meeting in December of an election year;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 6, CW (WS) Report No. 45 – Page 2

- 3) That the names of the applicants recommended for appointment by each Selection Committee be forwarded by the City Clerk to a Committee of the Whole (Closed Session) meeting in February following an election year;
- 4) That should Council wish to fill a vacancy that arises during the term of a committee, the list of applicants on file for the relevant committee be considered and that the selection process, as noted above, be followed. If there are no applicants on file for consideration, appointments be advertised as outlined above;
- 5) That re-appointments for a second consecutive term be kept to a minimum and only for the purpose of providing continuity, provided there are sufficient applicants. That re-appointments for a third consecutive term be considered only when there are insufficient applicants. That a member serving two consecutive terms may re-apply only after an absence of one term. Further, that an applicant be appointed to only one committee and be a member on only one committee for their term of office;
- 6) That each non-statutory advisory committee review and amend as necessary their Terms of Reference and following such review forward the Terms of Reference to a Committee of the Whole meeting no later than May 2006 for Council's endorsement;
- 7) That Council direct statutory and non-statutory advisory committees to strictly enforce the following:

If a member is absent from meetings of the Committee for three (3) consecutive regularly scheduled meetings, or in the opinion of the Committee if any member's absenteeism jeopardizes the objectives of the Committee, the Committee shall pass a resolution requesting Council to appoint a replacement member;
- 8) That Council adopt the following policy:

That should a non-statutory advisory committee cancel four regularly scheduled meetings in a given year due to lack of quorum, support staff assigned to the relevant committee immediately forward a report to Council for Council to decide whether the committee should continue or be disbanded for the remainder of the term of office; and

That should a Member of Council wish to have a non-statutory advisory committee reinstated for the following term of Council, that a request be forwarded to Council no later than the last meeting of Council in an election year;
- 9) That the attached revised General Rules, Roles and Procedures for Council appointed Advisory Committees (Attachment 4), be approved;
- 10) That all non-statutory advisory committees submit to Committee of the Whole a summary of its accomplishments over the three (3) year term, prior to the expiry of the term;
- 11) That all candidates to committees be appointed by By-law, or Council resolution, and that the term of office be defined therein. That successful candidates sign a formal declaration that they will abide by the Code of Ethics and the Municipal Conflict of Interest Act; and
- 12) That Policy No. 01.08, *Procedure for Appointment to Local Boards, Commissions and Committees* (Attachment 1) be rescinded.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 6, CW (WS) Report No. 45 – Page 3

Economic Impact

N/A

Purpose

To address some of the concerns raised by Members of Council with respect to procedures for appointments to statutory and non-statutory advisory committees, issues regarding quorum and outdated Terms of Reference.

Background - Analysis and Options

Council approved Attachment 1, Policy No.01.08 - *Procedure for Appointment to Local Boards, Commissions and Committees*, in 1988. Although these guidelines include an interview process, the practice has been for the City Clerk to forward completed applications to a Committee of the Whole (Closed Session) meeting.

The following is a list of statutory advisory committees and boards and Council appointed non-statutory advisory committees for the 2003-2006 term of Council:

Statutory Advisory Committees & Boards	Non-Statutory Advisory Committees
Accessibility Advisory Committee	Community Relations Committee
City of Vaughan Non-Profit Housing Corporation	Council/School Board Liaison Committee
Committee of Adjustment	Highway 427 Extension Committee
Court of Revision	Intergovernmental Relations Committee
Heritage Vaughan	Keele Valley Landfill Site Liaison Committee
Property Standards Committee	Maple Streetscape Community Advisory Committee
Vaughan Public Library Board	Safe City Committee
Emergency Management Program Committee	Spadina-York Subway Extension Committee
Hearing Committee for Licensing Matters	Vaughan Youth Cabinet

Current Recruitment Process

Advertisements (refer to Attachment 2) for appointments to committees/boards are placed in the local papers by the Clerk's department in January following an election year for a two-week period. Information packages, including an application form, (refer to Attachment 3) are made available at local libraries, community centres and the Civic Centre, and mailed to the incumbent members on all committees. The advertisement contains a brief description of the committee's mandate. The information package provides more detailed information including the composition, term of office, remuneration (if applicable), duties and functions and frequency of meetings.

In February following an election year, the Clerk's department compiles and forwards to a Committee of the Whole (Closed Session) meeting for consideration the following:

- a summary of the applications received, including residency status, and copies of completed applications forms;
- information regarding the composition, term of office, duties and functions, remuneration (if applicable), frequency of meetings for each committee;
- previous term membership list for all committees.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 6, CW (WS) Report No. 45 – Page 4

Advertisements for appointments to the Library Board are placed in the local papers for a two-week period in November of an election year and appointments are made at the first meeting in December, in accordance with the *Public Libraries Act*. Information packages are made available at local libraries, community centres and the Civic Centre, and mailed to the incumbent members of the Vaughan Public Library Board.

Survey with respect to Term of Office, Selection Process and Qualifications

The following are results of a survey of area municipalities regarding the term of office, selection process and qualifications:

	Term of Office	Selection Process	Qualifications
Brampton	No term limit	<p>Appointments are advertised. Applications are forwarded to a Selection Committee comprised of three Councillors. Interviews are conducted and recommendations forwarded to Committee of Council and then to Council.</p> <p>If a vacancy arises, names are selected from the list of applicants who originally submitted an application and the same process is followed.</p>	<p>Canadian citizen. Resident of the municipality. 18 years of age or older.</p> <p>employees – not appointed (unwritten policy) employee's spouse – can be appointed</p>
Markham	Single term. There is a departure from this principle when it is deemed that there is a need to maintain continuity within a committee. A member may re-apply again to a committee after a one year absence.	<p>Appointments are advertised. Applications are reviewed by the Councillor(s) appointed to the respective Committee. Interviews are conducted as necessary. Recommendations are forwarded to Council.</p> <p>Candidates are appointed to only one committee and may not be a member of more than one committee during their term of office.</p>	<p>Resident of the municipality. 18 years of age or older.</p> <p>employees – not appointed (unwritten policy) employee's spouse – can be appointed</p>
Mississauga	No term limit.	<p>Appointments are advertised. A Nominating Committee is struck for each committee comprised of Councillors. Applications are reviewed. Interviews are held.</p> <p>The Clerk forwards a report to Council with the names of the selected candidates.</p>	<p>Canadian citizen. Resident of the municipality.</p> <p>employees of City of Mississauga/Region of Peel – not appointed (unwritten policy) employee's spouse – can be appointed</p>

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 6, CW (WS) Report No. 45 – Page 5

	Term of Office	Selection Process	Qualifications
Region of York	No term limit.	Appointments are advertised. The Clerk forwards a report to Council.	Elector qualifications appointment of employees/employee's spouse – do not have a policy but would be guided by their Code of Ethics and/or Conflict of Interest Act
Richmond Hill	No term limit.	Appointments are advertised. The Clerk forwards a report to Council	Resident or property owner of the municipality Adult (with the exception of Youth Action Committee) employees – not appointed (unwritten policy) employee's spouse – situation not arisen (family members have been appointed)
Vaughan	No term limit.	Appointments are advertised. The Clerk forwards a report to Committee of the Whole (Closed Session).	Canadian citizen. Resident of the municipality. 18 years of age or older (with the exception of Youth Committees) Cannot be employed by the municipality (policy) employee's spouse – can be appointed

Note: Some committees, such as the Accessibility Committee, have specific qualifications provided for under the related legislation.

