

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005**

Item 1, Report No. 33, of the Committee of the Whole (Working Session), which was adopted, as amended, by the Council of the City of Vaughan on May 24, 2005, as follows:

***By receiving the memorandum from the Commissioner of Engineering and Public Works and the Director of Engineering Services, dated May 19, 2005.***

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

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

**The Committee of the Whole (Working Session) recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 10, 2005, be approved subject to adding the words "subject to the appropriate public notification being provided and public meeting held" following "396-2002" in Clause 4;
- 2) That staff hold a public meeting, prior to the end of June 2005, for all affected residents of Maple to determine if there is support for urbanization of the local road network in the subject area and that notification be provided to said residents; and
- 3) That the additional information entitled, "Encroachment Highlights", be received.

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 May 10, 2005.

Report of the Commissioner of Engineering and Public Works dated April 12, 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.

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#### 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.

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.

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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.

**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**

Gino Martino, B.A., C. Tech, Engineering Technologist - Capital, Ext 3151

(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. 33, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

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

(Referred from the Committee of the Whole (Working Session) meeting of April 26, 2005)

**The Committee of the Whole (Working Session) recommends that the following adopted at the Council meeting of May 9, 2005 be approved:**

**“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”.**

The Committee of the Whole (Working Session), at its meeting of April 26, 2005, recommended:

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.

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

#### Street Name Reserve List

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

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

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

Staff considered whether the City should charge a fee for the use of the pre-approved street names. Of the municipalities canvassed by Planning Staff, no municipality imposed a fee for the naming of streets. The recent increase in subdivision and condominium application fees would 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 3, Report No. 33, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

**3**

**CORPORATE ADVERTISING POLICY**

**The Committee of the Whole (Working Session) recommends that this matter be referred to a Special Committee of the Whole meeting on May 16, 2005.**

**Recommendation**

The Commissioner of Economic/Technology Development and Communications, in consultation with the City Clerk, the Director of Corporate Communications, and the Director of Purchasing recommends:

- 1) That the attached "Corporate Advertising Policy," dated April 8, 2005 be approved; and
- 2) That this policy document supersede all existing City policies, procedures or practices relating to corporate advertising, including Policy No. 3.08 "Advertising Policy (Consolidated)," Policy No. 5.2.05 "Newspaper Advertising Policy," and Policy No. 3.05 "Advertising Special Events/Occasions/Religious Holidays;" and
- 3) That departmental responsibilities relating to corporate advertising be confirmed, including Human Resources managing recruitment advertising; the Purchasing Department managing the placement of all bid advertising; Corporate Communications managing "City Page" content; the City Clerk's administration of statutory notice requirements; and Economic/Technology Development and Communications' overall management of advertising programs as detailed in the policy.

**Economic Impact**

With the implementation of this policy, which provides for the negotiation of a favourable advertising rate and reducing the duplication and repeat placements of statutory ads, the annual cost savings to the Corporation are estimated to be \$50,000.

**Purpose**

To obtain Council approval of the Corporate Advertising Policy, dated April 8, 2005.

**Background - Analysis and Options**

Various City departments have requirements to communicate City information to residents and other target audiences through the use of advertising.

The Corporate Advertising Policy details advertising practices that will:

- strengthen accountability as it relates to departmental responsibilities for the placement of statutory advertisements;
- minimize advertising costs by consolidating ad placements, including statutory newspaper advertisements on the "City Page;"
- introduce ad templates for more cost-effective use of space; and
- support the Corporation's brand identity by standardizing advertisements to achieve consistency of design and format.

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##### Current City Advertising Expenditures

In 2004, the City's consolidated advertising budget totaled \$388,745 for all departments reporting line code 7135. Not all advertising expenditures are included in line code 7135 – some advertising expenditures are part of specific projects with their own budget line code. However, the above total includes all statutory ads, the main category addressed by the Corporate Advertising Policy.

Several City departments have special statutory advertising requirements that have been identified in the new policy. These include the placement of recruitment ads by Human Resources and tender advertisements placed in trade publications targeting a specific audience.

Currently, approximately 70% of "City Page" space is used for statutory ads, representing an advertising cost of \$75,600 in 2004. Excluding employment ads and tender ads as noted above, the cost of placing statutory ads outside of the City Page was \$66,750 in 2004.

