

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 8, 2008

Item 1, Report No. 8, of the Environment Committee, which was adopted without amendment by the Council of the City of Vaughan on December 8, 2008.

**1 ENVIRONMENTAL MASTER PLAN
APPROVAL IN PRINCIPLE
PRESENTATION BY DPRA INC.**

The Environment Committee recommends:

- 1) That the presentation by DPRA and presentation material submitted, be received;
- 2) That the draft Community Sustainability and Environmental Master Plan be approved in principle and that the plan, incorporating Members of Council's comments of today, be presented to the Committee of the Whole (Working Session) meeting of February 2, 2009;
- 3) That the draft plan proceed to a future Council meeting for ratification of approval in principle;
- 4) That the plan be subject to on-going staff review and the incorporation of changes resulting from this report and the consultant's presentation, comments from the Environment Committee and the Committee of the Whole (Working Session) of February 2, 2009;
- 5) That the consultant bring forward further suggestions on an appropriate name for the plan;
- 6) That the memorandum from the Manager of Corporate Policy, dated December 5, 2008, be received; and
- 7) That the following report of the City Manager, dated December 8, 2008, be received.

Recommendation

The City Manager, in consultation with the Deputy City Manager and Commissioner of Finance and Corporate Services and Commissioners, recommends that:

1. The presentation by DPRA Inc. be received;
2. The draft Community Sustainability and Environmental Master Plan forming Attachment No. 1 to this report BE APPROVED IN PRINCIPLE; and that the plan be presented to the Committee of the Whole Working Session at its January 12, 2009 meeting and that any issues raised at the Working Session be addressed in the plan;
3. The draft plan proceed to Council for ratification of the Environment Committee's recommendation of approval in principle on February 3, 2009;
4. The plan be subject to on-going staff review and the incorporation of changes resulting from this report and the consultant's presentation, comments from the Environment Committee, the Committee of the Whole Working Session on January 12, 2009 and the Council meeting on February 3, 2009; and
5. The plan be re-titled the "Community Sustainability and Environmental Master Plan" (CSEMP) to better reflect the broad approach to sustainability described in the document; and that staff as part of the development of the communications plan, report on the opportunities for developing a program brand for the CSEMP, similar to the role *Vaughan Tomorrow* plays for the City's overall growth management program;

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Economic Impact

Direction to proceed with the preparation of the Environmental Master Plan has been obtained and was included in the 2007 Capital Budget. Actions identified in the plan have either obtained or will require budget approval as the program proceeds.

Communications Plan

A communications plan will be developed and ultimately implemented upon Council's approval in principle of the Community Sustainability and Environmental Master Plan. The communication measures will target the public, the media, public sector agencies and stakeholders. The plan will also be posted on the *Vaughan Tomorrow* website as an integral component of the City's Growth Management Strategy.

It is recommended that the name of the "Environmental Master Plan" be changed to the "Community Sustainability and Environmental Master Plan". This change emerged from the Council – Staff Workshop. The consensus was that the plan through the evolution of its defining elements and actions had also taken on the characteristics of a sustainability strategy. Therefore the new title better reflects the breadth of the plan.

However, the new title is not ideal as a program brand. As part of the preparation of the communications strategy, it is also recommended that staff report on the opportunities for developing a program brand to function in the same role that *Vaughan Tomorrow* plays for the Vaughan Consolidated Growth Management Strategy - 2031.

Purpose

The purpose of this report is to obtain:

- Approval in principle for the draft Environmental Master Plan;
- Direction to change the name of the Environmental Master Plan to the "Community Sustainability and Environmental Master Plan" and develop a program brand for the initiative as part of the communications plan;
- Direction to present the Plan to the Committee of the Whole Working Session on January 12, 2009 for its information and comment, prior to proceeding to Council on February 3, 2009 for ratification;
- Authorization to make revisions to the plan as a result of input from the Environment Committee, Committee of the Whole and Council and from on-going staff review as part of the process leading to finalization.

