

**CITY OF VAUGHAN
COMMITTEE OF THE WHOLE (WORKING SESSION)
AGENDA**

Wednesday, June 5, 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. WESTON ROAD AND HIGHWAY 7 SECONDARY PLAN STUDY– PHASE 1 STATUS UPDATE (FILE 26.2) Report of the Deputy City Manager, Planning and Growth Management with respect to the above.	3
2. ADMINISTRATIVE AMENDMENTS TO PROCEDURE BY-LAW Report of the Deputy City Manager, Corporate Services with respect to the above.	27
3. COMMITTEE STRUCTURE REVIEW Report of the Deputy City Manager, Corporate Services, the Deputy City Manager, Planning and Growth Management, and the Interim City Manager with respect to the above.	36
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5. PROPERTY MATTER PRESENTATION OF LAND ACQUISITION
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Report of the City Solicitor 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 AD HOC COMMITTEE REPORTS
- 9. NEW BUSINESS
- 10. ADJOURNMENT

ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S OFFICE
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Committee of the Whole (Working Session) Report

DATE: Wednesday, June 05, 2019

WARD: 3

**TITLE: WESTON ROAD AND HIGHWAY 7 SECONDARY PLAN STUDY–
PHASE 1 STATUS UPDATE (FILE 26.2)**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: FOR INFORMATION

Purpose

To provide Council with an update on the Weston Road and Highway 7 Secondary Plan Study regarding the work completed to-date, public consultation process, and draft emerging conceptual land use scenarios. In addition, this report sets out the next steps for Phases 2 and 3 of the Weston Road and Highway 7 Secondary Plan Study.

Report Highlights

- The Weston Road and Highway 7 Secondary Plan is identified as a “Required Secondary Plan Area” on Schedule 14-A of Vaughan Official Plan 2010
- An update on the Phase 1 process, including the results from the background report and supporting studies, study area vision and guiding principles, and the public consultation process to-date is provided
- Emerging conceptual land use scenarios were developed for the Weston 7 Plan to express its character based on the findings of the background analysis, consultation process and current policy planning framework
- The recommended next steps in proceeding with Phases 2 and 3 of the Weston Road and Highway 7 Secondary Plan will require additional studies and analysis; these include the establishment of a preferred land use scenario, completion of a transportation master plan and the development of the Secondary Plan
- The preferred land use scenario in Phase 2 will establish the appropriate land uses, heights and densities to support the area’s character and function

Recommendations

1. THAT the presentation by Urban Strategies Inc. entitled “Phase 1 Weston Road and Highway 7 Secondary Plan Committee of the Whole Working Session Presentation (June 05, 2019)” BE RECEIVED.
2. THAT the Working Session Report and associated appendices, including the Weston 7 Phase 1: Final Report, BE RECEIVED.
3. THAT staff proceed to prepare and issue a Request for Proposal for completion of Phases 2 and 3 of the Weston Road and Highway 7 Secondary Plan, based on the findings of the Phase 1 report, input received during this Working Session and Council’s further direction.

Background

The Weston Road and Highway 7 Secondary Plan Study (Weston 7 Plan) area is located in a key area of the city

The Weston 7 Plan area is in an important, prominently located existing commercial area immediately west of the Vaughan Metropolitan Centre (VMC) and the TTC subway. The western edge of the VMC is approximately 200 metres east of the study area along Highway 7, while the VMC subway station is 1 kilometre away at the northwest corner of Highway 7 and Millway Avenue. The Weston 7 Plan area is located on approximately 126 hectares (311 acres) of land in Ward 3. It is bounded by Fieldstone Drive and Portage Parkway to the north, the Highway 400 corridor to the east, the Highway 407 corridor to the south, and Ansley Grove Road/Whitmore Road to the west (Attachment 1). The area includes regionally-significant retail destinations, office buildings, and new high-rise mixed-use residential buildings.

The Region has identified two proposed Major Transportation Areas (MTSA’s) within the Weston 7 Plan area

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, May 2019 (“A Place to Grow”) provides the direction and framework for where and how to manage growth in the Greater Golden Horseshoe until 2041. A Place to Grow identifies Highway 7 as a ‘Priority Transit Corridor’ on Schedule 5. Both the Weston Road and Ansley Grove VivaNext Bus Rapid Transit stations have been identified as Major Transit Station Areas (MTSAs) along Highway 7 by York Region.

Section 2.2.4 of A Place to Grow provides specific policy direction for MTSAs on priority transit corridors. Section 2.2.4 3b of A Place to Grow requires that “*Major transit station areas on priority transit corridors or subway lines will be planned for a minimum density*

target of 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit". York Region, in consultation with the City, will need to approve the delineated the boundaries of the identified MTSA's and determine an appropriate density to support transit use within walking distance of the stations.

Vaughan Official Plan 2010 (VOP 2010) identifies this area a 'Primary Centre'

Schedule 1 – Urban Structure of VOP 2010 identifies this area as a 'Primary Centre' which are intensification centres expected to evolve over time to accommodate greater densities and a broader range of uses. Primary Centres are planned to be served by the local and provincial road network, with higher-order transit along the Highway 7 Corridor (VivaNext) currently under construction. The Weston 7 plan will be an important component of the City's urban structure and is expected to play an important role in the future growth and evolution of the City. It is intended this area will compliment and develop in conjunction, but not compete with, the Vaughan Metropolitan Centre (VMC) to its immediate east which has been identified as the City's "downtown". Section 2.2.21.1 d of VOP 2010 provides direction that the VMC will have the tallest buildings and most intense concentration of development. The Weston 7 Plan will provide the basis for this Primary Centre's long-term growth and evolution.

Primary Centres are intended to support intensification by accommodating a wide range and mix of uses that when developed would support transit. They would also serve the residents of the Primary Centre, surrounding neighbourhoods and the City as a whole. Through the inclusion of retail uses, institutional uses, office uses, *community facilities* and human services, Primary Centres are designed to be transit-oriented, pedestrian-friendly places.

Schedule 14-A of VOP 2010 identifies this area as "Requiring a Secondary Plan". The overall Weston 7 Plan consists of three phases:

- Phase 1 Background: A background review, public consultation, development of the vision, guiding principles and conceptual land use scenarios
- Phase 2 Secondary Plan Development: Preferred development land use alternative, plan development, testing and draft secondary plan
- Phase 3 Approvals: Final Secondary Plan approvals process (Public Hearing, Committee of the Whole, Council)

Phase 1 is now complete. Phase 2 (Plan Development) and Phase 3 (Approvals), will be completed concurrently through a separate RFP process. It is anticipated that Phase 2 and 3 will take approximately 18-24 months to complete once a consultant team has been retained.

Phase 1 (Background) Overview Process:

Phase 1 (Background) of the Weston 7 Plan was awarded in April 2018 to the consulting firm Urban Strategies Inc., as the City's lead consultant. A team of multi-disciplinary sub-consultants were hired to assist in the background review, needs assessment, including a preliminary transportation assessment, and land-use scenarios. The sub-consultants specialized in matters related to transportation, sustainability, growth management, servicing, and telecommunications.

The objective of Phase 1 (Background) of the Weston 7 Plan was to identify and address potential opportunities and constraints imposed by the area's current conditions and other influences. This included an overview of the existing policy planning framework (Provincial, Regional and Local), existing land uses, existing transportation network capacity, identification of existing barriers to connectivity, existing servicing and sustainability issues. In addition, Phase 1 also included the development of a long-term vision, set of guiding principles and a draft of three conceptual emerging land use scenarios providing a vision of how the character and function of the area can develop in the future.

The Phase 1 study took place over the course of approximately 12 months and is now complete. Phase 2 (Plan Development) and Phase 3 (Approvals Process) will be initiated through a separate Request for Proposal (RFP) process in Q3 2019.

Phase 1 (Background) included a three-stage approach that examined the elements needed for successful growth in this identified intensification area. The three-stage process included:

- Stage 1 – Project Kick-Off (May 2018)
 - Stage 1 included project start-up meetings and a site visit with the consultant team, internal departments and external agencies
- Stage 2 – Background Review and Needs Assessment (May 2018 – September 2018)
 - Stage 2 included initial mapping and background data collection, policy planning framework review, needs assessment related to transportation, population and employment outlook and commercial use assessment, sustainability, community energy, community facilities and services, water, wastewater and stormwater servicing and telecommunications, case studies and best practices review and final background report
- Stage 3 – Visioning and Development of Planning Framework (November 2018 – June 2019)

- Stage 3 included the development of the Weston 7 vision statement, guiding principles, draft emerging conceptual land use scenarios and a preliminary transportation analysis framework for the conceptual land use scenarios

Previous Reports/Authority

Previous reports dealing with the Weston 7 Plan can be found at the following links:

Finance and Administration Committee Report January 31, 2012 Item 3, Report 1
http://meetingarchives.vaughan.ca/extracts_2012/pdf/01Finance0116ex-12.pdf

Committee of the Whole Report - May 2, 2017
http://www.vaughan.ca/council/minutes_agendas/AgendaItems/CW0502_17_1.pdf

Finance, Administration and Audit Committee Report – April 3, 2018
https://www.vaughan.ca/council/minutes_agendas/AgendaItems/Finance_0403_18_8.pdf

Analysis and Options

What were the results of Background Review and Needs Assessment?

The Weston 7 Plan Background Report contains an overview of the existing land use planning context (refer to Appendix 2 of Attachment 2). The Background Report provides an overview of the existing policy context including the Provincial Policy Statement ('PPS'), Growth Plan for the Greater Golden Horseshoe 2017, the York Region Official Plan ('YROP') and VOP 2010 that guide the future development of this intensification area.

The following additional studies and reports were reviewed as part of the background analysis:

- York Region Transit Oriented Development Guidelines (2006)
- York Region Best Practices for Planning Centers and Corridors
- City of Vaughan Active Together Master Plan (2018)
- City of Vaughan Zoning By-Law 1-88
- Vaughan City-Wide Urban Design Guidelines
- Green Directions Vaughan
- Vaughan City-Wide Streetscape Implementation Manual
- City of Vaughan Parks Redevelopment Strategy
- York Region Transportation Master Plan (2016)
- VMC and Surrounding Areas Transportation Study (2013)
- 7777 Weston Road Area Wide Transportation Study (2012)

Phase 1 of the Weston 7 Plan included a needs assessment review that produced a series of background reports prepared by the consultant team (refer to attachments found in the Final Report). This background information provides the context of the existing conditions in the Weston 7 area and elements requiring further analysis and future study through the Phase 2 process. These background reports included:

- A Transportation Needs Assessment Report, HDR (2018)
- Population and Employment Outlook and Commercial Use Assessment, Hemson Consulting (2018)
- Sustainability Analysis, Urban Equation (2018)
- Community Energy Plan, Urban Equation (2018)
- Planning Policy Analysis, Urban Strategies (2018)
- Community Facilities and Services Study, Urban Strategies (2018)
- Preliminary Water, Wastewater and Stormwater Servicing Analysis, TMIG (2018)
- Telecommunications Memo, RTG (2018)

The Existing Conditions of the Weston 7 Area Vary

The Background Review Report includes an analysis of the existing conditions and land use context of the Weston 7 Plan area. The report concludes:

- the Weston 7 Plan area is composed of primarily retail commercial uses, with some employment and office uses. Some of the existing retail commercial uses include many stand-alone, auto-oriented 'big box' uses and strip plazas
- the Weston 7 Plan area is beginning to show its potential evolution as a mixed-use primary centre with the recent at the northeast corner of Weston Road and Highway 7. The site consists of 30-storey and 33-storey high-rise mixed-use condominium apartment buildings and a 10-storey office building on a shared podium
- there is an existing low-density residential neighbourhood located adjacent to the Weston 7 Plan area at the north-west corner consisting of low-rise with single-detached dwellings and townhouses. The policy framework should ensure new development in the Weston 7 Plan area includes appropriate transition policies are in place from this existing neighbourhood and providing future connections to and from the community
- the existing transportation network is primarily auto-oriented with wide streets and intersections, such as Weston Road (43 metre right-of-way) and Highway 7 (45 metre right-of-way) that act as barriers for pedestrians and cyclists crossing these streets. The current road network presents challenges from a traffic, safety and connectivity perspective. Multi-modal network improvements to establish a fine-grained transportation network, based on proposed land uses, are needed to enhance mobility for transit users, pedestrians, cyclists, and drivers

What were some of the Planning Issues and Opportunities in Weston 7?

