

**CITY OF VAUGHAN
FINANCE, ADMINISTRATION AND AUDIT COMMITTEE
AGENDA**

Monday, April 1, 2019

9:30 a.m.

Committee Rooms 242/243

2nd Floor, Vaughan City Hall

2141 Major Mackenzie Drive

Vaughan, Ontario

	Pages
1. CONFIRMATION OF AGENDA	
2. DISCLOSURE OF INTEREST	
3. COMMUNICATIONS	
4. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION INCLUDING MEMBERS RESOLUTION(S)	
1. WOODBRIDGE VILLAGE FARMERS' MARKET (IN-KIND CITY SUPPORT) Report of the Interim City Manager and Deputy City Manager, Community Services with respect to the above.	3
2. MUNICIPAL SERVICES CORPORATION (MSC) – TOURISM PROMOTION ENTITY IN VAUGHAN Report of the Interim City Manager, Deputy City Manager, Corporate Services and Chief Financial Officer and City Treasurer with respect to the above.	11
3. CAPITAL BUDGET AMENDMENTS FOR FL-5425-18 AND FL-5427-18 - REPLACEMENT TANDEM DUMP TRUCKS; AND BY-9548-18 - VMC ENFORCEMENT OFFICER VEHICLES Report of the Interim Deputy City Manager, Public Works with respect to the above.	71

4. COUNCIL STAFF RELATIONS POLICY AND REVISED RESPECTFUL
WORKPLACE AND WORKPLACE VIOLENCE POLICIES
Report of the Deputy City Manager, Corporate Services with respect to
the above.
5. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION
6. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION
7. PRESENTATIONS AND DEPUTATIONS
8. CONSIDERATION OF STATUTORY/AD HOC COMMITTEE REPORTS
9. NEW BUSINESS
10. CLOSED SESSION RESOLUTION FOR COMMITTEE OF THE WHOLE
(CLOSED SESSION)
11. ADJOURNMENT

ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S OFFICE
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AND VIDEO BROADCAST

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Item:



Finance, Administration and Audit Committee Report

DATE: Monday, April 01, 2019

WARD(S): 2

TITLE: WOODBRIDGE VILLAGE FARMERS' MARKET (IN-KIND CITY SUPPORT)

FROM:

Tim Simmonds, Interim City Manager

Mary Reali, Deputy City Manager, Community Services

ACTION: DECISION

Purpose

This report seeks Council approval to continue to grant the Woodbridge Agricultural Society permission to operate the [Woodbridge Village Farmers' Market](#) on the City's property at no cost for the venue from 2019-22. The Market runs from June to early October on Saturdays from 9 a.m. to 1 p.m.

Report Highlights

- The Woodbridge Village Farmers' Market is an important element of the community, having operated for ten years and drawing roughly 700 people and hosting 23 vendors per week in 2018.
- The Market contributes to York Region's Agri-Food Sector, which employs roughly 57,000 people region-wide.
- The Woodbridge Agricultural Society is requesting that they be allowed to continue operating the Woodbridge Village Farmers' Market in the parking lot of the Woodbridge Pool and Memorial Arena through 2022 at no cost.
- This represents roughly \$3,000 per year of in-kind support to the Woodbridge Village Farmers' Market.

Recommendations

1. THAT permission be granted to the Woodbridge Agricultural Society (WAS) to operate the Woodbridge Village Farmers' Market on the City's property (Woodbridge Pool and Memorial Arena parking lot) at no cost for its ninth to twelfth seasons of operations – 2019, 2020, 2021, and 2022 – on Saturdays from 9 a.m. to 1 p.m. and that a storage unit be supplied to the Market, on site at no additional cost;
2. THAT staff continue to work with the Woodbridge Village Farmers' Market and other associated stakeholders to promote, where feasible, the Market through the City's website, social media and other relevant publications and mediums, and;
3. THAT the Woodbridge Village Farmers' Market provide to the City on an as-requested basis, booth space at no cost.

Background

On February 13, 2019 the City received a formal letter of request from the Woodbridge Village Farmers' Market, requesting that the City approve the continued use of the Woodbridge Pool and Memorial Arena's Parking Lot, water, electricity, washrooms, and a storage container for the 2019-22 market seasons (see letter attached).

The Woodbridge Village Farmers' Market is a seasonal event owned and managed by the Woodbridge Agricultural Society, a not-for-profit organization in the City of Vaughan. This annual event operates as a farmers' market with a guiding principle of showcasing farm vendors who grow or raise at least 51 percent of the produce sold at the stall. The mission of the Market is to support and promote local agriculture, locally produced goods and services; and healthy living. Fees collected by the Market are for the sole purpose of advertising, promotion and operation of the Market.

The Woodbridge Village Farmers' Market has utilized the Woodbridge Pool and Memorial Arena's parking lot as a base of operations for the past eight years. The Market's location provides good visibility, access and ambiance conducive for a farmers' market.

Since the last report, Item 2, Report No. 21 of the Committee of the Whole: Woodbridge Village Farmers' Market approved by Council on June 5, 2017, the WAS has reported that average weekly attendance has remained strong, ranging from 600-900 visitors per week. In 2018, the Market operated with 23 vendors and averaged 666 visitors per day. An Attendance Report on the Farmers' Market is attached (Attachment 2). The market is open to the public each Saturday between June and October of each year.

The Market was promoted through the following City channels: Events Calendar on the City's website, and City Update e-newsletter. Further, Economic and Cultural

Development promoted the Market to small business clients.

Previous Reports/Authority

[Item 2, Report No. 21, of the Committee of the Whole: Woodbridge Village Farmers' Market, June 5, 2017](#)

[York Region Agriculture and Agri-Food Sector Strategy](#)

Analysis and Options

York Region is home to more than 700 working farms and more than 200 food and beverage processing and distribution companies. Primary agricultural production in York Region contributes \$250 million in GDP, while agri-food businesses employ 57,000 people Region-wide.

Assets like the Woodbridge Village Farmers' Market play an important role supporting and growing this sector. Such initiatives contribute to the City of Vaughan's strategic priorities to attract investment and create jobs, and to the Region's agricultural priorities to meet demand for local food production and increase capacity for value-added agri-food processing and support services.

The Market supports the City's and the Region's goals by providing a venue or distribution channel for locally grown or raised foods. As such, it also provides opportunities for consumer education as well as promotes community building and placemaking.

Recommended option: Proceed with approval of space for the Woodbridge Village Farmers' Market

This option will allow this important community event to continue. Furthermore, it demonstrates the City's support for this important sector.

With Council support, Staff will work, where feasible, to promote the Farmers' Market. This will help to support communities, agri-food businesses and entrepreneurs across Vaughan.

Financial Impact

Staff reviewed the City's rates for public permits and special events. The City has a Parking Lot permit fee (3 to 5 hours) of \$115.25 (plus HST) for Community Service Organizations. The Woodbridge Village Farmers' Market organization is proposing to use the parking lot at the Woodbridge Pool and Memorial Arena each Saturday from 9

a.m. to 1 p.m. for a period of 18 weeks. This represents roughly \$2,200 of in-kind support

In addition, the City provides a storage container to the Woodbridge Agricultural Society during the 5-month period of operation for the Market. The value of this rental in 2019 is \$141.25 per month. This represents roughly \$800 of in-kind support.

If Council adopts Recommendation 2 of this report, it would equate to roughly \$3,000 of in-kind support to the Woodbridge Agricultural Society per year.

Broader Regional Impacts/Considerations

Supporting York Region's Agri-food strategy are [eleven farmer's markets](#). The Woodbridge Village Farmers' Market is one of only two markets West of Hwy 400 in the Region. The Woodbridge Market's attendance numbers demonstrate its value to the community in Vaughan and York Region.

Support for the Woodbridge Village Farmers' Market would also demonstrate support for the Region's Agri-food sector.

Conclusion

Farmers' markets form a vital part of the local food systems, allowing producers to connect directly with consumers. They provide an economic and social benefit to communities, contributing to placemaking. Beyond being the backbone of the local food movement, markets are gathering places for neighbours, supporting social interaction and community engagement; places for community activations and economic generators common to communities with a vibrant social and cultural fabric.

Support of the Woodbridge Village Farmers' Market with the rental fees allows the organizers to repurpose operational dollars towards marketing, programming and attracting quality local vendors necessary to sustaining the market.

For more information, please contact: Raphael Costa, Manager, Small Business and Entrepreneurship, ext. 8891

Attachments

1. Report on the 2018 Market Season, Woodbridge Agricultural Society,
2. Attendance at the 2018 Market, Woodbridge Agricultural Society, October 14, 2018
3. Letter of Request From the Woodbridge Framers' Market Committee. February 13, 2019.

Prepared by

Raphael Costa, Manager, Small Business and Entrepreneurship, ext. 8891

Report on the 2018 Market Season Woodbridge Village Farmers Market

This past summer was our tenth season of operating the Woodbridge Village Farmers Market. We had happy successful farmers and vendors. All of our non-farm vendors were selling food such as baked goods, cheese and cured meats. A few were entrepreneurs just starting their businesses in Vaughan. We added a meat farmer who raises grass fed sheep and cows. The market was attended by many community groups over the summer, including city organizations such as Vaughan Public Libraries, Animal Services, Emergency Services and Viva Next.

We had two challenges this year; the first was trying to replace a retired, very popular and reliable produce farmer from the Holland Marsh. The second was a decline in attendance, which is unusual for us. We feel they are related and the committee will strive to fill the gap for next year.

We thank the city for their continued support of bringing local farmers to the Woodbridge Pool and Memorial Arena parking lot each week. The city assisted by providing services and promoting the market, such as during Culture Days, and with social media.

We have been at our present location for 8 years and find that it is a convenient walk for people living in the Woodbridge core, is visible from Highway 7 and also is accessible by public transit.

Attendance at the Market -- 2018

Vendor	June			July				August					September				October	
	16	23	30	7	14	21	28	4	11	18	25	1	8	15	22	29	6	13
No. of Patrons	556	806	601	699	705	954	914	591	839	846	668	692	680	571	561	491	727	571
Cobs Bakery	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Kaya's Tea	X	--	X	X	--	X	X	X	X	X	X	X	X	--	--	--	--	X
Yummo Market	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Summerside Farm	N	--	--	N	2X	2X	2X	2X	--	N	--	--	--	--	--	--	--	--
Anthony's Waffles	--	--	--	X	X	X	X	--	--	--	--	--	--	--	--	--	--	--
Abbott Acres	X	--	X	--	X	--	X	--	--	--	--	X	--	--	X	--	--	X
EFT Farms	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Cuts B4 Blooms	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Fressy Bessie	X	X	X	X	X	--	--	--	--	--	--	--	--	--	--	--	--	--
SunRay Orchard	3X	3X	3X	3X	3X	3X	3X	3X	3X	3X	3X	3X	3X	3X	3X	3X	3X	3X
Crave Catering	--	X	X	X	X	X	X	X	--	X	X	X	X	X	X	X	X	X
N'oats Cereals	--	--	--	--	--	X	--	--	--	--	--	--	--	--	N	--	--	--
Dickey B Honey	X	--	X	X	X	2X	X	X	X	X	X	X	X	X	X	X	X	X
Il Prefetto Bakery	--	--	--	X	X	X	X	X	X	--	--	--	--	--	--	--	--	--
Meats & Treats	X	X	X	X	--	X	X	X	X	X	X	X	X	X	X	X	X	X
AE Natural Meats	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	--	X	X
Happy Plant Farm	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
SoulGarden Farm	--	X	X	X	X	--	X	X	--	X	X	2X	2X	2X	2X	2X	2X	2X
Crazy Corn	--	--	--	--	--	X	X	X	--	X	X	--	--	--	X	--	--	--
NaturesEmporium	--	--	--	--	--	--	--	--	X	--	--	--	--	X	--	--	--	--
Unionville Mushroom													--	--	--	--	--	--
Briar Rose Floral																--	X	--
Fresco Foods	--	--	--	--	--	--	--	--	X	--	X	N	X	--	--	X	N	X
Ratio farm/all	8/13	8/13	8/14	8/16	8/14	8/17	8/16	8/15	8/15	8/14	7/14	7/12	7/13	7/12	7/12	7/12	7/12	7/13
Special Days	open	Ital CM	Can Straw	Emer serv	Animal	Honey	Library	Farm apprc	Chees CM	Music	Corn roast	Environment	chees	Soup-er Sat	Pumpkin	Apple crunch	Harvest	Cust appr
Sports Activities	--	--	--	--	--	S	--	--	--	S	--	--	--	H	H	H	H	H

Legend: x= scheduled; X= actual attendance; N= No Show H=hockey S=Softball Avg =11981/18=666, ratio=58%

Woodbridge Village Farmers Market
P.O. Box 56665, RPO Woodbridge
Woodbridge, Ontario
L4L 8V3
February 13, 2019.

City of Vaughan, Mayor and Members of Council
c/o Recreation Services and Economic and Cultural Development
Attn: Raphael Costa

Dear Raphael,

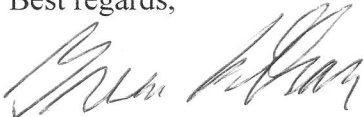
The Woodbridge Village Farmers Market has been operating for 10 years, the last 8 located at the Woodbridge Pool and Memorial Arena. The market plans to be operating on Saturday mornings from 9am to 1pm, from June 15 until October 12, 2019.

It was started to help support local growers and to bring community spirit to Woodbridge. There will be probably 16+ vendors most Saturdays plus a community table and a committee table. We are small but we have a big heart. Our Kids Club engages the children in food/farm related crafts each week. We are a true farmers market.

We appreciate the support that the city has provided, allowing the market to succeed. It is a not-for-profit market run by a committee of volunteers under the umbrella of the Woodbridge Agricultural Society. We ask for the city to continue their support, which consists of the free use of the parking lot, electricity, water, washrooms and a storage container for our tables and canopies. We also ask that the city continue to promote the market on their electronic signs and through social media. Considering our successful history, we are requesting that the city commit to providing the facilities for multiple years up to 2022.

We also provide a space for non-profit local community organizations to attend the market. Typical users are charitable, civic or church groups such as the Wallace House, Run for the Cure, the Vaughan Public Libraries and Animal Shelter, Wheelchair Basketball, York Farm Fresh and TRCA.

Best regards,



Brian McCran
Committee
Woodbridge Village Farmers Market

Finance, Administration and Audit Committee Report

DATE: Monday, April 01, 2019

WARD(S): ALL

TITLE: MUNICIPAL SERVICES CORPORATION (MSC) – TOURISM PROMOTION ENTITY IN VAUGHAN

FROM:

Tim Simmonds, Interim City Manager

Nick Spensieri, Deputy City Manager, Corporate Services

Michael Coroneos, Chief Financial Officer and City Treasurer

ACTION: DECISION

Purpose

As part of the implementation process of the approved Municipal Accommodation Tax (MAT), this Report presents a Business Case Study (Attachment 1) to establish a Municipal Services Corporation (MSC), to be named: “Tourism Vaughan” (or an equivalent name). This MSC shall be the recipient of 50 per cent of the MAT, dedicated to promoting Vaughan’s transient accommodation and tourism industry.

Report Highlights

- On January 29, 2019 Council approved the Municipal Accommodation Tax and the creation of a Municipal Services Corporation to be the tourism promotion entity in Vaughan.
- The Municipal Services Corporation would act as the qualified local tourism promotion entity and make use of the 50 per cent allocation of the Municipal Accommodation Tax revenues, all as approved by Council.
- As a Municipal Services Corporation, Tourism Vaughan would provide a dedicated Vaughan-focused tourism marketing and promotion governance and program delivery structure.
- The MSC allows for the private and not-for-profit sectors to share a common vision and direction for the transient accommodation and tourism industry.

Recommendation

1. That, the Business Case Study for the establishment of a Municipal Services Corporation (i.e., tourism promotion entity), as substantially presented in Attachment #1 of this report, be approved.

Background

On January 29, 2019 Council approved and adopted Item No. 3 of Report No. 1 of Finance, Administration and Audit Committee: *Municipal Accommodation Tax*.

Ontario Regulation 435/17, which sets out the revenue-sharing model for the Municipal Accommodation Tax (MAT), requires that at least 50 per cent of the revenues from the MAT be dedicated to tourism promotion and development of tourism products by an eligible tourism entity.

Under the Province's definition, an eligible tourism entity means a non-profit entity whose mandate includes the promotion of tourism in Ontario or in a municipality. Staff explored options for an eligible tourism entity and recommended that the Municipal Services Corporation met the needs of Vaughan.

Staff was directed to complete a Business Case Study for a Municipal Service Corporation as the destination marketing corporation required as part of the Municipal Accommodation Tax revenue-sharing model.

Previous Reports/Authority

[Council Extract - Municipal Accommodation Tax](#)

Analysis and Options

A Business Case Study is required to fulfill the requirements of Ontario Regulation 599/06 governing Municipal Services Corporations

Municipal Act, 2001, *Ontario Regulation 599/06* provides the legislative framework for Municipal Services Corporations. Under s.6 of the Regulation, municipalities shall adopt a Business Case Study for the MSC before using its powers. Accordingly, staff prepared a Business Case Study which includes the purpose of the MSC, rationale, market research, objects, corporate governance framework, financial management, public accountability and reporting. Attachment 1 is the Business Case Study.

