

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 9, 2005

Item 1, Report No. 28, of the Committee of the Whole (Working Session), which was considered by the Council of the City of Vaughan on May 9, 2005, was dealt with by approving:

That this matter be referred to the Committee of the Whole (Working Session) meeting of May 25, 2005, to allow Councillor Carella, together with any other interested Member of Council, to compile an appropriate street name reserve list.

1 PROPOSED STREET NAME APPROVAL/RESERVE LIST

(Referred from the Committee of the Whole (Working Session) meeting of April 12, 2005)

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.

The Committee of the Whole (Working Session), at its meeting of April 12, 2005, recommended:

That this matter be referred to the Committee of the Whole (Working Session) meeting of April 26, 2005.

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.

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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 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.)

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Item 2, Report No. 28, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on May 9, 2005.

2 ENFORCEMENT SERVICES ANNUAL STATISTICAL REPORT - 2004

The Committee of the Whole (Working Session) recommends:

- 1) That the following report of the Commissioner of Legal and Administrative Services and the Senior Manager, Enforcement Services, dated April 26, 2005, be received; and**
- 2) That the presentation of the Senior Manager, Enforcement Services and presentation material, be received.**

Recommendation

The Commissioner of Legal and Administrative Services and the Senior Manager, Enforcement Services, recommend:

That Council receive this report and provide direction on the circulation and the placing on the City of Vaughan website of this report.

Economic Impact

There is no economic impact.

Purpose

This report is to introduce the second annual statistical report for the City of Vaughan Enforcement Services Department.

Background - Analysis and Options

Last year (2003) the Enforcement Services Department introduced an Annual Statistical Report to enable the Local and Regional Councillors to see what enforcement related complaints were being investigated in their respective areas.

Enforcement Services utilizes the CSMS tracking system. This system allows for a variety of different call tracking possibilities. This system has been in use for two full years. A detailed annual report can now be produced with detail, analysis and annual comparison.

This report outlines the trends and patterns that emerge from the calls for service to Enforcement Services from the residents of the City of Vaughan. This year's version provides a snapshot of what happened in 2004 in each Ward and also incorporates a year to year comparison of call distribution. This report can be made public and it may be of value on the City of Vaughan website.

Relationship to Vaughan Vision 2007

This is in keeping with the Vaughan Vision 2007 as it is in keeping with the goal (6.4) to "Strengthen Corporate Image and Identify" and its objective (6.4.2) to "Create increased awareness of the City's leadership on key issues and celebrate our successes and achievements."

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

Conclusion

This annual report provides Council and the public with statistical information on the caseload, trends, and patterns of the calls for service to the Enforcement Services Department.

Attachments

City of Vaughan By-law Enforcement Annual Statistical Report - 2004

Report prepared by:

Tony Thompson
Senior Manager, Enforcement Services

(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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3 ENFORCEMENT SERVICES DEPARTMENT BUSINESS PROCESSES

The Committee of the Whole (Working Session) recommends:

- 1) That clauses 1-5 contained in the following report of the Commissioner of Legal Services, dated April 26, 2005, be approved;
- 2) That clause 6 be referred to the Committee of the Whole meeting of May 2, 2005 for a further report addressing Members of Council's concerns and questions, including how neighbouring municipalities deal with this matter, alternative options and related training;

Please refer to Item 6, Committee of the Whole (Closed Session) Report No. 30, for disposition regarding this matter.

- 3) That as a pilot project, an evening First Attendance be implemented for up to 3 days per week with one part-time staff person and that the related costs be absorbed within the department's existing budget; and
- 4) That the memorandum of the Commissioner of Legal Services, dated April 26, 2005, be received.

Recommendation

The Commissioner of Legal Services, in conjunction with the Senior Manager of Enforcement Services, recommends that:

1. This report be received, and;
2. The processes related to Parking Enforcement be adopted, and;
3. The processes related to Property Standards, Zoning, and General By-laws be adopted, and;
4. The processes related to Licensing enforcement be adopted, and;
5. The processes related to the Special Enforcement Unit be adopted, and;
6. That Council provide direction relating to the enforcement processes of illegal body rub establishments.

Economic Impact

Economic impact to be provided at the meeting.

Purpose

This report is to provide information on the processes utilized by Enforcement Services in the investigation and enforcement of the City of Vaughan By-laws.