The Background Report identified potential issues and opportunities to better understand the role and function of the Weston 7 Plan area and its future redevelopment potential. This included the following:

Issues

- Streets and Blocks – congestion within each quadrant and on both Highway 7 and Weston Road, and the challenges faced by pedestrians/transit users and cyclists in travelling to and from the area
- Parks and Open Spaces – there are currently no parks or open spaces within the Weston 7 Plan area
- Transition to Adjacent Uses – the north-west boundary of the Weston 7 abuts an existing low-density stable neighborhood. Future redevelopment in this area will require sensitive transition of higher heights and densities
- Active Transportation –there is no current bicycle infrastructure in the study area. Future improvements to the mobility network, including potential community and neighbourhood bike lanes, will be needed to increase active transportation options throughout Weston 7

Opportunities

- Distinguishing Weston 7 from the Vaughan Metropolitan Centre (VMC) – the role of Weston 7, defined as a Primary Centre, should complement and not compete with the VMC (the city's downtown) for development. A balanced approach is needed to maintain the relationship of these two intensification areas
- Streets and Blocks- opportunity exists to manage existing roadway congestion and create a fine-grained, multi-modal transportation network. To realize the potential of the area, users must be provided with more convenient, safe and accessible choices to travel to, and travel around, the area
- Parks and Open Space- the Weston 7 Plan, through future phases of work, will need to define a parks and open space network to support the future community
- Sustainable Communities – realizing opportunities for sustainable development opportunities such as green buildings, sustainable water management, energy efficiency and sustainable waste management
- Developable Land – there is redevelopment potential of the current low-density commercial uses and large surface parking lots in the plan area

- A Place for Growth - transit-oriented development is needed to support the Highway 7 VivaNext Bus Rapid Transit corridor, the two identified Major Transit Station Areas (MTSAs) within the study area and their connection to the TTC Subway in the VMC

An extensive public consultation process was undertaken to gather feedback and inform Phase 1 of the Study

The public consultation strategy included a number of meetings with various key internal and external stakeholders including the public. The purpose of the consultation strategy was to seek feedback on the current role of the area and develop an understanding of its strengths, weaknesses, challenges, and opportunities. In addition, staff received input on the area's future vision from current landowners which included their future plans for long-term redevelopment.

The Phase 1 public consultation process included:

Technical Advisory Committee Meetings

- June 13, 2018 - Technical Advisory Committee Roundtable Summit, with representatives from key agencies and City of Vaughan departments including:
 - Policy Planning and Environmental Sustainability
 - Cultural Heritage
 - Development Planning/Urban Design
 - Economic and Cultural Development
 - Infrastructure Delivery
 - Parks Development
 - Vaughan Public Libraries
 - Development Engineering
 - York Region
 - Toronto and Region Conservation Authority
 - Viva Next York Region Transit
 - York Region Public and Catholic School Boards
 - Ministry of Transportation (MTO)
- October 2, 2018 - Technical Advisory Committee Vision and Guiding Principles Roundtable Discussion
- March 12, 2019 - Technical Advisory Committee Land Use Scenarios Roundtable Discussion

Landowner Meetings

- June 2018 – August 2018 - a series of key stakeholder interviews with area landowners and their representatives
- March 18, 2019 - landowner meeting on the conceptual land use scenarios-

Public Open House Meetings

- June 27, 2018 - Ideas Workshop attended by members of the public and development industry representatives. The objective of this workshop was to establish a context for growth and change in the area, where they go in Weston 7 and enjoy or have concerns, and to hear the community's ideas for the future
- November 7, 2018 - Vision and Principles Open House presenting the draft vision and principles for Weston 7. The objective of this open house was to review the overall vision for the Weston 7 Secondary Plan and review the eight guiding principles
- March 25, 2019- Conceptual Land Use Scenarios Workshop presenting and receiving feedback on the 3 draft emerging conceptual land use scenarios

City of Vaughan Website

- project website updates providing information about the project

Interviews with Local and Regional Councillors

- June and July 2018 - interviews were held with Local and Regional Councillors on their ideas for the future of Weston 7

A Vision Statement and set of Eight Guiding Principles Emerged through the Public Consultation Process

A vision statement, as well as a set of eight (8) Guiding Principles for Weston 7 were developed as a result of the consultation process. The vision statement for the Weston 7 Plan is:

Weston 7 will be a vibrant and inclusive place for all people from Vaughan and surrounding cities to gather, shop, live, work and enjoy. As one of the city's primary growth centres, it will be a distinct urban place with a variety of commercial, cultural and entertainment destinations, providing housing options and jobs within walking distance to the Highway 7 Rapidway. The area will evolve into a place that is universally accessible; providing convenient options for everyone to comfortably and safely get around by walking, biking, taking transit or driving. Weston 7 will strive to be a low-carbon, healthy community defined by a network of pedestrian-oriented, well-connected streets, parks and gathering places that becomes a distinguished, landmark destination of choice in Vaughan.

The Weston 7 vision statement will be supported by the following eight key guiding principles:

1. Role - Develop a significant commercial, cultural, and entertainment destination that builds upon current assets and strengthens the local economy by:
 - enhancing the area's current role as a commercial and entertainment center
 - creating a public cultural destination within Weston 7

- establishing policies that reinforce no net loss of commercial floor space over time
 - supporting prosperity by encouraging opportunities for local employment
2. Multi Modal - Establish a connected multi-modal community that supports choice of movement for cars, pedestrians, cyclists and transit users by:
 - establishing a fine-grained, connected street network to create more choices for movement and to help reduce existing congestion
 - building a transportation network with safe and comfortable infrastructure for pedestrians, cyclists and drivers
 - establishing a pedestrian network for easy access to public transit
 3. Public Realm - Create a diverse and a high-quality public realm that supports urban vibrancy and civic gathering by:
 - creating a memorable, high-quality environment that enhances Weston 7's sense of identity and provides opportunities for place-making
 - encouraging a range of connected public parks and open spaces, as well as at-grade, privately owned, publicly accessible open space to create new green network for Weston 7
 4. Housing - Encourage variety in housing types and tenures to meet the housing life-cycle needs of people of all ages by:
 - supporting housing types and tenures to serve Vaughan's changing demographics and to foster a dynamic community for all ages including housing for seniors, singles, families, and affordable housing
 5. Well Being - Encourage an inclusive community with a built environment that fosters social connection and cohesion by:
 - including services, amenities and gathering places to enhance community cohesion for all who work, live or visit Weston 7
 - promoting health and wellness and connection to nature through a high-quality open space system
 - supporting Crime Prevention Through Environmental Design (CPTED) principles in the development of buildings and open spaces in Weston 7
 6. Sustainable - Create a place that is rooted in sustainability and considers impacts to future generations by:
 - demonstrating best practices in sustainable urban development, minimizing resource and energy use, working towards the achievement of a low-carbon community
 - encouraging sustainability by making efficient use of existing infrastructure and other resources

7. **Balanced Intensification** - Develop a balanced approach to growth and density that capitalizes on transit investment while respecting the ability of other Vaughan centers to also grow and evolve by:
 - taking a coordinated approach to under-stand and reinforce the role of Weston 7 in relation to other Vaughan Centers, particularly the VMC
 - establishing appropriate development densities within walking distances to Major Transit Station Areas (MTSAs)
8. **Design Excellence** - Focus on high quality place making and design excellence to distinguish Weston 7 within the region and Greater Toronto Area by:
 - framing and activating the public realm through new development
 - creating balance between built form and open spaces
 - promoting high quality architecture and public spaces

A wide range of comments and feedback was received at the Vision and Guiding Principles Open House

On November 7, 2018, the City hosted a public open house to receive feedback from stakeholders, landowners and members of the community on the vision statement and set of guiding principles for Weston 7. Some of the comments received from the public included the need to:

- create new green spaces in the area while providing new landscaping and an increased tree canopy
- ensure transit access to the VMC and the TTC subway, as well as connections to other transit systems
- support for the role of the area as a cultural and commercial destination
- address concerns and frustrations about current traffic congestion in the area today
- address concerns regarding the walkability of the area and the desire for a safer and easier to use pedestrian network
- provide local streets in close proximity to residential areas to allow the existing community to walk to the area
- provide cycling connections and implement new cycling infrastructure throughout the area to address connectivity and safety concerns
- meet the desire for mid-rise buildings that are connected to transit
- limit the amount and type of higher density development
- encourage activities through the winter months

Three high-level draft land use scenarios were developed to express potential options for Weston 7 based on its thematic role and character

City Staff, together with Urban Strategies Inc., worked collaboratively to establish a series of draft land use concepts for the Secondary Plan that considered the

background analysis, vision statement and guiding principles, and current planning context (Attachment 2- Final Report). Using the current VOP 2010 land use designations as a basis, conceptual draft land use scenarios were developed to provide alternative approaches in expressing Weston 7 as a Primary Centre, with each scenario consisting of various precinct character areas. Each of the precincts within the draft scenarios have an intended theme to better understand the role of those precincts within Weston 7. The three draft scenarios developed include the following:

- Scenario 1- Four Corners Central Node
- Scenario 2- Two Nodes Retail Focus
- Scenario 3- Mixed-Use Entertainment Precinct

Scenario 1- Four Corners Central Node

Scenario 1 (attachment 3) consists of six precincts, including an office-integrated mixed-use central node at the study area's epicenter, the Weston Road and Highway 7 intersection. The four corners of Weston Road and Highway 7 are surrounded by high-rise mixed-use development and transitioning to mixed-use neighbourhood precincts further from the centre. The central node would encourage office uses in podium levels of high-rise mixed-use buildings at the four corners of Weston Road and Highway 7. A greater emphasis is placed on main-street type retail uses in the mixed-use neighbourhood precincts in the northwest and southeast corners. An entertainment precinct is located at the south east corner of Weston 7 proposing mid-rise mixed-use development.

Scenario 2- Two Nodes Retail Focus

Scenario 2 (attachment 4) consists of six precincts, including a main corridor with retail uses (at-grade) linking both of the proposed Major Transit Station Areas (MTSAs) at Weston Road and Ansley Grove along Highway 7. The retail nodes are surrounded by high-rise mixed-use development and transitions to mixed-use neighbourhood precincts further from the retail nodes. An entertainment precinct is located between Weston Road and Highway 400, south of Highway 7, and includes a retail high street, potential public plaza/square and high-rise and mid-rise mixed-use development.

Scenario 3 – Southeast Mixed-Use Entertainment Precinct

Scenario 3 (attachment 5) consists of five precincts and carries the most intense mix of uses with office priority areas, entertainment uses in the "Entertainment/Office Precinct", and at-grade retail streets all between Weston Road and Highway 400, south of Highway 7. Other precincts in this scenario include mixed-use neighbourhood precincts with high-rise and mid-rise mixed use. Opportunities for retail focus uses are also identified in the northwest precinct, north of Highway 7.

The purpose of the draft scenarios is to express the area's identity and function. Phase 2 will analyze a preferred scenario and establish appropriate land uses, heights and densities to support that function. Each of the scenarios identified above includes a conceptual transportation network with existing and potential future network connections including the Colossus Drive overpass over Highway 400 that connects to the VMC. The future primary network connections and a secondary transportation network will be developed, analyzed and tested as part of Phase 2 of the Weston 7 Plan to establish the appropriate network connections, which may include additional streets, pedestrian mews, separated cycling facilities, and other components needed to support the future growth of this area.

These conceptual land use scenarios also identify potential locations for parks, understanding that specific park typologies, locations and configurations will be determined once the ultimate population and jobs for Weston 7 is established through Phase 2.

Comments and feedback were received from landowners in Weston 7 on the conceptual land use scenarios

A landowner meeting was held on March 18, 2019 and included a presentation of the Phase 1 process to-date and an introduction of the conceptual land use scenarios. The following is a high-level summary of the comments received by the landowners on the scenarios:

General

- all three land use scenarios include the east-west connection of the Colossus Drive Overpass over Highway 400 connecting to the VMC; this will allow all users to access these vibrant mixed-use areas
- consideration should be given in all scenarios to revitalizing and improving the existing stormwater management pond in the southeast quadrant to integrate a park or open space
- each of the precincts need to be treated differently, but also work together to be walkable
- park locations should be positioned in key locations to serve a high number of residents
- Portage Parkway should be considered as another gateway location to Weston 7
- concerns raised over land use scenarios designating large areas as homogenous commercial zones and that alternate land use designations not currently in place in VOP 2010 be explored for certain locations. Some landowners support re-designating properties for high-rise mixed-use. Some landowners, however, expressed that all land use scenarios should continue to align with the existing VOP 2010 land use designations and proposed no modifications

Scenarios

- Scenario 1 proposes too much office space which may compete with the VMC but also may not be feasible from a market perspective
- Scenario 1 includes two potential park locations and a school/community hub in the northeast precinct. The school/community hub should be located closer to the existing residential community in the northwest precinct and the need for two parks in this precinct should be further evaluated
- Scenario 2, with the inclusion of the public squares and retail focus streets in the entertainment precinct, will draw people to the area and promote a place for people to live, work and visit by walking and creating focal points
- Scenario 2 may provide true mixed-use development along Highway 7, with lower level commercial development and upper level residential and office in mixed-use buildings. However, some blocks in Scenario 2 may be too shallow or irregular to allow for mid-rise or high-rise mixed-use development
- the retail nodes proposed in Scenario 2 may require economic incentives to be fully realized
- Scenario 3 provides the most balanced approach with a good mix of uses, with a retail and entertainment focus that is closest to Weston Road and Highway 7
- Scenario 3 conceptual park locations are close together and away from existing residents
- attracting significant office uses in Scenario 3 may again compete with the VMC or not materialize over the long-term

Landowners also provided feedback on what is needed for future phases of the Weston 7 Plan. The following summarizes some of the key points:

- many existing retail commercial uses remain successful and have no relocation or redevelopment plans in the short-term
- land use compatibility between existing uses and new land uses, such as residential, needs to be reviewed with respect to any access and noise issues. This may include transition policies adjacent to employment areas and highways
- future park and school locations should be determined and reviewed based on the future population and in areas that serve the most residents
- a development phasing strategy is needed for the development of the area to ensure logical and orderly development, on the understanding that there may be short-term and long-term landowner redevelopment opportunities
- the future road network needs to be comprehensively reviewed (in consultation with appropriate agencies including MTO) and should consider existing property boundaries when developing new network connections, as well as looking at private streets, mews, and laneways to achieve a finer-grained network that is based on appropriate development blocks
- Mid-rise Mixed Use and Community Commercial Mixed-Use designated sites in Weston 7 could emulate similar heights and densities found in the lower designations in the VMC Secondary Plan but higher than the current height and

density limits of the Mid-Rise Mixed-Use and Employment-Commercial Mixed-Use land use designations surrounding the Weston 7 Plan area

An open house on the emerging conceptual land use scenarios was held to receive feedback from the community

A Public Open House was held on March 25, 2019 and included a presentation of the Phase 1 process to-date and an introduction of the conceptual land use scenarios. The following is a high-level summary of the comments received on the scenarios:

Scenario 1

- the office focus seems to 'take over' the intersection and loses the community feel; the office space should be contained and not too high
- the entertainment district is too far away from Highway 7 and transit and should be moved further north
- there seems to be a good layout of green spaces but lacks a common space for community gathering and engagement

Scenario 2

- there is a need for more locations for civic engagement, but the entertainment district is in a good location and closer to transit
- the retail node at Ansley Grove stretches the business/retail area too far and should be contained to the Weston Road and Highway 7 area
- there is support for the neighbourhood transition areas

Scenario 3

- the entertainment precinct is in a great location with many retail streets and a public square
- the area needs more greenspace
- any new high-rise development should be closer to Weston Road

Additional studies and analysis are required in Phase 2 of the Weston 7 Plan to establish an ultimate land use plan and to develop a draft Secondary Plan

The emerging conceptual land use scenarios have been developed to build on the vision statement and guiding principles to define the role, function and primary intended mix of uses for the Weston 7 area. Through additional analysis in Phase 2, employment and residential targets, built form, density, parks and open spaces, and the proposed transportation network and servicing capacity will need to be evaluated to determine a preferred land use scenario. The preferred scenario will also have to be evaluated against the vision statement and principles established for the Weston 7 Plan.

The preferred land use scenario should consider elements of the three conceptual land use scenarios. As a Primary Centre with existing VOP 2010 mixed-use land use

designations, uses such as office and retail should be permitted in the Weston 7 Plan, however the location and amount of these uses needs to be further analyzed in Phase 2.

Further evaluation is required to determine the preferred character that best suits the role of the Weston 7 Plan area. This will be informed by the feedback provided from Phase 1, in addition to further internal and external stakeholder engagement to test and analyze the work completed to date. Additional analysis is required with respect to market demand and uptake, economic development objectives and long-term landowner redevelopment plans. Phase 2, in developing the Weston 7 Secondary Plan, will need to provide clear policy direction to implement the secondary plan through appropriate development phasing over the long-term.

The following additional studies and deliverables are required through Phase 2 and 3 of the Weston 7 Secondary Plan:

- Transportation Master Plan (analysis, testing and recommended transportation network and policies)
- Preferred land use plan (including heights, densities and built form)
- Parks and Open Space Network
- Community services
- Municipal servicing
- Major Transit Station Areas (MTSAs) delineation and population and employment recommendations
- Urban design principles and policies
- Draft Final Secondary Plan

Transportation

- The Transportation Master Plan will involve the assessment of the conceptual land use scenarios, analysis and identification of a preferred alternative and supporting policies for implementation. The study framework will meet the following primary objectives (see attachment in the Final Report for Preliminary Transportation Assessment Report):
 - Complete a Transportation Master Plan which satisfies Phases 1 and 2 of the Municipal Class EA process, in conjunction with the Secondary Plan process
 - Test grid street network options in concert with land use / growth to maximize connectivity and efficiency
 - Evaluate an active transportation network that is comfortable and safe
 - Use a Multimodal Level of Service approach to evaluate network connections and infrastructure
 - Evaluate the impacts of new mobility options

- Develop a travel demand management and parking strategy

Land Use

- The preferred land use plan will need to establish the appropriate overall population and employment yields for Weston 7. In order to determine the ultimate maximum density for Weston 7 various built form typologies will need to be established through demonstration plans and massing models based on prescribed heights and densities
- Modifications to the existing mid-rise mixed use or commercial mixed-use land use designations could be considered if there is a demonstrated need, achieved through a land use needs assessment study
- If changes were to be considered to the community commercial designation, a minimum non-residential depth should be established from 400 series highway corridors to buffer residential uses
- The outcomes from the York Region MTSA review with respect to the area's two MTSA's will need to be incorporated and tested against the transportation network. The role and growth potential of these MTSA's, in relationship to other higher-order transit stations and intensification areas in Vaughan, is to be considered in conjunction with Vaughan's Official Plan review process
- The ultimate density for Weston 7 should also be evaluated in relationship to the land use mix recommendations, policy-based people and job targets, landowner expectations, long-term development plans, and public and stakeholder feedback

Servicing

- An assessment of servicing capacity and storm water management infrastructure requirements in relationship to the targeted population and final land use scenario is required to understand impacts to infrastructure

Community Services

- A preliminary assessment of impacts to Community Services was performed as part of the Background Study. The Phase 2 work will require an assessment of the proposed densities on the community services and what, if any, impacts they would have on the area's soft services

Parks and Open Space

- Park and Open Space sizing and role will need to be confirmed and the appropriate long-term parkland provision target for the intensification area determined. Open space connections will also need to be confirmed along with pedestrian walkways and cycling connections

Outcomes of the work above may feed into an infrastructure phasing strategy where development is tied to the provisions of new hard and soft services required to meet the needs of the population.

Financial Impact

A separate Request for Proposal (RFP) process is needed to secure consulting services for Phases 2 and 3 of the Weston 7 Plan. These funds have been approved through 2019 departmental budgets.

Broader Regional Impacts/Considerations

Staff from York Region have been consulted and continue to participate in the study process as members of the Technical Advisory Committee. Representatives from Transportation and Community Planning Departments have been involved throughout the process to-date.

Conclusion

Phase 1 of the Weston 7 Plan is complete. An extensive background analysis and needs assessment was undertaken to develop a vision statement, guiding principles and a series of emerging conceptual draft land use scenarios. The Phase 1 consultation process included meetings with the Technical Advisory Committee (TAC), landowners, and members of the public, providing valuable feedback on the Weston 7 Plan area.

The vision statement, guiding principles and emerging conceptual draft land use scenarios will be further reviewed in detail and tested in Phase 2. Additional analyses and studies are needed with respect to transportation, land use, urban design, community services, parks and open space and servicing to develop the secondary plan and policies. The results of the Phase 1 Final Report will guide and inform the scope and basis for Phase 2 of the Weston 7 Secondary Plan.

The City will continue to meet with commenting agencies and TAC members such as School Boards, Ministry of Transportation (MTO), Toronto Region and Conservation Authority (TRCA), Parks Development, Economic and Cultural Development, Urban Design, and Transportation, and other agency representatives to assess future requirements and needs. Staff will also continue to consult with landowners, stakeholders, and the public through Phase 2 of the process.

As Phase 1 of the Weston 7 Plan is now complete, staff are recommending that the Request for Proposal (RFP) for Phase 2 and 3 be prepared and issued to retain a qualified consultant team to develop the preferred land use alternative, transportation master plan and final Weston 7 Plan.

For more information, please contact: Frank Marzo, Senior Planner, Policy Planning and Environmental Sustainability, ext. 8063

Attachments

1. Location and Context Map – Weston Road and Highway 7 Secondary Plan Study Area
2. Weston 7 Secondary Plan – Phase 1 Final Report, Urban Strategies, May 2019
3. Scenario 1 - Four Corners Central Node
4. Scenario 2 - Two Nodes Retail Focus
5. Scenario 3 - Southeast Mixed-Use Entertainment Precinct

(A hard copy of Attachment 2 referred to in the foregoing has been forwarded to each Member of Council and a copy thereof is also on file in the Office of the City Clerk.)

Prepared by

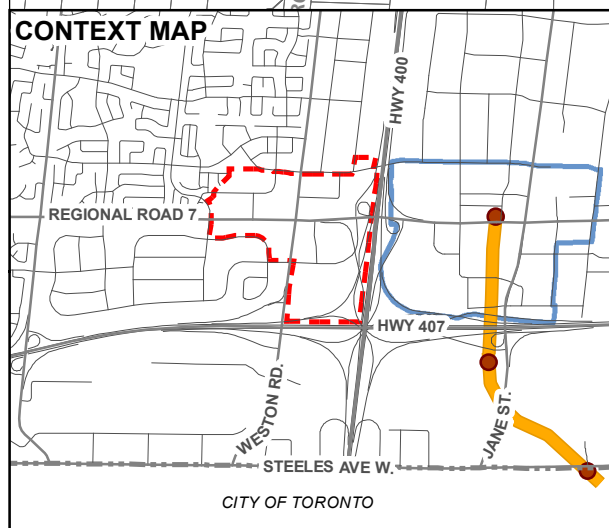
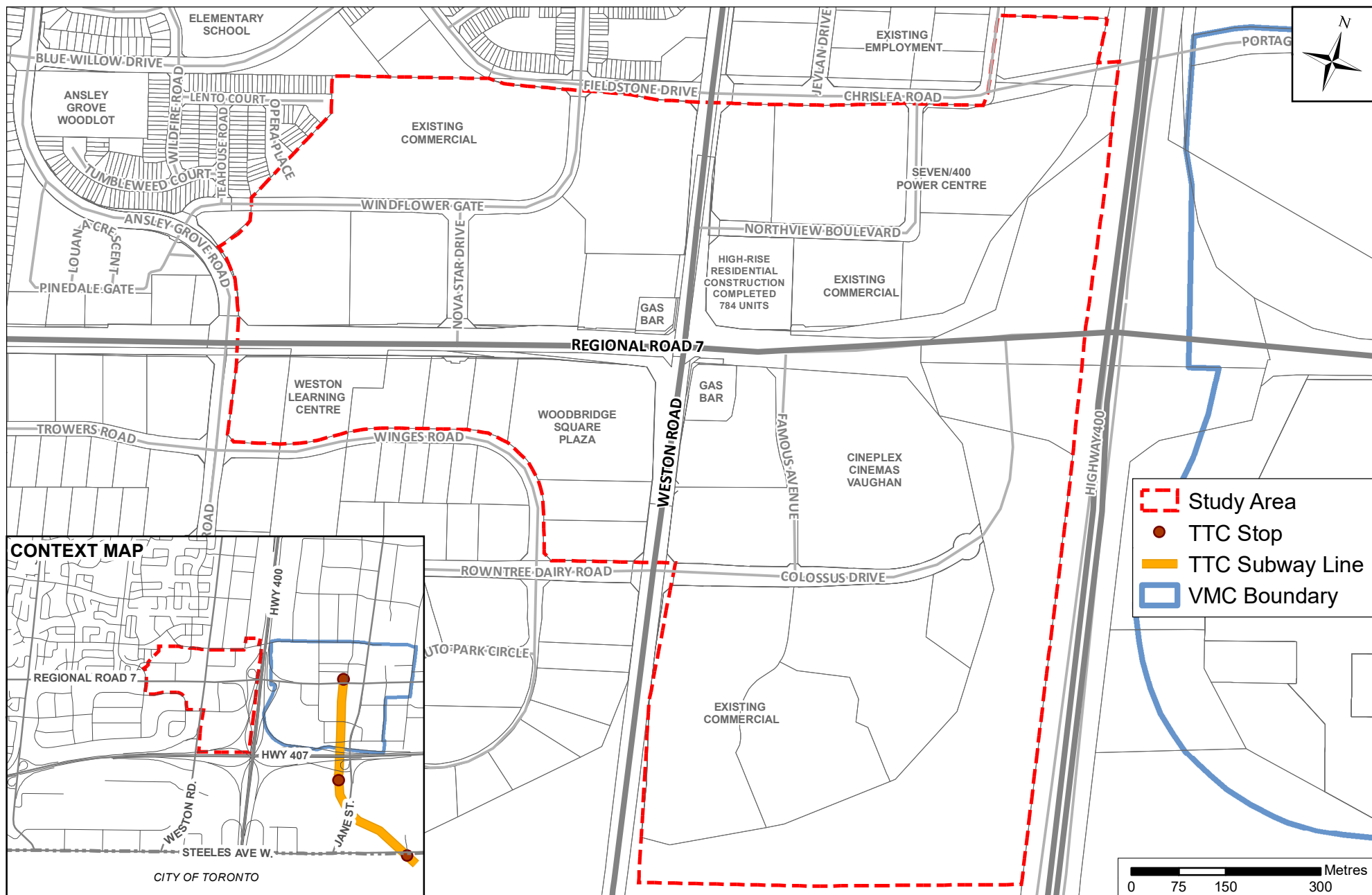
Frank Marzo, Senior Planner, ext. 8063