Subject to availability, the Municipal Services Corporation shall be called Tourism Vaughan. The City of Vaughan will be the sole member in this not-for-profit corporation. Operating out of Vaughan City Hall, located at 2141 Major Mackenzie Drive in Vaughan,

Ontario, the Interim Board as appointed by Council include: the City Manager, Chief Financial Officer, Chief of Corporate Initiatives and Intergovernmental Relations (or their designates) and Regional Councillor Gino Rosati as the interim Board.

The purpose and objectives of the MSC would include the following:

- (i) Promotion of the City for the purposes of attracting tourists and visitors, thereby generating overnight stays and associated economic spin-offs;
- (ii) Collection and dissemination of information, i.e. to conduct targeted market research identifying tourism and business travel opportunities in Vaughan;
- (iii) Development of tourism promotion and business development strategic plans, i.e. to develop multi-year marketing plans and strategies that address Vaughan's strategic goals for a robust tourism and business destination;
- (iv) Provision of facilities for amusement or for conventions and visitors' bureaus, i.e. to support and facilitate the growth and development of local tourism sector by identifying and promoting opportunities for new tourism-related infrastructure and service investments (including attractions, public transit, information kiosks, community hubs, festivals and special events, conventions, etc.) that will generate positive economic growth in Vaughan; and
- (v) Counselling service to or encouraging the establishment and initial growth of tourism-related small businesses operating or proposing to operate in the City, i.e. to facilitate a high level of collaboration amongst the City's tourism industry, business organizations and the City.

An Agreement governing the relationship between the City and the MSC will be prepared outlining the economic development services being delivered by the MSC, terms and conditions for the transfer of the 50 per cent of revenues generated from the MAT, and other matters.

Public Consultation for the proposal to establish a Municipal Services Corporation has been completed

Section 8 of *O. Regulation 599/06* also requires that a municipality consult with the public about the proposal to establish the MSC. This requirement was met through the City's MAT consultation process. During November 2018 Economic and Cultural Development and Finance staff met with all sixteen existing hotel and motel properties, Airbnb along with five non-profit business associations involved directly or indirectly with

tourism in Vaughan. Staff discussed a proposal to establish a Municipal Services Corporation as the City's preferred option for a tourism promotion entity. Attachment 2 was a presentation that was delivered to stakeholders.

The City established a project webpage (www.vaughan/MAT) and posted information about the MSC including the Council Extract and Frequent Asked Questions.

The MAT approval report outlining the proposal to create a MSC was presented in public to Finance, Audit and Administration Committee on January 21, 2019, and the minutes of this meeting were adopted by Council on January 29, 2019 in public session.

Furthermore, on March 8, 2019 staff provided a further update on the MSC at a MAT Stakeholder Briefing Session held at City Hall. Presentation materials as shown in Attachment 3 were tabled at the Industry Briefing Session.

Next Steps

The City will retain an external professional advisory services firm to establish and organize the MSC and prepare the Agreement.

Following the establishment of the MSC, the Board will establish a Strategic Advisory Sub-Committee comprising of hotel industry stakeholders and local business organizations to provide guidance and expertise related to the development of strategic marketing and business development plans.

Financial Impact

The Business Case Study was completed by City staff. Further, the funding source for external professional advisory services required to establish the MSC is the Municipal Accommodation Tax that came into effect on April 1, 2019.

Broader Regional Impacts/Considerations

Staff will continue to update the transient accommodation industry, non-profit, and business stakeholders and the Region of York on the progress and status of the proposed tourism promotion entity in Vaughan. Stakeholders will be invited to join the Strategic Advisory Sub-Committee when operational. City staff has also participated in the Provincial consultation process regarding its review of Ontario's Tourism Strategy.

Conclusion

The Business Case Study was prepared to support the creation of the Municipal Services Corporation, intended to be named Tourism Vaughan. The objects of the Corporation include the planning and delivery of economic development services,

focused solely on tourism-related promotion and business development within the municipal boundary of Vaughan, Ontario.

Information about this proposal to establish the Corporation, has been widely communicated to stakeholders by the City through staff reports, presentations and meetings.

The Business Case Study was circulated to the Ministry of Municipal Affairs and Housing, and applicable internal City Departments for comments.

Therefore, it is recommended that this Business Case Study be adopted by Council.

For more information, please contact: Dennis Cutajar, Director of Economic and Cultural Development, ext. 8274.

Attachments

1. Tourism Vaughan Corporation Business Case Study, March 14, 2019
2. Vaughan Accommodation and Tourism Industry: New DMO and MAT presentation, November 2018
3. Vaughan Accommodation and Tourism Industry: New DMO and MAT Industry Briefing, March 8, 2019

Prepared by

Shirley Kam, Manager of Special Projects and Economic Development, ext. 8874

Bob Philip, Legal Counsel, ext. 8512

Sam Hall, Legal Counsel, ext. 8298

Dennis Cutajar, Director of Economic and Cultural Development, ext. 8274

Dean Ferraro, Director of Financial Services/Deputy City Treasurer, ext. 8272



ATTACHMENT 1

**TOURISM PROMOTION ENTITY
“TOURISM VAUGHAN CORPORATION”
BUSINESS CASE STUDY**

Prepared pursuant to Section 6 of Ontario Regulation 599/06
“Municipal Services Corporations”

Enabled by section 203(4) of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended

March 14, 2019

1.0 INTRODUCTION

City of Vaughan Mayor and Members of Council ("Council") approved a Bylaw allowing the City to levy a four per cent Municipal Accommodation Tax ("MAT") on the purchase of transient accommodations including hotels, motels, and bed and breakfasts in Vaughan, effective April 1, 2019. Council also approved a MAT for short-term rental accommodations, subject to a future decision on regulating this segment of the transient accommodation industry (including online home sharing platforms).

MAT will only be paid by visitors making accommodation bookings for a continuous period of 29 nights or less. The MAT will be collected by transient accommodation providers and remitted to the City. Pursuant to O. Reg 435/17, at least 50 per cent of the MAT revenues must be shared with a tourism promotion entity.

Therefore, The Corporation of the City of Vaughan ("City") is proposing to establish a municipal service corporation (referred to below as the "Corporation" or "MSC"), named 'Tourism Vaughan' (if such name is available) to serve as the tourism promotion entity in Vaughan, Ontario.

It is important that an effective governance model for the Corporation be established to support the long-term sustainability and effectiveness of its mandate, funding, programs, infrastructure, and stakeholders.

Ontario Regulation 599/06 requires the City to prepare a business case study, to consult with the public about the proposal to establish the Corporation, and to obtain approval of the business case by Council Resolution or Bylaw.

The business case study presented herein fulfills the requirements of Ontario Regulation 599/06.

2.0 PURPOSE

The City proposes to incorporate a non-share capital Corporation under the *Corporations Act* (Ontario) with the City as the sole member.

Specifically, this business case

- (i) describes the need for, and foundational elements required to start-up and operate the Corporation; and

- (ii) constitutes the provincially required business case for the proposed Corporation, prepared pursuant to Section 6 of Ontario Regulation 599/06 “Municipal Services Corporations” made under section 203(4) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

The following sections outline the jurisdiction, rationale, market research and analysis supporting the proposal for establishing a Corporation. After this discussion, the Corporation is described in relation to legislative and regulatory requirements. This business case study concludes with recommendations on required decisions.

3.0 JURISDICTION: LEGISLATIVE CONTEXT FOR ESTABLISHING THE CORPORATION

3.1 Municipal Accommodation Tax

Section 400.1 of the Municipal Act, 2001, c.25 provides that the council of a local municipality may pass by-laws imposing a tax in respect of the purchase of transient accommodation within the municipality. Amendments were introduced as part of the 2017 Provincial Budget and received Royal Assent on May 17, 2017.

On November 23, 2017 the Province of Ontario issued the Transient Accommodation Regulation 435/17 (the “Regulation”), which came into effect on December 1, 2017 and provides the necessary provisions for municipalities across Ontario to implement a mandatory Municipal Accommodation Tax (“MAT”) for transient accommodations through a Bylaw, including setting the tax rate applicable to transient accommodations.

Under the Regulation, municipalities without a destination marketing fee, like Vaughan, are required to share at least 50 per cent of the MAT revenue, net of reasonable costs of collecting and administering the tax, with one or more eligible tourism entities. Under the Province’s definition, an eligible tourism entity means a non-profit entity whose mandate includes the promotion of tourism in Ontario or in a municipality. Staff explored options for an eligible tourism entity and deemed that a Municipal Services Corporation would meet the Ontario MAT Regulation.

3.2 Municipal Services Corporation

A Municipal Service Corporation such as the one proposed herein may be established under Section 203 of the *Municipal Act, 2001*, and pursuant to Ontario Regulation 599/06 (“Regulation”).

3.3 Council Approvals and By-laws: City of Vaughan

On June 6, 2018 Council directed staff to consult with industry stakeholders on the potential implementation of a MAT in Vaughan, including information about the proposal to establish a Corporation. Industry stakeholder consultations took place throughout November 2018. Item No. 10 of Report No. 6 of the Finance, Administration and Audit Committee 2018, as approved by Council on June 19, 2018 (Confirming By-law #153-2018) (Attachment 1).

On January 29, 2019, Council approved the implementation of a MAT and a related by-law to levy a four per cent tax applicable to all hotels, motels, campgrounds, bed and breakfast organizations, and short-term rental (STR) accommodations with conditions, operating in the City of Vaughan.

Further, at an open meeting of the Finance, Administration and Audit Committee on January 21, 2019 Council received information about the proposal to establish a municipal service corporation called, "Tourism Vaughan"; and approved the creation of the Corporation, with direction to fulfill matters related thereto. Refer to Item No. 3 of Report No. 1 of Finance, Administration and Audit Committee 2019, as approved by Council on January 29, 2019 (Confirming Bylaw #10-2019). (Attachment 2)

On March 19, 2019 Council passed City of Vaughan By-law 029-2019 – Municipal Accommodation Tax – Hotels (Attachment 3).

4.0 RATIONALE: BENEFITS OF ESTABLISHING THE CORPORATION

The intended benefits of the Corporation are described in this section.

- (i) The Corporation satisfies the Province's requirement for a qualified local tourism organization that serves as a destination marketing organization and to make use of the 50 per cent allocation of the MAT tax revenues;
- (ii) The Municipal Services Corporation model provides a balance between autonomy of problem-solving and expeditious decision-making that results from having a separate legal entity with a board and management to carry out municipal objectives; and accountability, corporate responsibility, oversight and reasonable controls through the role of the sole member - the City;
- (iii) Allows for the private and not-for-profit sectors to share a common vision and direction for tourism and destination marketing. The proposed Corporation will rely on the funds generated from the approved Municipal Accommodation Tax (a

four (4) per cent tax levied on transient accommodation in Vaughan), and use community-based strategies to promote tourism and related community development investment in Vaughan;

- (iv) The Corporation shall have access to City resources and industry expertise in the areas of destination marketing and strategic tourism investment planning through the involvement of experienced stakeholders of the community, and with City staff and external resources;
- (v) The establishment of a Corporation leverages operational efficiencies (including rent, utilities and other operating costs) offered by the City resulting in net positive benefits of greater funding dedicated to marketing purposes; and
- (vi) The City, as sole member, will be responsible for selecting and electing the Board of Directors and any officers, and may establish a governance framework for decision-making, strategic planning, budget and business plans, and corporate policies.

In the absence of a Corporation, the City would have to allocate 50 per cent of MAT revenues, and responsibility for marketing Vaughan exclusively as an overnight tourist/business destination, to an external organization or agency, over which the City has no direct control or oversight, nor existed at the time of writing this Business Case Study.

5.0 MARKET RESEARCH AND ANALYSIS

5.1 Assessing the Vaughan Marketplace and Estimating the MAT Revenue

In August 2018, the City commissioned the firm of CBRE Travel and Leisure to undertake a Market and Municipal Accommodation Tax Revenue Assessment report. A final report was successfully completed and submitted to the City in September 2018.

The report determined that as of year-end 2018, the City was home to twelve (12) hotels and four (4) motels representing an inventory of 1,845 rooms. The Vaughan marketplace has the potential to realize future supply of 1,200 additional rooms, with approximately 500 rooms being constructed in the Vaughan marketplace during the first five-year projection period, according to the report.

With respect to total revenue potential from a 4 per cent MAT applied to transient accommodation purchases in Vaughan (including hotel/motels, and short-term rentals

including online home sharing platforms), CBRE estimated these figures to be on the order of \$3.3 million in year one, growing to approximately \$4.5 million in year five. Therefore, the revenue sharing model would require that the City receive 100 per cent of the MAT collected by transient accommodation providers and allocate 50 per cent to the Corporation. This represents \$1.65 million in the first full year growing to \$2.25 million by year five of the forecast period.

These MAT revenues serve as the primary income source for the Corporation.

5.2 Industry Consultations and Communication Planning

During November 2018, City staff implemented a comprehensive industry engagement and communication plan. Prior to commencing the industry consultation process, City staff prepared a communication plan, which included identification of audiences, key messages and tactics. The communication plan represented all phases of this project from industry engagement to implementation of the MAT.

E-mail or letter invitations for in-person or teleconference meetings were delivered to the owners and/or management of the sixteen (16) hotels and motels within Vaughan, Airbnb representatives, as well as five (5) non-profit business associations involved directly or indirectly with tourism in Vaughan.

City staff met with stakeholders regarding the implementation of a four per cent MAT, including sharing information about the proposal to establish the Corporation. The Vaughan Chamber of Commerce also hosted a hotel/motel industry roundtable meeting.

To facilitate discussion, staff provided each representative with an overview of the MAT, legislative background information, proposed administration process, proposed use of funds, proposed Corporation, and next steps.

The City facilitated constructive and positive discussion with all stakeholders. Although the MAT is a new tax, the industry recognized the business development and marketing opportunities that a new revenue source presented.

The dedicated funding for Vaughan-only tourism promotion, focused on promoting overnight stays, allowed stakeholders to envision future revenue-enhancing projects.

5.3 Industry Feedback

Given the MAT has become more prevalent in Ontario since 2017, including the Greater Toronto Area, there was consensus amongst industry stakeholders to support implementing a Vaughan-based MAT, provided:

- (i) The tax revenue is reinvested in Vaughan for the promotion of overnight stays
- (ii) The MAT rate be set at four per cent (4%) consistent with Mississauga, Toronto, Markham, Oakville and other jurisdictions in Ontario
- (iii) The MAT be applied to short-term rentals (e.g., online home sharing platforms) in the future.
- (iv) The hotel/motel industry (including business associations) have a strong voice in shaping the business development and marketing plans or activities of the new Corporation. Suggestions included directing strategies in the hotel/motel shoulder and low season.
- (v) The overall competitiveness of Vaughan's accommodation industry be positively impacted.
- (vi) The unencumbered revenues available at Council's discretion be invested in tourism-related city services and infrastructure to enhance visitor/guest experience.
- (vii) All stakeholders expressed an interest to be kept informed of the Council approval process and implementation process.
- (viii) Openness, transparency and accountability of the Corporation.
- (ix) All marketing strategies be applied on a City-wide basis benefitting all districts/geographies in Vaughan

Additional background information on the marketplace and tourism industry in Vaughan can be found in Attachment 4 – Frame of Reference.

Next, the proposed Corporation is discussed in detail.

6.0 **THE CORPORATION**

6.1 Mission Statement

To market and promote Vaughan as a tourism destination for tourists, visitors, and business travellers attending overnight and multi-day events including meetings and conferences, festivals, sporting and celebration events, business and leisure travel. With support from the hotel industry and short-term rental accommodation providers, tourism operators, meeting and planning industry, festival organizers, sports groups, entertainment, food, and retail establishments, community service organizations, and

the City of Vaughan's Economic and Cultural Development Department, the Corporation will research, develop and implement destination marketing and promotional programming to grow Vaughan's tourism industry.

A long-term branding strategy and marketing plan shall be developed within the initial two-year period.

6.2 Guiding Principles

The Corporation shall be guided by the following principles. They function as guideposts in future decision-making throughout the Corporation's lifecycle irrespective of any changes in leadership, goals, strategies and activities:

- (i) The Corporation will take a **leadership role** in promoting and marketing the Vaughan as a leading destination for tourism, leisure and business travel with an emphasis on promoting overnight stays.
- (ii) The Corporation is a **supportive partner** to the Vaughan Chamber of Commerce, Regional Tourism Organization(s), and other business, government and not for profit organizations in delivering programming that attracts greater spending and investments in Vaughan. In so doing, the Corporation will ensure that its **work is complementary** to work done by others.
- (iii) Existing hotel operators, tourism venues and affiliated service providers have tremendous insight and expertise, and they should have a **seat at the table**.
- (iv) The Corporation will undertake its work based on objective decision-making process that is **accountable and transparent**, resulting in **city-wide benefits**.
- (v) The Corporation will develop and implement tourism marketing strategies that reflect Vaughan's unique character, its cultural and built heritage, diverse ethnic communities, social and cultural traditions, recreational and sports assets, and business development opportunities.
- (vi) The Corporation will seek to **leverage the transit and infrastructure investments** made by the City, Region and Province to build exciting tourism offerings and a sense of place in key areas such as the Vaughan Metropolitan Centre, local village cores, and industrial-commercial areas.