Recommended Recruitment and Selection Process

Staff are recommending the following recruitment and selection process:

- 1) Advertisements for appointments to all statutory and non-statutory advisory committees and boards be placed in all local papers, in accordance with the Advertising Policy, in November of an election year and posted on the City's website. The advertisements will include relevant information such as the mandate of the committee, where application forms can be obtained and the deadline for submission of applications.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 6, CW (WS) Report No. 45 – Page 6

- 2) Appointments of Councillors to statutory and non-statutory advisory committees be made at a meeting in December following the election.
- 3) In January, following the election, a Selection Committee, comprised of the Councillor(s) that have been appointed by Council to each of the statutory and non-statutory committees, as well as support staff, be struck to review applications received for each committee, conduct interviews as may be necessary and forward the names of the applicants recommended for appointment to the City Clerk.

Recognizing these are volunteer positions, individuals appointed will, however, be serving in an advisory capacity and representing the municipality. The interview process will assist in identifying an individual's related experience, knowledge, interests and qualifications (in addition to the pre-requisite) and consequently help determine the appropriate "fit" for committee appointments.

Interviews will provide for a fair and consistent approach in the selection process.

- 4) The names of the applicants recommended for appointment by each Selection Committee be forwarded by the City Clerk to a Committee of the Whole (Closed Session) meeting in February following an election year.

The following are suggested interview questions:

- What is your understanding of the mandate of the committee?
- Why do you have an interest in this committee?
- Do you have an interest in a particular project or initiative?
- What is your understanding of the relationship between advisory committees and council?
- Are you available for the specified monthly evening meetings?

Recommended Recruitment and Selection Process for the Vaughan Public Library Board

Since appointments to the Vaughan Public Library Board are made at the first meeting in December following an election, it is recommended that the current practice continue, i.e. advertise for appointments in November of an election year and the City Clerk forwards completed applications to a December Committee of the Whole (Closed Session) meeting.

Recommended Selection Process for Vacancies

Staff are recommending that should Council wish to fill a vacancy that arises during the term of the committee, that the list of applicants on file for the related committee be considered and that the same selection process be followed as noted above. In the event there are no applicants on file for consideration, appointments be advertised as outlined in the "Recommended Recruitment and Selection Process".

Recommended Term of Office

A single term of office is not recommended. Staff are recommending that re-appointments for a second consecutive term be kept at a minimum and only for the purpose of providing continuity. Staff are recommending that re-appointments for a third consecutive term only be considered when there are insufficient applicants. A member, after serving two consecutive terms, may re-apply after an absence of one term.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 6, CW (WS) Report No. 45 – Page 7

Recommended Review of Terms of Reference

Terms of Reference are often general and broad and do not reflect changes that may have taken place, including the establishment of new committees thereby resulting in overlapping roles and functions. It is, therefore, appropriate that a review be undertaken by each non-statutory advisory committee and following such review the Terms of Reference, as amended if necessary, be forwarded to a Committee of the Whole meeting no later than May 2006 for Council's endorsement. This will provide a clearer mandate for each committee in the future and will provide Council the opportunity to review the ongoing need to continue any particular committee.

Recommended Policy with respect to Absenteeism

Non-attendance at meetings often results in meetings not being able to proceed or having to be cancelled due to lack of quorum. To address the issue of absenteeism, staff is recommending that Council direct statutory and non-statutory advisory committees/boards to strictly enforce the following:

If a member is absent from meetings of the Committee for three (3) consecutive regularly scheduled meetings, or in the opinion of the Committee if any member's absenteeism jeopardizes the objectives of the Committee, the Committee shall pass a resolution requesting Council to appoint a replacement member.

Recognizing that a member may have a valid reason for not being able to attend a meeting(s), should the member fail to communicate to the committee the reason for his/her absence, staff are recommending the above noted policy be strictly enforced. Members are required to advise the Assistant City Clerk assigned to the committee at least one day prior to the meeting should the member not be able to attend. This requirement assists in determining whether there will be a quorum.

Last minute cancellation of meetings, or meetings not being able to proceed due to lack of quorum is frustrating to the members who have made an effort to attend the meeting and additionally negatively impacts staff's time and resources.

Recommended Policy with respect to Cancellation of Meetings due to Lack of Quorum

Staff are recommending that Council adopt the following policy:

That should a non-statutory advisory committee cancel four regularly scheduled meetings in a given year due to lack of quorum, support staff assigned to the relevant committee immediately forward a report to Council for Council to decide whether the committee should continue or disband for the remainder of the term of office; and

That should a Member of Council wish to have a non-statutory advisory committee reinstated for the following term of Council, that a request be forwarded to Council no later than the last meeting of Council in an election year.

Typically there are nine regularly scheduled meetings (January to June and September to November) in a given year. Adopting such a policy may help reinforce Council's expectation of the role of members in achieving the committee's goals and objectives as provided for in the relevant committee's mandate. Additionally, it may reinforce the importance of commitment by all members thereby resulting in more productive committees.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 6, CW (WS) Report No. 45 – Page 8

Recommended Policy with respect to Informal Minutes

Frequently the Recording Personnel at a meeting where no quorum is present is asked to take informal minutes. Staff are recommending that this practice be discontinued, as informal minutes serve no purpose since the matters discussed have to be rehashed at the next meeting when the majority of members are present. Therefore, staff recommend that the following policy be strictly enforced:

If no quorum is present one half hour after the time scheduled for a meeting, the Assistant City Clerk shall call the roll and record the names of the members present, and the meeting shall stand adjourned until the next scheduled meeting or at the call of the Chair. Informal minutes are not recorded.

Recommended Revised General Rules. Roles and Procedures for Council Appointment Advisory Committees

The “*General Rules, Roles and Procedures for Council Appointed Advisory Committees*” was adopted by Council in 1998. This document has been reviewed by staff and minor modifications have been made. Staff are recommending that the attached revised document (Attachment 4) be adopted by Council.

This document outlines the rules and procedures that govern the proceedings of advisory committees.

Recommended Policy with respect to the Provision of a Summary of Accomplishments

Previously, prior to the expiration of the term, non-statutory advisory committees used to submit to Committee of the Whole a summary of accomplishments over their term of office. Staff are recommending that this be reinstated as it may encourage committees to commit to initiatives within their mandate and furthermore this is an opportunity to keep Council apprised of the committees achievements during the three-year period.

