

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 21, 2017**

Item 8, Report No. 10, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 21, 2017.

#### **8                      TECHNICAL AMENDMENTS TO THE ENCROACHMENT BY-LAW**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Community Services and the Director of By-law & Compliance, Licensing & Permit Services, dated March 7, 2017:**

##### **Recommendation**

The Deputy City Manager, Community Services and the Director of By-law & Compliance, Licensing & Permit Services recommend:

1. That the Encroachment By-law, substantially as set out in Attachment 1 and in a form satisfactory to the City Solicitor, be approved; and
2. That Encroachment By-law No. 054-2016 be repealed.

##### **Contribution to Sustainability**

The Encroachment By-law, as set out in this report, recognizes the functional and aesthetic needs of residents, balancing those needs against the City's interest in safeguarding its assets and protecting the greater public interest. The recommendations in this report reinforce the City's ongoing commitment to fostering a vibrant community life.

##### **Economic Impact**

The proposed by-law changes do not involve any anticipated increase in work or any changes in procedures that will require the allocation of additional resources. Similarly, the cost of diffusion of information and training of staff across relevant departments shall be absorbed into the current budget. As such, there is no anticipated financial impact to the City as a result of the adoption of the recommendations in this report.

##### **Communications Plan**

The nature of the amendments in this report is intended to better reflect the principles adopted by Council at its meeting of February 16, 2016 (Item No. 1, Report No. 10). As such, there is no further need to provide any formal communication.

##### **Purpose**

The purpose of this report is to obtain approval from City Council to adopt technical amendments to the Encroachment By-law to better align it with the principles adopted by Council at its meeting of February 16, 2016.

This report was prepared in consultation with the Office of the City Solicitor.

##### **Background**

On February 16, 2016 Council adopted a more permissive Encroachment By-law that better addressed the needs and expectations of Vaughan's communities. The final by-law (No. 054-2016) was subsequently adopted by Council at its meeting of May 17, 2016.

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In accordance with the guiding principles as established within the City's By-law Strategy, By-law No. 054-2016 was subject to review through the application and implementation of the new provisions.

Over the course of the summer and into the fall, as Enforcement staff began to apply the new provisions to a number of outstanding Notices, it became evident that some of the language established within the by-law was either too vague or created some ambiguity to effectively implement. As a result, a review of the language was conducted in consultation with City Legal. The majority of the issues pertained to the wording of a number of key definitions.

The revised By-law, as attached, addresses these issues, but does not change the intent or any of the provisions approved by Council in 2016.

#### **Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

By recognizing the functional and aesthetic needs of residents and appropriately balancing those needs against the City's interest in safeguarding its assets and protecting the broader public interest, the recommendations in this report further the following term-of-Council priorities: continue to ensure the safety and well-being of citizens; manage infrastructure and assets; and meet Council tax-rate targets (by redeploying enforcement resources to other priority matters).

The recommendations in this report are also in line with the objectives and deliverables of the By-law Strategy, mainly to ensure that the City has by-laws that are relevant, effective and sustainable.

#### **Regional Implications**

No regional implications have been identified as a result of the recommendation of this report.

#### **Conclusion**

The amendments being proposed in this report continue to simplify the encroachment process, respond to the needs of the community, and are aligned with Council's ongoing commitment to fostering vibrant communities and promoting the safety, health and wellness of all residents.

#### **Attachment**

1. Draft Encroachment By-law

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

Rudi Czekalla Martínez, Manager of Policy & Business Planning

(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.)