6.3 Corporate Objects

It is proposed that the City incorporate a single Corporation for the delivery of the following specific economic development services:

- (i) Promotion of the City for the purposes of attracting tourists and visitors, thereby generating overnight stays and associated economic spin-offs;
- (ii) Collection and dissemination of information, i.e. to conduct targeted market research identifying tourism and business travel opportunities in Vaughan;
- (iii) Development of tourism promotion and business development strategic plans, i.e. to develop multi-year marketing plans and strategies that address Vaughan's strategic goals for a robust tourism and business destination;
- (iv) Provision of facilities for amusement or for conventions and visitors' bureaus, i.e. to support and facilitate the growth and development of local tourism sector by identifying and promoting opportunities for new tourism-related infrastructure and service investments (including attractions, public transit, information kiosks, community hubs, festivals and special events, conventions, etc.) that will generate positive economic growth in Vaughan; and
- (v) Counselling service to or encouraging the establishment and initial growth of tourism-related small businesses operating or proposing to operate in the City, i.e. to facilitate a high level of collaboration amongst the City's tourism industry, business organizations and the City.

6.4 Corporate Governance: Board and Sub-Committees

Council shall be responsible for appointing the Board of Directors ("Board") of the Corporation and may also from time-to-time appoint officers.

As can be seen in Attachment 2, on January 29, 2019 Council approved the following executive positions to serve as the start-up Board of the Corporation:

- (i) City Manager (or designate),
- (ii) Chief Financial Officer (or designate),
- (iii) Chief of Corporate Initiatives and Intergovernmental Relations (or designate),
and
- (iv) Regional and Ward Councillor Gino Rosati

Further, Council authorized the City Clerk, City Solicitor, Chief Financial Officer and Chief of Corporate Initiatives and Intergovernmental Relations, and his or her designate, to take all actions to give effect to the MAT, including establishing the Corporation.

Based on industry feedback (see above), a Strategic Advisory Sub-Committee comprising of hotel industry stakeholders and local business organizations shall be established by the Board to provide guidance and expertise related to the development of strategic marketing and business development plans.

Directors and officers of the Corporation are deemed to be members for the purposes of the *Municipal Conflict of Interest Act*. The Corporation is deemed to be a local board for certain limited purposes, including the purposes of the *Municipal Conflict of Interest Act*. Furthermore, the wholly-owned Corporation is deemed to be an institution for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*.

6.5 City Assistance to the Corporation

Pursuant to O. Reg 599/06 (15), the City shall provide the services of employees of or persons under contract with the City. More specifically, the Corporation shall receive assistance from two full-time City staff positions comprised of a Manager of Tourism, Arts and Cultural Development, and a Tourism Development Officer to assist the Board in managing and operating the Corporation. These City employees shall be funded at market value by the MAT. The above City staff positions were approved by Council as part of the 2019 Budget on February 20, 2019.

The initial headquarters of the Corporation shall be Vaughan City Hall located at 2141 Major Mackenzie Drive West, Vaughan, Ontario. The City shall assist the Corporation with office space, information technology, utilities, meeting rooms, use of equipment such as photo-copiers, communication/graphic design services, data/analytics, and small business counselling services below fair market value to minimize administration expenses, and to maximize strategy and program expenditures of the Corporation.

Treasury and procurement services to the Corporation may also be provided by the City at or below fair market value.

The City Treasurer shall prepare a statement of the value of any grant to the Corporation, or an estimate of the fair market value of any other assistance provided at less than fair market value to the Corporation.

The relationship between the City and the Corporation on matters of mutual interest, including City assistance to the Corporation, shall be managed by an Agreement.

6.6 Financial Management and Asset Transfer

The creation and management of an annual operating budget will be the responsibility of the Board and is subject to Council approval. The Corporation will be funded from the proceeds of the MAT (50 per cent tourism promotion share) approved by Council to take effect on April 1, 2019.

It is anticipated that the Corporation's share of the MAT revenue in the initial five-year period will be approximately \$1.65 - \$2.25 million annually (full operating year). As previously stated, annual revenue is anticipated to grow as transient accommodation capacity and rates increase over time (including short-term rental and online home sharing providers). A top-line budget for the first full operating year (2020) is presented in Attachment 5.

Under Section 7 of Regulation 599/06, the City is required to adopt and maintain policies on asset transfer to the Corporation, before the City transfers any assets to the Corporation.

Should the Corporation dissolve due to legislative or municipal by-law changes, the Agreement shall indicate wind-down instructions including the distribution of assets and liabilities of the Corporation. That is, the City shall manage the wind-down process pursuant to applicable laws, regulations, and contracts, and the City shall assume outstanding debt/liabilities and assets of the Corporation.

The fiscal year of the Corporation shall be the same as the City.

Financial management matters shall also be described within the Agreement.

6.7 Public Accountability and Reporting

The Board will provide Council with a multi-year business plan and financial statement as part of the City's annual budget approval process. The business plan will include the following:

- (i) The strategic objectives, priorities and business objectives;
- (ii) Revenue and expenditures anticipated in the coming year;
- (iii) Performance metrics for monitoring progress and accomplishments;
- (iv) An operating budget for the Corporation for the next financial year, including the current year actual, budget and variances.

Annually, the Board will present results of operations to Council including information regarding major business development activities and accomplishments.

The Board shall prepare Corporate Policies and Procedures or adopt the City's Policy and Procedures. The Corporation shall maintain a log of such documents and make them available to the Board, staff and the public.

The Corporation will be subject to audit by the City's Internal Auditor (or designate), as required.

The Board shall be required to conduct regular and open meetings, including an Annual General Meeting, pursuant to its Corporate By-law and the Agreement. An annual calendar of meeting dates of the Board and Committees shall be posted on the Corporation's website.

The above matters shall also be described in the Agreement, including provisions that restrict the Board's scope of authority to the extent desired by Council.

6.8 Assistance Prohibited and General Power to Make Grants

Without exception, the Corporation shall not have the power to assist directly or indirectly any manufacturing business or other industrial or commercial enterprise through the granting of bonuses for that purpose.

Moreover, the Corporation shall have the general power to make grants to any person, group or body, including a fund, subject to the Agreement and Section 107 of the *Ontario Municipal Act, 2001*.

6.9 Intellectual Property (IP) Assets

Trademarks, copyrights and other IP rights related to the Corporation shall be registered with the Canadian Intellectual Property Office (CIPO) pursuant to the *Trade-marks Act, 1985*, *Copyright Act, 1985* and other applicable legislation.

The City may register and own official marks of the Corporation and consent to the use of these marks by the Corporation through a Licensing Agreement or other similar document.

6.10 Legal Documents of the Corporation

External advisors to the City, City staff and the Board (as applicable) shall prepare, manage and communicate the following Corporate documents, and others as required:

- (i) Certificate of Incorporation, or Letters Patent, and supplemental amendments
- (ii) Corporate By-law(s) and Schedules
- (iii) Corporate Policies and Procedures
- (iv) Agreement, on matters of mutual interest between the City and the Corporation
- (v) Intellectual Property Certificates, including Trade-marks and Copyrights
- (vi) Other documents, such as Strategic Plans, Financial Statements, as required.

These documents shall be disclosed to the public via the Corporation's internal and external electronic communication systems, and in print form upon request.

7.0 CONCLUSION AND RECOMMENDATIONS

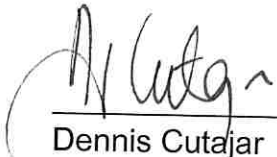
In conclusion, this Business Case Study was prepared to support the creation of the Corporation, as adopted by Council and pursuant to O. Reg 599/06. The objects of the Corporation include the planning and delivery of economic development services, focused solely on tourism-related promotion and business development within the municipal boundary of Vaughan, Ontario. The primary income source of the Corporation is 50 per cent of the Vaughan MAT, pursuant to applicable City By-law 029-2019 and Ontario Regulations.

Information about the proposal to establish the Corporation was widely communicated to stakeholders by the City, therefore it is reasonable to conclude that the public consultation requirements of the Regulation have been fulfilled (i.e., through industry consultations; through staff reports and presentations at open meetings of the City's Finance, Audit and Administration Standing Committee and Council; and, by way of a Council Resolution and Confirming By-law authorizing the creation of the Corporation approved in an open meeting).

This Business Case Study was circulated to the Ministry of Municipal Affairs and Housing staff and to applicable internal City Departments for comments.

It is recommended that this Business Case Study, and related research and analysis, be adopted by Council.

Business Case Study written by:



Dennis Cutajar
Director, Economic and Cultural
Development



Shirley Kam
Manager, Special Projects and
Economic Development

Dated: 03/14/19

03/14/19

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 19, 2018

Item 10, Report No. 6, of the Finance, Administration and Audit Committee, which was adopted without amendment by the Council of the City of Vaughan on June 19, 2018.

**10 MUNICIPAL ACCOMMODATION TAX (MAT) – A FORWARD PLAN
FOR THE CITY OF VAUGHAN**

The Finance, Administration and Audit Committee recommends approval of the recommendation contained in the following report of the Chief Corporate Initiatives and Intergovernmental Relations and Chief Financial Officer and City Treasurer, dated June 6, 2018:

Recommendations

1. THAT, Council approve a Municipal Accommodation Tax (MAT) Consultation Program, as substantially presented in this report, including: market and fiscal assessment, industry engagement, governance options and corporate municipal implications; and
2. THAT, upon completion of the Municipal Accommodation Tax (MAT) Consultation Program staff be authorized to incorporate the findings of the Consultation Program, and proposed recommendations into the 2019 Budget Process.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 153-2018

A By-law to confirm the proceedings of Council at its meeting on June 19, 2018.

The Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the actions of the Council at its meeting held on June 19, 2018 with respect to each recommendation contained in the Meeting Agenda of that date and in respect to each motion, resolution and other action taken by the Council at the said meeting, subject to all approvals required by law, are hereby adopted, ratified and confirmed.
2. THAT the Head of the Council or the Acting Head of the Council and the proper officers of the Municipality are hereby authorized and directed to do all things necessary to give effect to the said motions, resolutions and other actions and to obtain approvals where required, and, except where otherwise provided, the Head or Acting Head of the Council the Clerk and/or Treasurer are hereby authorized to execute all documents necessary in that behalf, and the said Clerk is hereby authorized and directed to affix the corporate seal of the Municipality to all such documents.

Enacted by City of Vaughan Council this 19th day of June, 2018.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 29, 2019

Item 3, Report No. 1, of the Finance, Administration and Audit Committee, which was adopted, as amended, by the Council of the City of Vaughan on January 29, 2019, as follows:

By approving that Regional Councillor Rosati serve on the Board of Directors of the Municipal Services Corporation, as the Council representative; and

By receiving communication C12, from Mr. Brian Shifman, Vaughan Chamber of Commerce, Edilcan Drive, Vaughan, dated January 25, 2019.

3. MUNICIPAL ACCOMMODATION TAX

The Finance, Administration and Audit Committee recommends:

- 1) That the recommendation contained in the following report of the Interim City Manager, the Chief Financial Officer and City Treasurer and the Deputy City Manager, Corporate Services, dated January 21, 2019, be approved, subject to deferring recommendation #7 to the Council meeting of January 29, 2019;
- 2) That Communication C1, presentation material entitled, "Municipal Accommodation Tax (MAT) and Tourism Destination Marketing Organization (DMO) in Vaughan, Ontario", be received; and
- 3) That the deputation of Mr. Dino Giuliani, Kleinburg Inn, Highway 27, Vaughan, be received.

Recommendations

1. That a four per cent (4%) Municipal Accommodation Tax (MAT) be implemented for paid overnight accommodations at hotels, motels, campgrounds, bed and breakfast organizations operating in the City of Vaughan, effective April 1, 2019;
2. That a four per cent (4%) Municipal Accommodation Tax (MAT) be implemented for short-term rental (STR) providers (including online home sharing platforms) operating in the City of Vaughan, subject to Council's future direction on short-term rentals;
3. That a new reserve fund "Municipal Accommodation Tax" be established for the financial sustainability management of the MAT revenues;
4. That the Chief Financial Officer and City Treasurer be authorized to make one or more payments in each fiscal year to one or more eligible tourism promotion entities, the total of which be equal to fifty per cent (50%) of Municipal Accommodation Tax revenue collected, net of a reasonable collection and administration fee;

.../2

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 29, 2019

Item 3, FAA Report No. 1 – Page 2

5. That the City Clerk be authorized to enter into an agreement with each eligible tourism entity respecting the financial accountability required to ensure that all Municipal Accommodation Tax amounts paid to the eligible tourism entity are used for the exclusive purpose of promoting tourism as required by Ontario Regulation 435/17;
6. That the City's portion of the Municipal Accommodation Tax revenue be directed to support investments, such as Vaughan-based placemaking, beautification, infrastructure and communications programming that support citizen/visitor/guest experience and tourism-related services, infrastructure development and services-in-kind for tournaments and other events using city assets, subject to the annual budget approval process;
7. That staff take all steps necessary to create a Municipal Services Corporation (MSC) pursuant to the Ontario *Municipal Act*, requirements of Ontario Regulation 599/06, and other applicable legislation and regulations in the Province of Ontario, and Canada; and, that the Municipal Services Corporation be called "Tourism Vaughan" with objectives of promoting tourism in the City of Vaughan; and, that The Corporation of the City of Vaughan serve as the sole shareholder of the Municipal Services Corporation; and, that the following executive positions be approved to serve as the start-up Board of Directors of the Municipal Services Corporation: City Manager (or designate), Chief Financial Officer (or designate), Chief of Corporate Initiatives and Intergovernmental Relations (or designate) and one member of Council;
8. That a by-law be brought to a future Council meeting to establish the City of Vaughan Municipal Accommodation Tax (Hotels/Motels), effective April 1, 2019; and
9. That the City Clerk, City Solicitor, Chief Financial Officer and Chief of Corporate Initiatives and Intergovernmental Relations and his or her designate be authorized and directed to take all actions to give effect to these resolutions.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 010-2019

A By-law to confirm the proceedings of Council at its meeting on January 29, 2019.

The Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the actions of the Council at its meeting held on January 29, 2019 with respect to each recommendation contained in the Meeting Agenda of that date and in respect to each motion, resolution and other action taken by the Council at the said meeting, subject to all approvals required by law, are hereby adopted, ratified and confirmed.
2. THAT the Head of the Council or the Acting Head of the Council and the proper officers of the Municipality are hereby authorized and directed to do all things necessary to give effect to the said motions, resolutions and other actions and to obtain approvals where required, and, except where otherwise provided, the Head or Acting Head of the Council the Clerk and/or Treasurer are hereby authorized to execute all documents necessary in that behalf, and the said Clerk is hereby authorized and directed to affix the corporate seal of the Municipality to all such documents.

Enacted by City of Vaughan Council this 29th day of January, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER XXX-2019

A By-law to enact a Municipal Accommodation Tax on the sale of Hotel Accommodation within the City of Vaughan.

WHEREAS section 400.1 of the *Municipal Act, 2001*, S.O 2001, c.25, (the "Act") provides that the Council of a local municipality may, by by-law, impose a tax in respect of the purchase of transient accommodation within the municipality;

AND WHEREAS pursuant to section 400.1 of the Act and the Ontario Regulation 435/17, the Council of The Corporation of the City of Vaughan wishes to establish the tax rate and to levy the tax on the purchase of Hotel Accommodation within the City of Vaughan;

AND WHEREAS pursuant to section 400.1(3) and 400.4 of the Act, Council can establish enforcement measures as Council considers appropriate if an amount assessed for outstanding tax, penalties or interest remains unpaid after it is due;

NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS as follows:

DEFINITIONS

1. For the purpose of this By-law:

"Chief Financial Officer and City Treasurer" means the person appointed and designated as the City Treasurer;

"City" means The Corporation of the City of Vaughan;

"Council" means the Council of The Corporation of the City of Vaughan;

"Eligible Tourism Entity" has the meaning given to it in the Ontario Regulation 435/17, as

amended.

"Establishment" means the physical location, a building, or part of a building that provides Hotel Accommodation;

"Hotel Accommodation" means lodging in a room containing one or more beds in a hotel, motel, hostel, campground, bed and breakfast, club, condo hotel, or portion of a large multi-use complex used as a hotel, for a period of a minimum of 4 hours and a maximum of 29 consecutive nights.

"Municipal Accommodation Tax" or "MAT" means the tax imposed under this By-law;

"Provider" means a person or an entity that sells, offers for sale, or otherwise provides Hotel Accommodation, and includes agents, hosts or others who sell, offer for sale or otherwise provide Hotel Accommodation;

"Purchaser" means a person who purchases Hotel Accommodation;

"Purchase Price" means the price for which Hotel Accommodation is purchased, including the price paid, and/or other consideration accepted by the Provider in return for the Hotel Accommodation provided. Purchase Price does not include the goods and services tax imposed by the Government of Canada or by the Province of Ontario. Purchase Price also does not include fees and surcharges for ancillary services including food, beverages, entertainment, internet and telephone usage, unless such ancillary charges have not been separately itemized on the invoice for Hotel Accommodation;

APPLICATION OF TAX

2. A Purchaser shall, at the time of purchasing Hotel Accommodation, pay the Municipal Accommodation Tax in the amount of four (4) per cent of the Purchase Price of Hotel Accommodation.
 - a) For greater certainty, the continuous period referred to above, is not disrupted by the purchase of different rooms, suites, beds or other lodging in the same Establishment in the course of the continuous period.