Background - Analysis and Options

Enforcement Services receives over 6,000 complaints per year and lays over 39,000 charges annually including Parking, Licensing and Property Standards. These complaints and charges follow different processes due to the nature of the infractions.

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The Enforcement Services Department is comprised of four operational units that are supported by a team of clerical staff. Each of these units are unique, operating with separate job descriptions and differing performance expectations. It is these expectations that will be discussed in this report.

In order to provide members of Council with an increased understanding of the differing functions and processes, all members of Council were invited to spend time in the Department with each unit. Five members of Council accepted the invitation and each spent four to five hours “shadowing” various enforcement staff in the performance of their duties in February and March 2005.

Each business unit will be discussed separately to avoid confusion and overlap.

1. Parking Enforcement:

This unit is tasked with primarily enforcing the Parking By-law. They also enforce the Sign By-law and assist with Property Standards, Zoning and Noise complaints after hours. Staff in this unit are in uniform and provide 24 hour coverage to the City of Vaughan. The City of Vaughan is the only municipality in York Region that has City staff enforcing parking 24 hours per day.

The City of Brampton operates their parking staff 24 hours per day in addition to their own dispatching system to handle on street parking exemptions. They have 28 officers with five supervisors, set up in a platoon system. This ensures that each shift has a supervisor working. Vaughan, by comparison, has 14 officers with one supervisor with no after hours supervision.

Parking enforcement in Vaughan is delivered applying both a proactive and reactive methodology. Field staff will patrol the City and issue tickets to parking violations on the streets, in parking lots (for handicapped and fire route violations), and in some circumstances on private property. Although there is no tracking mechanism, it is estimated that at least 80% of all tickets issued are done so proactively. As indicated in the 2004 Enforcement Services Statistical Report, 1,964 complaints about parking from the public were investigated in 2004. These complaints range from vehicles blocking driveways to parking longer than 3 hours to overnight parking.

All Parking complaints must have a complainant, address and telephone number. This is in keeping with the City Policy of not accepting anonymous complaints. By obtaining complainant information, the investigator can call for more information or update the complainant on the status of the call. Complainant information is kept strictly confidential and is subject to the provisions of the Freedom of Information legislation.

For generic parking complaints, an investigation file is opened in the CSMS (call tracking) system and assigned to an individual officer to investigate. Having one person deal with the complaint provides for continuity in the investigation and also accountability for the results. The existing procedure in the Department for investigating parking complaints is that an officer will continue to attend to the call until they have observed no violations on two consecutive visits. Once this has occurred the file is closed. The practice of closing files after two clear inspections was adopted in the summer of 2003. Prior to that staff were required to attend three times without offences observed before they could close the file.

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Some time ago the possibility of having the file closed as soon as the officer does not find any violation was examined. This option can be implemented, however, it reduces customer service, as the complaint may be substantiated but just not present at the particular time the officer attended. Also, this option could result in an increased number of complaints being called in because the files are being closed too soon. For these reasons it was decided to leave the “two clear” policy in place.

Parking staff also support the Zoning By-law by investigating complaints related to commercial vehicles parked on residential property. For this type of complaint, individual officers are assigned the call. Staff inspect the property and should an offence be observed, the officer prepares a Notice to Remove the commercial vehicle from the property. This Notice has a fourteen day compliance period. This means that the owner of the property has fourteen days to rectify the problem. This Notice is placed on the commercial vehicle and applies to the property owner. If compliance is not met a court file is prepared and sent to the Regional Prosecutors. Once the zoning charge has been laid the property owner is served a summons to appear in court. From the time the Notice is issued to a trial is approximately 8-10 months. There is no authority for the City to remove the vehicle from the property during this time frame. Evidence of continued visitations is entered during testimony, if a trial is required, or through submissions resulting from a guilty plea.

Special attention is given to parking offences related to Disabled spots and Fire Routes. These offences have an impact on safety. The City does not need permission from the property owner to enter the site and issue tickets for these two violations. The intention of enforcement of Fire Route parking restrictions is to ensure that emergency vehicles have clear passage in the event of an emergency on that site. Disable parking spaces are mandated to ensure that those persons who are disabled have extra room to maneuver around their vehicles and also so they are closer to the complex they wish to access.

