

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005

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2. That Council appoint the City Manager as the Chair of the Emergency Management Program Committee
3. That each committee member in consultation with the Chair, where possible, designate an alternate delegate
4. That the structure and operations of the Committee be evaluated one year after its inception to identify the need for membership amendments and/or operational changes.
5. That Section 7.1.1 and 7.1.2 of the City of Vaughan Emergency Plan By-Law 348-2004 be amended.

Purpose

To enact a By-Law to establish an Emergency Management Program Committee to be in compliance with the *Emergency Management Act – Regulations* Section 11.

Background - Analysis and Options

The *Emergency Management Act (EMA) Regulations* came into force December 31, 2004. Section 11 of the regulations establishes the mandatory requirements of Emergency Management Programs Committees for Municipalities.

Section 11(1-6) EMA Regulations states,

- (1) *“Every municipality shall have an emergency management program committee.*
- (2) *“The committee shall be composed of*
 - a. *the municipality’s emergency management program co-coordinator;*
 - b. *a senior municipal official appointed by the council*
 - c. *such members of council, as may be appointed by council;*
 - d. *such municipal employees who are responsible for emergency management functions, as may be appointed by the council; and*
 - e. *such other persons as may be appointed by the council*
- (3) *The persons appointed under clause (2) (e) may only be,*
 - a. *officials or employees of any level of government who are involved in emergency management;*
 - b. *representatives of organizations outside government who are involved in emergency management;*
 - c. *persons representing industries that may be involved in emergency management*
- (4) *The council shall appoint one of the members of the committee to be the chair of the committee.*
- (5) *The committee shall advise the council on the development and implementation of the municipality’s emergency management program.*
- (6) *The committee shall conduct an annual review of the municipality’s emergency management program and shall make recommendations to the council for its revision if necessary.*

The EMA Regulations requires Emergency Management Program Committees to have a minimum of two members and further allows an unlimited number of members be appointed by Council.

A survey of 16 Greater Toronto Area municipalities regarding the structure and operations of their Emergency Management Program Committees indicated that 9 of the 16 municipalities contacted, had a committee structure in place. The remaining 7 municipalities, which include Mississauga, Markham, King, Region of York, East Gwillimbury, Whitchurch-Stouffville and Georgina, are in the process of identifying committee members and operational structure. Committee membership, Chairs, meeting frequency and terms of reference varied between the communities. The following are the key findings noted from discussions with the GTA municipalities:

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1. Committees sizes ranged from 16 to 30 members
2. Four of the nine communities with committees in place are in the process of evaluating their committee structures (Toronto, Brampton, Richmond Hill and Hamilton)
3. Meeting frequency varies from monthly to two meetings per year
4. Committee Chairs vary –
 - a. 2 Committees are chaired by the Community Emergency Management Coordinator,
 - b. 1 Committee is chaired by the Mayor,
 - c. 1 Committee is chaired by the Regional Chair
 - d. 1 Committee is chaired by a Ward Councillor
 - e. 2 Committees are chaired by the Chief Administrative Officer
 - f. 2 Municipalities have not yet appointed Committee Chairs
5. All 9 Community Emergency Management Program Committees report to Council either directly or through a Standing Committee of Council
6. Attachment 1 Table outlines the information collected on GTA Emergency Management Program Committees.

The City of Vaughan Emergency Management Program Committee

Staff suggests the mandate of the committee be that it functions as an accountable body that guides and oversees the development, implementation, and maintenance of the Emergency Management Program to improve public safety and create a disaster-resilient community.

Staff further suggests that the committee would be accountable to Council and that the City Manager be appointed as the Committee Chair.

Expectations of Members

- To attend meetings 3 to 6 times per year as directed by the Chair
- Complete tasks as assigned
- Provide expertise related to knowledge of local area, industrial facilities, transportation systems, climate conditions, land use, location and nature of local infrastructure, special needs of the population, tactical emergency response needs, municipal resources, communications systems and emerging trends
- To achieve quorum, 7 of the 12 members must be in attendance
- Report and make recommendations to Council on program activities for Council approval and/or endorsement
- Direct program staff and Emergency Planning Working Group to implement program recommendations

At this time, staff suggests that no other external agency representatives be appointed. This will provide the opportunity for the Emergency Management Program Committee to operate for a period of one year in overseeing, and making such recommendations to revise the program and corporate policy regarding emergency management activities. After one year of operation, the committee members will evaluate the committee structure and operations and make recommendations to Council regarding any membership and operational changes, which may be required.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council to develop and implement an emergency management program to comply with the *Emergency Management Act* (VVA-2-1). The necessary resources have been allocated and approved for the Emergency Management Program Committee.

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Conclusion

An Emergency Management Program Committee is a mandatory requirement under the *Emergency Management Act Regulations*. Under the Regulations,

1. The Fire Chief as Community Emergency Management Coordinator (CEMC) is a statutory appointment
2. Council must appoint a senior municipal official and a Committee Chair.
3. Council may appoint others to the Committee

Staff has respectfully recommended a committee structure and membership in accordance with the *Emergency Management Act Regulations*.

Attachments

1. GTA Community Emergency Management Program Committees
2. Emergency Management Program Description
3. Draft Terms of Reference for the City of Vaughan Emergency Management Program Committee
4. Amended Section of the City of Vaughan Emergency Plan.

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.)

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Item 2, Report No. 23, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

2 **PROPOSED STREET NAME APPROVAL/RESERVE LIST**

The Committee of the Whole (Working Session) recommends that this matter be referred to the Committee of the Whole (Working Session) meeting of April 26, 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.

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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 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:

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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.)