Michael Di Febo, Planner I, ext. 8990

Christopher Tam, Transportation Project Manager, ext. 8702

Melissa Rossi, Manager, Policy Planning, ext. 8320

Bill Kiru, Director, Policy Planning and Environmental Sustainability, ext.8633



Location Map - Weston Road and Highway 7 Secondary Plan Study Area

Attachment

LOCATION:
Part of Lots 4,5,6 Concessions 5,6



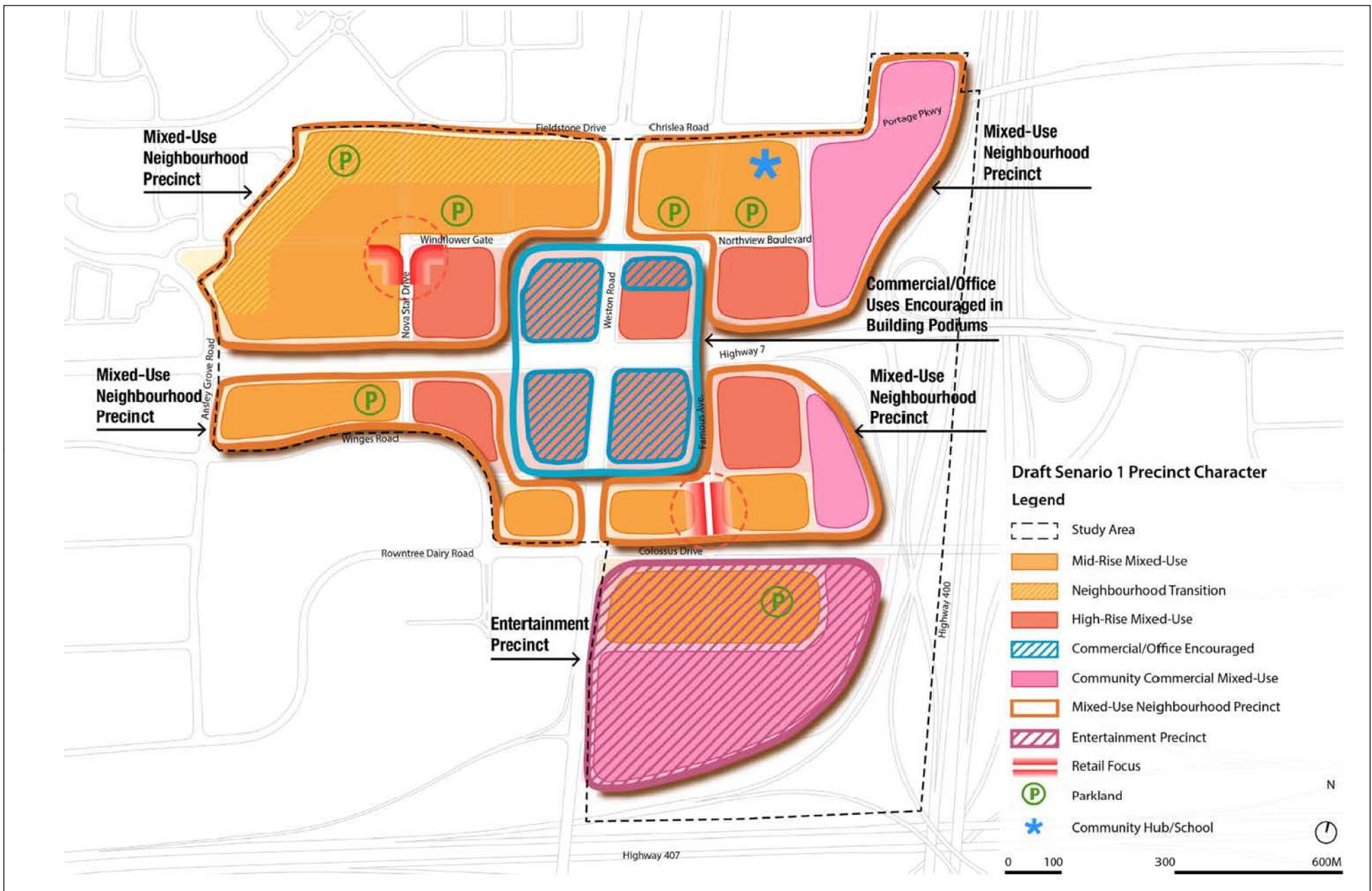
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June 5, 2019

1

ATTACHMENT 2

(UNDER SEPARATE COVER)



Scenario 1 - Four Corners Central Node

LOCATION:
Part of Lots 4,5,6 Concessions 5,6

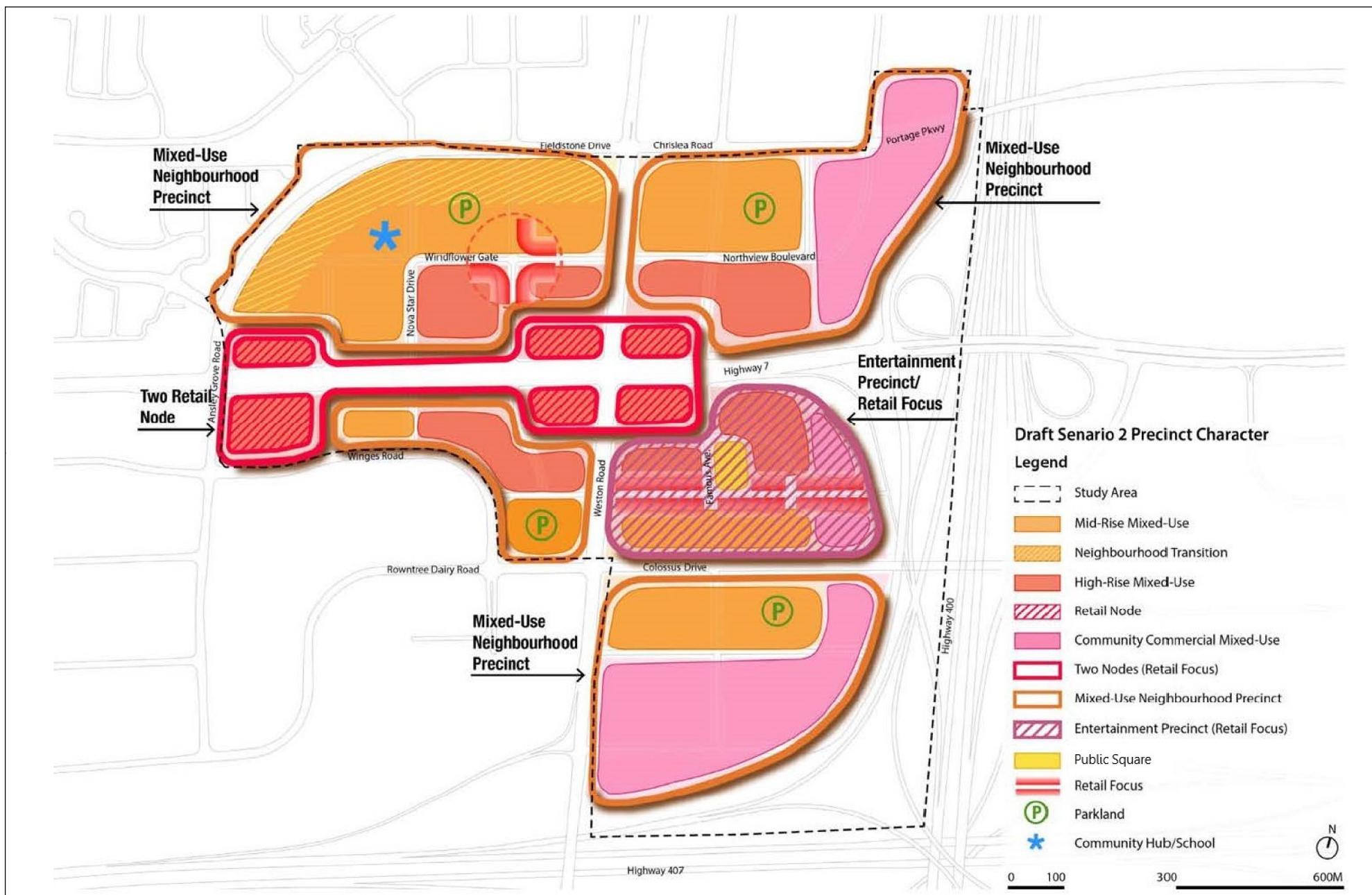


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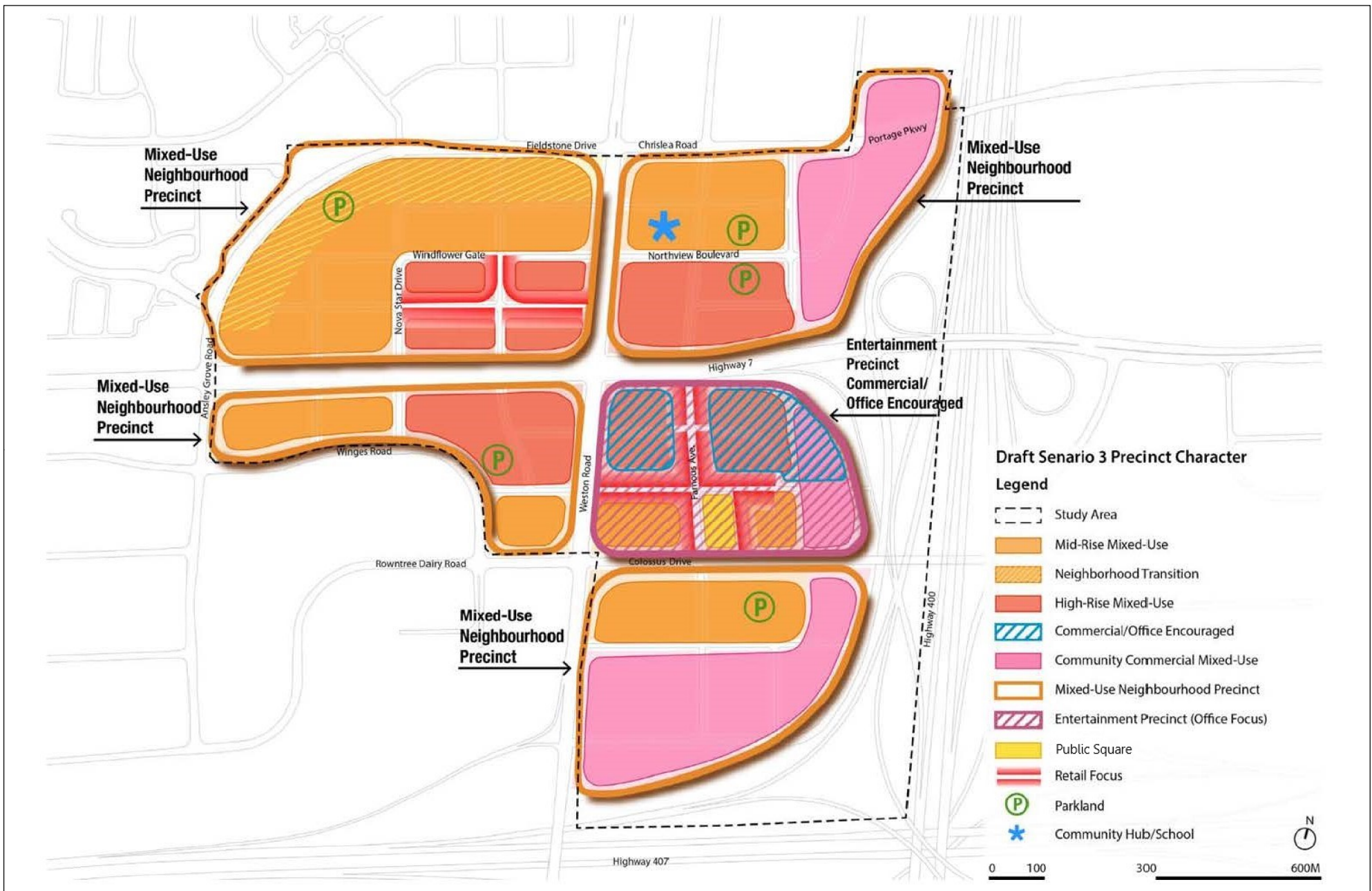
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Scenario 2 - Two Nodes Retail Focus

LOCATION:
Part of Lots 4,5,6 Concessions 5,6





Scenario 3 - Southeast Mixed-Use Entertainment Precinct

LOCATION:
 Part of Lots 4,5,6 Concessions 5,6



Attachment

FILE:
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DATE:
 June 5, 2019

5

Committee of the Whole (Working Session) Report

DATE: Wednesday, June 05, 2019

WARD(S): ALL

TITLE: ADMINISTRATIVE AMENDMENTS TO PROCEDURE BY-LAW 7-2011

FROM:

Nick Spensieri, Deputy City Manager, Corporate Services

ACTION: DECISION

Purpose

This report outlines a series of proposed amendments to Procedure By-law 7-2011 with the intent to improve efficiency and transparency.