##### City Page Advertising

In 2000, Council authorized the establishment of a "City Page" to serve Vaughan residents and to be published in a newspaper meeting the circulation requirements for statutory ads, as determined by the City Clerk and the Purchasing Department. The Corporate Communications department was assigned responsibility for producing and managing the "City Page." This consolidation of City advertising on the "City Page" resulted in considerable savings and was a major step forward in establishing a consistent, professional and recognizable format for the City's corporate advertising.

##### Consolidation of Advertising

The Corporate Advertising Policy supports the further consolidation of Corporate advertising by facilitating the placement of statutory ads on the "City Page." Placing all ads at the lower preferred "City Page" rate will produce significant savings over the cost of statutory ads running outside the "City Page." With few exceptions, all statutory ads will run on the City Page, thereby removing any duplication of ad placements and minimizing repeat placements.

All City advertising will be consolidated under the Corporate Communications department, with the exception of specialized advertising requirements, such as tender advertising and recruitment advertising, as detailed in the new Advertising Policy.

Further consolidation of the advertising function, in terms of departmental responsibilities, will not provide any significant benefit. The expertise for the various aspects of the advertising function currently resides in the appropriate departments. For example, the City Clerk is responsible for maintaining and administering the City's Notice Policy which directly relates to the placement of statutory ads. The Purchasing Department fulfills the accounting requirements and has established procedures for qualifying preferred vendors for the placement of statutory ads through the Request For Quote/Proposal process. Human Resources is responsible for creating and placing job opportunity ads as part of the overall recruitment process.

##### Standardized Templates

Further cost savings can be realized through the use of standardized templates for "City Page" placements and other statutory ads. The Corporate Communications Department is redesigning the layout of the "City Page" to incorporate set size formats for various categories of ads and a more "user-friendly" look. Published ads direct readers to the City's website for more information. A more compact design will free up space to accommodate other requests for coverage on the "City Page." Corporate Communications is also redesigning the "City Page" section on the website to post expanded information, including maps.

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##### City Page Size and Frequency

There is no set size for the “City Page,” although the established practice is to book a full tabloid page. Minimum “City Page” size would be determined by the number of statutory ads required to be published each week – this could be 1/2 page one week and 2 pages another week. The policy provides the flexibility to adjust frequency and space booked to fulfill all notification requirements, as detailed in the City’s Notice Policy.

##### Other Considerations

With support provided by the City Clerk and the Purchasing Department, the qualification of newspapers for the placement of statutory ads is the responsibility of the office of the Commissioner of Economic/Technology Development and Communications. The key considerations are circulation and frequency in order to meet statutory notice requirements, as well as readership acceptance, placement costs, and other services negotiated as part of any advertising agreement.

One objective of the policy is to consolidate statutory ads to produce cost savings. It is also the intent of this policy, through such provisions as expanding the information posted on the City’s website, to encourage all City departments, committees, and project teams to communicate City information in innovative ways to generate free publicity, editorial coverage, etc.

##### **Relationship to Vaughan Vision 2007**

Implementation of this recommendation would promote the following priorities established in Vaughan Vision 2007:

- 1.3.3 Develop and implement innovative alternatives for service delivery.
- 6.5.1 Disseminate information regarding key City projects and initiatives.
- 6.5.2 Develop and manage all core departmental publications through a centralized client service department.

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

##### **Conclusion**

Approval of the “Corporate Advertising Policy” will allow the City to better communicate information to residents and other target audiences through the cost-effective use of available advertising opportunities.

##### **Attachments**

Corporate Advertising Policy, dated April 8, 2005

##### **Report prepared by:**

John D. Leach, City Clerk  
Madeline Zito, Director of Corporate Communications  
Ted Hallas, Manager of Corporate Communications

(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. 33, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

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**4      PRESENTATION - THE REGIONAL MUNICIPALITY OF YORK AND URS CANADA INC.,  
          WITH RESPECT TO THE DUFFERIN STREET PROJECT EA**

The Committee of the Whole (Working Session) recommends that the presentation of Mr. W. Barry Sherwood, P. Eng., Senior Project Manager, The Regional Municipality of York, 17250 Yonge Street, Newmarket, L3Y 6Z1, Mr. Scott Thorburn, P. Eng. and Mr. Mark Nykoluk, P. Eng., URS Canada Inc., 75 Commerce Valley Drive East, Markham, L3T 7N9, and presentation material, be received.