Recommended Policy with respect to Appointments

All candidates to committees shall be appointed by By-law, or Council resolution, and the term of office will be clearly defined therein. Successful candidates will be required to sign a formal declaration that they will abide by the Code of Ethics and the Municipal Conflict of Interest Act.

If Council has reason to believe that any member of a committee appointed by Council is not performing his/her duties to the satisfaction of Council, Council has the option of removing the member subject to the provisions of any related legislation with respect to specific committees. For those committees where the appointment of members is made at the pleasure of Council, Council has the authority to make any changes that it feels may be warranted.

Relationship to Vaughan Vision 2007

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

Conclusion

Including interviews in the selection process will provide for appointments to be based on related

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 6, CW (WS) Report No. 45 – Page 9

experience, knowledge and qualifications, which will assist in establishing productive committees. As well, a review of the Terms of Reference will provide for a clearer mandate and identify and eliminate any duplication that may exist. Not having a restriction to one term of office provides for continuity. Keeping re-appointments to a minimum and for two consecutive terms only, provides for changes in the membership thereby introducing fresh perspectives and moreover offers those wishing to get involved in the community an opportunity to do so. The General Rules, Roles and Procedures Governing Council Appointed Advisory Committees are necessary as it outlines the rules and procedures that govern the proceedings of advisory committees. Reinstating the submission of a summary of accomplishments may encourage commitment, however it will also provide Council the opportunity to review the committees achievements during the term.

Attachments

- Attachment 1: Policy No. 01.08 - Procedure for Appointment to Local Boards, Commissions and Committees
- Attachment 2: Advertisement – Appointments to City of Vaughan Committees
- Attachment 3: Application Package for Appointments to Statutory and Non-Statutory Committees
- Attachment 4: Revised General Rules, Roles and Procedures for Council Appointed Advisory Committees

Report prepared by:

Sybil Fernandes, Deputy City Clerk, Ext. 8628

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 7, Report No. 45, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on June 27, 2005.

7

SPECIAL ENFORCEMENT UNIT

The Committee of the Whole (Working Session) recommends approval of the recommendation contained in the following report of the Commissioner of Legal and Administrative Services, dated June 21, 2005:

Recommendation

The Commissioner of Legal and Administrative Services recommends that this report be received.

Purpose

This report is to provide information on the Special Enforcement Unit of the Enforcement Services Department

Economic Impact

none

Background - Analysis and Options

At the Working Session of May 25, 2005 Council directed that staff provide a report to the Committee of the Whole (Working Session) meeting of June 21, 2005 with respect to job functions, responsibilities and activities of the Special Enforcement Unit, including number and nature of charges laid and parking tickets issued.

The Special Enforcement Unit was established during the 2002 Budget process to provide a visible presence in the City parks and Community Centres to deter loitering, vandalism, alcohol and drug use. The intent of the program was to get officers out into City property in highly visible uniforms, and use bicycles where possible to patrol areas that regular vehicles could not access. The City of Vaughan Safe City Committee assisted in the development of the unit by donating two bicycles to the unit and help launch the program along with the Yellow Jacket Program.

The unit was created with five officers that received formal enhanced training in bicycle operations, investigations, and self-defense tactics. This unit continues to work closely with York Regional Police 4 District Community Response Unit in our parks and open spaces. This partnership has been very successful and was even mentioned in the York Regional Police 2003 Annual Report. This position liaises with various intergovernmental agencies for information sharing purposes as well as joint initiatives.

This unit works predominantly late evening shifts. This is the most effective shift as it coincides with the times that problems generally occur.

Public relations is an integral part of this position. Officers routinely participate in food drives, parades, park openings, the Yellow Jacket Program, and participate as a unit in various charity events such as the Law Enforcement Torch Run for Special Olympics and raising money for Ronald McDonald House.

Special Enforcement Officers educate, investigate and as a last resort, prosecute violations under

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 7, CW (WS) Report No. 45 – Page 2

City of Vaughan Bylaws that govern Parks, Noise, Nuisances, Signs, Licensing, Zoning, and on occasion, act as support staff to property standards investigations. The Special Enforcement Officers investigated 265 complaints relating to problems at parks and community centres in 2004. Also in 2004, the unit issued 98 tickets for non parking related violations. In addition, the unit issued 69 Trespass Notices under the Trespass to Property Act in 2004. This position has also received authorization for the enforcement of the Trespass to Property Act for property belonging to both School Boards in the event that a situation that originated on City property migrates to School property.

Parking enforcement also accounts for approximately 40% of the five officers' responsibility. It is estimated that each Officer annually issues an average of 1300 parking tickets which accounts for approximately \$400,000 in revenue. The combined fine generation by this unit makes it revenue neutral.

This unit is designed to deliver specialized targeted enforcement activity to City parks, community centres and open spaces while augmenting the parking enforcement role of the Department. This unit has also been called upon to assist in other areas of the department on short term, specialized projects. Recently, this unit was temporarily reduced to four officers as one member has been re-assigned to a special project for one year.

Relationship to Vaughan Vision

This report is in keeping with the Vaughan Vision as it speaks to community safety and service excellence.

The necessary resources have been approved and allocated.

Conclusion

The Special Enforcement Unit provides a high level of service while maintaining revenue neutrality and will continue to be an asset to the City.

Attachments

none

Report prepared by:

Tony Thompson
Senior Manager, Enforcement Services

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 8, Report No. 45, of the Committee of the Whole (Working Session), which was adopted, as amended, by the Council of the City of Vaughan on June 27, 2005, as follows:

By approving that the existing school crossing guard at Confederation Pkwy and Dufferin Hill be relocated to Vanguard Road and Forest Run Blvd; and

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated June 22, 2005.

8 **SCHOOL CROSSING GUARD WARRANT &
LOCATION REVIEW**

The Committee of the Whole (Working Session) recommends:

- 1) That Clauses 1, 2, 3, 4, 5, 8 and 9 contained in the following report of the Commissioner of Engineering and Public Works, the Commissioner of Legal and Administrative Services, the Director of Human Resources and the Director of Engineering Services, dated June 21, 2005, be approved; and
- 2) That Clauses 6 and 7 be referred to the Council meeting of June 27, 2005 for further information.