Report Highlights

- The Procedure By-law establishes the principles and rules to be used for meetings of Council and its Committees.
- Several amendments to Procedure By-law 7-2011 have been identified to improve efficiency and transparency.
- Proposed amendments include expanded use of the Aboriginal Territorial Acknowledgment, adding Staff Communications and a requirement for written declarations of interest.

Recommendations

1. That the proposed amendments to Procedure By-law 7-2011, outlined in Attachment #1, be approved, and a by-law be enacted to implement the proposed amendments.

Background

The Procedure By-law establishes the principles and rules to be used for meetings of Council and its Committees. The Procedure By-law enhances stakeholder participation,

community involvement and opportunities for valuable input from the public, other stakeholders and relevant experts on matters that come before Council. The amendments proposed in this report continue to build upon the governance model established by the Procedure By-law.

Previous Reports/Authority

[Procedure By-law 7-2011 \(as amended\)](#)

Analysis and Options

Procedure By-law

Section 238(2) of the *Municipal Act, 2001*, provides that every Municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

Procedure By-law 7-2011 was passed on January 25, 2011 to establish the principles and rules to be used for meetings of the Council, Committees of Council and local boards which have not adopted separate rules of procedure.

Aboriginal Territorial Acknowledgment

Since the release of the Truth and Reconciliation Commission report in 2015, many public institutions across Canada have made commitments to reconciliation based on a mutually respectful relationship with Aboriginal peoples. In the spirit of reconciliation, many municipal governments across Canada have adopted territorial acknowledgments to precede Council meetings and other gatherings.

At the June 5, 2017 Council meeting, City of Vaughan Council approved an Aboriginal territorial acknowledgement to be read at the beginning of each Council meeting. When the territorial acknowledgement was approved, it was noted by staff, at that time:

“That Council include this territorial acknowledgement as a standing item to be read at the beginning of subsequent Council meetings, until such a time as the City’s Procedure By-Law is amended to formally include the acknowledgement.”

Procedure By-law 7-2011 was amended in January 2018 to include a requirement that the territorial acknowledgement be read at the beginning of all regular Council meetings. Since that time, it has become a common practice for municipalities to include an Aboriginal territorial acknowledgement at all Council and Committee meetings, and even at Statutory Committee meetings.

It is recommended that the Procedure By-law be amended to require the reading of the Aboriginal territorial acknowledgment at the beginning of every Council, Committee and Statutory Committee meetings.

Communications

Communications for Committee and Council meetings are an important tool for communicating with Members of Council. At times, the volume of communications for a given meeting can be significant, affecting the ability of staff and Council to review each communication. Currently, the Procedure By-law allows for communications to be submitted as late as 2 hours prior to the Committee or Council meeting to be included on the agenda.

Communications received after the 2-hour cut-off for a Committee meeting are presented at the following Council meeting. It has been the practice that communications for Council that fail to meet the 2-hour deadline are directed to the relevant department or staff for consideration.

To ensure that both Members of Council and staff have an opportunity to review all communications, a new submission deadline is proposed. The deadline would be prior to noon on the last business day prior to the commencement of the meeting. Such a deadline would allow Clerk's office staff the time to process the communications, distribute electronically or in hardcopy and post to the City's website. Communications that miss the new deadline would continue to be processed in the same manner as in the past, being forwarded to either the Council meeting or City staff. It is recommended that this requirement with the new submission deadline be included in the Procedure By-law.

Staff Communications

A new type of communication is being proposed, called Staff Communications, in an effort to streamline routine reporting that goes to a Committee. A number of requirements are required to ensure that Staff Communications do not reduce the Committee's or the community's opportunity to review staff reports.

The rules governing Staff Communications are proposed as follows:

- a. shall be for information purposes only and shall not include any recommendations for Committee
- b. not required to be related to an item on the agenda
- c. shall be listed under the heading 'Staff Communications' on the Committee agenda
- d. may be called for discussion, however no decisions shall be made by Committee other than a request for further information, or that Committee directs that a staff report be prepared for a future Committee meeting

- e. deadline for submitting a Staff Communication to the Office of the City Clerk for inclusion on an agenda shall be noon on the Friday prior to the meeting. Addendums shall not be permitted.

Declaration of Interest

Bill 68, Modernizing Ontario's Municipal Legislation Act, 2016, a new section 5.1 of the *Municipal Conflict of Interest Act* (MCIA) that requires a Member of Council to file a written statement after the member discloses a pecuniary interest under section 5.

In addition, the MCIA under new section 6.1, requires municipalities and local boards to establish and maintain registries that keep copies of statements filed under section 5.1 and of declarations recorded under section 6.

It is recommended that:

- a. A Member who has declared an interest in an item being discussed shall file with the City Clerk a written statement of the interest declared and its general nature, when the interest is declared or as soon as possible afterwards
- b. The City Clerk maintain a registry of declarations of interest filed by the Members and that registry shall be available for public inspection during normal business hours, and a summary of the declarations shall be posted on the City's website

A declaration of interest form has been prepared and City Clerk's staff will work with the Members of Council to implement this requirement as necessary.

Deputation Requests

Deputations unrelated to an item on a Committee agenda require a detailed written request that must be submitted to the City Clerk's Office by noon on the Tuesday, of the second week prior to the meeting. This timing no longer meets the needs of staff, as all deputation requests are considered at the Agenda Review meeting. It is recommended that the following revision be made to the Procedure By-law:

- a. A detailed written request shall be submitted to the City Clerk's Office by noon on the Tuesday, of the third week prior to the meeting

The deputation request form includes the deadline for each Committee of the Whole meeting scheduled for the year.

Inaugural Meeting

The current Term of Council will run from December 1, 2018 to November 14, 2022, as a result of changes to the *Municipal Elections Act, 1996*. Starting in 2022, the term of

office will begin on November 15. This requires an amendment to the Procedure By-law which currently requires that the inaugural Council meeting be held on the first Tuesday in December.

It is recommended that the date of the inaugural Council meeting be changed to the first Tuesday following November 15 of an election year.

Calling of Special Council Meetings

The Procedure By-law includes provisions for the calling of an emergency Council meeting with less than 24 hours of notice. Currently, an emergency Council meeting can be called at the direction of “the Mayor or the Deputy Mayor”. This is somewhat ambiguous as it permits either the Mayor or Deputy Mayor to provide the direction. The protocol for calling an emergency Council meeting can be clarified by specifying a linear relationship for the Mayor and Deputy Mayor. The following revision is recommended:

- a. In circumstances of an emergency, the Mayor, or in the absence of the Mayor, the Deputy Mayor, may direct that the City Clerk summon a special meeting of Council on less than 24 hour notice.

Document Templates

Document templates are currently included as attachments to the Procedure By-law. Those documents include the following:

- a. Sample Terms of Reference for Ad Hoc Committee and Sub Committee
- b. Member’s Resolution Format
- c. Staff Report Template
- d. Committee Agenda Format
- e. Committee of the Whole (Public Hearing) Agenda Format
- f. Council Agenda
- g. Committee Report to Council

As these documents are attachments to a by-law, changes to them should be approved by Council. It is recommended that the Procedure By-law not include these documents as attachments, and that those documents be in a form satisfactory to the City Clerk.

Changes to these standard documents will be overseen by the City Clerk. Consultation with the appropriate parties, including Council, the City Manager and staff will be undertaken prior to any changes.

Financial Impact

There are no financial impacts resulting from the proposed amendments to the Procedure By-law.

Broader Regional Impacts/Considerations

Not Applicable

Conclusion

The proposed amendments to Procedure By-law 7-2011 are intended to improve efficiency and transparency. The amendments proposed in this report continue to build upon the governance model established by the Procedure By-law and should Committee agree that the amendments represent an enhancement to the existing Procedure By-law, the proposed amendments can be adopted.

For more information, please contact: Todd Coles, City Clerk, x.8281

Attachments

1. Proposed Amendments to Procedure By-law 7-2011

Prepared by

Todd Coles, City Clerk, x.8281

ATTACHMENT “1”
Proposed Amendments to Procedure By-law

#	New or Revision	By-law Section	Current Language	Proposed Language
1	Revision	1.3(1)	Inaugural Meeting The first meeting of a newly elected Council after a regular election shall be held on the first Tuesday in December.	Inaugural Meeting The first meeting of a newly elected Council after a regular election shall be held on the first Tuesday following November 15.
2	New	1.5		STAFF COMMUNICATION – Shall be a communication from City of Vaughan staff intended only for information purposes.
3	Revision	2.1(9)c.	all Communications received by the City Clerk by more than two (2) hours prior to the meeting, that pertain to an item on the agenda, shall be circulated to Members of Council for their information and posted to the City's website as soon as practicable.	all Communications received prior to noon on the last business day prior to the commencement of the meeting , that pertain to an item on the agenda, shall be circulated to Members of Council for their information and posted to the City's website as soon as practicable.
4	Revision	2.1(9)d.	Communications received for a Standing Committee less than two (2) hours of the commencement of the meeting may be referred directly to Council.	Communications received for a Standing Committee after noon on the last business day prior to the commencement of the meeting may be referred directly to Council.
5	New	2.1(9)g.		Communications received for Council after noon on the last business day prior to the commencement of the meeting may be referred to staff for consideration.
6	New	2.1(10)a.		Staff Communications Staff Communications shall be for information purposes only and shall not include any recommendations for Committee.
7	New	2.1(10)b.		Staff Communications are not required to be related to an item on the agenda.
8	New	2.1(10)c.		Staff Communications shall be listed under the heading 'Staff Communications' on the Committee agenda.
9	New	2.1(10)d.		Staff Communications may be called for discussion, however no decisions shall be made by Committee other than a request for further information, or that Committee directs that a staff report be prepared for a future Committee meeting.

ATTACHMENT “1”
Proposed Amendments to Procedure By-law

#	New or Revision	By-law Section	Current Language	Proposed Language
10	New	2.1(10)e.		The deadline for submitting a Staff Communication to the Office of the City Clerk for inclusion on an agenda shall be noon on the Friday prior to the meeting. Staff Communications are not permitted as addendums after this deadline.
11	Revision	2.2(2)a.	A detailed written request shall be submitted to the City Clerk’s Office by 12:00 noon on the Tuesday, of the second week prior to the meeting.	A detailed written request shall be submitted to the City Clerk’s Office by 12:00 noon on the Tuesday, of the third week prior to the meeting.
12	New	4.1(4)		A Member who has declared an interest in an item being discussed shall file with the City Clerk a written statement of the interest declared and its general nature, when the interest is declared or as soon as possible afterwards.
13	New	4.1(5)		The City Clerk shall maintain a registry of declarations of interest filed by the Members and that registry shall be available for public inspection during normal business hours, and a summary of the declarations shall be posted on the City’s website.
14	New	4.6		Aboriginal Territorial Acknowledgement The aboriginal territorial acknowledgement shall be read prior to the commencement of every regular or special Council, Committee and Statutory Committee meetings.
15	Revision	5.6(1)	Members of Council may submit recommendations on matters within the jurisdiction of a Standing Committee by submitting a Member’s Resolution in the form set out in Attachment 2.	Members of Council may submit recommendations on matters within the jurisdiction of a Standing Committee by submitting a Member’s Resolution in a format satisfactory to the City Clerk.

ATTACHMENT “1”
Proposed Amendments to Procedure By-law

#	New or Revision	By-law Section	Current Language	Proposed Language
16	Revision	6.2(1)c.	In circumstances of an emergency, the Mayor or the Deputy Mayor may direct that the City Clerk summon a special meeting of Council on less than 24 hour notice, and all Members shall be notified of the special meeting of Council either personally or by electronic mail, or by any other means necessary, and the meeting shall proceed if a majority of Council members agree to the Council meeting by giving written consent to the City Clerk personally before the beginning of the Council Meeting.	In circumstances of an emergency, the Mayor, <i>or in the absence of the Mayor,</i> the Deputy Mayor may direct that the City Clerk summon a special meeting of Council on less than 24 hour notice, and all Members shall be notified of the special meeting of Council either personally or by electronic mail, or by any other means necessary, and the meeting shall proceed if a majority of Council members agree to the Council meeting by giving written consent to the City Clerk personally before the beginning of the Council Meeting.
17	Revision	6.3	... The aboriginal territorial acknowledgement shall be read prior to the commencement of every regular meeting.	... The aboriginal territorial acknowledgement shall be read prior to the commencement of every regular meeting.
18	Revision	8.0	Attachments Where provided, documents referenced in the Procedural By-law shall be substantially in the form attached to this By-law:	Attachments Where provided, documents referenced in the Procedure By-law shall be <i>in a form satisfactory to the City Clerk.</i>

Committee of the Whole (Working Session) Report

DATE: Wednesday, June 05, 2019

WARD(S): ALL

TITLE: COMMITTEE STRUCTURE REVIEW

FROM:

Nick Spensieri, Deputy City Manager, Corporate Services

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

Tim Simmonds, Interim City Manager

ACTION: DECISION

Purpose

To seek Council's endorsement of establishing a Dual Committee of the Whole meeting model to allow for timely decisions on development applications to meet Provincially legislated requirements.