EXEMPTIONS

3. The Municipal Accommodation Tax imposed under this By-law does not apply to:

- a) The Crown, every agency of the Crown in right of Ontario and every authority, board, commission, corporation, office, or organization of persons a majority of whose directors, members or officers are appointed or chosen by or under the authority of the Lieutenant Governor in Council or a member of the Executive Council;
- b) Every board as defined in subsection 1(1) of the *Education Act*;
- c) Every university or a college of applied arts and technology or post secondary institution whether or not affiliated with a university, the enrolments of which are counted for purposes of calculating operating grants entitlements from the Crown;
- d) Every hospital referred to in the list of hospitals and their grades and classifications maintained by the Minister of Health and Long-Term Care under the *Public Hospitals Act* and every private hospital operated under the authority of a license issued under the *Private Hospitals Act*;
- e) Every long-term care home as defined in subsection 2(1) of the *Long Term Care Homes Act, 2007* and hospices;
- f) Accommodations provided by a treatment center that receives provincial aid under the *Ministry of Community and Social Services Act*;
- g) Accommodations provided by house of refuge, or lodging for the reformation of offenders;
- h) Accommodations provided by a charitable or non-profit philanthropic corporation organized as shelters for the relief of the poor or for emergency;
- i) Every hotel or motel room used by the City or its agents for shelter purposes; and
- j) Accommodations supplied by employers to their employees in premises operated by the employer.

DELEGATION OF AUTHORITY

- 4. The City Clerk, or designate, is hereby delegated the authority to enter into agreements, including all necessary documents ancillary thereto, with an Eligible Tourism Entity(ies) that receives an amount of the MAT, respecting reasonable financial accountability matters, in order to ensure that the amount paid to the entity is used for the exclusive purpose of promoting tourism, and the agreements may provide for other matters, all in a form satisfactory to the City Solicitor.
- 5. The Chief Financial Officer and City Treasurer, or his or her designate, shall be responsible for the administration of this By-law, including but not limited to approvals, appeals, enforcement,

collection, and for instructing legal counsel to take such legal action as may be considered appropriate.

6. In administering this By-law, the Chief Financial Officer and City Treasurer, or his or her designate, may issue such interpretation bulletins and guidelines as the Chief Financial Officer, from time to time, determines necessary or advisable.

TAX COLLECTED AND STATEMENT SUBMITTED

7. A Provider shall collect the MAT from the Purchaser at the time the Hotel Accommodation is purchased.
8. The amount of the MAT shall be identified as a separate item or charge on a bill, receipt, invoice, or similar document issued by the Provider in respect of the Hotel Accommodation on which the tax is imposed and the item shall be identified as "Municipal Accommodation Tax".
9. A Provider shall have a one-time-only choice of whether the remit the MAT collected on a monthly or quarterly basis. Once the Provider has made a choice regarding the frequency of remittance, the Provider shall not be able to change the frequency of remittance.
10. If the Provider chooses to remit monthly, the Provider shall, on or before the last day of every month, remit to the City the amount of the MAT collected for the previous month and submit the monthly statements in the form required by the Chief Financial Officer and City Treasurer detailing the number of the Hotel Accommodations sold, the Purchase Price of each Hotel Accommodation, the MAT amount collected and any other information as required by the Chief Financial Officer and City Treasurer for the purposes of administering and enforcing this By-law.
11. If the Provider chooses to remit quarterly, the Provider shall, on or before April 30, July 31, October 31, and January 31 (of the following year), remit to the City the amount of the MAT collected for the previous three months and submit the monthly statements in the form required by the Chief Financial Officer and City Treasurer detailing the number of the Hotel Accommodations sold, the Purchase Price of each Hotel Accommodation, the MAT amount collected and any other information as required by the Chief Financial Officer and City Treasurer for the purposes of administering and enforcing this By-law.

INTEREST, PENALTIES AND FEES

12. A charge of 1.25 per cent of the amount of the MAT due and unpaid shall be imposed as a penalty for the non-payment of taxes on the first day of default based on the full occupancy of the Establishment unless the actual amount of the MAT owing can be determined by the City, in which case, the charge of 1.25 per cent of the actual amount of the MAT owing to the City shall be imposed.
13. Interest at the rate of 1.25 per cent of the amount of the MAT due and unpaid, shall be imposed monthly for the non-payment of taxes on the first day of each and every month and subsequent months following the first day of default until the MAT, including all charges and interest owing, is paid in full.
14. A fee shall be charged in respect of all payment remittances that are not honoured by the financial institution upon which it is drawn in an amount as set out in the City of Vaughan User Fee By-law, 396-2002, as amended.

ENFORCEMENT & LIENS

15. Upon default of payment, the City may bring an action for the recovery of the amount in any court in which a debt or money demand of a similar amount may be collected and every such action shall be brought and executed in and by the name of the City.
16. The use of any of the remedies provided by this section does not bar or affect any of the other remedies herein provided, and the remedies provided by this By-law for the recovery and enforcement of the payment of any amount required under this By-law are in addition to any other remedies existing at law, and no action or other proceeding in any way prejudices, limits or affects any lien, charge or priority existing under this chapter or at law in favour of the City.
17. The City may refer the collection of any tax payable or required to be remitted to a bailiff or collection agency.
18. The City may register a lien on any property in which the accommodation has been provided and for which tax remains owing.

AUDIT AND INSPECTION

19. Every Provider shall keep books of account, records, and documents. sufficient to furnish the City with the necessary particulars of sales of Hotel Accommodation, amount of MAT collected, and remittance for a period of no less than seven years.
20. The City, or its agent, may inspect and audit all books, documents, transactions, and accounts of the Providers and require the Provider(s) to produce copies of any documents or records required for the purposes of administering and enforcing this By-law.
21. The City may, for any purpose relating to the administration or enforcement of this By-law, serve on any person personally, by electronic communication, registered mail or by a courier service, a written demand for information or for the production on oath or otherwise of books, letters, accounts, invoices, financial statements, electronic and such other documents as the City considers necessary to determine compliance with this By-law.
22. Where it appears from an inspection, audit or examination of the books of account, records or documents that this By-law has not been complied with, the person making the inspection, audit or examination shall calculate the amount payable in such manner and form and by such procedure as the City considers adequate and expedient, and the City shall assess the amount payable.
23. A person in receipt of such a demand shall comply within the time specified on the demand.

DETERMINATION OF AMOUNT

24. The City may make a determination of an amount of tax required to be remitted, together with any interest imposed upon any tax outstanding, if a Provider responsible for the payment or remittance of tax fails to pay, as required.
25. The City may assess or reassess for any tax payable by the Provider within three years from the day the tax was remittable, except that where the City establishes that a Provider has made any misrepresentation that is attributable to neglect, carelessness or willful default, or has committed any fraud in supplying any information under this chapter, or in omitting to disclose any information, then the City may assess or reassess, for any time the City considers reasonable, the tax payable.

26. The City shall send by mail or registered mail or deliver by hand, a notice of the calculation made under section 18 or 19 to the Provider at the Providers' last known address, and that the amount determined is payable within 30 days from the date of mailing or delivery of the notice.
27. Liability to pay an amount is not affected by an incorrect or incomplete assessment or by the fact that no assessment has been made.
28. The City is not bound by any information delivered by or on behalf of a Provider responsible for the payment of tax and may, notwithstanding any information that has been delivered or if no information has been delivered, assess the tax payable.
29. This calculation, subject to being varied or adjusted due to an objection or appeal and subject to a recalculation, shall be deemed to be valid and binding despite any error, defect or omission in the assessment or in any proceeding related to it.

REFUNDS

30. Where a person has paid or remitted an amount that is not payable under this By-law, the City may, upon receipt of satisfactory evidence, make determination that the amount was wrongly paid or remitted, and if such a determination is made, the City shall refund or credit all or part of the amount, but no refund shall be made unless an application for such refund is made within 24 months after the payment date.
31. Where a person has, in accordance with this By-law, applied for a refund under this By-law and the person's claim is in whole or in part denied, the City shall deliver to such person by mail, a statement as such and the statement shall specify the denied amount and the reasons.

OFFENCES AND PENALTIES

32. Every person is guilty of an offence under this By-law who:
 - a. Makes, participates in, assents to or contributes in the making of false or deceptive statements in a report, statement, form or other document prepared, submitted or filed under or for the purposes of this By-law;

- b. Destroys, alters, mutilates, hides or otherwise disposes of any records or books of account, in order to evade payment or remittance of tax;
- c. Makes, assents to or contributes in the making of false or deceptive entries, or assents to or contributes in the omission to enter a material, in any records or books of account;
- d. Willfully, in any manner, evades or attempts to evade:
 - i. Paying tax;
 - ii. Remitting tax; or
 - iii. Otherwise complying with this By-law; or
- e. Conspires with any person to commit an offence described in Subsection 32 (a) through (e).

33. Any Provider who contravenes or fails to comply with any provision of this By-law, is guilty of an offence.

34. Any Provider who is guilty of an offence is liable as follows:

- a) Upon a first conviction, to a fine of not less than \$300 and not more than \$50,000 if the Provider is an individual, and \$500 and not more than \$100,000 if the Provider is a corporation.
- b) Upon a second or subsequent conviction for the same offence, to a fine of not less than \$500 and not more than \$100,000.
- c) Upon conviction for a continuing offence, to a fine of not less than \$100 and not more than \$100,00 for each day or part of a day that the offence continues. The total of the daily fines may not exceed \$100,000.
- d) Upon conviction for multiple offences, for each offence included in the multiple offences, to a fine of not less than \$100 and not more than \$10,000. The total of all fines for each included offence is not limited to \$100,000.

GENERAL

35. This By-law shall come into force and effect on April 1st, 2019.

36. If any section or portion of this By-law is found by a court of competent jurisdiction to be invalid, it is the intent of Council for the City that all remaining sections and portions of this By-law continue in force and effect.

37. This By-law may be referred to as "The Municipal Accommodation Tax (Hotel) By law".

Enacted by City of Vaughan Council this XXth day of XXXX, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. 3 of Report No. 1
of the Finance, Administration and Audit Committee
Adopted by Vaughan City Council on
January 29, 2019

FRAME OF REFERENCE

The City of Vaughan is one of Canada's leading communities with a growing, diverse population; a robust business community; and a vibrant destination for visitors.

Vaughan's role as an Edge City establishes it as a gateway for goods, services, people and capital flowing into and out of the Greater Toronto Area. In addition to having the largest employment centre in York Region, Vaughan's more than 12,000 business establishments, provided employment for 222,000 people and contributed \$20.6 billion in real gross domestic product (GDP) in 2018.

Vaughan is the only municipality in the '905' region to have subway service. Opened in December 2017, the Toronto-York Spadina Subway extension connects Vaughan's downtown, the Vaughan Metropolitan Centre to downtown Toronto. The new subway service forms a spine or corridor connecting Vaughan to the nation's financial centre, leading research institutes, sports, tourism and entertainment venues.

According to the Conference Board of Canada, Vaughan's accommodation and food services industry accounted for \$294 million of the city's overall GDP in 2018, while arts, entertainment and recreation accounted for another \$150 million.

Vaughan's major tourism operators include Canada's Wonderland, Vaughan Mills, the McMichael Canadian Art Collection, the Kortright Centre for Conservation, LEGOLAND Discovery Centre, Reptilia, the mainstreets and village cores of Kleinburg, Thornhill, and Woodbridge. In addition to investments in hospitality, announcements of upcoming tourism attractions include [CREACTIVE](#), the first Cirque du Soleil family entertainment centre in Canada which is set to open at Vaughan Mills in 2019; the [Yukon Striker](#), the longest, fastest and tallest dive roller coaster in the world at Canada's Wonderland is set to open in 2019; and [Winterfest](#), also at Canada's Wonderland, boasts a new attraction with outdoor skating, daily tree lighting, live shows, access to select rides, and more, which will also open in Winter 2019.

These major operators collaborate and cooperate under the informal umbrella of the Vaughan Tourism Alliance, focused on promoting day-trips to their venues. Other regional tourism entities serving the Vaughan area includes Central Counties Regional Tourism Organization (Durham Region, York Region, Headwaters), and the York Region Arts Council. These organizations do not have business plans or funding allocated specifically to the promotion and business development of Vaughan as a destination for overnight stays.

Along with the accommodation and food industry, these best-of-class attractions are tremendous assets to Vaughan and surrounding areas – preserving and enhancing the City’s natural and cultural heritage; creating family entertainment, shopping and learning opportunities; and creating business opportunities that generate direct, indirect and induced impacts in the form of local spending, job creation and retention. As such their presence informs the development of the city’s Growth Management Strategy, the Vaughan Official Plan, the Active Together Master Plan, and the Creative Together Cultural Plan. Vaughan’s Economic Development Strategy also recognizes that placemaking and creating a vibrant tourism industry, contributes to Vaughan’s economic prosperity and future growth. The following principles emerged, demonstrating Vaughan’s values as an organization and a tourism destination:

1. Cultivate tourism, cultural and creative industry linkages in the City.
2. Use place-building and creative economy development as a means of enhancing efforts to attract knowledge workers.
3. Protect the economic vitality of Vaughan’s heritage districts and enhance the mix of retail opportunities to attract visitors.
4. Leverage Vaughan’s image as a welcoming community.

The Municipal Accommodation Tax provides an opportunity to enhance and strengthen the tourism industry at upper and lower tier municipalities across the Province.

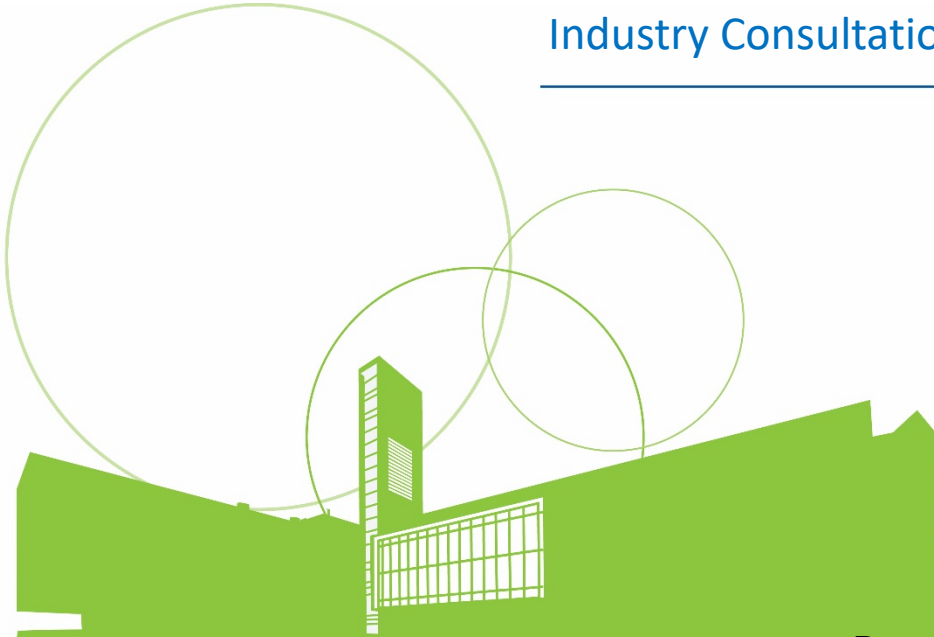
Top-line Budget Forecast

Tourism Vaughan Budget Forecast, Jan 1, 2020

		2020 Budget
Estimated Reserve Balance (as at Dec 31, 2019)		\$1,100,000 ¹
REVENUES (MAT)		\$1,650,000
EXPENDITURES		\$1,650,000
Labour S+B		\$242,461
Administration		\$7,000
Strategy		\$150,000
Program		\$1,250,539

¹ Net of start-up costs of the Corporation in 2019:

**Vaughan Accommodation & Tourism Industry:
New DMO and MAT**
Industry Consultation – November 2018



Market Context in Vaughan



2

2018 Hotel/Motel Market Context:

- 12 branded hotel properties: 1,709 rooms
- 4 independent motel properties: 136 rooms
- Total available room nights: 673,425
- Estimated Total Room Revenues: \$75 million+

2018 Short-Term Rentals (STR) Context:

- Active entire home properties: 231
- Total Properties: 509
- Revenues from entire home listings: \$2.8 million+

Corporate, Sports, VFR Markets (Demand Generators):

- 12,000+ businesses, largest concentration in York Region, 3rd in GTA
- \$21 Billion Real GDP in Vaughan (35% Goods Producing: 65% Service)
- Proximity to Toronto Pearson, TTC Subway Connections, 400 Series Highways & Downtown Toronto
- Weekend Sports Market Opportunity
- Attractions in Vaughan and GTA

Vaughan Economic Development Context

- Home to strong hotel brands and operators; Expertise and experience of hoteliers, and local/regional business and industry associations
- Positive economic impact of accommodation and food industry (\$295 million contribution to Vaughan's GDP in 2018)
- Competitive forces:
 - Excellent demand generators
 - Market growth
 - Tech disruption, i.e., Online Home Sharing Platforms (Short Term Rentals-STR)
 - Increased sales and marketing efforts within the GTA (Mississauga, Markham, Toronto, Oakville)
 - New Municipal Accommodation Tax (MAT) Legislation in Ontario
- Desire to support the industry, businesses, increase jobs and investment in Vaughan
- Work with accommodation industry to focus on tourism promotion and overnight stays (heads in beds) and re-invest in the overall competitiveness of the accommodation, hospitality, tourism marketplace in Vaughan