Recommendation

The Commissioner of Engineering and Public Works, the Commissioner of Legal and Administrative Services, the Director of Human Resources and the Director of Engineering Services recommend:

1. That the existing school crossing locations (77) be confirmed as per the chart in Attachment No. 6; and that Human Resources Department be authorized to fill these positions for the 2005/2006 school year;
2. That the number of school crossing guards be increased by two (as discussed in recommendations 3 and 4 below) for a total compliment of 79 effective September 1, 2005 and that Human Resources be authorized to fill these positions for the 2005/2006 school year;
3. That a school crossing guard be approved on the north side of the intersection of Forest Fountain Drive and Buena Vista Drive/Noble Prince Place for the new Elder Mills Public School;
4. That a school crossing guard be approved on the east side of the intersection Napa Valley Avenue and Monte Carlo Drive for the new Elder Mills Public School;
5. That the existing school crossing guard be relocated from York Hill Boulevard in front of Bishop Scalabrini Catholic School to the north side of the intersection of Forest Fountain Drive and Napa Valley Avenue for the new St. Padre Pio Catholic School;
6. That a school crossing guard be allowed to cross children on more than one leg of an intersection in an "L" type (adjacent) crossing configuration only, if that location meets the approved School Crossing Guard Warrant;
7. That as part of the approved School Crossing Guard Warrant it be recognized that there will be one crossing guard for each school of the York Region School Boards operating in the City;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 8, CW (WS) Report No. 45 – Page 2

8. That an annual program be established to conduct a review of 25 pre-selected school crossing guard locations in the field to determine the appropriateness of the crossing location for the subsequent school year; and
9. That Engineering Services staff and Human Resources staff meet with the School Boards annually, in February of each year, to discuss school crossing guard matters.

Economic Impact

The cost to implement two additional school crossing guards would have an immediate impact to the 2005 Crossing Guard Budget of \$6,600. This increase to the budget will not be able to be absorbed given that the recommended guard compliment for September 2005 exceeds the budget, Council approved Crossing Guard cap of 77. The annual cost of increasing the cap to 79 Crossing Guards will be an increase of \$16,200 commencing with the 2006 Operating Budget.

Purpose

To provide additional information on the current school crossing guard program with recommendations and guidelines pertaining to an appropriate level of service.

Background - Analysis and Options

At its meeting on February 21, 2005 Council directed:

“The Budget Committee recommends:

That the School Crossing Guard Policy be reviewed in consultation with the School Boards, with special attention being given to crossing guards that have the opportunity to do more than one leg of the intersection;

The annualized cost of one crossing guard is \$8,100. The cost for September to December is \$3,300 per guard (based on the current rate of pay as approved by Council). The current approved budget for School Crossing Guards has been calculated for a maximum of 77 guards in 2005. In the event that additional guards are hired in 2005, the costs will exceed the current Operating Budget.

In response to this direction, Engineering staff have undertaken further reviews of school crossing guard locations that can potentially be eliminated/relocated and/or the opportunity to cross more than one leg of an intersection. Schools were surveyed during the morning and afternoon arrival/departure times. Where possible, crossing studies were undertaken during normal weather conditions (i.e., surveys were not undertaken during heavy rain and snowfall days). In addition, staff attempted to survey schools on Tuesdays, Wednesdays or Thursdays, and accounted for specific holidays.

During the investigations, staff observed and recorded the following details:

- Number of students using the crossing;
- Vehicular operations including parent drop off/pick-up activities;
- Crossing guard activities; and
- Type of traffic control, where applicable.

Of the 77 school crossing guard locations in the City of Vaughan, 15 are at signalized intersections, 42 are at intersections under an all-way stop control and 20 are at uncontrolled locations. The breakdown of the school crossing guard locations per Ward are as shown below. Refer to Attachment No. 1 for the specific geographic locations.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 8, CW (WS) Report No. 45 – Page 3

<u>Community</u>	<u>Number of Locations</u>
Ward 1	29
Ward 2	16
Ward 3	8
Ward 4	14
Ward 5	10

SITE SPECIFIC CROSSING LOCATION REVIEW

As requested, Staff conducted site specific pedestrian crossing studies at 7 locations during the morning school start and afternoon dismissal time periods. All observations were conducted in clear weather conditions and did not impact the pedestrian activity at the studied intersections. The results of the 7 studies are shown in the table below.

INTERSECTION and DATE OF OBSERVATIONS	* TIME AM & PM	STUDENTS CROSSING			
		North Leg	South Leg	East Leg	West Leg
1. Hawker Rd/Avro Rd May 4, 2005 (review)	7:30-9:00	---	9	6	2
	3:00-4:00	---	8	10	24
2. York Hill Blvd/Chabad Gt May 13, 2005 (request)	8:15-9:00	0	0	---	1
	3:15-3:45	2	2	---	1
3. Forest Run Blvd/Vanguard May 11, 2005 (request)	8:00-8:40	29	2	0	---
	3:00-3:40	21	0	3	---
4. York Hill Blvd in front of Bishop Scalabrini May 11, 2005 (request)	8:15-9:00	2	N/A	N/A	N/A
	3:15-3:50	0	N/A	N/A	N/A
5. Rosedale Heights Dr in front of Rosedale Heights P.S. - May 8, 2005 (request)	7:50-9:00	22	N/A	N/A	N/A
	2:50-4:00	21	N/A	N/A	N/A
6. Melville Ave/Springside Rd - May 25, 2005 (review)	7:45-9:00	8	18	19	8
	2:50-4:00	22	17	13	15
7. Melville Ave/Cunningham Dr - April 6, 2005 (review)	7:30-9:00	7	72	5	22
	2:30-4:00	4	78	49	28

- BOLD = Existing Crossing Guard for this Leg
- = No Leg (Tee Intersection)
- * = Time coincides with hours of crossing guard service

Staff re-visited locations # 1, 2, 3, and 7 (identified in the table above) that had the school crossing guard removed in 2004. At location # 4 (Melville Ave/Cunningham Dr) the school crossing guard was removed from the north side of the intersection. The existing school crossing guard at location #7 (York Hill Blvd in front of Bishop Scalabrini C.S) advised the Human Resources Department that the number is very low. Staff received a request from Rosedale Heights P.S. Principal for a review of a school crossing guard on Rosedale Heights Drive in front of the school at the existing raised crosswalk location. There are two existing school crossing guards located on the south/east sides of the Melville Ave/Springside Rd intersection and the study was conducted by staff to ensure that both guards are required.

Engineering staff propose that the following guidelines and criteria need to be satisfied in order for a school crossing guard to be implemented in the area of an elementary school. General consideration for the placement of a school crossing location should also be given to where as

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 8, CW (WS) Report No. 45 – Page 4

many children as possible will merge at one place in order to cross the street. As well, school crossings should be minimized on streets with high truck volume. Based on the results of the studies in the above chart, it is recommended that locations #1, 2, 3 and 7 not be re-instated, location # 5 not be implemented, location #6 not be changed and location #4 be removed and re-located to the new crossing location on the north side of Napa Valley Avenue and Forest Fountain Drive intersection for September 2005.