Background – Analysis and Options

a) Background

On September 25, 2006 Council adopted a recommendation originating with the Environmental Task Force which provided that a corporate-wide Environmental Master Plan (the "EMP") be developed as part of the Consolidated Growth Management Strategy – 2031 (now the *Vaughan Tomorrow* program). Staff was directed to prepare Terms of Reference for the EMP and report back with a draft, with timelines in concert with the preparation of the Growth Management Strategy. The Environmental Master Plan is one part of the Growth Management Strategy, which originates with the Strategic Plan (*Vaughan Vision 2020*) and includes the Official Plan Review and the preparation of a number of supporting Master Plans.

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On February 12, 2007 Council directed that Staff proceed with the preparation of the Vaughan Consolidated Growth Management Strategy – 2031. On February 19, 2007 the Environmental Task Force approved the draft Terms of Reference for the Environmental Master Plan and authorized staff to issue a Request for Proposals to retain consulting services to assist in the preparation of the EMP. This decision was ratified by Council on March 19, 2007.

On March 19, Council directed that the Environmental Task Force's name be changed to the Environment Committee and that its mandate be broadened. The new mandate also included responsibility for the Environmental Master Plan. On June 11, 2007 Council formally established the Environment Committee as a Special Purpose Committee of Council under the Procedural By-law and adopted operating Terms of Reference for the Committee. The amendment to the Procedural By-law was enacted on June 25, 2007.

On June 21, 2007 the Request for Proposal (RFP07-077) was issued for the preparation of the EMP. The City's evaluation committee reviewed the proposals over the summer and established the preferred proponent. On September 24, 2007 the Environment Committee approved the retention of the recommended consulting team, led by DPRA Inc., to prepare the City's Environmental Master Plan. This decision was ratified by Council on October 9, 2007. The final work plan was approved at Environment Committee on November 26, 2007 and ratified by Council on December 10, 2007.

b) Role of Consultation in the Development of the Plan

The Community Sustainability and Environmental Master Plan is directed to the operations and functions of the City of Vaughan. However, there is also a clear public dimension to the plan. Therefore, it was essential that input be gathered from representatives of the corporation and the public. Ultimately, the information obtained through these processes was critical to the development of the plan. The respective processes are described below.

Internal Consultation

In preparing the plan the following methods were used to engage Vaughan Council and staff in the development of the plan.

- Interviews with individual Members of Council;
- Interviews with the City Manager, Deputy City Manager and Commissions;
- Monthly progress updates to the Environment Committee;
- Meetings with the Senior Management Team;
- Meetings with a Staff Project Team made up primarily of Directors and Managers;
- Presentation to a Committee of the Whole (Working Session);
- Liaison with the *Vaughan Tomorrow* team; and
- Workshops with staff and the Environment Committee and Members of Council.

Public Consultation

Several methods were used to engage the public. Initial input from the general public was coordinated with the Official Plan Review Team through the *Vaughan Tomorrow* Speaker Series and Visioning Workshops, which were held in the spring of 2008. The topic of the first event (April 10, 2008) of the Speaker Series was "Defining a Sustainable Future", which examined the meaning of sustainable community development and its implications for the growth and development of the city. Jim Micak of DPRA Inc. was one of the participating speakers.

The intention of the Visioning Workshops was to explore the challenges and opportunities facing the city and its communities. A total of five workshops were held in:

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- Maple on May 21, 2008;
- Thornhill on May 27, 2008;
- Kleinburg on June 4, 2008;
- Woodbridge on June 11, 2008 and
- Concord/Thornhill on June 23, 2008.

A number of questions were posed to the participants including, “What does a sustainable city mean to you?” The responses were helpful in determining the scope of the plan. In particular, it confirmed that the public’s definition of sustainability went beyond the natural environment and extended into the realm of community, economic and social issues. This view was consistent with the idea of developing “complete communities” and working to achieve “triple bottom-line” solutions.