Background – Key Dates (MAT)

Provincial Context

- May 17, 2017 – the Province enacted Bill 127 – Stronger, Healthier Ontario Act (Budget Measures) 2017; Lower or single tier municipalities now have the authority to levy a Transient Accommodation Tax (referred to as a Municipal Accommodation Tax “MAT”)
- December 1, 2017 – Provincial Regulation on Transient Accommodation (435/17) sets out rules for sharing of MAT revenues with eligible not-for-profit tourism organizations, including revenue sharing

GTA Municipal Context

- April 2018 – City of Toronto Began Collecting MAT
- April 2018 – City of Mississauga Began Collecting MAT
- January 1, 2019 – City of Markham Begins Collecting MAT
- January 1, 2019 – Town of Oakville Begins Collecting MAT
- June 2018 - City of Vaughan Council Decides to Initiate Industry Consultation on MAT

Network of MAT Stakeholders Accommodation Industry



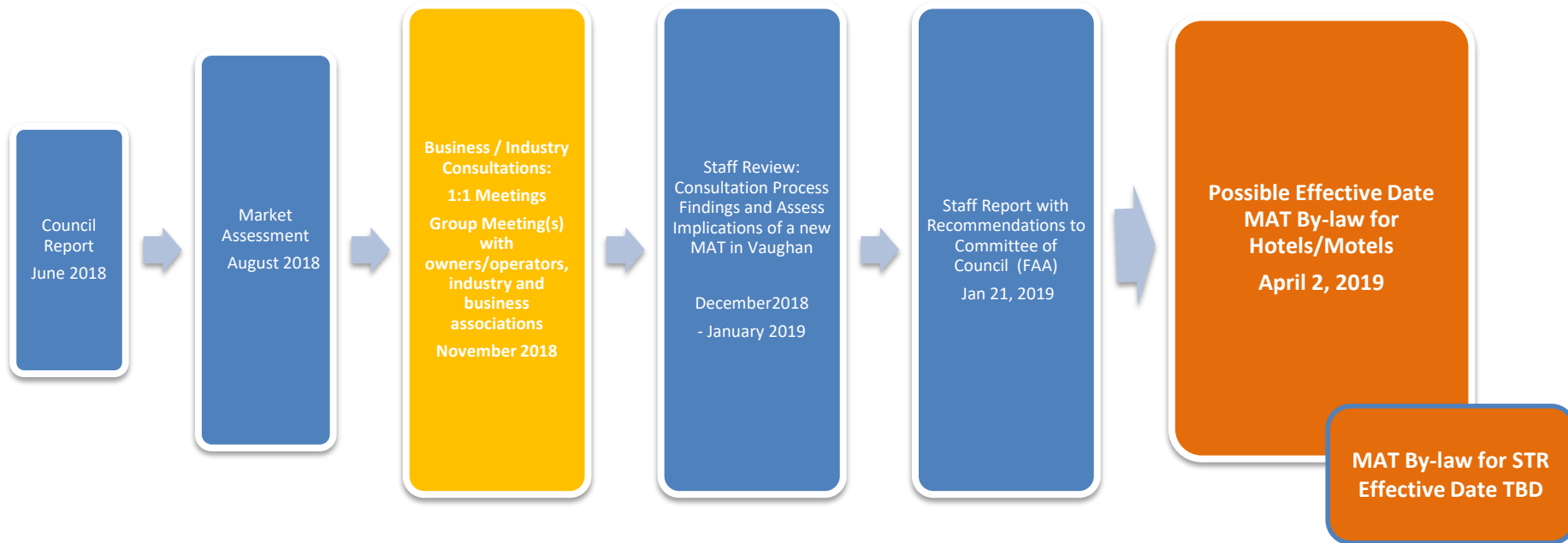
How does the MAT apply?

- Transient Accommodation (Hotels, Short-Term Rentals)
- MAT is a sales tax paid by the guest and charged as a percentage of the purchase price of transient accommodation.
- MAT is payable on the purchase price for the room portion of rental accommodations for stays of four hours or more, and less than 30 days in duration.
- Other services including meeting room rentals, food and beverage, room services, internet services, valet parking, laundry, etc. are exempt from the tax provided that they are itemized separately on the bill.
- HST is payable on MAT remittances.
- 15 Communities in Ontario have a MAT; 4% Tax Rate consistently applied in Ontario

Market Assessment of Municipal Accommodation Tax

	Scenario 1: Baseline Revenues	Scenario 2: Further Supply Development
	Current Hotel/Motel Properties plus Super 8 expansion No additional hotel developments or Airbnb units	Current Hotel/Motel Properties plus Super 8 expansion Further hotel and Airbnb supply at reasonable rate (2020 - 2023)
2019	\$3.23 - \$3.35 million	\$3.23 - \$3.35 million
2020	\$3.29 - \$3.41 million	\$3.39 - \$3.52 million
2021	\$3.36 - \$3.48 million	\$3.67 - \$3.81 million
2022	\$3.43 - \$3.55 million	\$3.97 - \$4.12 million
2023	\$3.49 - \$3.62 million	\$4.29 - \$4.45 million

Timelines / Next Steps



Discussion Items

1. Competition (Neighbours are stepping-up their sales efforts, Online Home Sharing Platforms, Market Growth)
2. Focus on business: Develop co-operative Vaughan-based sales marketing strategy to increase overnight stays (heads in beds priority)
3. Seat at the table: Voice of accommodation industry in decision-making (DMO)
4. MAT Rate (4%) – Consensus; 50:50 Allocation Regulation
5. Collection/Remittances (If approved, effective April 2, 2019)
6. Status of zoning and licensing (online platforms)
7. Timing

Additional Resources

Contact:

Dennis Cutajar,
Director of Economic & Cultural Development
T 905-832-8585 ext. 8274
Dennis.Cutajar@vaughan.ca

Dean Ferraro,
Director of City Financial Services/Deputy Treasurer
T 905-832-8585 ext. 8272
Dean.Ferraro@vaughan.ca

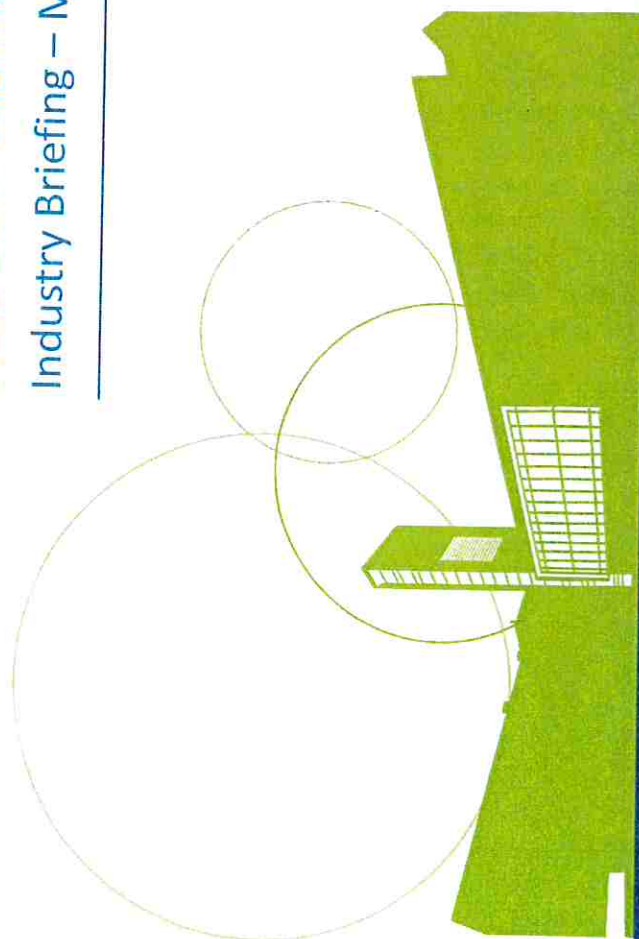
Proposed Hotel Developments

1. Avid Hotel (by IHD) – 6800 Hwy. 7
2. Hilton Garden Inn / Hampton Inn – 616 Applewood Cres.
3. Holiday Inn Express & Candlewood Suites – Cityview Blvd.
4. Hilton Garden Inn Redevelopment – 3201 Hwy. 7
5. Importanne – 7242 Hwy. 27
6. Hyatt @ Canada's Wonderland – Rutherford Rd.
7. Marriott Courtyard / Townplace Suites @ Chateau LeJardin – 8440 Hwy. 27
8. Liberty Development @ Promenade Mall – 1 Promenade Circle
9. Super 8 Motel Vaughan Addition – 3400 Steeles Ave. W.

*Note the Market Assessment of MAT Revenues is based on submitted/approved site plans with the City as of August 1, 2018.

Vaughan Accommodation & Tourism Industry: New DMO and MAT

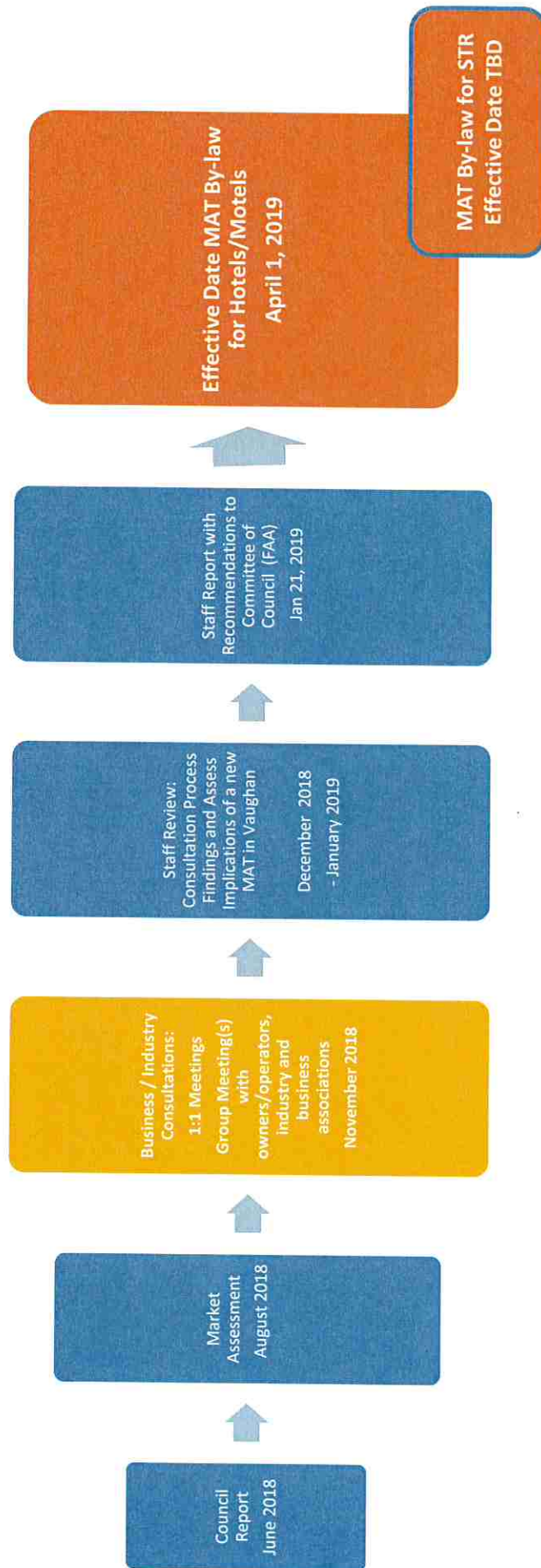
Industry Briefing – March 8, 2019



Agenda

- Welcome / Opening Remarks
- Update on the Municipal Accommodation Tax
 - Public Consultation Process – What We Heard
 - Municipal Approvals
 - Municipal Services Corporation – ‘Tourism Vaughan’
- Implementation Process – MAT
 - Requirements of Hotel Operators
 - Registration Process and Sample Form
 - Remittance Process and Sample Form
 - Remittance and Payment
- Municipal Services Corporation
 - Update on Short-Term Rentals (STRs)
 - Questions & Answers

Timelines / Next Steps



Update on the Municipal Accommodation Tax

Public Consultation Process – What We Heard

- Reinvestment in promotion of overnight stays and business development to create positive impacts
- Reinvestment of City-side revenues into tourism-related infrastructure improvements
- Rate consistencies
- Equal applicability to short-term rental transient accommodations
- Benefits on city-wide basis
- Stakeholders to have a strong voice shaping the business development and marketing plans of the DMO
- Openness, transparency and accountability of the DMO

Municipal Approvals

- Rate set at 4% consistent with all municipalities implementing MAT
- Applies to Hotels / Motels as of April 1, 2019
- Applies to STRs, at a future date

Municipal Service Corporation – ‘*Tourism Vaughan*’ as the DMO

Implementation Process - MAT

Requirements of Hotel Operators

- Applicable to all stays of 29 nights or less
- Applicable to all stays regardless of the booking method
 - Notification to all booking platforms, e.g. Booking.com; Trivago; Hotels.com; etc.
- Separate itemization of MAT on invoices is required
 - HST is applicable to the MAT
 - HST, as we currently understand it, should be paid by the hotel directly to Revenue Canada.
- Records must be kept for a period of 7 years and are subject to audit
- Addressing questions from guests
 - Should they wish to contact the City, they can be referred to 905-832-2281 or mat@vaughan.ca

Municipal Accommodation Tax



Registration Process & Sample Form

- An on-line form is being developed and will be ready by the end of April
- Initial Registration – use of BIN, same as CRA
- Account # will be generated and provided
- Nomination of remittance frequency
 - Monthly or quarterly
 - Calendar basis
 - Once selected it cannot be changed

Municipal Accommodation Tax Registration
(Pursuant to By-Law 0028-2019)

2241 Maple Ridge Dr.
Vaughan, Ontario L4L 1T1
Tel: 905-232-2281
Email: info@vaughan.ca

VAUGHAN

Important: Municipal Accommodation Tax information must be completed and submitted by the City by the last day of the reporting period. The reporting period for the tax is collected for the period April 1 to April 30th (must be received by May 31). The form must be submitted by the City of Vaughan by the last day of the reporting period. The form must be submitted by the City of Vaughan by the last day of the reporting period. The form must be submitted by the City of Vaughan by the last day of the reporting period.

Business Details

Business Identification Number (BIN)

Password (Minimum of 8 characters with alpha, numeric and special characters)

Confirm Password

Hotel Details

Name

Operating Name

Address (Line 1)

Address (Line 2)

City

Province

Postal Code

Phone

Accommodation Type

Assessment Roll Number(s)

Authorized Representatives

Authorized Representative 1

First Name

Last Name

Title

Email

Phone

Authorized Representative 2

First Name

Last Name

Title

Email

Phone

Authorized Representative 3

First Name

Last Name

Title

Email

Phone

Remittance Details

Frequency of remittance

Claimant Declaration

I certify that the information given is, to the best of my knowledge, true, correct and complete in every respect and that I am the registrant, or a person authorized to file on behalf of the registrant.

Signature

Date (MM/DD/YYYY)

PRINT DOCUMENT

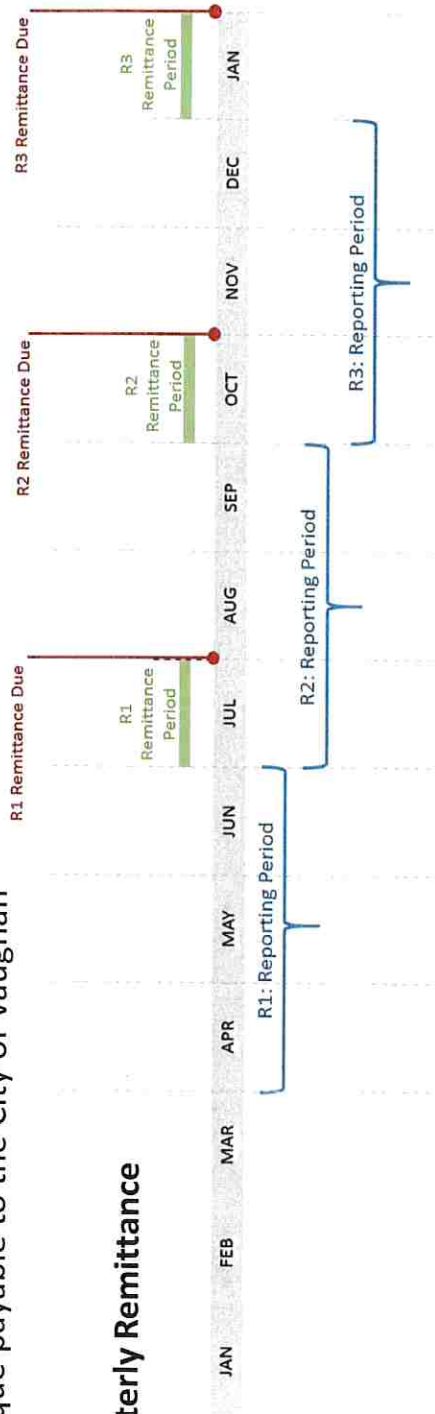
Any personal information on this form is collected under the authority of By-Law 0028-2019. A By-Law to Implement Municipal Accommodation Tax was passed by the City of Vaughan on May 22, 2019. The form must be submitted by the City of Vaughan by the last day of the reporting period. The form must be submitted by the City of Vaughan by the last day of the reporting period. The form must be submitted by the City of Vaughan by the last day of the reporting period.