The fine for a Fire Route violation is \$100. This is consistent with other municipalities in York Region. The fine for disabled space violations is \$300. This fine is set in the Ontarians with Disabilities Act, 2001.

The City of Vaughan offers a First Attendance process through the Provincial Offences Act, R.S.O. 1990. This process allows those individuals that have received a parking ticket to speak with an adjudicator and explain their version of the circumstances that lead to a ticket being issued. The adjudicator can either let the ticket stand as is, reduce the fine or cancel the ticket outright if there are circumstances that may result in the ticket being quashed in court. Should the person not agree with the adjudicator’s decision, they still have the option of requesting a trial before a Justice of the Peace. However once a fine reduction has been accepted it must be paid or the defaulted fine (higher fine plus costs) is implemented.

The current process is that persons wishing to take their ticket to First Attendance must make an appointment to appear. The volume is so large that appointments are the only way to keep the process efficient and orderly. This does not apply to those parties that are disabled. As of February 2005, as a result of a suggestion from the Mayor, a pilot project was initiated for those persons wishing to contest any handicapped related parking ticket. These individuals will be accommodated as “walk-ins” as a special public service. In 2001, First Attendance was held two days per week and the cases heard by a

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member of management. The volume has increased so substantially that cases are now heard four days per week, every ten minutes, from 8:30 am to 4:30 pm. Due to this volume a Parking Enforcement Officer has been assigned to First Attendance as his permanent duty. There may be benefits of returning the officer to the field and hiring a permanent adjudicator. The benefits are increased parking enforcement fine revenue. At this time, there is no evening First Attendance offered due to the increased costs associated with administering an after hours program. To operate after 4:30 pm would require a Clerk and an Adjudicator to be brought in for the evening session.

The cost of these positions, which could be initially both part time, would be approximately \$45,000. per year.

2. Property Standards, Zoning, and General By-laws

This unit is responsible for investigating complaints relating predominantly to the Property Standards and Zoning By-laws, but also include the 36 other enforceable by-laws in the City. These staff members are not in uniform but carry identification to identify themselves as City employees. This unit works during regular business hours, however, they do work some evenings if required for hearings or unusual inspections.

Investigations conducted by this unit are mainly reactive to complaints. The exception to this is the properties in Jane/Freshway industrial area. Council directed in June 2002 that this area have the Property Standards and Zoning By-laws enforced proactively.

All complaints received by Enforcement Services must be made by an identifiable person, including an address and phone number. Anonymous complaints are not taken.

Enforcement of the By-laws investigated by this unit is not as straight forward as issuing a ticket. There is a significant amount of research and investigation that takes place for every alleged offence. This is usually followed by some negotiation with compliance being the ultimate goal. This unit only lays a charge as a last resort. This is because the charge can take up to 8 months to get to trial, and even if a conviction is obtained, there is rarely a court order issued to remedy the violation. Therefore, the preferred route is for staff to work with the homeowner to obtain compliance. The following steps represent a simplified investigation process that staff undertake.

- a) Staff review the complaint and any history related to that location;
- b) Assessment information is obtained;
- c) Initial site visit where measurements and photographs are taken. If the property owner is present the details of the complaint (not the identity of the complainant) will be discussed;
- d) If a violation exists, an informal handwritten notice is issued advising the property owner of the problems. This gives the property owner 7-10 days to resolve the issue;
- e) Following the expiry of the initial notice a reinspection takes place;
- f) If the issue is resolved the file is closed. If not, a formal Notice or Order is prepared. This is either sent by registered mail or hand delivered;
- g) A land title search is conducted to identify the legal owners. Occasionally the assessment information is not the same as on the land title;

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- h) Requests from the property owner for an extension in time to comply are entertained and generally granted, if compliance is promised;
- i) Inquiries are made to ensure that no appeals to the Order or Notice have been filed
- j) Re-inspect the property after the Notice/Order expires. If there is compliance the file is closed. If not, a court file is prepared and sent to the court;
- k) The file is held until after the court date;
- l) After the court date the file is closed. If the problem persists a new file is opened and the same process as outlined above starts again. Measurements and photographs must be taken again as none of the evidence used in the previous charge can be used to support a new charge.