To further broaden the perspective a Stakeholder Committee was struck. It was composed of people from organizations in a variety of fields or sectors of society that have expertise and/or an interest in environmental/sustainability issues and policies. The committee format allowed them to share ideas and provide the City with their views and input on the preparation of the EMP. A total of three workshops were held. They were scheduled throughout the process to inform the various phases of plan development. They took place on February 20, 2008, June 16, 2008 and on October 30, 2008. A total of 22 organizations participated. In addition, representatives from Policy Planning and the consultant for the OP Review (Urban Strategies Inc.) attended. The following groups were represented at least one of the three workshops:

- Smart Commute North Toronto/Vaughan;
- McMichael Canadian Collection Art Gallery;
- West Humber Naturalists;
- Canada Mortgage and Housing Corporation;
- Vaughan Chamber of Commerce;
- Bridgeport Group Ltd.;
- United Way of York Region;
- Windfall Ecology;
- COSTI;
- Toronto Chapter, World Green Building Council;
- York Region Environmental Alliance;
- Evergreen Foundation;
- Vaughan Public Libraries;
- BILD;
- York Region Catholic School Board;
- PowerStream;
- York Region District School Board;
- Seniors Association of Vaughan Initiative (SAVI);
- Vaughan Youth Councillor;
- Human Services Planning Branch, York Region;
- Clean Air Partnership.

These organizations added a variety of institutional, public and professional viewpoints to the development of the plan; and the committee served as a sounding board for the policy development process as the plan progressed.

The final leg of the public consultation process was the scheduling of a public meeting to obtain input on the draft Community Sustainability and Environmental Master Plan. The meeting took place on November 20, 2008. The draft document was posted on the *Vaughan Tomorrow* website on November 7, 2008 to give the public an opportunity to review it in advance. A total of

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28 people attended the meeting, which was facilitated by DPRA Inc. The attendance provided for two effective breakout groups. Notification methods used for this meeting included:

- Advertisement on the City Page for three weeks starting October 31;
- Posting on the *Vaughan Tomorrow* website, including availability of the draft plan starting November 7, 2008;
- Over 300 mailed notices to ratepayer, cultural, religious, seniors, community and sports organizations, environmental groups, developers in the city;
- Two City E-bulletins to 3000 subscribers;
- A City media advisory;
- E-mail advisories by several members of Council to their respective mailing lists;
- Mention in news articles/columns (*Vaughan Today*; *Novae Res Urbis*);
- Posters in the Vaughan Public Libraries;
- Web Posting/E-mail distribution by participating organizations including:
 - BILD;
 - The Vaughan Chamber of Commerce; and
 - The GTA Clean Air Council.

Those in attendance were both knowledgeable and well-engaged in the process. The discussion was vigorous and the input was insightful. The deadline for additional comment was extended to November 26. Comments obtained from the public meeting form Attachment No. 2 to this report.

In order to broaden the consultation base, the City should consider supplementing the traditional public meetings with internet based communication tools. This could include web simulcasts of public meetings, interactive participation and posting of the recorded simulcasts to allow for convenient public viewing and comment. These measures should be considered as the City continues to review its public engagement processes. It is also noted that several of the participants indicated that they became aware of the meeting through the City's e-Bulletin.

c) Intention of the Presentation and Next Steps

The plan submitted for approval in principle at this meeting (Attachment No. 1) is the version that resulted from the October 27 workshop with members of Council and staff. The consultant will highlight a number of potential changes that emerged primarily as a result of the Public Meeting on November 20. The objective is to identify any further changes that may be incorporated and to obtain direction.

Today's meeting will also provide the opportunity for members of the Environment Committee to identify issues that warrant additional discussion and possible changes to the plan. Any follow-up comments after the meeting are welcomed. They can be discussed as required at the proposed Committee of the Whole Working Session meeting on January 12, 2008.

Staff will continue to review the plan, particularly the areas relating to the Time Frames, the Responsibilities and Potential Financial Impacts to ensure comprehensive coverage.