Report Highlights

- The City's current Committee structure and changes to the *Planning Act* have created challenges for dealing with development applications to meet legislated requirements
- Staff recommend a Dual Committee of the Whole meeting model to address the challenges
- Staff are recommending that Special Committee and Special Council meetings be considered outside of the regular meeting schedule for the consideration of development applications when necessary to meet legislated timelines

Recommendations

1. That Committee approve a Dual Committee of the Whole meeting structure; and
2. That staff be directed to bring forward amendments to Procedure By-law 7-2011 to implement the revisions to the Committee structure.

Background

Section 238(2) of the *Municipal Act, 2001*, provides that every Municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings. Procedure By-law 7-2011 was passed on January 25, 2011 to establish the principles and rules to be used for meetings of Council, Committees of Council and local boards which have not adopted separate rules of procedure.

The current Committee structure was approved through the passing of Procedure By-law 7-2011.

Previous Reports/Authority

Previous reports addressing this matter can be found at the following links:

[Committee of the Whole, December 7 2010 \(Item #7, Report No. 43\)](#)
[Extracts - Report No. 43, Committee of the Whole – December 7, 2010 - Adopted at Council – December 14, 2010](#)

Analysis and Options

Changes to the Local Planning Appeal Tribunal have necessitated a review of the City's development application processing timelines

The City of Vaughan's current Committee structure presents challenges associated with changes to the *Planning Act* and the rules regarding legislated processing times for development applications. This has resulted in the need to review the City's development approval processes and reporting structure with a view to streamlining the process and to ensure sufficient access to Committee and Council to allow for timely decisions on time-sensitive development applications. Process improvements and prompt decision-making will minimize the risk of the City not being able to decide on a planning application within the legislated timelines.

The timelines established by the *Planning Act* are triggered by the City's acknowledgement of receiving a complete application, which is required within 30 days of submission of an application. The prescribed timelines are fixed and once the period to approve an application has expired an appeal can be filed at any time. There is no control over when these deadlines fall, which results in potential issues around monthly Council meetings and the summer or election hiatuses, and the potential failure to secure a timely Council decision.

There is a *Planning Act* requirement for Council to make a decision

It is important to note that a Council decision is required to defend development applications that are appealed. Opportunities to call a Special Committee and/or Council meeting to address a particular development application should be considered.

What is the significance of the *Planning Act* changes to the Planning and Growth Management Portfolio?

Planning and Growth Management matters are a major portion of the work of the existing Committee of the Whole. Over the last three years approximately 51% of items considered by Committee of the Whole originated with the Planning and Growth Management Portfolio. In terms of length, the reports have accounted for an average of approximately 78% of the Committee's agendas measured by the number of pages. The length and complexity of these reports is expected to increase as the new Local Planning Appeal Tribunal (LPAT) reporting rules are implemented.

In addition, the Portfolio has introduced a number of Conformity and Consistency reports to address the Provincial Policy Statement and Growth Plan respectively. These reports establish the City's preliminary position on a development application in the event the application is appealed to the LPAT prior to Council making a decision.

A Dual Committee of the Whole Meeting is being proposed to address the need to secure a timely Council decision

An option to address the needs that have arisen from the LPAT system, is a revised Committee of the Whole structure that combines most of the existing Committee meetings into two Committee of the Whole meetings.

The Region of York, as an example, has two Committees of the Whole, one devoted to Transportation Services, Environmental Services and Community and Health Services and the other encompassing Planning and Economic Development and Finance and Administration. Both are Committees of the Whole and they take place on a monthly cycle usually one week apart, with both reporting to Regional Council at the end of the month.

In terms of the number of agenda items and the length and complexity of the reports, introducing a second Committee of the Whole meeting would better distribute the workload, give adequate time for the consideration of all items, ensure that staff is not left waiting for their items while other matters are being considered and potentially support the rationalizing of the other Committees.

With a dual Committee of the Whole structure, the meetings could be held one week apart with focused agendas. The Week 1 Committee of the Whole could have an agenda predominantly consisting of Planning and Growth Management items. Items from other portfolios could also be considered, not unlike the current Committee of the Whole agenda.

The Week 2 Committee of the Whole agenda would consist of items that would currently be considered by the Finance, Administration and Audit Committee (FA&A), the Working Session and the Priorities and Key Initiatives Committee (although not currently active). There would be an opportunity to include Planning and Growth Management items, if necessary, to help ensure compliance with the *Planning Act* regarding timing of decisions on development applications.

While there would be no fixed ratio of items, it is anticipated that the Week 1 Committee of the Whole meeting would include approximately 80% Planning and 20% general Committee matters from other portfolios. The Week 2 Committee of the Whole meeting would see that ratio reversed, so that 80% of the agenda would be dedicated to the Finance and Working Session items, with an opportunity to have 20% of the agenda related to Planning and Growth Management items.

There are no changes proposed to the Committee of the Whole (Closed Session) or Committee of the Whole (Public Hearing) meetings under this option.

A Council meeting would be scheduled the following week to ratify the decisions from both Week 1 and Week 2 Committee of the Whole meetings.

Staff have concluded that Dual Committee of the Whole meeting model best fits the needs of staff and Council and addresses the need to meet legislated deadlines. This meeting model creates a greater opportunity to bring forward development applications for consideration and carries forward the existing focused Committee mandates into a consolidated agenda.

What are the risks of not implementing a Dual Committee of the Whole Committee structure?

There is some risk associated with not implementing the Dual Committee of the Whole structure. Specifically, if the City does not make a decision on a development application within the required timeframe an appeal may be filed with the LPAT. Under the current LPAT system this may mean that the City would not have a position in front of the LPAT. In addition, the City would also have no opportunity to provide input into the LPAT decision-making process.

Are there other Efficiencies that can be identified by having a Dual Committee of the Whole meeting structure?

There are several efficiencies that can be realized through the adoption of a Dual Committee of the Whole meeting structure. The efficiencies are primarily found around the use of Council and staff time.

With every Committee meeting, a variety of staff are tasked with different roles in preparing for those meetings. Staff from the Office of the City Clerk prepare the agenda, which is published to the eSCRIBE agenda management system and uploaded to the website, is printed and paper copies distributed and then attend the meetings. Building Facilities staff prepare the meeting rooms by setting up seating, ensuring water is available for staff and the Members, and other general room preparations. The contracted external Audio/Visual technician attends to manage the broadcast and recording of the meetings. Consolidating the Committee meetings into two meetings reduces the need to prepare for each of the meetings.

Time is also a consideration. The Committee meetings are scheduled in the Fall of the previous year, with an assigned length of meeting. Meeting length is difficult to anticipate, even when there is an agenda. Consolidating the Committee meetings into two days would free up the time currently assigned to FA&A and Working Session on separate days. This allows more freedom for both staff and Council to manage their own time, as fewer separate blocks of time will be dedicated to Committee meetings.

While these efficiencies may appear to be small, their cumulative impact could be meaningful. Bringing a LEAN approach to managing meetings may provide benefits for all participants.

Are there other matters that need to be considered to improve the Committee structure?

There are further matters that should be considered with any potential change to the Committee structure. The location of the Committee meetings is very important. Meetings are held in either the Council Chambers or Committee Rooms 242/243. Each room has its benefits.

The Council Chamber is best suited for larger meetings by virtue of its design which is more formal and set-up for deputations from the public. Committee Rooms 242/243 are suited to smaller meetings where there is discussion between the Committee members and the staff presenting reports. The room is less formal and the physical size and layout is more conducive to free-flowing discussion.

For these reasons, it is suggested that the Week 1 Committee of the Whole meeting be held in the Council Chambers. This meeting is intended for the consideration of development applications, which tend to draw a larger audience. The Week 2 Committee of the Whole meeting can be held in Committee Rooms 242/243 given this meeting is primarily intended to replace FA&A and Working Session, which tend to have more staff presentations and discussions.

Currently Committee of the Whole operates with a consent agenda. This means that Committee members, staff and public identify the items called for discussion. Items not called for discussion are approved through a single motion. This practice is recommended to be extended to both the proposed Week 1 and Week 2 Committee of the Whole meetings. This will contribute to a more efficient use of time, while respecting the opportunity for Committee members, staff and public to provide input.

The introduction of Task Forces for this Term of Council brings with it the need to identify times for them to meet. By freeing some blocks of time through the elimination of FA&A and Working Session, the potential to use those time blocks for Task Force meetings should be explored.

There is a need to consider Special Committee and Council Meetings due to the summer and election hiatuses and monthly frequency of Council meetings

The summer hiatus and election hiatus have been identified as roadblocks to meeting legislated timelines and the timely consideration of development applications. The summer hiatus typically runs for a period of almost three months (mid-June to mid-September), while an election hiatus also typically adds a two-month period (October and November) during election years.

The City's Procedure By-law currently allows for Special Committee Whole meetings to be called at the direction of the Mayor or City Manager. Special Council meetings can be called by the Mayor, or the majority of Members of Council can petition the City Clerk for a meeting.

Both the summer and election hiatuses pose risk to the City, in that Council decisions are required prior to any appeal. By not having a Council decision on a development application, prior to an appeal, a LPAT decision can be made without the benefit of knowing Council's position.

Even the regular meeting schedule can pose challenges throughout the year. Only one Council meeting is scheduled each month. With the rigid timelines for approval, these opportunities for a Council decision may not provide sufficient flexibility to consider some development applications.

Some consideration needs to be given to the potential for holding Special Committee and Council meetings during a hiatus or outside of the regularly scheduled meetings, independent of any decision to adopt a new Committee structure.

Bill 108 (*More Homes, More Choices Act, 2019*)

On May 2, 2019, Bill 108, the *More Homes, More Choices Act, 2019* received First Reading. Bill 108 proposes a number of amendments to the land use planning regime in Ontario by repealing many, but not all, of the amendments introduced through Bill 139 (the *Building Better Communities and Conserving Watersheds Act, 2017*) in 2017. Bill 139 renamed and reconstituted the Ontario Municipal Board (OMB) as the Local Planning Appeal Tribunal (LPAT) has made significant changes to the Planning Act and land use planning approval process. Bill 108 retains the LPAT name but proposes to repeal the “two-stage” appeal process, returning to a single hearing.

In addition, Bill 108 proposes to return to a single hearing where the LPAT would have the power to make a final determination approving, refusing to approve or modifying all or part of the instrument under appeal. While Bill 108 also proposes to amend restrictions in the current *LPAT Act* on a parties’ ability to introduce evidence and examine or cross-examine witnesses at hearings, the Tribunal has the authority to limit evidence at a hearing.

The time-frames for municipal processing of development applications, before a right to appeal arose, had been extended in Bill 139. Under Bill 108 the timelines are now proposed to be even shorter than the pre-Bill 139 Planning Act. The table below provides a synopsis of the various timelines under the different Bills:

Development Application	Decision Timeline		
	Pre-Bill 139	Bill 139	Bill 108 (Draft)
Official Plan & Official Plan Amendments	180 days	210 days	120 days
Zoning By-law Amendment	120 days	150 days	90 days
Draft Plan of Subdivision	180 days	180 days	120 days

At the time of writing this report, the final content of Bill 108 has not yet been finalized and the proposed regulations are not yet available. An opportunity to provide comments to the Province closed on June 1, 2019. Matters such as transition along with other matters that were addressed in regulations to the *LPAT Act*, are expected to be dealt with in the regulations. Revisions to the LPAT’s Rules of Practice and Procedure are also anticipated.

Based on the review of the draft Bill 108, it is not anticipated that further revisions to the Committee structure will be required, as the proposed Committee structure will respond to the shorter deadlines. Should changes be required, a staff report will be prepared for Committee’s consideration.

Implementation of the Dual Committee of the Whole meeting structure

Should Committee approve changes to the City's Committee structure the Procedure By-law 7-2011 will require revisions. In particular, the definitions and rules respecting the current Standing Committees will need to be revised.

A revised Council and Committee calendar will be prepared, in consultation with Council, the City Manager and staff. Meeting structure within the eSCRIBE agenda management system will be updated to reflect the Committee structure and submission deadlines will be revised. A comprehensive communication plan will be undertaken to advise the relevant stakeholders, including Council, staff and the public, of the changes.

Financial Impact

There are no significant financial impacts associated with any of the proposed Committee Structure options. Some efficiencies have been identified that may result in some savings in time.

Broader Regional Impacts/Considerations

Not Applicable

Conclusion

Given the challenges associated with changes to the *Planning Act* and the rules regarding processing times for development applications as a result of the LPAT system, there is a need to review the City's approval processes and reporting structure to ensure the City's practices result in timely Council decisions to meet legislated timelines. Staff recommend a Dual Committee of the Whole meeting model to address these challenges.

In addition to updating the Standing Committee structure, the ability to call Special Committee and Council meetings to consider development applications, outside of the regular meeting schedule, is an important tool for the City to use. Should Committee agree that the proposed changes are appropriate, direction to amend the Procedure By-law 7-2011 will be required.