Summary of Meeting With School Boards

- On April 5, 2005, Engineering Staff and Human Resources Staff met with the York Region District School Board and the York Catholic District School Board and other school staff (Principal and School Trustee representatives).
- Engineering Staff discussed the report from June 28, 2004 and summarized on the direction for the reduction in the number of school crossing guards.
- Engineering Staff outlined the approved City Guidelines/Criteria for Placement of a School Crossing Guard and discussed where the specific traffic volumes for each roadway classification were derived from.
- Identified that the existing number of school crossing guards is 77.
- Both School Boards understood that City Staff had to meet Budget constraints regarding the reduction in guards.
- The School Boards are looking for assistance from City Staff on determining if the locations of the existing guards are appropriate, providing awareness and information to their schools and parents, and programs to ensure the safety of children arriving/leaving school.
- City Staff indicated that it would be helpful in determining the appropriate locations to know each school's catchment area, number of children from each roadway, to maintain the 'target' number of guards and to group the children at a common place.
- The School Boards are not in favour to assist with the cost of a guard as they consider it the City's responsibility to safely get the children to/from the school.
- The School Boards are not in favour of using School Patrollers due to the safety matter of children trying to stop traffic and cross children even though they are successfully utilized in other jurisdictions.
- The York Region District School Board will provide information in their September newsletter, a map of the walking routes to school and the location of the guards so that parents will know which routes were considered 'safe' walking routes. Engineering Staff provided a map of all the existing school crossing guard locations in Vaughan to assist in their program.
- Both School Boards will provide Engineering Staff with the catchment areas for all schools, the number of registered children and from which roadway. This information will assist Staff to determine possible locations to group children at a safe crossing location.
- It was agreed that if a crossing guard does not meet the warrant then a review of possible traffic calming measures or deploying speed boards could be initiated.
- It was agreed that 'police blitzes' should continue on a regular basis.
- All in attendance agreed that an annual meeting to discuss the above topics should be scheduled in February of each year.

New Schools for 2005

York Region District School Board

There is 1 new school opening for September 2005. Elder Mills Public School is located on the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 8, CW (WS) Report No. 45 – Page 5

south side of Napa Valley Avenue west of Monte Carlo Drive. Staff received the number of children (53 registered) that may need to cross Forest Fountain Drive at Buena Vista Drive/Noble Prince Place. This is a suitable location to cross children arriving from the area bounded by Sonoma Boulevard to the north, Islington Avenue to the east and Rutherford Road to the south. There are 37 children registered north of Sonoma Boulevard, east of Islington Avenue, south of Napa Valley Avenue and west of Forest Fountain Drive. These children have the use of the existing school crossing guard on the east side of Sonoma Boulevard and Forest Fountain Drive intersection. Also, the children have an option to cross Forest Fountain Drive either at the existing school crossing guard on the south side of Forest Fountain Drive and Montebello Avenue intersection or continue to the proposed location at the Forest Fountain Drive and Buena Vista Avenue/Noble Prince Place intersection.

The two proposed school crossing guards are recommended at the north side of the Forest Fountain Drive and Buena Vista Drive/Noble Prince Place intersection and the east side of the Napa Valley Avenue and Monte Carlo Drive intersection.

York District Catholic School Board

There is 1 new school opening for September 2005. St. Padre Pio is located on the north side of Napa Valley Avenue west of Forest Fountain Drive. At the time of this report, the School Board did not have the number of registered children in the catchment area. However, based on the location of the school in comparison to number of households, it is proposed that a school crossing guard be provided on the north side of the Napa Valley Avenue and Forest Fountain Drive intersection. This guard will assist children arriving east of Forest Fountain Drive and north of Napa Valley Drive. Staff will monitor this location in September 2005 to ensure this is the most appropriate location and will follow up with the School Board regarding the catchment area. The complement position for this crossing guard will be obtained by relocating the guard position from York Hill Boulevard in front of Bishop Scalabruini Catholic School to this new location.

Approved City Guidelines/Criteria for Placement of a School Crossing Guard – June 28, 2004

A school crossing guard will be implemented when the following criteria are met:

1. At an uncontrolled intersection or mid-block crossing where the daily traffic volume on a local roadway exceeds 1,000 vehicles, which there are 50 or more (unassisted) school children crossing during the highest peak school time period.
2. At an uncontrolled intersection or mid-block crossing where the daily traffic volume on a local feeder roadway exceeds 3,000 vehicles, which there are 50 or more (unassisted) school children crossing during the highest peak school time period.
3. At an uncontrolled intersection or mid-block crossing where the daily traffic volume on a collector roadway exceeds 8,000 vehicles, which there are 50 or more (unassisted) school children crossing during the highest peak school time period.
4. At a side street only where the peak traffic volume rate exceeds 120 vehicles/hour.
5. At a location where the minimum sight distance is below 65 metres.
6. At an existing all-way stop controlled intersection where the total traffic volume exceeds 350 vehicles for local and feeder intersections.
7. At an existing all-way stop controlled intersection where the total traffic volume exceeds 500 vehicles for collector intersections.
8. At an existing traffic signalized intersection where the peak hour number of school children exceeds 50.
9. At a location where the operating speed for the street exceeds the existing speed limit by 10 km/h.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 8, CW (WS) Report No. 45 – Page 6

Survey of Other Municipalities – Guard to One or More Legs of an Intersection

Staff sent out a survey to 15 municipalities requesting the use of a guard to cross children on more than one leg of an intersection. Staff received 7 responses to this request. The following municipalities: Oshawa, Brampton, Guelph, Whitby and Oakville allow a guard to cross more than one leg of an intersection. Two municipalities Brantford and Ajax do not allow the guard to cross more than one leg of an intersection.

Based on this feedback, it is recommended that a crossing guard be allowed to cross children on more than one leg of an intersection in an 'L' type (adjacent) crossing configuration only, (eg. south/east, south/west, north/east or north/west sides), if it meets the approved warrant.

Relationship to Vaughan Vision 2007

This traffic study is consistent with Vaughan Vision 2007 which seeks to improve community safety through design, prevention, enforcement and education (1.1) through the review of the level of enforcement, compliance and monitoring of regulations relating to public safety (1.1.6).

Conclusion

This report is consistent with the priorities previously set by Council. Staff have reviewed the City Guidelines/Criteria for Placement of a School Crossing Guard and recommend the noted Criteria be confirmed for the 2005/2006 school year. Staff are recommending that the approved cap of 77 be increased to 79 effective September 1, 2005 with the understanding that the Crossing Guard Budget will be over budget by the corresponding additional expense of \$6,600. Staff are also recommending that resources be put in place and 2005 Crossing Guard Budget be revised for the net addition of two "new" guards.

Attachments

1. Supervised School Crossing Guard Locations Ward 1
2. Supervised School Crossing Guard Locations Ward 2
3. Supervised School Crossing Guard Locations Ward 3
4. Supervised School Crossing Guard Locations Ward 4
5. Supervised School Crossing Guard Locations Ward 5
6. Crossing Guard Locations 2005

Report prepared by:

Mike Dokman, Supervisor, Traffic Engineering, Ext. 8031

:MD

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 9, Report No. 45, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on June 27, 2005.