Therefore, it is recommended that the Environment Committee give approval in principle to the plan as the initial step leading to Council approval on February 3, 2009. It is also suggested that the plan then proceed, by way of a presentation, to the Committee of the Whole Working Session on January 12, 2009. This will provide an opportunity to bring all members of Council up to date on the plan and provide a forum for discussion and further comment.

This approach provides two opportunities for comment and for staff and the consulting team to further fine tune the plan before it reaches Council. In addition, it gives the opportunity to brief all members of Council at a Committee of the Whole Working Session. This will allow for any questions to be addressed or comments incorporated prior to the plan moving to ratification on

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February 3, 2009. It is noted that there is an Environment Committee meeting on the morning of February 3, 2009. If necessary, an update on any major changes to the plan may be reviewed by the Committee before the afternoon Council meeting.

Relationship to Vaughan Vision 2020

This report is consistent with the Vaughan Vision 2020 objective to “Lead and Promote Environmental Sustainability” by developing and implementing an Environmental Master Plan as part of the Growth Management Strategy 2031.

Regional Impact

Not Applicable.

Conclusion

The Community Sustainability and Environmental Master Plan is approaching completion. It is a product of extensive consultation with City staff, stakeholders and the public. Over the next two months it is proposed that the plan be finalized, substantially in the form set out in Attachment No. 1 to this report, subject to the input of the Environment Committee, Committee of the Whole, Council and on-going staff review.

It is recommended that the presentation by DPRA Inc. be received and the draft plan be approved in principle as the first step in the process that will lead to the finalization of the plan. It is also recommended that the CSEMP be the subject of a presentation to Committee of the Whole (Working Session) at its meeting on January 12, 2009. Given the breadth of the document it will be helpful for all Councillors to be briefed on its content and afforded the opportunity to comment prior to it proceeding to Council on February 3, 2009 for ratification of the Environment Committee’s recommendation. It is noted that an update on the plan can be provided, if necessary, at the Environment Committee’s scheduled meeting on the morning of February 3 before the afternoon Council meeting.

The Community Sustainability and Environmental Master Plan is one piece of an organizational response to the many issues we are now facing. These include, in the shorter-term, a slowing economy requiring financial prudence and the strategic allocation of resources; and in the longer-term the continuing problems facing our environment and the need to accommodate major growth.

The City is building into its operations the recognition of the need to act in a sustainable manner and respect the objectives of the “triple bottom-line” by pursuing a healthy environment, vibrant communities and a strong economy. This is and will be reflected in the City’s planning documents that will guide its operations, growth and change for the next 25-years. The Community Sustainability and Environmental Master Plan will work with the originating strategic plan *Vaughan Vision 2020* and as part of the *Vaughan Tomorrow* growth management program (the Official Plan Review and Master Plans) to achieve this outcome.

Therefore, it is recommended that the recommendations of this report be approved.

Attachments

1. Draft Community Sustainability and Environmental Master Plan, November 2008 (Councillors Only);
2. Comments resulting from the November 20, 2008 public meeting.

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Report Prepared by:

Roy McQuillin, Manager of Corporate Policy, ext. 8211

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

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Item 2, Report No. 8, of the Environment Committee, which was adopted without amendment by the Council of the City of Vaughan on December 8, 2008.

2 **UPDATE ON ANTI-IDLING BY-LAW**

The Environment Committee recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services and City Solicitor, dated December 8, 2008, be approved;**
- 2) That Economic Development staff develop a comprehensive education program focusing on schools, businesses, city departments and city facilities in conjunction with community partners; and**
- 3) That staff present the education program and an implementation plan for discussion at a meeting of the Environment Committee prior to the end of March 2009.**

Recommendation

The Commissioner of Legal and Administrative Services and City Solicitor, in consultation with the Director of Enforcement Services, and the Director of Economic Development, recommends:

1. This report be received for information purposes.

Economic Impact

There is no significant economic impact from the receipt of this report.

Communications Plan

Not applicable at this time.

Purpose

The purpose of this report is to provide information on the City of Vaughan's existing anti-idling by-law. A follow up report will be presented to a future meeting of the Environment Committee presenting a detailed implementation plan for an education campaign to complement the by-law.