- On-line remittance is being developed and will be ready by the end of May
 - Account # provided at registration will be used to log on to the Remittance Form
 - The form is similar in nature to an HST form and is similar to those in use in other municipalities
 - There is an adjustment box, should there be a need to correct any errors.

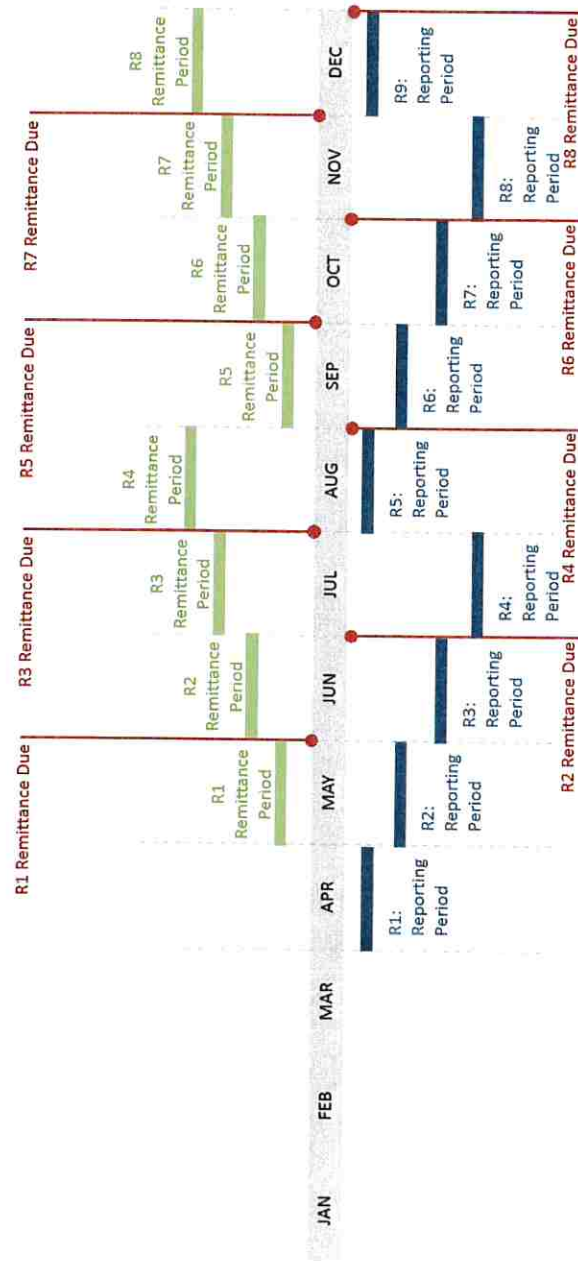
Remittance & Payment

- Data submitted will be editable up to the due date and then locked thereafter
- Payment and Remittance Form are due at the end of the month following the reporting period
- Interest and penalties will be charged on late payments (1.25%)
- Payment options
 - On-line at a banking institution
 - Electronic Funds Transfer (EFT)
 - Cheque payable to the City of Vaughan

Example: Quarterly Remittance



Remittance Process – Example: Monthly Submission



Municipal Services Corporation

- Name of the Corporation: *Tourism Vaughan*
- Address of the Head Office
- Interim Board
 - City Manager, Chief Financial Officer, Chief Corporate Initiatives and Intergovernmental Relations, Regional Councillor Gino Rosati
- Objectives of the Corporation
 - Develop and implement multi-year business development and marketing plans
 - Support and facilitate growth of local tourism sector
 - Conduct targeted economic and market research
 - Facilitate collaboration amongst tourism and business stakeholders
- Special Provisions
 - Not-for-profit corporation
 - Strategic Advisory Sub-Committee

Update on Short-Term Rental Transient Accommodations

- The Municipal Accommodation Tax is applicable to STRs
- Establishment of regulatory framework
- Public consultation process underway: 5 sessions across the City
- Report coming to Committee of the Whole (Working Session): May 2019

Questions & Answers

www.vaughan.ca/MAT

Access Vaughan
T 905-832-2281
mat@vaughan.ca

Finance, Administration and Audit Committee Report

DATE: Monday, April 01, 2019

WARD(S): ALL

TITLE: CAPITAL BUDGET AMENDMENTS FOR FL-5425-18 AND FL-5427-18 - REPLACEMENT TANDEM DUMP TRUCKS; and BY-9548-18 - VMC ENFORCEMENT OFFICER VEHICLES

FROM:

Zoran Postic, Interim Deputy City Manager, Public Works

ACTION: DECISION

Purpose

The purpose of this report is to seek Council approval to increase the capital project budgets for FL-5425-18 and FL-5427-18 for the replacement of two tandem dump trucks; and, BY-9548-18 for the purchase of two VMC Enforcement officer vehicles.

Recommendations

1. That the approved budgets in Capital Projects FL-5425-18 - PW-RDS-Replace Unit #1094 with tandem dump truck and FL-5427-18 - PW-RDS-Replace Unit #1159 with tandem dump truck be increased by \$67,790 and \$17,790 respectively, inclusive of applicable taxes and administration recovery and funded from the Vehicle Replacement Reserve;
2. That the approved budget in Capital Project BY-9548-18 - VMC Enforcement Officers Vehicles be increased by an amount of \$5,000 inclusive of applicable taxes and administration recovery, funded 90% from City-Wide DC Public Works/Fleet Reserve and 10% from the Capital from Taxation Reserve, and
3. That inclusion of this matter on a Public Committee or Council agenda with respect to amending the capital budgets as identified above be deemed sufficient notice pursuant to Section 2(1)(c) of By-Law 394-2002, as amended.

Report Highlights

- The City has received new information indicating that the current approved budgets in capital projects FL-5425-18 and FL-5427-18 are insufficient to tender the replacement of 2 tandem dump trucks.
- A capital budget amendment for capital project BY-9548-18 - VMC Parking Strategy Enforcement is required to provide sufficient funds in the project to include equipment that improves the safety and efficiency of the vehicles.

Background

Capital projects FL-5425-18 and FL-5427-18 fund the replacement of two tandem roll-off trucks that have reached the end of their service lives. The units are used to support road and park maintenance, as well as snow operations through the winter season. The services delivered ensure effective service delivery and continuous improvement. In accordance with the City's procurement procedures, a budget amendment is being sought at this stage of the procurement process to ensure sufficient funding is available for the replacement units.

Capital project BY-9548-18 – VMC Enforcement Officers Vehicles funds the procurement of two compact pickup trucks for use by staff in enforcing parking restrictions within the VMC. A budget amendment is being sought for this project to provide sufficient funding for additional equipment on the vehicles that would improve safety and efficiency of the vehicles.

Previous Reports/Authority

http://www.vaughan.ca/council/minutes_agendas/AgendaItems/Finance_0507_18_9.pdf

Analysis and Options

The cost for tandem dump trucks have increased in part due to steel and aluminum tariffs

A budget amendment was previously approved in 2018 for capital projects FL-5425-18 and FL-5427-18 based on costing information at that time that indicated the existing budgets were insufficient to award the projects listed once tendered.

A more recent vendor inquiry performed during the early stages of the procurement process informed that prices for this type of equipment have further increased, principally due to steel and aluminum tariffs, as well as a vendor adjustment to prices.

A budget amendment is being sought for FL-5425-18 and FL-5427-18 to provide sufficient funds to tender the vehicles. If approved, the Request for Tender for the two units will be executed in compliance with the Corporate Procurement Policy assuring that the award within the amended budget represents good value to the City for this

necessary equipment.

One alternative to the budget amendment for the two tandem dump trucks is to alter the specifications of the units to reduce costs. Doing so will reduce the performance, flexibility, and utility of the units, as well as impact service delivery efficiency and productivity. Further, the activity of re-specification will delay tendering and delivery of the units.

Additional equipment is available for the VMC enforcement officer vehicles to improve the safety and efficiency of the vehicles

The tender for two VMC enforcement officer vehicles was issued in Q4 2018 and informed that additional equipment is available to reduce the likelihood of slips, trips and falls entering and exiting the vehicles, and enable additional light to be provided to outside work areas which may not have direct lighting. The cost of the equipment was not included in the original budget however given its benefits, a budget amendment request is being sought to procure the available equipment.

Should the budget amendment for BY-9548-18 be approved, the equipment will be selected and procured in compliance with the Procurement Policy.

The alternative to this budget amendment request is to not order the additional equipment, foregoing the likely safety and operational benefits they would provide.

Financial Impact

Tandem Dump Trucks

A capital budget amendment is required for FL-5425-18 and FL-5427-18 to compensate for the projected increase in the cost of the units to be tendered.

The recommended capital budget increases are inclusive of applicable taxes and administration recovery and would be funded from the Vehicle Replacement Reserve. Any residual funds will be returned to the original funding source.

The additional funds required in each project are summarized in the table below.

Table 1: Capital Budget Amendment Summary			
	FL-5425-18	FL-5427-18	Total
	Replace Unit #1094	Replace Unit #1159	
Total Estimated Costs (including HST and 3% Administration Recovery)	\$430,000	\$380,000	\$810,000
Less: Approved Budget	\$362,210	\$362,210	\$724,420
Budget Amendment Required	\$67,790	\$17,790	\$85,580
Funding Source:			
Vehicle Replacement Reserve	\$67,790	\$17,790	\$85,580

VMC Enforcement Officer Vehicles

A capital budget amendment of \$5,000 is required to address the cost of additional equipment for the two compact pickup trucks tendered for project BY-9548-18.

The recommended capital budget increase is inclusive of applicable taxes and administration recovery and would be funded 90% from the City-Wide DC Public Works/Fleet Reserve and 10% from the Capital from Taxation Reserve. Any residual funds will be returned to the original funding source.

The additional funds required is summarized in the table below.

Table 2: Capital Budget Amendment Summary	
	BY-9548-18
	VMC Enforcement Officers Vehicles
Total Estimated Costs (including HST and 3% Administration Recovery)	\$97,700
Less: Approved Budget	\$92,700
Budget Amendment Required	\$5,000
Funding Source:	
10% Taxation	\$500
90% City-Wide DC Public Works/Fleet Reserve	\$4,500

Broader Regional Impacts/Considerations

There are no regional implications from the recommendations of this report.

Conclusion

Staff recommends that:

- An increase to the approved budgets in Capital Projects FL-5425-18 and FL-5427-18 be approved to ensure sufficient funds to move forward with a tender for this equipment; and,
- An increase to the approved budget for Capital Project BY-9548-18 be approved to ensure sufficient funds to procure equipment supporting improved safety and efficiency.

For more information, please contact: Donald Eta, Director, Fleet Management Services.

Attachments

There are no additional attachments for this report.

Prepared by

Donald Eta, Director, Fleet Management Services, ext. 6141

Finance, Administration and Audit Committee

DATE: Monday, April 01, 2019

WARD(S): ALL

**TITLE: COUNCIL STAFF RELATIONS POLICY AND REVISED
RESPECTFUL WORKPLACE AND WORKPLACE VIOLENCE
POLICIES**

FROM:

Nick Spensieri, Deputy City Manager, Corporate Services

ACTION: DECISION

Purpose

The purpose of this report is to ensure compliance with new legislated requirements prescribing that as of March 1, 2019 all municipalities in Ontario must develop a Council Staff Relations Policy.

In addition, two existing policies have been reviewed and revised to ensure compliance with all relevant legislative requirements under the *Occupational Health and Safety Act*.

Report Highlights

- Ontario legislation requires municipalities to develop and implement a Council Staff Relations Policy as of March 1, 2019
- Staff have consulted with members of Council, Staff and have reviewed academic literature in the development of the Policy
- The Respectful Workplace Policy and Workplace Violence Policy have also been updated following consultations with Staff and review of the latest legislative changes that required updated definitions on workplace harassment.

Recommendations

1. That the attached Staff Council Relations Policy, as substantially set out in Attachment 1 be approved.
2. That the revised Respectful Workplace Policy, as substantially set out in Attachment 2 be approved.
3. That the revised Workplace Violence Policy, as substantially set out in Attachment 3 be approved.

Background

Council Staff Relations Policy

As of March 1, 2019, municipalities are required to adopt a policy on the relationship between members of council and municipal staff. Municipalities have the flexibility to determine the content of these policies.

The relationship between council and staff is a vital component of an effective municipal government. Staff and council rely on one another to move the municipality forward. Both staff and council provide leadership; council provides political leadership, while staff provide leadership in implementing council decisions.

The relationship between staff and council is intertwined and it is important for council members and staff to respect one another's roles so that they can serve the public in an effective and efficient manner.

Earlier this year Staff retained the services of an independent consultant to solicit input from each member of Council on the development of this policy. In addition, this topic was discussed with council as part of the agenda at the February 2019, Council Education session.

The attached draft policy has been developed based on all feedback gathered from individual members of council, feedback from the Council Education Session, input from senior administrative staff and leading practice based on academic research. The specific principles outlined in the policy were identified in an academic research paper by Political Science Professor David Siegel and former Chief Administrative Officer Michael Fenn.

Staff will consult with council members and with senior leaders of the administration to develop a comprehensive guide that will support the implementation of this policy including training of staff and orienting new members of council.

Revised Respectful Workplace and Workplace Violence Policies

The City of Vaughan has had an established Respectful Workplace and Workplace Violence Program for several years. The purpose of this program is to prevent Workplace Violence, Harassment and Discrimination through proactive measures, and to ensure that the City effectively addresses and responds to Reports of Violence, Discrimination and Harassment in accordance with the Occupational Health and Safety Act and the Human Rights Code. The program includes, detailed policies, procedures for implementation, training for all staff including a pre-approved roster of investigators that can be retained when required to assist our staff in the investigation of complex cases.

Staff have reviewed the existing program and consulted with staff, members of Council, the workplace joint health and safety committees and have updated the attached policies and all procedures to reflect the input received as well as all applicable legislation. The revisions to the policies and procedures are not substantive in nature but reflect the input from stakeholders and comply with Ontario's *Occupational Health and Safety Act* (OHSA)] that sets out the rights and duties for occupational health and safety of all parties in the workplace and the latest legislative updates with regard to defining workplace sexual harassment and clarifying that workplace harassment includes sexual harassment.

The updated sections of the policies have been highlighted for ease of reference.

Financial Impact

There is no financial impact associated with the approval and implementation of these policies outside the existing approved operating budget.

Broader Regional Impacts/Considerations

There are no regional impacts associated with these policies.

Conclusion

Following a consultation with members of Council and with Staff the attached Council Staff Relations policy was developed to address the legislative requirements and provide a standard by which the Council and Staff will continue to work collaboratively to serve Vaughan citizens. This principled based policy identifies how complaints can be addressed to ensure adherence to the standard.

The revised Respectful Workplace and Workplace Violence Policies address the latest legislative updates with respect to defining workplace sexual harassment and clarifying that workplace harassment includes sexual harassment.

Attachments

1. Council Staff Relations Policy, April 1, 2019
2. Respectful Workplace Policy, April 1, 2019
3. Workplace Violence Policy, April 1, 2019

Prepared by

Demetre Rigakos, Chief Human Resources Officer, extension 8297.



CITY OF VAUGHAN

CORPORATE POLICY

POLICY TITLE: COUNCIL STAFF RELATIONS

POLICY NO.: Policy number to be assigned by Policy Coordinator.

Section:	Human Resources		
Effective Date:	April 1, 2019	Date of Last Review:	April 1, 2019
Approval Authority: Council	Policy Owner: City Manager		

POLICY STATEMENT

The City of Vaughan, guided by its values of Respect, Accountability and Dedication, will promote an environment of mutual respect and trust and will support sound decision making based on knowledge, areas of expertise and sound judgment. Members of Council and Staff shall demonstrate leadership, commit to a high-degree of confidentiality, support and enhance public education about the political and decision-making processes and will refrain from publicly criticizing Members of Council, Staff or any decision of the Corporation.

PURPOSE

The purpose of this policy is to ensure that the relationship between Members of Council and Staff of the Corporation is co-operative, supportive and positive with a clear understanding of the respective roles and responsibilities.

SCOPE

This policy applies to all Municipal Staff, Officers and Members of Council in their interactions with Staff, volunteers, consultants and contractors that work on behalf of the Corporation. This policy applies to all interactions, including on-site and off-site of City facilities, before, during and after work hours.

POLICY TITLE: COUNCIL-STAFF RELATIONS

POLICY NO.: XX.X.XX

LEGISLATIVE REQUIREMENTS

Section 270 (1) of the *Municipal Act, 2001* as amended, requires City Council to adopt and maintain a policy with respect to the relationship between Members of Council and the Staff of the Corporation. The effective date of this requirement is March 1, 2019.