**9 REGION OF YORK TREE BY-LAW UPDATE
GENERAL FILE 9.6.31**

The Committee of the Whole (Working Session) recommends:

- 1) That Clause 1 of the following report of the Commissioner of Planning and the Commissioner of Community Services, dated June 21, 2005, be approved; and
- 2) That a by-law be brought forward to the next Council Meeting to authorize the delegation to York Region.

Recommendation

The Commissioner of Planning and the Commissioner of Community Services in consultation with the Commissioner of Legal and Administrative Services, recommends:

THAT pursuant to the *Municipal Act*, s.135(10), Council delegate its powers under the *Municipal Act* to regulate woodlands that are greater than 0.2 hectares (0.5 acres) up to 1 hectare (2.5 acres) in size on private lands to the Region of York, and that the new Regional Forest Conservation By-law apply to these woodlands in the City of Vaughan;

THAT City of Vaughan staff work with the York Region staff to ensure that the terms and conditions of the Agreement are acceptable; and

THAT a by-law be brought forward to the next Council Meeting to authorize the delegation to York Region authorize the Mayor and the Clerk to execute said agreement.

Economic Impact

Should Council choose to delegate its powers to the Region in accordance with the recommendations of this report, then there are no economic impacts associated with this decision. The costs associated with administering the by-law will be borne by York Region.

Should Council choose to direct staff to enact a tree by-law for Vaughan, a comprehensive analysis of such a program would be necessary, including an assessment of the economic impact of the additional staffing and resources which will be required to implement a tree by-law, including enforcement, appeals, permits issuance and inspections.

Purpose

The purpose of this report is to update Council on the initiatives of the Region of York in reviewing their Tree By-law and to provide Council with options for consideration in addressing tree protection within the City of Vaughan.

Background - Analysis and Options

The Region of York has a Tree By-law (No. TR-1-91-154), under the *Forestry Act* (formerly the *Trees Act*) which governs the destruction of trees in York Region in woodlands greater than 0.2ha (0.5 acre) in area, and promotes good forestry practices. The Region administers this by-law for all the local municipalities within the region, and has done so since the by-law was enacted in 1991.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 9, CW (WS) Report No. 45 – Page 2

The *Municipal Act* (2001) now allows both upper and lower-tier municipalities to prohibit or regulate tree cutting on private lands. Upper-tier municipalities may regulate the destruction of woodlands greater than 1 hectare in area, and lower-tier municipalities may prohibit or regulate the destruction or injuring of single trees and woodlands of up to 1 hectare in area. The *Municipal Act* also expands the administrative capabilities in issuing permits, allows for a permit process, appeal mechanism and greater enforcement tools.

The Region is working towards updating their tree by-law to a Forest Conservation By-law under the *Municipal Act*. The Region's update to their tree by-law is significant for Vaughan because the *Municipal Act* limits the Regional protection of woodlands greater than 1 hectare (2.5 acres) in size, whereas the Region's current by-law regulates all woodlands greater 0.2 hectares (0.5 acre). This change, will leave a gap in protection of all woodlands less than 1 hectare. The Regional update to their tree by-law provides an opportunity for Vaughan to evaluate options for forest conservation.

Region of York Proposed Forest Conservation By-law

York Region's Tree By-law was enacted by Regional Council in 1991 under the *Trees Act*. The 1991 Tree By-law has been recognized as being one of the most successful Tree By-laws in the Province. York Region's current Tree By-law protects all trees in a woodland greater than 0.2 hectares, or 0.5 acres in size.

York Region's staff of Certified Arborists oversee the implementation of the By-law, review requests for exemptions, and are responsible for enforcement. This function is carried out by the Forestry Division of the Transportation and Works Department.

York Region's Proposed Permit System

The Region's proposed Forest Conservation By-law proposes a permit system which comprises 3 categories of permits as follows:

a) Good Forestry Practices Permit is for sustainable selective harvest activities where the services of a registered professional forester have been secured to prescribe and direct harvest activities. A nominal administrative fee of \$25 is proposed for these permits.

b) Harvest Permit is for sustainable selective harvest activities where a woodlot is marked in accordance with good forestry practices as set out in the By-law. Staff review this application in accordance with the By-law and can issue a permit with conditions. A permit fee of \$250 is proposed to offset staff time and administration.

c) Special Permits are available to consider tree destruction activities which are not consistent with good forestry practices (clear cutting). There are two types of special permits; less than 0.2 hectares of forest clear cutting and greater than 0.2 hectares of forest clear cutting. A permit fee of \$500 is proposed to offset staff time and administrative costs.

The administration of the Good Forestry Practices Permit, Harvest Permit, and the Special Permits (less than 0.2ha of cutting) are delegated to staff for review and approval or refusal. The Special Permits for greater than 0.2ha of cutting are taken to Regional Transportation and Works Committee for decision.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 9, CW (WS) Report No. 45 – Page 3

Appeal Process

Under the *Municipal Act*, an applicant for a permit may appeal to the Ontario Municipal Board (OMB) for the Region's failure to issue a permit, or if the applicant objects to any condition attached to a permit. The OMB may confirm the Region's decision, or may require the Region to issue a permit and may attach appropriate conditions. There is no further right of appeal from the OMB decision.

Exemptions

The *Municipal Act* contains statutory exemptions. These include: activities undertaken by a municipality or a local board, activities conducted under the *Surveyors Act*, or according to a *Planning Act* approval. In addition, Regional staff propose the following additional exemptions: exemptions for building permits which affect less than one hectare (2.5 acres) of woodland; and exemptions for personal use, for the equivalent of five cords of wood per 12-month period.

Penalties and Enforcement

The ability of the municipality to appoint a by-law officer and the legislated fines are included under the *Municipal Act*. By-law officers will have the ability to impose stop work orders and have a schedule of ticketable fines.

Harmonization

Under the *Municipal Act*, the new Forest Conservation By-law will allow the Region to prohibit or regulate the destruction of trees in woodlands greater than one hectare (2.5 acres). The legislation now enables local municipalities to regulate tree cutting in woodlands less than one hectare. The Region is proposing that in partnership with the local municipalities, and at their request, the Region would assume local powers to regulate tree cutting in woodlands between 0.2 hectares (0.5 acres) and one hectare (2.5 acres). Once the new Forest Conservation By-law is in place, local municipalities will be advised of individual permit applications as part of the review process.

The intent is for local municipalities to evaluate their needs and define tree protection which best suits their purposes. The Town of Aurora has a new Tree By-law in place, and the Town of Markham, Town of Newmarket are currently reviewing or advancing the development of Tree By-laws under the new *Municipal Act*.