Background - Analysis and Options

In June 2004, City Council passed an Anti-Idling By-law prohibiting the idling of vehicles for more than five consecutive minutes. City staff began an awareness campaign that focused on its own operations and facilities. To achieve this, the City posted new road signs at municipal facilities, including libraries. As well, all City vehicles have signs posted on them reminding motorists of the Anti-Idling By-law.

Since the inception of the by-law, no complaints have been received and no charges have been laid. This is the case with many municipalities, where the focus is heavily on education and not on enforcement. At the time of enactment, no literature or educational materials were produced for the public to highlight the by-law, although the City's website does have an Anti-Idling page which has been updated.

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Studies show that educational/voluntary programs, in addition to regulatory efforts, are the most effective methods to reduce vehicle idling (see attachment: *"The Carrot, the Stick and the Combo: A Recipe for Reducing Vehicle Idling in Canadian Communities"*). Staff is researching initiatives to broaden the reach of anti-idling awareness to the larger community. Some of these initiatives may include:

Schools:

Currently, anti-idling campaigns at schools are often delivered as part of an Active and Safe Routes to School Program to address safety and air quality in schoolyards where idling can be an issue. As the target audience for idling in schools are students, staff could explore partnerships with educational institutions to develop and implement school-to-family idling awareness initiatives.

Preliminary discussions have taken place with local non-profit groups regarding holding a series of workshops with students to talk about idling and develop age appropriate materials. What messages resonate with children? How would they communicate the message to their parents or other adults? As the students are not the vehicle operators, the goal is to talk to them about making their parents aware of the impacts of idling. The outcome of the workshops may be a series of materials designed by the students themselves that could be shared with other schools in Vaughan.

Staff is currently exploring the possibility of voluntary installation of anti-idling signage as part of new school developments.

Businesses:

Large retailers, malls and plazas may be hotspots for vehicle idling. Economic Development staff will contact major landlords and property management firms operating in Vaughan to discuss idling mitigation and awareness measures.

Similarly to schools, staff is currently exploring the possibility of voluntary installation of anti-idling signage as part of new commercial developments.

City Operations:

Currently, anti-idling awareness initiatives in place with City Staff include installation of anti-idling decals on all City vehicles. Council may wish to explore more active measures including: driver education, and training. The AutoSmart Driver Education resources available through Natural Resources Canada (<http://oee.nrcan.gc.ca/transportation/business/driver-educators.cfm>) will be forwarded to the Fleet and Human Resources Departments for review. Information about the by-law and the impacts of idling could also be made available to new employees as part of their orientation, as well as ongoing or refresher training opportunities for employees who drive City vehicles.

Public outreach through the City may also be expanded through the provision of anti-idling decals or information through the City's counters, including the Licensing Department, Parking Ticket Office and general information counters.

Relationship to Vaughan Vision 2020

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

Regional Implications

Not applicable

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Conclusion

The City of Vaughan Anti-idling by-law has been in effect since June of 2004. During that time, no complaints have been received and no charges have been laid, but there has not been a significant focus on education apart from the launch.

It is recommended that Economic Development staff develop a comprehensive education program focusing on schools, businesses, city departments and city facilities in conjunction with community partners. It is recommended that staff present the education program and an implementation plan for discussion at a meeting of the Environment Committee in the New Year.

Attachments

"The Carrot, the Stick and the Combo: A Recipe for Reducing Vehicle Idling in Canadian Communities". Lura Consulting, 2005.

Report prepared by:

Rebekah McGurran, Economic Developer – Environmental Sector
Tony Thompson, Director of Enforcement Services
Michael Nepinak, Director of Economic 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.)

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Item 3, Report No. 8, of the Environment Committee, which was adopted without amendment by the Council of the City of Vaughan on December 8, 2008.