As indicated above, formal Notices or Orders are served if compliance is not met. Normally, 14-21 days is allowed for compliance. The time frames are the same whether the property is residential, commercial, or agricultural. The property owners may appeal a Property Standards Order to the Property Standards Committee. This Committee may uphold or quash the Order. In the case of a Zoning Violation Notice, the property owner may apply for a "minor variance" to permit the condition that lead to the Notice being issued.

There are also situations that present challenges for this unit where extensions to the normal Notice/Order time frames must be permitted. The most prevalent of these is basement apartments and multi unit dwellings. Enforcement Services, Fire, and Building attempt to coordinate efforts in this regard. If the investigations (except fire) are denied entry to inspect, there is little that can be done to prove/disprove the allegations. Even in the event of the allegations being confirmed, under the Tenant Protection Act the property owner must allow 60 days for the tenant to be legally evicted.

In the case of multi unit dwellings or basement apartments, there are specific elements that must be proved to proceed to charges. These are it must be a self contained unit, no free access from area to area, and separate cooking facilities in each unit. If these elements cannot be proven, the matter cannot proceed to court.

As indicated earlier in this section, this unit investigates complaints related to 37 By-laws. The following is a list of the most frequent calls and a brief outline of what is required for each.

- Standing Water – predominant in the fight against the West Nile Virus. Often the York Region Health Unit investigates these matters and Enforcement Services assists by issuing Notices. Usually, water standing for more than 4 days can pose a problem.
- Noise – these complaints can be proceeded with by the complainant keeping a log, usually for two weeks, outlining the date, time, and length of the violation. This is necessary as in order to lay the charge the officer must have observed the offence taking place. Normally a pattern over two weeks is sufficient.

For other complaints where the noise level is required for prosecution, a certified officer will attend and take noise readings.

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- Air Conditioners – although covered under the Zoning By-law, these complaints arise from the air conditioner set backs or noise. Traditionally, if the air conditioner unit was within a few inches of the required set backs and noise was not an issue there would be no enforcement action taken. At the present time each complaint is reviewed on a case-by-case basis having regard to the likelihood of conviction if the matter were to proceed to court.

- Fences – the maximum height in the rear yard is 6 feet and in the front side yards it is 4 feet. Enforcement services receives many complaints about the height and appearance of fences. The Department also investigates fences for Fence Height Exemption requests received by the City Clerk's office. Fence investigations can pose significant problems as do driveway widening complaints, as often the entire neighbourhood can have constructed their fences to the same illegal height, or widened their driveways to the same general width. The quandary for the department is to apply the By-law consistently and start files on all the properties, or not investigate any. Often this is decided on a street-by-street basis.

There are currently seven officers in this unit assigned to six geographical zones and this unit is overseen by one supervisor. The seventh officer is assigned to investigate complaints received through the Council Offices and high profile cases. Each officer maintains ownership of the files in their zone. This deployment method allows for efficiency in workload, as staff are not driving all over the City, all their calls are in one defined area.

3. Licensing Enforcement

The responsibility for licensing enforcement was undertaken by this Department in July 2004. The mandate is to proactively enforce the provisions of the Licensing By-law as it pertains to most businesses, mobile and stationary, in the City of Vaughan.

This unit is comprised of one full time employee and one part time officer. This is in contrast to Brampton that has five full time employees and a dedicated Licensing Enforcement Supervisor.

Licensing enforcement is a revenue positive venture. In six months of work in 2004 the unit issued over \$125,000. in fines and also generated an increase in licensing revenues. Early 2005 saw a revision of the Licensing By-law and a fine-tuning of the offences contained in it. There are now over 800 individual offences in the By-law. Once the Ministry of the Attorney General approves all the wordings, (by the end of April) more enforcement potential may be realized.

The enforcement methodology for Licensing is generally project based. This means that the officers will focus on one type of industry at a time. For example, the refreshment vehicles were the subject of a project for several weeks, as were taxis and tow trucks. In the first 6 months 142 inspections were carried out on mobile industries. The past several months have focused on stationary businesses. These are stores, banquet halls, personal service businesses.

After some initial growing pains a consistent strategy has been worked out for the investigation of stationary businesses. This enforcement takes two different methods.