DEFINITIONS

1. "Members(s) of Council" means a member or members of the municipal council of the Corporation of the City Vaughan.
2. "Corporation" refers exclusively to the City of Vaughan.
3. "Officer(s)" means a person who holds a position of responsibility with definite rights and duties by statute or by-law.
4. "Staff" means any of the following:
 - a. A person, not including Members of Council, who performs work for the Corporation for wages;
 - b. A person who supplies services to the Corporation for wages;
 - c. Such other persons as may be prescribed who perform work or supply services to the Corporation for no monetary compensation.
5. "Senior Management" means a staff member who is either a department head or holds the title of Director, Chief, Deputy City Manager and or City Manager
6. "*Code of Ethical Conduct for Members of Council*": Establishes rules that guide Members of Council in performing their diverse roles in representing their constituents and recognize Members' accountability for managing City resources allocated to them. Is a written Code of Ethical Conduct to protect the public interest and helps to ensure that the Members of Council share a common basis for acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate.
7. "*Employee Code of Conduct*": Establishes that City employees must follow standards of ethical and professional behavior in the course of their work to ensure that public confidence and trust is maintained. This code establishes standards designed to promote and protect the public interest through honest and ethical conduct which enhances public confidence and trust in the integrity, objectivity and impartiality of the City.

POLICY

Clarifying Roles

I. Role of Council

Policy focus: Represent the Corporation, provide direction and create policy. Specifically Section 224 of the Municipal Act, 2001 states:

224. It is the role of council,

- b) to represent the public and to consider the well-being and interests of the municipality;
- c) to develop and evaluate the policies and programs of the municipality;
- d) to determine which services the municipality provides;
- e) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- f) to maintain the financial integrity of the municipality; and
- g) to carry out the duties of council under this or any other Act.

I. Role of Head of Council (Mayor)

Section 225 of the Municipal Act, 2001 defines the role of the Mayor as follows:

225. It is the role of the head of council,

- a) to act as chief executive officer of the municipality;
- b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to the council;
- c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1);
- d) to represent the municipality at official functions; and

- e) to carry out the duties of the head of council under this or any other Act.

Section 226 sets out special responsibilities of the chief executive officer which include:

- a) uphold and promote the purposes of the municipality;
- b) promote public involvement in the municipality's activities;
- c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

The head of council has a prominent and very public profile. Many citizens within the City of Vaughan will have high and often varied expectations for the head of council. The head of council must find a way to balance these expectations and special responsibilities.

Municipal decisions, however, are made by council as a whole. The head of council does not have any more power than any other member of council to make decisions on behalf of the municipality. Each member of council only has one vote.

II. Role of the City Manager

Direction Focus: The City Manager leads in three dimensions. Up to Council, down to staff and out to the community stakeholders. The City Manager is responsible for providing professional advice to Council and leading staff in the implementation of Council's direction / policies. The City Manager specific responsibilities are outlined in the City Manager's By-Law 012-2013.

III. Role of Senior Management:

Direction Focus: Act as the liaison between Council and Staff, direct implementation of Council's policies, hire and develop a team of competent Staff.

IV. Role of Staff and Other Officers:

Implementation Focus: Research policy and programs give best professional advice, implement decisions of Council, fulfill statutory duties, follow direction of City Manager generally see to the operation of the Corporation.

Guiding Principles

“Council should give the City Manager clear and unequivocal responsibility and accountability for the overall management of the administration of the City. Not doing so undermines the City Manager’s effectiveness...”

“Although the Mayor can properly be involved in hiring the City Manager, there should be a clear division of responsibility between the Mayor and the office of the City Manager – a separation of the political from the administrative...”

Madam Justice Denise Bellamy,

Toronto External Contracts Inquiry, 2005, p. 424

I. Respect

Members of Council, Staff and Officers shall work hard at fostering a climate of mutual respect. Each must be respectful of each others’ intelligence and professional duties. Members of Council, Staff and Officers must understand that they all face different, often unique, challenges and recognize their overarching goal is to serve the best interests of the Municipality.

II. Professionalism

Members of Council, Staff and Officers must treat each other with professionalism. When Council requests that Staff and Officers appear before Council, they must comply and be prepared for any questions Council has. Advance notice of questions to Staff provides an opportunity for Staff to provide quality reports and advice.

III. A Formal Relationship

Staff and Officers shall treat Council as a collective decision-making body. Staff and Officers shall not communicate directly with individual Members on municipal business, rather they must communicate on such matters through the City Manager or appropriate Senior Management Member as designated through the City Manager. Information from the City Manager shall be communicated to all Members. Staff and Officers shall stay out of political lobbying.

IV. Politics or Management – Not Both

Council provides direction, Staff and Officers give professional advice and implement Council's directives. Members of Council are not elected to be technical experts nor to act in their professional capacities. Likewise, Staff and Officers are not politicians. Advice comes from Staff, policy and service delivery decisions are made by Council.

V. Control Anger

Members of Council should avoid the temptation to play up divisions or conflicts. Staff and Officers shall not be targets of derisive/vexatious comments/behaviour/conduct. The public expects Members to do the job that they have been elected to do. The public expects Staff and Officers to do the job that they have been hired to do. Comments on Staff and Officer performance shall be directed through the appropriate confidential performance reviews.

VI. Represent the Whole Community

Members, together with the Municipality's Staff and Officers, work for the public good. Decision making by Members should be based on complete information and unbiased recommendations from Staff and Officers. Members should, in addition to such information and recommendations, rely on their own judgment and show leadership in their decision making.

VII. Council Time is Valuable

Members should not allow presentations by Staff or Officers to consume all of the time they have to debate various issues. Such presentations should, to the extent possible, be concise. Members of Council should understand they can take any one or more of the following actions where appropriate:

- Recommend that more items be relegated to the 'consent' agenda;
- Pass on an audio-visual presentation;
- Urge Staff or Officers to be more concise;
- Require multiple public delegations with essentially the same point to select a spokesperson, or to impose a limited speaking time, or to provide information in advance or in written form; and/or
- Enact 'curfew' procedures for Council deliberations.

VIII. Make Good Use of Staff's Time

Members of Council should use the resources of Staff and Officers judiciously. Reports cost taxpayer money and take Staff and Officer time away from other issues or problems that may need attention. Members should be discouraged from asking for reports as a means of getting past an unhappy public delegation. The public respects political courage and decisiveness.

IX. Respect the Chain of Command

Members of Council must understand they have no individual capacity to direct Staff to perform, or not perform functions or duties. The City Manager is responsible for Staff and Officers - Members of Council who need to engage with Staff and Officers must do so through the City Manager or Senior Staff. This would include both in person, verbal, written and electronic messages. Routine questions from a member of Council or access to information that is readily available to a member of the public can be provided by any knowledgeable staff member the same way we serve all citizens.

X. All Members of Council are Equal

Regardless of how they interrelate with Members, Staff and Officers must avoid favouritism and the appearance of favouritism. Differences in experience and abilities amongst Members of Council are irrelevant – they all must be treated equally.

XI. Members of Council are Public Figures, not Staff and Officers.

Once a matter is proposed or decided, Staff should only comment on matters of fact or history in discussing issues with the public and the media and should comply with the Corporate and Strategic Communications Press Releases policy. Dealing with the media is generally part of an elected representative's job.

Complaints

The City Clerk will be responsible for receiving complaints and or concerns related to this Policy. Upon receipt of a complaint and or concern, the Clerk shall notify:

- a) In the case of a Staff and Officers other than the City Manager or Clerk, the City Manager
- b) In the case of the City Manager or Clerk, Council or
- c) In the case of a Member of Council, the Integrity Commissioner

POLICY TITLE: COUNCIL-STAFF RELATIONS

POLICY NO.: XX.X.XX

ADMINISTRATION			
<i>Administered by the Office of the City Clerk.</i>			
Review Schedule:	Other (specify) Yearly	Next Review Date:	February 1, 2022
Related Policy(ies):	CL-009 – Delegation of Powers & Duties Policy HR-017 – Respectful Workplace HR-018 – Workplace Violence CC-005 – Social Media CL-011 – Code of Ethical Conduct for Members of Council XX-XXX – Anonymous Reporting System		
Related By-Law(s):	012-2013 – Roles and Responsibilities of the City Manager		
Procedural Document:			
Revision History			
Date:	Description:		
Click or tap to enter a date.			

CORPORATE POLICY

POLICY TITLE: RESPECTFUL WORKPLACE POLICY

POLICY NO.: Policy number to be assigned by Policy Coordinator.

Section:	Human Resources		
Effective Date:	April 1, 2019	Date of Last Review:	June 8, 2010
Approval Authority: Council	Policy Owner: Chief Human Resources Officer		

POLICY STATEMENT

The City of Vaughan will not tolerate, ignore, or condone discrimination or harassment and is committed to promoting respectful conduct, tolerance and inclusion. All employees are responsible for respecting the dignity and rights of their co-workers and the public they serve. The City's Respectful Workplace Procedures provide a range of dispute resolution options for employees, and Members of Vaughan City Council who believe that they may have experienced discrimination and/or harassment. All complaints shall be treated confidentially and there shall be no reprisal.

Guiding Principles:

There are several guiding principles which govern the Corporation in dealing with workplace violence. These include:

1. The City of Vaughan recognizes that the most effective way to deal with harassment and discrimination is through preventative action, including informing, educating and good management and to ensure that this policy is fair and applied consistently.
2. It is the policy of the City to take all reasonable steps to provide its elected representatives, employees (full-time, part-time, on contract, temporary, seasonal), appointees, students, interns and volunteers with a work and service environment that is free of any form of discrimination, harassment, personal harassment, sexual harassment or bullying, and that respects the dignity, self-worth and human rights of every individual.
3. The City Manager, on behalf of the City of Vaughan, is committed to providing a workplace and service environment that is conducive to creating a healthy and

POLICY TITLE: RESPECTFUL WORKPLACE POLICY

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safe climate of mutual respect that reinforces opportunity and allows for each person to contribute fully to the development and well-being of the Corporation.

4. This policy and its related procedures provides for an internal complaint resolution process where every effort will be made to facilitate an early resolution.
5. **Discrimination, harassment, sexual harassment and bullying** will not be condoned under the guise of strong management when employees are not treated with dignity and respect.
6. Nothing in the Respectful Workplace Policy or related procedures is intended to prevent a complainant from using alternate methods of resolution such as the Ontario Human Rights Code, a Collective Agreement, or other legal action.
7. Retaliation against an individual for filing a complaint, participating in any procedure or being associated with a person who filed a complaint under this policy will not be tolerated.
8. Complaints which are found to be vexatious or made in bad faith will result in a penalty against the complainant. The severity of the penalty will be determined based on the seriousness and impact of the complaint following an investigation.

PURPOSE

The City of Vaughan is committed to creating and sustaining a healthy, safe and respectful workplace which is free of harassment and discrimination.

This policy ensures, to the best of the City of Vaughan's ability, a healthy, safe and respectful work environment and appropriate management of any occurrences of harassment and discrimination as defined below.

This policy outlines a common understanding of the expectations and appropriate behaviours in City workplaces and sets out the expectations to take action to prevent and/or deal with inappropriate behaviours or violations of this policy.

POLICY TITLE: RESPECTFUL WORKPLACE POLICY

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SCOPE

This policy applies to all:

- employees – permanent, full-time, part-time, contract, seasonal, temporary
- students and interns
- city program and service volunteers
- elected officials/representatives
- appointees
- contractors
- patrons

This policy applies to:

- discrimination or harassment that may occur at any workplace/worksite or location where the business of the municipality is being conducted or during the course of any City business, activities and events including but not limited to: City premises and property; off-site premises and property; City sponsored functions, events and meals; travel venues while on City business; and any site where the employee is conducting City business or representing the Corporation of the City of Vaughan.
- Discrimination or harassment that may occur between individuals associated with the City but outside corporation business, activities and events when such harassment has an adverse affect on the work environment.

Elected representatives are also governed by the Council Code of Ethical Conduct and any complaints about an elected representative are addressed under this Respectful Workplace Policy, but through a process defined by Rule 14 of the Council Code of Ethical Conduct.

LEGISLATIVE REQUIREMENTS

Under the *Occupational Health and Safety Act*, s. 32.0.1(1) the Corporation is required to:

1. (b) prepare a policy with respect to workplace harassment; and
(c) review the policies as often as is necessary, but at least annually.
2. The policies shall be in written form and shall be posted at a conspicuous place in the workplace.

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Under section 5(2) *the Human Rights Code (the Code)* every employee has a right to be free from harassment in the workplace on the basis of: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

DEFINITIONS

Discrimination:

Discrimination is any distinction, whether intentional or not, based on prohibited grounds, which has the effect of imposing burdens, obligations or disadvantages on an individual that are not imposed on others, or which withholds or limits access to opportunities, benefits and advantages available to others.

Harassment:

Engaging in a course of vexatious comment or conduct directed toward an individual or group, that is known or ought reasonably to be known to be unwelcome or unwanted. Harassment consists of comments or conduct that may or may not be linked to one of the prohibited grounds, which are insulting, intimidating, humiliating, malicious, degrading or offensive. Harassment includes sexual harassment as defined below. Harassment also includes creating or contributing to a poisoned work environment as defined below. Single acts of sufficient severity may constitute harassment.

Harassment - Discriminatory:

Harassment which is based on a prohibited ground of discrimination under the Ontario Human Rights Code and will be dealt with under the City of Vaughan Respectful Workplace Policy.

Harassment – Personal or Workplace:

Engaging in a course of vexatious comment or conduct in a workplace directed toward an individual or group, that is known or ought reasonably to be known to be unwelcome or unwanted, but are not related to one of the prohibited grounds as defined in the Ontario Human Rights Code. Any unwanted or unwelcome acts of coercion and harassment or misuse of power, including demeaning, intimidating, humiliating, annoying or distressing behaviour through repeated and hostile or unwanted conduct, comments (including jokes, name calling, excessive criticism, spreading rumours, making malicious allegations), emails, threats, actions or gestures that affect a

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person's dignity or physical integrity, personal or professional performance, and that result in a harmful workplace environment. A single severe act of harassing behaviour may be sufficient to be defined as Harassment. Properly discharged management responsibilities are not considered to be acts of harassment.

Harassment - Sexual:

Engaging in a course of vexatious comment or conduct against a person in a workplace because of sex, sexuality, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome or unwanted; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Sexual harassment includes, but is not limited to, unwelcome sexual advances and requests for sexual favours where submitting to or rejecting this conduct is used, or could reasonably be perceived as being used, as the basis for decisions which affect the individual's employment.

Official (Elected or Appointed):

A person who holds a public office or membership on a Council Committee with the City of Vaughan whether obtained by election or by nomination of the City Council or the Corporation of the City of Vaughan.

Patron:

A person who is a customer, client, resident or guest of the City of Vaughan while interacting during Corporation business with elected or appointed officials, employees, students, interns, volunteers, or contractors.

Poisoned Work Environment:

A poisoned work environment is a form of harassment that may not be directed at any one individual or group but by nature is considered offensive. These forms of harassment may include slurs, profanity, derogatory or demeaning gestures, displays (pictures, graffiti, drawings, posters, pin-ups), offensive jokes, literature and behaviours considered offensive or ought to be known to be unwelcome or unwanted. The forms of harassment contribute to what may be described as a poisoned or toxic workplace environment where any individual or group of individuals feel offended, uncomfortable, unsafe or insecure.

Prohibited Grounds:

Personal Harassment which is based on a prohibited ground of discrimination under the Ontario Human Rights Code and is dealt with under the City of Vaughan Respectful Workplace Policy and related process and procedures.

The prohibited grounds refer to those personal attributes that are recognized as the most common targets of harassing and discriminatory actions. For offensive behaviour to be considered discrimination or harassment under the Ontario Human Rights Code, the focus of the comment or conduct must be directed toward one of these aspects of a person's background:

- Age
- Ancestry
- Citizenship
- Colour
- Creed or Religion
- Disability
- Ethnic or National Origin
- Family Status
- Marital Status
- Place of Origin
- Race
- Sex (including pregnancy, gender identity)
- Gender Expression
- Sexual Orientation
- Receipt of Public Assistance

Sexual Violence:

Any sexual act or act targeting a person's sex, sexuality, sexual orientation, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person's consent and includes sexual assault, stalking, indecent exposure, voyeurism and sexual exploitation.

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POLICY

The City of Vaughan recognizes that the most effective way to deal with harassment and discrimination is through preventative action, including informing, educating and good management and to ensure that this policy is fair and applied consistently.

It is the policy of the City to take all reasonable steps to provide its elected representatives, employees (full-time, part-time, on contract, temporary, seasonal), appointees, students, interns and volunteers with a work and service environment that is free of any form of discrimination, harassment, personal harassment, sexual harassment or bullying, and that respects the dignity, self-worth and human rights of every individual.

The City Manager, on behalf of the City of Vaughan, is committed to providing a workplace and service environment that is conducive to creating a healthy and safe climate of mutual respect that reinforces opportunity and allows for each person to contribute fully to the development and well being of the Corporation.

This policy and its related procedures provide for an internal complaint resolution process where every effort will be made to facilitate an early resolution.

Discrimination, harassment, sexual harassment and bullying will not be condoned under the guise of strong management when employees are not treated with dignity and respect.

Nothing in the Respectful Workplace Policy or related procedures is intended to prevent a complainant from using alternate methods of resolution such as the Ontario Human Rights Code, a Collective Agreement, or other legal action.

Retaliation against an individual for filing a complaint, participating in any procedure or being associated with a person who filed a complaint under this policy will not be tolerated.

Complaints which are found to be vexatious or made in bad faith will result in a penalty against the complainant. The severity of the penalty will be determined based on the seriousness and impact of the complaint following an investigation.