3 THE COSMETIC PESTICIDES BAN ACT DRAFT REGULATIONS

The Environment Committee recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services and City Solicitor, dated December 8, 2008, be approved;
- 2) That the Provincial Government be advised that in the City's perspective the Draft Regulations are narrower in scope than the City's Pesticide By-law;
- 3) That the City reiterate its position that where provincial regulation is narrower in scope, municipal by-laws that are more restrictive be allowed to prevail; and
- 4) That the City's position be communicated to AMO and GTA municipalities.

Recommendation

The Commissioner of Legal and Administrative Services and City Solicitor recommends:

1. That this Report be received for information.

Economic Impact

There is no economic impact of this Report.

Communications Plan

N/A.

Purpose

This Report provides an overview of the Draft Regulations which are intended to be passed under the *Cosmetic Pesticides Ban Act* (Bill 64), and the impact that these Draft Regulations will have on the City's Pesticide By-law should it become law.

Background - Analysis and Options

The *Cosmetic Pesticides Ban Act* (Bill 64) received first reading in June of this year. This Act prohibited the use of cosmetic pesticides in the Province of Ontario, but did not specify those pesticides that would be considered as "cosmetic". This Act also created a number of exceptions for this prohibition, including uses related to golf courses, uses related to agriculture, uses related to forestry, and uses related to the promotion of public health or safety. However, these uses were not defined. This Act also rendered inoperative any municipal by-law that addresses the use or sale of a pesticide that may be used for a cosmetic purpose. It would appear that the intention of this provision was to create a uniform code throughout the province for cosmetic pesticides.

The Province of Ontario has now released Draft Regulations that are intended to be passed under the Act. The Draft Regulations classify pesticides into 11 different classes. The Draft Regulations specify that cosmetic pesticides are those pesticides that are found in Class 9. There are 85 pesticides listed in Class 9. City Pesticide By-law 88-2008 prohibits the use of pesticides in the City, and defines pesticides as including "any product, organism or substance

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that is a registered control product as defined under the federal *Pest Control Products Act*. A cursory review of the federal *Pest Control Products Act* and the associated regulations reveals that there are more pesticides registered as pest control products than there are pesticides listed in Class 9 of the Draft Regulations. Accordingly, it would appear that the Draft Regulations are narrower in scope than the City's Pesticide By-law.

The Draft Regulations also defined the aforementioned uses. Many of the exceptions found in the City's Pesticide By-law would fit under the ambit of these defined exceptions. However, exceptions such as uses related to lawn bowling greens, cemeteries or Canada's Wonderland would likely not fit under the defined uses in the Draft Regulations. Therefore, the exceptions found in the Draft Regulations are narrower in scope than those found in the Pesticide By-law.

It should be noted that Council adopted a Resolution on June 23, 2008 asking the Province to amend the *Cosmetic Pesticides Act* (Bill 64) to allow municipal by-laws that are more restrictive to Bill 64 to prevail. This Resolution was circulated to the Premier, the leader of the Opposition Parties, the Minister of the Environment, Opposition Party critics, and Vaughan-area M.P.P.s.

The Draft Regulations are in the public consultation phase of the legislative process. Interested individuals may submit comments to the Ministry regarding the Draft Regulations by December 22, 2008.

Relationship to Vaughan Vision 2020

The recommendation in this Report is consistent with the principles previously set by Council.

Regional Implications

None

Attachments

N/A.

Conclusion

The *Cosmetic Pesticides Ban Act* (Bill 64) received first reading in June of this year. This Act institutes a province wide ban on cosmetic pesticides. This Act will also render inoperative any municipal by-law that addresses the use or sale of a cosmetic pesticide. The Province has published Draft Regulations which are intended to be passed under the Act. These Draft Regulations define cosmetic pesticides and the exceptions to the ban. It would appear that these Draft Regulations are narrower in scope than the City's Pesticide By-law, as they do not prohibit as many products as the City's Pesticide By-Law, and do not provide as many exemptions to property uses such as lawn bowling, cemeteries or Canada's Wonderland. Interested individuals may submit comments to the Ministry regarding the Draft Regulations by December 22, 2008.

Report prepared by:

Chris G. Bendick
Solicitor