Under the *Oak Ridges Moraine Conservation Act, 2001(ORMCA)*, and the *Greenbelt Act (2005)* local municipalities with lands on the Oak Ridges Moraine and the Protected Countryside may be required to pass Tree By-laws. The Ministry of Municipal Affairs and Housing has initiated consultation with both Regional and local municipalities to ensure this occurs in a consistent and timely manner. An initial workshop and information session was hosted at York Region in March 2003. However, there has been no further information on requirements pursuant to the ORMCA from the province. It is anticipated that the Region's woodlot protection harmonization efforts with local municipalities will reflect the intent of the ORMCA.

Next Steps for York Region

York Region is working toward finalization of the Forest Conservation By-law. The By-law is proposed to be in place by June 2005. Staff have reviewed the Region's proposed Tree By-law and are satisfied with the content and its application within the City of Vaughan.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 9, CW (WS) Report No. 45 – Page 4

Options for Vaughan

As a result of the proposed change to the Region's Tree By-law, there will be a gap in the current level of protection of woodlots between 0.2ha (0.5acre) up to 1 hectare (2.5 acres). Council has a number of options for action once this occurs. Council can choose to delegate the City's powers under the *Municipal Act* to York Region to maintain a consistent level of coverage as exists today; or enact a Tree Protection by-law. The two options are discussed further below.

Option 1: Delegate Powers under Municipal Act to York Region

Under the *Municipal Act*, local municipalities are permitted to delegate their powers to pass a tree by-law to regulate the destruction of trees in a woodland of less than 1 hectare to their upper-tier municipality. Should Council choose this route, a by-law could be passed which delegates the protection of trees in a woodland from 0.2 ha to 1 ha to York Region. Vaughan would subsequently enter into an agreement with the Region regarding the terms of the delegation. This would ensure that the same level of tree protection continues as currently exists under the Region's current by-law.

The *Municipal Act*, section 135 (10) states;

"A lower-tier municipality may delegate all or part of its powers to pass a by-law respecting the destruction or injuring of trees to its upper-tier municipality with the agreement of the upper-tier municipality."

The Region is acceptable to partnering with the local municipalities in assuming this delegation in order to ensure that a consistent level of environmental protection as currently exists continues. If Council selects this route, then the Region's new Forest Conservation By-law would apply in Vaughan and the administration, and enforcement of the by-law would remain at the Regional level.

The following is an extract from a Regional Council October 21, 2004:

"The Region is proposing that in partnership with the local municipalities, and at their request, the Region would assume local powers to regulate tree cutting in woodlands between 0.2 hectares (0.5 acres) and one hectare (2.5 acres). Once the new Forest Conservation By-law is in place, local municipalities will be advised of individual permit applications as part of the review process."

This option is an efficient, and cost effective option for Vaughan. It ensures consistency, and continuity, in the administration and enforcement of tree protection. This option continues to reflect Vaughan's commitment in Vaughan Vision 2007 (A3) to safeguard our environment, while ensuring that, short-term and long-term financial stability is achieved (B1).

The Region has a history through their current tree by-law as the regulators of woodland protection and they have a significant history of by-law both enforcement and administration. This process has proven effective with little to no cost to the City. They have dedicated and certified staff for the administration and enforcement of their Tree By-law and the technical expertise to review and issue permits. The costs associated with administration, public education, and enforcement of the proposed Forest Conservation By-law will be the responsibility of the Region.

To ensure that woodlot protection continues as status quo, Council can pass a by-law to delegate

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 9, CW (WS) Report No. 45 – Page 5

Vaughan's authority under the *Municipal Act* from 0.2 hectare up to 1 hectare on private lands to York Region. Delegating the authority to the Region could be tailored so that it does not impact the by-law recently passed by Council to protect trees on public lands, or limit Vaughan's ability to pass a tree by-law to protect trees under 0.2ha on private lands.

The Township of King has opted to delegate its powers under the *Municipal Act* to the Region, and has added a one year monitoring period into the agreement with the Region to provide for consideration of any unforeseen implications. At the one year period, there is an option to review the delegation to the Region. Should Council elect this option, similar wording in the Vaughan/York Region agreement may be advisable. The Town of Markham has also delegated its powers under the *Municipal Act* to York Region.

Option 2: Enact a Tree By-law for Vaughan

The second option for Vaughan is to enact a Tree By-law to prohibit the destruction of woodland up to 1 hectare in size on public property, thereby implementing the authority under the *Municipal Act*.

On April 11, 2005 Council passed by-law 95-2005 which protects trees on public property within the City of Vaughan. This by-law has been passed pursuant to the *Municipal Act*, and is being administered by the City using the existing staff complement and resources.

Council may choose to enact a tree by-law for Vaughan. If Council selects this route, there are a number of options as Council's disposal including:

- a) Enact a by-law covering from single tree up to 1 hectare of woodlands;
- b) Enact a by-law covering 0.2ha up to 1ha to replace coverage as existing under the Region's current Tree By-law which will be uncovered in the new by-law;
- c) Enact a by-law regulating trees under 0.2ha in size to complement the Region's By-law;
- d) Select to regulated only areas within the City i.e., rural area where woodlots are not zoned, or within certain urban areas for the protection of heritage or special trees;

While this option is available to Vaughan under the *Municipal Act*, the City does not currently have the administrative capability to implement and enforce a tree by-law at this time. A tree by-law would necessitate additional administrative and technical responsibilities for the City which would require additional staffing and resources for implementation of the by-law, including enforcement, appeals, permits issuance and inspections.

Within York Region, the Town of Aurora has recently passed a tree by-law, and the Town of Newmarket has approval in principle for a new tree by-law, however are awaiting budget approval before the by-law can be in place. The Town of Markham is currently reviewing the development of a Tree By-law under the new *Municipal Act* for woodlands under 0.2ha in combination with the delegation to the Region to regulate larger treed areas.

Should Council wish to pursue this option, staff should be directed to bring forward a detailed report with a work program toward this end with a variety of options including the above noted involvement with the necessary departments.

Oak Ridges Moraine Conservation Act & Greenbelt Act

The *Oak Ridges Moraine Conservation Act* and *Greenbelt Act* may require that local municipalities pass tree by-laws in accordance with the requirements of the *Municipal Act* for the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 9, CW (WS) Report No. 45 – Page 6

lands within the Oak Ridges Moraine and in the Protected Countryside, with the specific provisions for these by-law to be prescribed by the Ministry of Municipal Affairs and Housing. It is anticipated by Regional staff that the Region's woodlot protection by-law will reflect the intent of the *Oak Ridges Moraine Conservation Act* and *Greenbelt Act*. However, it is possible, that the Ministry of Municipal Affairs and Housing may still require local municipalities to pass tree cutting by-laws for these lands.