For more information, please contact: Todd Coles, City Clerk, ext. 8281

Attachments

1. Sample Meeting Schedule

Prepared by

Todd Coles, City Clerk, ext.8281

Sample Month

2019

ATTACHMENT 1 – Sample Meeting Schedule

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3 1:00pm - Committee of the Whole (Week 1) (Council Chambers) 7:00pm – Public Hearing	4 Taskforce (if required)	5	6	7
8	9	10 1:00pm – Committee of the Whole (Week 2) (Room 242/243) +/- 4:00pm – Closed Session	11 Taskforce (if required)	12	13	14
15	16	17 1:00pm – Council (Council Chambers)	18	19	20	21
22	23	24	25	26	27	28
29	30					

Committee of the Whole (Working Session) Report

DATE: Wednesday, June 05, 2019

WARD(S): ALL

TITLE: LEGAL SERVICES UPDATE REPORT – IN RESPONSE TO INTERNAL AUDIT RECOMMENDATIONS

FROM:

Wendy Law, City Solicitor

Kathy Kestides, Director, Office of Transformation and Strategy

ACTION: FOR INFORMATION

Purpose

This report provides Council with management's action plan in response to the recommendations identified in the Legal Services Internal Audit Report, dated March 4, 2019. This report outlines each recommendation in terms of the actions completed to date and proposed actions and timelines.

Report Highlights

- The organization is now well positioned to reevaluate the strategic role of Legal Services in partnership with all departments across the organization.
- The new City Solicitor has partnered with the Office of Transformation and Strategy to develop a workplan and deliver on key actions in order to address each recommendation.
- Actions to address each of the recommendations are currently being implemented with further proposed actions planned for implementation into 2020.
- Under the leadership of the new City Solicitor who started in her position on May 6, 2019, management is committed to develop and implement actions which will mitigate the identified risks and address the recommendations of the internal audit.

Recommendations

1. That the Legal Services Update Report in response to the Internal Audit recommendations be received.

Background

The Internal Audit Report on the Audit of Legal Services was presented to the Finance, Administration and Audit Committee on March 4, 2019.

The audit scope included the Legal Services department related activities that occurred from January 2017 to December 2018. The Real Estate department was out of scope for the purposes of the audit.

The objective of the audit was to evaluate the adequacy and effectiveness of the internal controls, processes and procedures in place to mitigate the business risks associated with services provided by the Legal Services department.

Since the March 2019 audit report, the new City Solicitor has been hired and started her role on May 6, 2019. The City Solicitor and the Legal Services department have partnered with the Office of Transformation and Strategy to develop an assessment process and workplan to review, develop and implement actions toward addressing all the recommendations as indicated in the internal audit report.

Previous Reports/Authority

[Internal Audit Report - Legal Services Audit](#)

Analysis and Options

The following outlines each of the seven areas of recommendations from the internal audit report and the management action plan to address each recommendation. The actions are outlined based on current activities to be completed in 2019 and future / longer term actions to be completed in 2020 (where applicable). Attachment #1 provides a summary overview of the management action plan Workplan.

Recommendation # 1

Reevaluate the Strategic Role of Legal Services to Better Support Corporate Objectives and Decision Making

- *Reevaluate the strategic role, objectives, responsibilities and accountability of Legal Services to better support corporate objectives, client departments and informed decision making.*

- *Operationally position the Legal Services department in a manner that will allow it to best support the City's strategic vision, client departments and corporate objectives.*

Management Action Plan

With the recruitment of the new City Solicitor as of May 6, 2019, the organization is now well positioned to reevaluate the strategic role of Legal Services in partnership with all departments across the organization. The position of City Solicitor is a key leadership role within the senior management structure and plays an integral role in the organization meeting its strategic directions and priorities for service excellence.

Actions completed to date:

- The City Solicitor recruitment was completed with the new City Solicitor having started on May 6, 2019.
- The City Solicitor now reports directly to the City Manager position.
- The City Solicitor is a member of the corporate management team and therefore integrally involved in strategic planning, strategic priority setting and decision-making.

Actions to be completed by Q4 2019:

- The City Solicitor will lead her team through a process of strategic visioning, service modelling, business planning, client relationship management, clarification of roles and responsibilities, and development of a legal services governance framework to guide the work of the department.

Recommendation # 2

Determine the Optimal Level of Resources, Staff Complement and Composition of the Legal Services Department

- *Develop formal forecasting mechanisms to help establish what the anticipated needs will be for Legal Services.*
- *Determine what the ideal composition of the Legal Services department should be in order to effectively and efficiently achieve its corporate mandate and develop and implementation plan, if required.*
- *Conduct an analysis regarding the nature and reoccurrence of the work being assigned to external counsel to ensure that the City is getting best value for money.*
- *Coordinate the use of all external counsel through the Legal Services department.*

Management Action Plan

In conjunction with the new strategic direction setting, vision and service model identified in Recommendation #1, the City Solicitor will assess optimal levels of resourcing, organization composition, skill requirements, workload requirements and client needs. Addressing the work of the Legal Services department will be managed through a rationalized approach to efficiently and effectively optimize internal resources as well as the appropriate utilization of external resources where required. This assessment will also include a review of the department's budget (in conjunction with the 2020 budget process) and ensure workload requirements and projected demands are met with the most effective resourcing and organizational composition.

Actions to be completed by Q4 2019:

- The new City Solicitor has been engaging with client departments to gain a deeper understanding of current and future needs for the purposes of developing a forecasting mechanism. Such efforts are expected to continue through Q3 2019.
- A current state analysis is underway to understand the existing composition and budget requirements of the Legal Services department and the present use of external counsel.
- As part of the new governance and service model (which responds to Recommendation #1) the use and criteria for use of external counsel will be managed centrally through the Legal Services department.
- A new Request for Proposal (RFP) for external legal services will be issued shortly with the intent to identify a roster of highly qualified external legal counsel/law firms to provide legal services to the City at locked down, competitive rates.
- The Legal Services department is currently working through its business planning processes.
- The City Solicitor is currently reviewing the organizational structure, resource requirements, skills and competencies and updating job descriptions where applicable. Vacancies will be filled according to the identified needs from this review.

Recommendation # 3

Acquire the Appropriate Tools and Resources to Improve Department Planning, Business Processes and Service Delivery

- *Implement a time docketing system to manage and track resources within the Legal Services department.*

- *Work with corporate partners to submit a proposal to obtain the resources necessary to acquire and implement an appropriate case management information system, based on a comprehensive needs assessment.*
- *Develop file documentation standards outlining templates, naming conventions, checklists and supporting procedures for each practice group.*

Management Action Plan

Utilization of tools and technologies to enable better planning, resource allocation and to assist in process improvements to ensure optimized efficiency and effectiveness are essential to the success of the department.

The Legal Services department's approach to the assessment and acquisition of tools and technologies will be aligned with the foundational business transformation and process improvement work that will be conducted. As current processes are reviewed and reengineered where required, Legal Services will look for opportunities to leverage existing tools and technologies within the current year. This will allow Legal Services to address some of the current gaps in managing documents and cases with minimal implementation time and cost. Longer term solutions will also be reviewed and assessed and acquired; subject to budget approval.

Actions to be completed by Q4 2019:

- To support performance measurement and the forecasting mechanism for client needs, Legal Services will proceed with the procurement and implementation of a time docketing system and will begin sourcing a technology solution effective immediately.
- The current file management processes (classification, naming conventions, access, retrieval, permissions) are being reviewed to optimize clarity in current file management approaches.
- The file management process improvements will be further enhanced by utilizing existing technologies within the corporation (e.g. SharePoint sites, Teams Sites), pending the procurement of a more fulsome legal document management system.
- Business requirements are currently being developed for a legal services Document Management System (DMS). Legal Services will work with the Office of the Chief Information Officer and Procurement Services to develop the requirements and solicitation documents for a new DMS, subject to Council's approval of budget.

Actions to be completed in 2020:

- Q1 2020 – The time docketing system will be implemented.
- Q1 2020 – The file documentation standards and enhanced processes will be implemented as an interim solution until a new Document Management System is procured (subject to Council's approval of funding).
- Q4 2020 – The Document Management System will be procured and implemented, contingent on budget approvals for 2020.

Recommendation # 4

Establish Department Policy and Procedures and Update Job Descriptions

- *Comprehensive policies, procedures and related internal controls should be clearly documented, periodically reviewed and updated.*
- *Job descriptions be updated to reflect appropriate roles and responsibilities.*

Management Action Plan

In conjunction with the new strategic direction setting, vision and service model identified in Recommendation #1, the City Solicitor will undertake a review of policies and procedures and internal controls. The review of policies, procedures and internal controls will enhance current approaches and documentation and ensure a more robust set of processes and procedures which are well documented, established within the internal controls and well understood by the department's clients and partners across the organization.

In conjunction with the optimization of resourcing levels and organizational design identified in Recommendation #2, the review of skills and competency requirements will lead to a review and update of all job descriptions in conjunction with the Office of the Chief Human Resources Officer.

Actions to be completed in 2019:

- A review of existing departmental policies, procedures and internal controls has begun.
- A prioritized number of policies, procedures and internal controls are being identified for review and revision by Q4 2019, with a next set of priority areas to be completed in 2020.
- A current state review of job descriptions is underway.
- The assessment of job descriptions will reflect the results of the work to be conducted in the above recommendations. Any revisions to job descriptions, roles and responsibilities must align with the departmental strategy and service model.

Actions to be completed in 2020:

- Q4 2020 – Completion of review and enhancement to all policies, procedures and internal controls.

Recommendation # 5

Develop Key Performance Indicators (KPIs)

- *Develop quantifiable KPIs that reflect the critical success factors of the department.*

Management Action Plan

Currently, a new Business Planning process and a new Corporate Performance Measurement program are in progress throughout the organization including the Legal Services department. As such, Legal Services is working with the Office of Transformation and Strategy to develop its business plan, identify its key performance measures and develop a set of relevant key performance indicators (KPIs) to help guide the department's work and provide data for better governance and decision making.

Actions to be completed in 2019:

- Legal Services staff are currently participating in business planning working sessions to identify departmental objectives and business planning priorities.
- Legal Services staff will be participating in corporate performance measurement working sessions and training to develop performance measures and KPIs which are aligned to business planning objectives.
- As is the case for the entire organization, a set of KPIs and Legal Services department performance scorecard will be developed.

Actions to be completed in 2020:

- Q4 2020 – Based on the business plan priorities and corporate performance measures and KPIs developed in 2019, data will be collected in 2020 for the entire organization as well as the Legal Services department, with a full scorecard reporting by the end of 2020.

Recommendation # 6

Develop a Formal Intake Process and Service Level Agreements with Client Departments

- *Implement a formal intake process to assist with internal resource assignment and case management.*
- *Develop risk-based service level agreements with the client department which defines:*

- *The services the Legal Department will provide and the required level or standard for those services.*
- *An ongoing reporting mechanism for measuring the expected performance standards.*

Management Action Plan

In conjunction with the management action plan in response to Recommendation #4 (which will address policies, procedures and internal controls), the intake process will be reviewed as one of the priority areas for business process improvement.

A current state analysis of departmental structures and how to best provide the appropriate level of risk-based legal services to client departments, is underway. The results of this analysis will support the development of a Portfolio Assignment strategy to address the intake of requests coming into the Legal Services department.

Each department will be provided with a single point of contact at Legal Services to be their main point of contact for all matters. The legal counsel who receives the inquiry will then involve other team members as necessary. The City Solicitor will be the main point of contact for Mayor and Members of Council and the corporate management team.

In addition, the corporation is developing an Enterprise Risk Management program within the Office of Transformation and Strategy. A risk-based approach will be utilized to assess priorities and legal services requirements to meet client needs.

Actions to be completed by Q4 2019:

- The overall service delivery model review is currently underway (as per Recommendation #1).
- Starting in July 2019, the Legal Services department will move to a portfolio based resourcing structure to better service client needs from across the organization, optimize the intake approach and to effectively allocate resources.
- A more in-depth review, taking into account the specific nature of the business requirements for each department, will be conducted to identify the most suitable intake format and processes to support those requirements (e.g. development of applicable checklists).
- Legal Services will work with the Office of Transformation and Strategy to create an overall risk-based service level approach on intake and service delivery.

Recommendation # 7

Establish Guidelines for Penalty Negotiations and Reductions

- *Establish guidelines for penalty negotiations based on consultation with By-law & Compliance, Licensing & Permit Services and an analysis of trends in previous cases.*
- *Reporting should be developed to analyze trends in Penalty Notices issues versus penalties paid*

Management Action Plan

A current state analysis is underway to gain a more comprehensive view of the fine determination process, penalty types and amounts. This analysis will also tie into the discussions with client departments on business needs and forecasting.

Actions to be completed by Q4 2019:

- Conduct current state analysis and benchmarking of approaches by other GTA municipalities with respect to their administrative penalty systems.

Actions to be completed by Q4 2020:

- Develop an action plan to address the administrative penalty processes based on legal requirements, existing practices and best practices across the GTA, and implement accordingly.

Financial Impact

With the exception of the Document Management System, the majority of recommendations and corresponding management actions can be implemented within current department budget allocation. This includes approximately \$5,000 per year for the time docketing system.