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Item 3, Report No. 23, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

3 COMPREHENSIVE ENCROACHMENT POLICY & BY-LAW FOR THE CITY OF VAUGHAN

The Committee of the Whole (Working Session) recommends that this matter be referred to the Committee of the Whole (Working Session) meeting of May 10, 2005.

Recommendation

The Commissioner of Engineering and Public Works in consultation with the Commissioner of Community Services, Commissioner of Planning, Commissioner of Legal & Administrative Services and the Director of Corporate Communications recommends:

1. That the "Encroachment Policy" and "Application for Encroachment" be approved and that the "Encroachment By-law" be enacted;
2. That the proposed Communication Strategy and development & distribution of the Encroachment Information Brochure pending the source of funding be approved;
3. That staff enforcement of the "Encroachment By-law" be delayed until July 1, 2005 to allow for the dissemination of the Communication Strategy into the community;
4. That the necessary fees and charges be incorporated into the "Fees and Charges By-law" 396-2002, as amended; and
5. That the issue regarding grass cutting on adjacent public boulevard, which cannot be carried under the Encroachment By-law/Policy, be addressed through a future report to the Committee of the Whole by the Parks Department.

Purpose

The purpose of this report is to seek Council approval for a new comprehensive Encroachment By-law in response to the Committee of the Whole (Working Session) direction to develop a new Encroachment By-law and the administration thereof including a corporate communication strategy.

Background - Analysis and Options

At the Committee of the Whole (Working Session) of January 25, 2005, Report No. 6, Council recommended:

"That staff provide a report to a Committee of the Whole (Working Session) in March 2005 regarding a new comprehensive Encroachment By-law and the administration thereof, addressing those issues identified by Committee and including a communication strategy."

In the Fall of 2003, staff was directed to review and recommend an Encroachment Policy governing the permitted uses of the City's road allowances and easements to provide a consistent procedure by the City. The existing Encroachment Policy adopted by Council on July 4, 1994 deals with open space and parkland.

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Several GTA Municipalities were contacted regarding the existence and use of municipal Encroachment policies and by-laws. During this review, Council requested another report dealing with alternative options to address alterations to roadside ditches by homeowners in Old Maple, which in essence is an encroachment issue and hence was incorporated into the original January 25, 2005 presentation. Based on this presentation it was recommended that the City develop a communication strategy along with a new comprehensive Encroachment by-law covering **all** City owned “public lands” having regard to the experience of other municipalities, since it was recognized that Encroachment by its very nature is a multi-departmental issue and it is not confined exclusively to one City Department, Division or Branch.

A comprehensive Encroachment By-law and Policy that includes a cost recovery provision will ensure that there is a uniform procedure throughout for City owned public lands to deal consistently with any encroachments such as the reinstatement of ditches or the removal of a garden plot in a Park.

The Encroachment Policy has been developed as a companion document to the Encroachment By-law to provide additional background information. The Encroachment Policy suggests that the Department(s) having jurisdiction, in conjunction with Enforcement Services, would be responsible for encroachment matters as per the flow chart in Appendix A. A possible encroachment shall be identified as not applicable, unauthorized – as no City approval has been granted which shall require removal, or authorized – as an Encroachment Permit or Encroachment Agreement is currently in effect or required.

Where conditions warrant, either an Encroachment Permit for a ‘simple encroachment’, as determined by the City and administered by the Clerk’s Department, or an Encroachment Agreement for a ‘complex encroachment’, as determined by the City and administered by the Real Estate Division may be approved. In the case where the City cannot determine the date or person(s) responsible for the encroachment, or where the City cannot resolve a dispute with an owner, or when any other need arises the proposed ‘new’ Encroachment Committee may meet to resolve the concern, comprised of staff members from Engineering, Public Works, Legal, Parks, Planning and Buildings.

An Application for Encroachment has been created to facilitate the administration and investigation of encroachments. The cost of the non-refundable Application For Encroachment is set at \$100.00 plus G.S.T. and other expenses, which is in keeping with other City applications fees. In terms of enforcement, in the case where an owner refuses to remove our unauthorized encroachment within a specified time and the City hires an outside contractor to restore the area, the invoice to the owner will be at cost, plus a 15% administration charge, plus any other additional expenses such as a Departmental inspection costs, at \$200 per visit.

Finally, a Communication Strategy has been developed to inform and educate all property owners and staff, of the Encroachment By-law, thus promoting Council’s commitment to community safety and the protection of public lands from unauthorized use by abutting private property owners. The primary means to deliver this message shall be through the development and distribution of an Encroachment Information Brochure, which will require funding not included in the approved 2005 Budget. This brochure will be available at all City owned publicly accessible facilities and may be inserted within the City’s water billings from time to time as well as being distributed to all new Vaughan residences once Council finalizes the proposed new “Homeowner’s Welcoming Package”. In addition, this information and Encroachment By-law will be available on the City’s web site and included in the Vaughan Community Information Guide along with being posted on a seasonal basis or as required on the City Page of the local community newspapers and other communication outlets.

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Relationship to Vaughan Vision 2007

Vaughan Vision goals 1.1, Improve Community safety through design prevention, enforcement and education and 4.4, Ensure City wide protections of the environment are applicable.

This report is consistent with the priorities previously set by Council; however, a review of the necessary resources will need to be undertaken.

Conclusion

Staff recommends that Council enact the Encroachment By-law and approve the Encroachment Policy, attached Application and Communication Strategy which includes the development of a Brochure and that this information is disseminated throughout the City prior to the commencement of staff enforcement on July 1, 2005.

Attachments

1. DRAFT "Encroachment Policy"
2. DRAFT "Encroachment By-law"
3. DRAFT "Application for Encroachment"
4. DRAFT Communication Strategy and "Encroachment Brochure"

Report prepared by

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