It is anticipated by Regional staff that the Region's woodlot protection by-law will reflect the intent of the *Oak Ridges Moraine Conservation Act* and *Greenbelt Act*. It is uncertain at this point until the Province finalizes the requirements for tree cutting by-laws within the Oak Ridges Moraine and the Protected Countryside. Should this occur, Vaughan may not have to pass a by-law, as the Region's by-law would cover the necessary provisions of the *Oak Ridges Moraine Conservation Act* and *Greenbelt Act*.

Connection to Vaughan Vision 2007

Option 1 and option 2 are consistent with Vaughan Vision 2007 A3 safeguarding our environment by preserving, protecting and enhancing environmental stewardship through responsible leadership and innovative policies, and practices.

Conclusion

York Region is updating Tree By-law TR-1-91-154 to a new Forest Conservation By-law under the *Municipal Act*. The provisions of the *Municipal Act* for upper tier Municipalities to pass tree by-laws limits their jurisdiction to woodlands greater than 1 hectare (or 2.5 acres) in size. Currently, the Region's By-law protects all woodlands greater than 0.2 hectares (or 0.5 acres). This by-law update would therefore leave a gap in coverage of woodland protection within the Region.

This update provides the lower-tier municipalities within York Region the opportunity to review their woodlot protection needs. Options are presented above for Council's consideration. Staff recommend consideration of Option 1: Delegating Vaughan's powers under the *Municipal Act* to the Region to regulate woodlots on private lands from 0.2ha to 1ha to ensure that a consistent level of woodlot protection is achieved after the Region enacts the new by-law. This option means that woodlot protection as currently exists remains. This option is efficient and cost effective, and it ensures consistency and continuity in the administration and enforcement of tree protection.

Report prepared by:

Karen Antonio-Hadcock, Senior Planner, Environmental, ext. 8630

/CM

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 10, Report No. 45, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on June 27, 2005.

10

CITY WIDE DEVELOPMENT CHARGES DEFERRAL POLICY

The Committee of the Whole (Working Session) recommends approval of the recommendation contained in the following report of the Commissioner of Finance and Corporate Services, the Commissioner of Legal and Administrative Services, the Director of Reserves and Investments and the Director of Legal Services, dated June 21, 2005:

Recommendation

The Commissioner of Finance & Corporate Services, the Commissioner of Legal and Administrative Services, the Director of Reserves & Investments and the Director of Legal Services recommends:

- 1) That the City of Vaughan City-Wide Development Charges Deferral Policy (Attachment 1) be approved;
- 2) That the Region of York be advised of the policy and their participation be encouraged; and
- 3) That a bylaw be enacted to authorize the Mayor and City Clerk to execute the standard from Development Charge Deferral Agreements required by the City.

Economic Impact

There is no financial impact to the operating budget. The collection of City of Vaughan development charges will be deferred to a date when the proposed land use changes at which time the deferred development charge becomes applicable and must be paid. The impact that the deferred timing of collection will have on the funding and timing of development charges capital projects is uncertain as the number of qualifying applicants is not known.

Purpose

The purpose of this report is to obtain Council approval on a proposed City of Vaughan City-Wide Development Charges Deferral Policy.

Background - Analysis and Options

The City of Vaughan City-Wide Development Charges By-law No. 350-2003 does not provide for an exemption of development charges for non-profit organizations on the premise that all forms of growth increase the demand on services.

Council has in the past, deferred City of Vaughan Development Charges (DC's) for some non-profit organizations:

- a) City owned/leased lands on the basis that they reduce demand for municipal services and if the City of Vaughan provided a similar public recreational service directly DC's would not apply;
- b) non-profit private/parochial school registered with the Ministry of Education; and
- c) non-profit long-term care facilities registered with the Ministry of Health and Long Term Care.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 10, CW (WS) Report No. 45 – Page 2

These types of deferral requests were addressed by Council on an as requested basis. The City continues to receive requests for development charges deferrals. To provide for consistent treatment of all requests and provide clear direction as to when Council is prepared to grant a deferral, staff recommend Council approve a deferral policy.

Currently, there are no provisions for an exemption from development charges for non-profit organizations in the City of Vaughan City-Wide Development Charges By-Law. If Council wishes to assist defined organizations with relief from City of Vaughan City-Wide Development Charges, the municipality does have the authority under Section 27 of the Development Charges Act to defer development charges payable to a date later than building permit issuance. Staff recommends deferring development charges rather than including an exemption in the Development Charges By-law. A policy approach provides more flexibility to Council in terms of establishing and subsequently amending the policy. The deferral is registered by way of an agreement on title of the lands. The City of Vaughan is then protected in the event there is a change in use of the lands. Once a change in land use occurs that is not covered by the deferral policy, the development charges that were originally deferred become applicable and must be paid. The act and the agreement provide that if the charge is not paid when due, it may be added to the tax roll.

Although the City of Vaughan does not generally provide for exemptions in the Development Charges By-law, it does provide exemptions relating to land and structures owned by and used for the purposes of the two Region of York School Boards and the Regional Municipality of York as follows:

Section 3 of the Development Charges Act

- “no land, except land owned by and used for the purposes of a municipality or board as defined in subsection 1(1) of the Education Act is exempt from a development charge by reason only that it is exempt from taxation under section 3 of the Assessment Act”

City of Vaughan By-Law 350-2003 (Section 2 (2))

- “this by-law does not apply to any land, building or structure within the City owned by and used for the purpose of the Regional Municipality of York or any local board thereof”

Policy Approach

The premise on which the attached deferral policy was developed is that City-Wide DC's would be deferred if the land and structure to which development charges apply are to be used to provide services to the general public on a not-for-profit basis and are services that the City or the Region of York or the School Boards would normally provide. When services are provided by these other organizations the pressure on the above organizations to provide services is reduced.

In the case of the City of Vaughan and the Region of York, confirmation regarding the services provided would come from the respective municipal organization. With respect to education, the educational institution must be registered with the Ministry of Education.

The deferral of City of Vaughan development charges only relates to City-Wide Development Charges and not to Special Area Development Charges. Special Area development charges generally relate to the recovery of the developers costs of front-ending water and sewer servicing. A Special Area Charge is also used to collect funds for the preservation of designated woodlots.

All City of Vaughan development charges that have been approved by Council will be grandfathered and will be subject to the terms and conditions under which they were approved.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2005

Item 10, CW (WS) Report No. 45 – Page 3

Region of York Participation

There have been informal discussions with Regional staff with respect to the operation of the policy. A formal position could be taken by the Region after the City has finalized its policy. York Region participation is required if City development charges are to be deferred for any qualifying project that provides a service the Region would otherwise provide.

Relationship to Vaughan Vision 2007

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

Conclusion

To provide for a deferral of City-Wide Development Charges to non-profit organizations that provide services that would otherwise be provided by the City of Vaughan, the Regional Municipality of York or the two Regional School Boards, staff recommend approval of the attached City of Vaughan City-Wide Development Charges Deferral Policy.

Attachments

Attachment 1 – City-Wide Development Charges Deferral Policy

Report prepared by:

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)