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These two methods operate together. Enforcement staff receive copies of letters sent to businesses by Licensing Administration advising them that they either never completed their application process or failed to renew an expired license. With these letters, staff attend to the business and lay a charge for operating a business without a license. No notice is required as the two letters sent from Administration serve as notice. Enforcement staff also inspect businesses at random. Should the licenses not be in order the business is given a written notice to obtain a license. The business will be reinspected after one week to ensure the application process has been started.

For mobile businesses, inspections are made at random. Should drivers be found unlicensed, or the vehicle not be licensed, a charge is normally laid. Other problems such as vehicle defects are usually dealt with by way of issuing a notice to comply.

There has been a noticeable increase in compliance in the taxi and refreshment vehicle industries, and more people are applying for the proper and required licenses for their stationary businesses.

4. Special Enforcement Unit

This unit was created during the 2002 Budget Process to provide increased uniformed presence in City parks and community centres. This unit is also responsible for a high amount of parking enforcement.

This unit has 5 full time employees and works only afternoon shifts. They deal with problems on City property caused by loitering, alcohol and drug consumption, and vandalism. This unit uses bicycles and high visibility enforcement vehicles to accomplish its goals. They also work very closely with York Regional Police and take part in a number of joint initiatives with the police.

This unit is assigned to enforce the parking restrictions related to Fire routes and Handicapped parking spaces and are very effective.

In order to provide the proper tools to these staff, they take extensive training every spring in law, tactical communication and use of force. This training ensures that staff remain current in those issues that impact their day-to-day operations.

While this unit receives and investigates complaints from the public, approximately 80% of this units work is proactive.

5. Massage / Body Rub Parlours

Although this is a matter that is covered in the Licensing By-law, the topic needs to be discussed separately. The City of Vaughan currently has 23 body rub parlours of which only 5 are licensed. This kind of business has been known to employ young girls and immigrant women and usually operate as a front to prostitution. The conditions inside these operations are generally poor. In the past special projects have been successful in closing some of these establishments down permanently, but as one closes it seems like another opens.

York Regional Police investigate these establishments and those in the other municipalities for Criminal Code and by-law violations. City of Vaughan Licensing Enforcement has been dedicating two days per month to enforcement of this industry.

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York Regional Police have expressed concern that without targeted enforcement of this industry, the crime associated with body rub parlours will escalate and the potential for homicides such as what happened in Markham a year ago will increase. They have also written a letter complaining about the lack of enforcement of Body Rub operations by the City of Vaughan.

The only way to close these establishments is to apply constant enforcement and lay as many charges as possible against the operations and the property owners. The average investigation takes up to 8 hours per establishment per inspection. This can be broken down as: one hour of inspection, four hours preparing the charges, and at least three hours in court.

It is estimated that at anywhere from five to ten convictions under the By-law would be required before a closure order is considered. A closure order means that the unit itself is closed and the property owner cannot rent it out for any business of any kind for two years.

The difficulty in providing sustained enforcement is one of resources. While the police and City enforcement staff do work together whenever possible, to obtain the number of convictions required, a targeted project for about one year would need to be undertaken. Any redeployment of existing staff to this kind of project will have a direct impact on revenue and service delivery.

One solution to this may be to approve a one-year enforcement pilot project in which an officer would be hired on contract for one year with the sole responsibility of dealing with Body Rub violations. The cost to the City would be approximately \$65,000. for the project. There would be offsetting fine revenue, but it is not known whether it would be enough to make the position revenue neutral. Council has in the past, expended contract resources on special enforcement projects. The most recent was in 2001 & 2002 to clean up the Freshway Drive area.

This is an area which needs dedicated staff to work towards the goal of eliminating illegal body rub parlours and demonstrate that commitment to York Regional Police.

Although sign enforcement is a significant matter it is the subject of a separate report and will not be discussed here.

The administrative unit of the department should also be examined. This unit is comprised of six full time clerical staff and two part time clerks to assist in parking ticket data entry. Clerical staff can be broken down into two main groups. There are two positions that are responsible for answering the incoming calls and inputting them into the complaint system. These positions are also responsible for dealing with matters at the front counter, including assisting those that come in for First Attendance. This group can be backed up by the Administrative Coordinator, and the Council/CSMS Liaison Clerk, both full time positions that have other functions but are cross trained to fill in emergencies.