RESPONSIBILITY

1. Everyone is Responsible:

- Everyone associated with the Corporation has a responsibility to ensure that the workplace environment is safe and free from discrimination, harassment, sexual harassment and bullying.
- This means not engaging in, allowing, condoning or ignoring behaviour contrary to this policy.
- Anyone who believes that discrimination, harassment, sexual harassment or bullying is taking place is encouraged to notify his/her supervisor and/or the Respectful Workplace Policy Coordinator.

2. Management/Supervisor Responsibility:

- The Ontario Human Rights Code provides that a person such as a manager or supervisor has the responsibility, to prevent or discourage harassment and discrimination
- All managers and supervisors therefore have a duty to act and deal with such incidents when they ought reasonably to have known that there is an issue to address
- This duty includes the obligation to be familiar with and uphold this policy and any associated procedures
- Any failure to act that results in discrimination, harassment, sexual harassment or bullying will not be tolerated and will be subject to discipline up to and including discharge from employment

3. Policy Advisors:

- All managers and supervisors are responsible to act as Policy Advisors under the Respectful Workplace Policy and its related procedures

4. Respectful Workplace Policy Coordinator:

- The Corporation shall designate a Human Resources representative to be the Corporate Respectful Workplace Policy Coordinator. This person will have overall responsibility for the administration of this policy and its related procedures including an annual review of the entire program

POLICY TITLE: RESPECTFUL WORKPLACE POLICY

POLICY NO.: XXXX

REPORTING AND INVESTIGATION

Employees who have reasonable grounds to believe a violation of the Respectful Workplace Policy has occurred should report such activity or behaviour, in writing, to their Supervisor, Manager, Director, Deputy City Manager, the Chief Human Resources Officer, or the City Manager, as appropriate. Employees may also use the City's Anonymous Reporting System.

Supervisory and management staff shall take all appropriate steps to prevent and stop respectful workplace issues which come to their attention.

Any supervisory or management staff member who is subject to, witnesses, or is given a written complaint of a respectful workplace violation shall work to minimize or eliminate the issue at hand. In the event that this is not possible with available resources, the management staff is required to report the issue to their Director, Deputy City Manager or the City Manager.

The City shall investigate all complaints of discrimination, harassment, sexual harassment, and bullying and take all appropriate actions including informing the parties to the complaint of its findings following an investigation.

NO RETALIATION

The City will not condone retaliation or reprisal of any kind by or on behalf of the City of Vaughan and its employees against good faith reports or complaints of violation of the Respectful Workplace Policy.

All employees must cooperate fully during an investigation of alleged wrongdoing in relation to any activity or behaviours outlined in this policy.

Retaliation or reprisal against a complainant or someone who is a witness or is involved in such investigation is strictly prohibited and will result in appropriate disciplinary action.

REMEDIAL ACTION

Any employee who is found to have violated the Respectful Workplace Policy may be subject to disciplinary action up to and including discharge from employment.

In addition, complaints which are found to be vexatious, malicious or made in bad faith will result in a penalty against the complainant. The severity of the penalty will be determined based on the seriousness and impact of the vexatious complaint following an investigation which may be subject to disciplinary action up to and including discharge from employment.

POLICY TITLE: RESPECTFUL WORKPLACE POLICY

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Complaints alleging harassment and or discrimination engaged in by a Member of Council should be forwarded to the City's Integrity Commissioner to be addressed under the Code of Ethical Conduct policy and procedure.

AWARENESS OF THE RESPECTFUL WORKPLACE POLICY

The Respectful Workplace Policy will be made available to all employees and elected or appointed officials by providing it at the time of employee onboarding and orientation, by inclusion in the New Employee Handbook, and by making it available and accessible on the City's intranet.

In addition, employees shall be required to acknowledge and sign-off on the Respectful Workplace Policy on a yearly basis and/or from time to time as necessary.

ANNUAL REPORT

An annual report will be provided to the City Manager of the number of complaints received and processed, the nature of the complaints, the resolution of the complaints, and all recommendations made. The identity of the persons involved will not be disclosed in the report.

ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	Other (specify) Yearly	Next Review Date:	September 27, 2019
Related Policy(ies):	Respectful Workplace Policy processes and procedures Workplace Violence Policy Social Media Policy Anonymous Reporting System Employee Code of Conduct Code of Ethical Conduct for Members of Council		
Related By-Law(s):	012-2013 – Roles and Responsibilities of the City Manager		
Procedural Document:	Respectful Workplace Procedures		
Revision History			
Date:	Description:		
Click or tap to enter a date.			

POLICY TITLE: RESPECTFUL WORKPLACE POLICY

POLICY NO.: XXXX

CORPORATE POLICY

POLICY TITLE: WORKPLACE VIOLENCE POLICY

POLICY NO.: HR - 018

Section:	Human Resources		
Effective Date:	April 1, 2019	Date of Last Review:	Click or tap to enter a date.
Approval Authority: Council	Policy Owner: Chief Human Resources		

POLICY STATEMENT

Violence in the workplace presents a risk to the safety and well-being of all employees, officials, patrons and visitors. It is everyone's responsibility to prevent workplace violence including harassment, sexual violence, physical and psychological threats, physical and psychological harm and bullying. The City of Vaughan is committed to creating and sustaining a positive, safe and healthy work environment based on mutual respect, open communications, transparency and shared accountability.

The City will take whatever steps are reasonable to protect its employees from workplace violence from all sources. The City of Vaughan maintains a zero-tolerance approach to Workplace Violence between:

- Employees including students, interns and volunteers
- Employees and an Official (Elected or Appointed)
- Employees and contractors in the exercise of workplace responsibilities
- Employees and a patron of the City in the exercise of workplace responsibilities

The Workplace Violence Policy will be made available to all employees by providing it at the time of employee onboarding and orientation, by inclusion in the New Employee Handbook, and by making it available and accessible on the City's intranet.

In addition, employees shall be required to acknowledge and sign-off on the Workplace Violence Policy on a yearly basis and/or from time to time as necessary.

POLICY TITLE: WORKPLACE VIOLENCE POLICY

POLICY NO.: HR - 018

PURPOSE

The purpose of this policy is to protect employees from Workplace Violence. This policy works in conjunction with Workplace Violence processes and procedures, the City's Health and Safety program, the City's Employee Code of Conduct and the Respectful Workplace Policy and related processes and procedures.

The City of Vaughan will ensure this policy and the supporting program, processes and procedures are implemented and maintained. All employees and supervisors/managers will receive appropriate information and instruction on the contents of the policy and program.

Supervisors/Managers will adhere to this policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by employees and that employees have the information they need to protect themselves.

Every employee must work in compliance with this policy and the supporting program. All workers are encouraged to raise any concerns about workplace violence and to report any violent incidents or threats.

Management pledges to investigate and deal with all incidents and complaints of workplace violence in a fair and timely manner, respecting the privacy of all concerned as much as possible.

All reported incidents of Workplace Violence shall be considered serious, will be promptly investigated, and appropriate action shall be taken.

Right to Refuse Work:

Nothing in this policy shall be deemed to limit the rights of any worker in Part V of the *Occupational Health and Safety Act* to refuse unsafe work.

Right to Respond to Any Incident of Workplace Violence:

The Workplace Violence Policy is both a complaint and an incident driven policy meaning that nothing in this policy shall be deemed to limit the right of the Corporation to respond to an incident of Workplace Violence, Sexual Violence or Domestic Violence of which the Corporation is aware whether or not an employee has made a complaint.

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Right to Discipline:

Nothing in this policy shall be deemed to limit or in any other way affect the right of the Corporation to discipline employees for insubordination or other breaches of employee conduct whether or not the action was accompanied by an act of violence.

SCOPE

Violent behaviour in the workplace is unacceptable from anyone. Everyone is expected to uphold this policy and to work together to prevent workplace violence.

Note: This policy does not deal with claims of discrimination or harassment dealt with under the Human Rights Code or personal harassment and bullying. Those claims of discrimination and harassment are dealt with under the City of Vaughan's Respectful Workplace Policy.

This policy applies to all:

- employees – permanent, full-time, part-time, contract, seasonal, temporary
- students and interns
- city program and service volunteers
- elected officials/representatives
- appointees
- contractors
- patrons

Where someone who is not a member of the Corporation perpetrates violence, every effort will be made by the Corporation to address the situation with the appropriate organization.

This policy applies to:

- Violence that may occur at any workplace/worksites or location where the business of the municipality is being conducted or during the course of any City business, activities and events including but not limited to: City premises and property; off-site premises and property; City sponsored functions, events and meals; travel venues while on City business; and any site where the employee is conducting City business or representing the Corporation of the City of Vaughan
- Violence that may occur between individuals associated with the City but outside corporation business, activities and events when such harassment has an adverse effect on the work environment

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- Situations of domestic violence or persons with a history of violent behaviour that the employer becomes aware of that would likely expose a person to physical injury or violence in the workplace

LEGISLATIVE REQUIREMENTS

- Workplace Violence Processes and Procedures
- Respectful Workplace Policy
- Code of Conduct
- Ontario Human Rights Code
- Occupational Health and Safety Act

DEFINITIONS

Critical Injury:

An injury of a serious nature that: places life in jeopardy; produces unconsciousness; results in substantial loss of blood; involves the fracture of a leg or arm (but not a finger or toe); involves the amputation of a leg, arm, hand or foot (but not a finger or toe); consists of burns to a major portion of the body; or causes the loss of sight in an eye.

Domestic Violence:

A pattern of abusive behaviours by one or both partners in an intimate relationship such as marriage, dating, family, friends or cohabitation. Commonly referred to as domestic abuse or “intimate partner abuse”, this situation involves physical, sexual, emotional or financial abuse by current or former partners in a personal relationship.

Harassment - Personal:

Engaging in a course of vexatious comment or conduct in a workplace that is known or ought reasonably to be known to be unwelcome. Any unwanted or unwelcome acts of coercion and harassment or misuse of power, including annoying or distressing behaviour through repeated and hostile or unwanted conduct, verbal comments, emails, threats, actions or gestures that affect a person’s dignity or physical integrity

and that result in a harmful workplace environment. A single severe act of harassing behaviour may be sufficient to be defined as Personal Harassment under the Workplace Violence policy. Properly discharged management responsibilities are not considered to be acts of harassment.

Harassment - Discriminatory:

Personal Harassment which is based on a prohibited ground of discrimination under the Ontario Human Rights Code and is dealt with under the City of Vaughan Respectful Workplace Policy.

Joint Health and Safety Committee:

A mandated committee under the *Occupational Health and Safety Act* that consists of labour and management representatives who meet on a regular basis to deal with workplace health and safety issues.

Official (Elected or Appointed):

A person who holds a public office or membership on a Council Committee with the City of Vaughan whether obtained by election or by nomination of the City Council or the Corporation of the City of Vaughan.

Patron:

A person who is a customer, client, resident or guest of the City of Vaughan while interacting during Corporation business with elected or appointed officials, employees, students, interns, volunteers, or contractors.

Sexual Harassment:

Engaging in a course of vexatious comment or conduct against a person in a workplace because of sex, sexuality, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the

person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Sexual harassment includes unwelcome sexual advances and requests for sexual favours where submitting to or rejecting this conduct is used as the basis for decisions which affect the individual's employment; such conduct has the purpose or effect of

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interfering with an individual's job performance; such conduct creates an intimidating or offensive environment.

Sexual Violence:

Any sexual act or act targeting a person's sex, sexuality, sexual orientation, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person's consent and includes sexual assault, stalking, indecent exposure, voyeurism and sexual exploitation.

Workplace Violence:

Any incident in which a person is threatened, coerced, abused, bullied, sexually abused, sexually assaulted or sustains an injury in, at, or related to the workplace and includes threats, coercion or abuse that is transmitted in writing or electronically. Workplace violence includes a statement or behaviour that it is reasonable for a person to interpret as a threat to exercise physical force against another person, in a workplace, that could cause physical injury to the person.

Workplace Violence can include acts of violence that occur when a person is off duty if the interaction was related to the workplace or has the potential to compromise the safety of the workplace.

Workplace Violence Policy Co-ordinator:

The Chief Human Resources Officer or his/her designate.

POLICY

1. The City of Vaughan recognizes that the most effective way to deal with workplace violence is through preventative action, including informing, educating and good management and to ensure that this policy is fair and applied consistently.
2. It is the policy of the City to take all reasonable steps to provide its elected representatives, appointees, employees, students, interns, volunteers, contractors and patrons with a work and service environment that is free from violence.
3. Everyone has a duty to report Workplace Violence in accordance with the procedures.
4. The City Manager, on behalf of the City of Vaughan is committed to establishing measures to prevent violence in the workplace.

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5. The City of Vaughan will regularly perform Workplace Violence Assessments and Threat Risk Analyses for all workplaces/worksites as required. Results of the assessments will be provided to the Joint Health and Safety Committee representing the workplace.
6. Investigations relating to alleged incidents of workplace violence, sexual violence or domestic violence will be undertaken in accordance with the Workplace Violence Procedures.
7. Anyone found to be in contravention of the policy will be held accountable for their actions.
8. The City of Vaughan will provide appropriate assistance and support to any persons who are involved in incidents of workplace violence, sexual violence or domestic violence including alleged perpetrators and victims.

GUIDING PRINCIPLES

There are several guiding principles which govern the organization in dealing with workplace violence. These include:

1. Everyone has a duty to report Workplace Violence.
2. All employees, patrons, and Officials (Elected or Appointed) in all City workplaces and City owned or operated facilities have a right to be safe.
3. There must be mutual respect between all employees, between employees and patrons of the City, and between employees, patrons and Officials (elected or Appointed).
4. The Policy must be in compliance with the Ontario *Occupational Health and Safety Act*, the Ontario *Human Rights Code* and the common law.
5. The Policy will respect the collective agreements between the City unions and the Corporation.
6. The Policy will be easy to use by both employees and management.
7. The Procedures will provide for both formal and informal resolutions.
8. The Policy and Procedures will be enforceable and clear and provide protection against retaliation.

RESPONSIBILITIES

Everyone is Responsible:

- Everyone associated with the Corporation, including all employees, students, interns, volunteers, Officials (Elected or Appointed), contractors and patrons have a responsibility to adhere to the Workplace Violence Policy and to ensure that workplace environment is safe and free from violence, including sexual harassment and sexual violence
- This means not engaging in, allowing, condoning or ignoring behaviour contrary to this policy
- Anyone who believes that workplace violence is taking place is encouraged to notify his/her supervisor and/or the Workplace Violence Policy Coordinator

Management/Supervisor Responsibility:

- All managers and supervisors have a particular duty to act and deal with any incidents or threats of workplace violence
- This duty includes the obligation to be familiar with and uphold this policy and any associated procedures
- Any failure to act that results in workplace violence will not be tolerated and will be subject to discipline up to and including discharge from employment

Workplace Violence Policy Coordinator:

- The Chief Human Resources Officer is designated as the Coordinator of the Workplace Violence Policy and is responsible for the management and direction of the Workplace Violence Policy and related Procedures
- Where the Coordinator of the Workplace Violence Policy is a party to an incident of Workplace Violence, the City Manager shall appoint a suitable alternate for that incident

REPORTING AND INVESTIGATION

Employees who have reasonable grounds to believe a violation of the Workplace Violence Policy has occurred should report such activity or behaviour, in writing, to their Supervisor, Manager, Director, Deputy City Manager, the Chief Human Resources Officer, or the City Manager, as appropriate. Employees may also use

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the City's Anonymous Reporting System to make a complaint.

Supervisory and management staff shall take all appropriate steps to prevent and stop workplace violence issues which come to their attention.

Any supervisory or management staff member who is subject to, witnesses, or is given a written complaint of a workplace violence violation shall work to minimize or eliminate the issue at hand. In the event that this is not possible with available resources, the management staff is required to report the issue to their Director, Deputy City Manager or the City Manager.

The City shall investigate all complaints of violations and take all appropriate actions.

NO RETALIATION

The City will not condone retaliation or reprisal of any kind by or on behalf of the City of Vaughan and its employees against good faith reports or complaints of violation of the Workplace Violence Policy.

All employees must cooperate fully during an investigation of alleged wrongdoing in relation to any activity outlined in the Workplace Violence Policy.

Retaliation or reprisal against a complainant or someone who is a witness or is involved in such investigation is strictly prohibited and will result in appropriate disciplinary action.

REMEDIAL ACTION

Any employee who is found to have violated the Workplace Violence Policy may be subject to disciplinary action up to and including discharge from employment.

In addition, complaints which are found to be vexatious, malicious or made in bad faith will result in a penalty against the complainant. The severity of the penalty will be determined based on the seriousness and impact of the vexatious complaint following an investigation which may be subject to disciplinary action up to and including discharge from employment.

Complaints alleging violence, sexual harassment or sexual violence by a Member of Council should be forwarded to the City's Integrity Commissioner to be addressed under the Code of Ethical Conduct policy and procedure.

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ANNUAL REPORT

An annual report will be provided to the City Manager of the number of complaints received and processed, the nature of the complaints, the resolution of the complaints, and all recommendations made. The identity of the persons involved will not be disclosed in the report.

ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	SELECT If other, specify here	Next Review Date:	Click or tap to enter a date.
Related Policy(ies):			
Related By-Law(s):			
Procedural Document:			
Revision History			
Date:	Description:		
Click or tap to enter a date.			
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