The other group of clerical staff are responsible for the administration of parking tickets and fines. The Parking Coordinator is responsible for processing all the tickets that are written, sending out notices for the fines that are not paid, processing payments and dealing with public queries. This position is supported by two part time positions that deal with court scheduling and data entry. There is also a Collection Clerk that is responsible for collecting parking fines that are more than three years in arrears. This position is the subject of a separate report.

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The environment in which all these positions work is very stressful and busy. In 2004 all clerical staff received Tactical Communications training in order to provide them with the tools to attempt to diffuse hostile individuals who come into the front counter. Front end staff will also attempt to diffuse any hostile or violent situation at the front counter through dialogue. They understand that the public can become very passionate about receiving a ticket. If that does not work supervisory staff or the Civic Centre security guard is called upon to ask the person to leave the premise until they have calmed down.

Relationship to Vaughan Vision

This report is consistent with the Vaughan Vision as it refers to service excellence.

The necessary resources have been approved and allocated.

Conclusion

The City of Vaughan Enforcement Services Department is comprised of 39 staff members dedicated to serving the citizens of Vaughan in the most efficient way possible. The business units and their processes outlined above represent the most efficient way of accomplishing this, taking into account the requirements of the laws and the courts that hear our cases.

Attachments

1. Letter from York Regional Police regarding body rubs
2. List of all enforceable City of Vaughan by-laws

Report prepared by:

Tony Thompson,
Senior Manager, Enforcement Services

(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 4, Report No. 28, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on May 9, 2005.

4 SIGN ENFORCEMENT

The Committee of the Whole (Working Session) recommends:

- 1) That clauses 1, 3 and 4 contained in the following report of the Commissioner of Legal Services, dated April 26, 2005, be approved;**
- 2) That clause 2 be referred to a future Committee of the Whole (Working Session) for a further report addressing Members of Council's comments including how neighbouring municipalities deal with election signs, the feasibility of having designated locations and size of signs; and**
- 3) That the memorandum of the Commissioner of Legal Services, dated April 26, 2005, be received.**

Recommendation

The Commissioner of Legal and Administrative Services, in conjunction with the Senior Manager of Enforcement Services, recommends:

1. That the posting of anti-postering signs on poles at intersections be approved.
2. That By-law 203-92 be amended to include a deposit of \$500. per election candidate wishing to erect campaign signs and a \$20. deduction from that deposit for each sign seized.
3. That Enforcement staff be directed to produce a pamphlet prior to the next election for circulation to all candidates.
4. That the information relating to the November 2004 sign enforcement campaign be received.

Economic Impact

Economic impact to be provided at the meeting.

Purpose

This report is to provide information on sign enforcement and potential amendments to the Sign By-law.

Background - Analysis and Options

Council, at its meeting of June 28, 2004 (Item 5, Report 54) requested Enforcement Services staff research the feasibility of implementing a sign enforcement initiative where an annual deposit is collected from all persons and businesses requesting the installation of signs in the City of Vaughan.

Inquiries with a number of municipalities in the area were made over the summer of 2004. With

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the exception of Toronto and Markham, the area by-laws are very similar to those of Vaughan. Both Markham and Toronto impose a \$200. deposit for posting signs on public property and hold back funds for each sign seized. This is predominately for election signs as the posting of signs on City property is illegal except by permit.

During the Ward 5 by-election in November 2004, Enforcement Services confiscated 532 election signs that were placed contrary to the By-law. If the candidates were charged \$20. per sign, that would have resulted in \$10,000. being collected from the offenders.

Mobile signs are currently covered by the existing By-law. The sign owner is required to obtain a permit to erect a sign. Any signs that are in violation can be seized and are subject to a \$300. confiscation fee in addition to any fines that may be levied. Mobile signs do not represent as much of a problem as they did prior to the setting of the retrieval fee and fine.

There may be a deterrent value in amending the By-law to include a deposit or permit fee of \$500. with \$20. per sign confiscated being held back. Any amount over the \$500. could be invoiced to the candidate. This sort of process is in place in a number of places in Ontario and other provinces.

The City of Toronto also circulates a brochure to all electoral candidates advising where when, what and how signs are to be posted. The cost to the candidates is also stipulated in the pamphlet. A copy of the 2003 pamphlet is attached. This too may reduce the number of illegal election signs.

Sign Enforcement

Enforcement Services, with support from Parks and Public Works conducted a comprehensive sign blitz in November 2004. All enforcement field staff were reassigned for four days. All illegal placard and ground signs were confiscated. Approximately 2000 signs were confiscated. Since the initiative concluded six charges have been laid relating to A-frame signs. Despite the large number of signs seized, we did not receive a single call from businesses requesting placard signs be returned. Enforcement Services investigated approximately thirty of the worst offenders of which 20 have been charged under the Sign By-law. The cost of this initiative is estimated at \$36,000.

As most of the illegal placard signs were attached to utility poles or signs at intersections, a way is required to deter potential offenders from posting their signs. One potential solution is for the City to post its own signs at intersections advising that posting commercial signs is prohibited. A sample of the sign, which would be black or red lettering on a clear background, is attached to this report. These signs would be applied to the back of street signs so that anyone intent on putting their sign in the same location would see the warning. The cost for these signs is approximately \$1. per sign and can be absorbed in the existing operating budget.

Sign enforcement will continue as staff and resources permit. It is anticipated that approximately 24 hours per week will be dedicated to sign enforcement.

Vaughan Vision

This report is consistent with the Vaughan Vision through promoting service excellence, community safety, and developing collaborative solutions. Staff resources have been approved and allocated.

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Conclusion

The timing is right to explore new initiatives for sign enforcement to reduce the financial impact to the City. Sign enforcement will continue throughout the City of Vaughan.

Attachments

A: Toronto Election Sign Pamphlet
B: Draft Intersection Sign

Report prepared by:

Tony Thompson
Senior Manager, Enforcement Services

(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 MAY 9, 2005

Item 5, Report No. 28, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on May 9, 2005.

5

EMERGENCY MANAGEMENT PROGRAM COMMITTEE

(Referred from the Council, meeting of April 25, 2005)

The Committee of the Whole (Working Session) recommends that this matter be referred to the Committee of the Whole meeting of May 2, 2005.

Council, at its meeting of April 25, 2005, adopted the following:

That this matter be referred to the Committee of the Whole (Working Session) meeting of April 26, 2005.

The Committee of the Whole (Working Session), at its meeting of April 12, 2005, recommended:

- 1) That the recommendation contained in the following report of the Fire Chief and the Manager of Emergency Planning, dated April 12, 2005, be approved, subject to deleting "12" where it appears in Clause 1;
- 2) That the following members of Council be appointed to the committee:
 - i) Regional Councillor Linda Jackson;
 - ii) Regional Councillor Joyce Frustaglio as the alternate regional councillor;
 - iii) Councillor Sandra Yeung Racco; and
 - iv) Councillor Alan Shefman;
- 3) That the Director of Corporate Communications be appointed as a member; and
- 4) That the Committee review additional members required, such as representatives from TransCanada Pipelines, CN Rail, CP Rail, York Region District School Board, York Catholic District School Board, York Region Community Services and Housing, Hospital Health Services and the industry, and that this be done early in the process.

Report of the Fire Chief and Manager of Emergency Planning dated April 12, 2005

Recommendation

The Fire Chief and Manager of Emergency Planning in consultation with the City Manager and Senior Management Team recommends;

1. That Council adopt and enact a By-Law to establish an Emergency Management Program Committee for the City of Vaughan consisting of the following 12 members:
 - a. A Member of Council elected at large and a Ward Councillor as such members of Council as may be appointed by Council;
 - b. The City Manager as the Senior Municipal Official as a required appointment by Council,
 - c. The Fire Chief in his role as Community Emergency Management Program Coordinator as a statutory appointment;

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- d. The Commissioner of Community Services, the Commissioner of Economic/Technology Development and Communications, the Commissioner of Engineering and Public Works, the Commissioner of Finance and Corporate Services, the Commissioner of Legal and Administrative Services, the Commissioner of Planning and the Manager of Emergency Planning as such municipal employees who are responsible for emergency management functions as may be appointed by Council
 - e. That Council request PowerStream to appoint a senior staff representative to the committee.
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.

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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:

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.

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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.

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:

Sharon Walker
Manager, Emergency Planning
Extension 8301

Please refer to Item 21, Committee of the Whole Report No. 29 for disposition regarding this matter.

(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.)