The Legal Services department's approach to the assessment and acquisition of tools and technologies will be aligned with the foundational business transformation and process improvement work that will be conducted. As current processes are reviewed and reengineered where required, Legal Services will look for opportunities to leverage existing tools and technologies within the current year. This will allow Legal Services to address some of the current gaps in capturing time, managing documents and cases with minimal implementation time and cost, on an interim basis.

Longer term solutions will also be reviewed, assessed and acquired, subject to budget approval. A solution for a legal services document management system is estimated to range from \$350,000 to \$500,000.

Broader Regional Impacts/Considerations

Not applicable.

Conclusion

The Legal Services department is responding to the recommendations from the internal audit reported to the Finance, Administration and Audit Committee on March 4, 2019.

A workplan has been developed and actions are underway in response to the recommendations. As the new City Solicitor started her role on May 6, 2019, this is an opportune time for new leadership and direction setting for the department.

Recommendations will be addressed in 2019 and into 2020 with the ultimate goal of improving the adequacy and effectiveness of the internal controls, processes, and procedures and mitigating risks associated with the services provided by the Legal Services department.

For more information, please contact: Wendy Law, City Solicitor, extension 8700 and/or Kathy Kestides, Director Office of Transformation and Strategy, extension 8412.

Attachments

1. Legal Services Workplan – In Response to Internal Audit Recommendations

Prepared by

Wendy Law, City Solicitor, extension 8700

Kathy Kestides, Director, Office of Transformation and Strategy, extension 8412

Attachment #1:

Legal Services Management Action Plan – Workplan in response to Internal Audit Recommendations

Internal Audit Recommendations		Management Action Plan		Timeline	
1.	Reevaluate the Strategic Role of Legal Services to Better Support Corporate Objectives and Decision Making				
	<ul style="list-style-type: none">Reevaluate the strategic role, objectives, responsibilities and accountability of Legal Services to better support corporate objectives, client departments and informed decision making.	<ul style="list-style-type: none">City Solicitor recruitment completed; new City Solicitor started on May 6, 2019.	Q2 2019 Completed		
		<ul style="list-style-type: none">City Solicitor now reports directly to the City Manager position.			
		<ul style="list-style-type: none">City Solicitor is a member of the corporate management team and therefore integrally involved in strategic planning, strategic priority setting and decision-making.			
	<ul style="list-style-type: none">Operationally position the Legal Services department in a manner that will allow it to best support the City's strategic vision, client departments and corporate objectives.	<ul style="list-style-type: none">Develop and implement a new strategic vision.	Q2 - Q4 2019 In Progress		
		<ul style="list-style-type: none">Develop and implement a new service delivery model.			
		<ul style="list-style-type: none">Develop and implement the 2020 Business Plan.			
		<ul style="list-style-type: none">Develop and implement new client relationship management protocols with clarified roles and responsibilities.			
		<ul style="list-style-type: none">Develop and implement a Legal Services governance framework to guide the work of the department.			

Internal Audit Recommendations		Management Action Plan	Timeline
2.	<i>Determine the Optimal Level of Resources, Staff Complement and Composition of the Legal Services Department</i>		
	<ul style="list-style-type: none"> <i>Develop formal forecasting mechanisms to help establish what the anticipated needs will be for Legal Services.</i> 	<ul style="list-style-type: none"> City Solicitor to engage with client departments to gain deeper understanding of current and future client needs. 	Q2 – Q3 2019 In Progress
		<ul style="list-style-type: none"> Develop a forecasting mechanism based on client needs. 	Q2 – Q4 2019 In Progress
	<ul style="list-style-type: none"> <i>Determine what the ideal composition of the Legal Services department should be in order to effectively and efficiently achieve its corporate mandate and develop and implementation plan, if required.</i> 	<ul style="list-style-type: none"> Conduct current state analysis to understand the existing composition and budget requirements of the Legal Services department and the present use of external counsel. 	Q2 – Q4 2019 In Progress
		<ul style="list-style-type: none"> Assess optimal levels of resourcing, organization composition, skill requirements, workload requirements and client needs. 	
		<ul style="list-style-type: none"> Review the organizational structure, resource requirements, skills and competencies 	
		<ul style="list-style-type: none"> Update job descriptions where applicable. Vacancies will be filled according to the identified needs from this review. 	
	<ul style="list-style-type: none"> <i>Conduct an analysis regarding the nature and reoccurrence of the work being assigned to external counsel to</i> 	<ul style="list-style-type: none"> Develop a rationalized approach to efficiently and effectively optimize internal resources as well as the appropriate utilization of external resources. 	Q2 – Q4 2019 In Progress

Internal Audit Recommendations		Management Action Plan	Timeline
	<p><i>ensure that the City is getting best value for money.</i></p> <ul style="list-style-type: none"> <i>Coordinate the use of all external counsel through the Legal Services department</i> 	<ul style="list-style-type: none"> Establish protocols and criteria for use of external counsel. Manage utilization of external counsel centrally through the Legal Services department. Issue Request for Proposal (RFP) for external legal services. Create a roster of highly qualified external legal counsel/law firms to provide legal services to the City at locked down, competitive rates 	Q2 – Q4 2019 In Progress
3.	Acquire Appropriate Tools & Resources to Improve Department Planning, Business Processes and Service Delivery		
	<ul style="list-style-type: none"> <i>Implement a time docketing system to manage and track resources within the Legal Services department.</i> 	Procure time docketing system.	Q4 2019
		Implement time docketing system.	Q1 2020
	<ul style="list-style-type: none"> <i>Work with corporate partners to submit a proposal to obtain the resources necessary to acquire and implement an appropriate case management information system, based on a comprehensive needs assessment.</i> 	Develop business requirements for a legal services Document Management System (DMS).	Q2 – Q4 2019 In Progress
		Procure and implement DMS, subject to Council's approval of budget.	Q1 – Q4 2020
	<ul style="list-style-type: none"> <i>Develop file documentation standards outlining templates, naming conventions, checklists and supporting procedures for each practice group.</i> 	<ul style="list-style-type: none"> Review current file management processes (classification, naming conventions, access, retrieval, permissions) to optimize clarity in current file management approaches. Utilize existing technologies within the corporation (e.g. SharePoint sites, Teams Sites) in the interim. 	Q2 – Q4 2019 In Progress

Internal Audit Recommendations		Management Action Plan	Timeline
		<ul style="list-style-type: none"> Implement interim file documentation standards and enhanced processes as an interim solution until a new Document Management System is procured (subject to Council's approval of funding). 	Q1 2020
4.	<i>Establish Department Policy and Procedures and Update Job Descriptions</i>		
	<ul style="list-style-type: none"> <i>Comprehensive policies, procedures and related internal controls should be clearly documented, periodically reviewed and updated.</i> 	<ul style="list-style-type: none"> Undertake a review of policies and procedures and internal controls. Prioritize revisions/updates to policies, procedures and internal controls based on assessment and levels of risk. Ensure all policies and procedures are documented and communicated. Ensure internal controls are appropriate to mitigate risks. 	Q2 2019 – Q4 2020
	<ul style="list-style-type: none"> <i>Job descriptions be updated to reflect appropriate roles and responsibilities.</i> 	<ul style="list-style-type: none"> In conjunction with the optimization of resourcing levels and organizational design identified in Recommendation #2, conduct current state review and assessment of all job descriptions. Revise / update job descriptions to reflect and align with the results of the new departmental strategy, service delivery model and client requirements. 	Q2 – Q4 2019 In Progress

5.	Develop Key Performance Indicators (KPIs)		
	<ul style="list-style-type: none"> Develop quantifiable KPIs that reflect the critical success factors of the department. 	<ul style="list-style-type: none"> In conjunction with corporate-wide new business planning and corporate performance measurement program, develop Legal Services business plan, identify key performance measures and develop a set of relevant key performance indicators (KPIs) to help guide the department's work and provide data for better governance and decision making. Legal Services staff participating in corporate performance measurement working sessions and training to develop performance measures and KPIs which are aligned to business planning objectives. 	Q2 – Q3 2019 In Progress
		<ul style="list-style-type: none"> Based on the business plan priorities and corporate performance measures and KPIs developed in 2019, collect data in 2020. Provide full scorecard reporting by the end of 2020. 	Q4 2020
6.	Develop a Formal Intake Process and Service Level Agreements with Client Departments		
	<ul style="list-style-type: none"> Implement a formal intake process to assist with internal resource assignment and case management. 	<ul style="list-style-type: none"> Conduct an in-depth review, taking into account the specific nature of the business requirements for each department, to identify the most suitable intake format and processes to support those requirements (e.g. development of checklists where appropriate). This is done in conjunction with Recommendation #1 service delivery model and Recommendation #4 (policies, procedures, internal controls). 	Q3 – Q4 2019 In Progress

		<ul style="list-style-type: none"> Implement a portfolio based resourcing structure to better service client needs, optimize intake approach and effectively allocate resources. Provide each department with a main point of contact for all matters. Establish the City Solicitor as the main point of contact for Mayor and Members of Council and the corporate management team. 	Q3 – Q4 2019 In Progress
	<ul style="list-style-type: none"> Develop risk-based service level agreements with the client department which defines: <ul style="list-style-type: none"> The services the Legal Department will provide and the required level or standard for those services. An ongoing reporting mechanism for measuring the expected performance standards. 	<ul style="list-style-type: none"> In conjunction with the new corporate-wide enterprise risk management program, utilize a risk-based approach to assess priorities and legal services requirements to meet client needs. Develop new Portfolio Assignment strategy to address the intake of requests coming into the Legal Services department. 	Q3 – Q4 2019 In Progress
7.	Establish Guidelines for Penalty Negotiations and Reductions		
	<ul style="list-style-type: none"> Establish guidelines for penalty negotiations based on consultation with By-law & Compliance, Licensing & Permit Services and an analysis of trends in previous cases. Reporting should be developed to analyze trends in Penalty Notices issues versus penalties paid 	<ul style="list-style-type: none"> Conduct current state analysis and benchmarking of approaches by other GTA municipalities with respect to their administrative penalty systems. Align the analysis with the discussions with client departments on business needs and forecasting. 	Q4 2019
		<ul style="list-style-type: none"> Develop an action plan to address the administrative penalty processes based on legal requirements, existing practices and best practices across the GTA and implement accordingly. 	Q4 2020

Committee of the Whole (Working Session) Report

DATE: Wednesday, June 05, 2019

WARD(S): ALL

**TITLE: PROPERTY MATTER
PRESENTATION OF LAND ACQUISITION STRATEGY STATUS
UPDATE**

FROM:

Wendy Law, City Solicitor

ACTION: FOR INFORMATION

Purpose

To present Council a summary of the preliminary findings and emerging themes identified by Ernst and Yonge LLP Orenda Corporate Finance and MHBC Planning, which will form the basis of the Land Acquisition Strategy and to seek Council input if any, in advance of the final strategy being presented to Committee of the Whole at a future meeting.

Report Highlights

- A Consultant team was selected through a competitive bid process in Q3 2018 and the scope of study was to create the City's first Land Acquisition Strategy

Recommendations

1. THAT the presentation of a draft Land Acquisition Strategy be received, and that a final report outlining the final Land Acquisition Strategy will be presented to Council at a future date.

Background

Ernst and Young LLP Orenda Corporate Finance Inc. and MHBC Planning were retained by the City in 2018 through a competitive bid process to develop a Land Acquisition Strategy with a goal of preparing the City for growth and development

They are to provide a framework to guide and evaluate timely and cost-effective land acquisition, to provide a financial strategy which will support fiscal sustainability and to consider alternatives to full acquisition of property. This assignment will also include the development of principles and guidelines for managing unsolicited requests for City owned real estate.

A Steering Committee comprised of the following City departments was formed at the commencement of the project to work on the strategy:

- Parks Development
- Development Planning
- Recreation Services
- Vaughan Public Libraries
- Fire and Rescue Services
- Infrastructure Delivery
- Legal Services
- Development Engineering
- Policy Planning and Environmental Sustainability
- Transportation Services, Parks and Forestry Operations
- Environmental Services
- Infrastructure Planning and Corporate Asset Management
- Financial Planning and Development Finance
- Real Estate

Previous Reports/Authority

Non-applicable

Analysis and Options

The Consultants have completed the following:

- Desktop review of master planning documents, regional and provincial planning policies, enabling legislation, and other municipal Land Acquisition Strategies;
- Municipal land demand forecast prepared and shared with Steering Committee; and
- One-on-one meetings were held with Steering Committee to confirm land requirements, potential gaps and related policies/legislation.

The Consultants propose that the City review opportunities for alternative methods to fee simple land acquisitions such as:

- Easements,

- Co-location relationships/partnerships,
- Stratified title,
- Leasing.

These alternatives to total ownership may still achieve City objectives while lowering initial cost.

The Consultants also recommend the establishment of a policy to address disposal of City assets with respect to unsolicited proposals based on the following guiding principles;

- The process to dispose of any property be fair and transparent;
- City requirements shall always remain the highest priority;
- The disposals should bring maximum value to the City;
- Such disposals should provide a responsive approach to supporting community and/or economic benefits; and
- Any such transactions should be conducted in a way that would minimize risk to the City while abiding to relevant legislation.

The next steps to this project is to incorporate comments from the Committee of the Whole and prepare of draft final report, for the Steering Committee, with the final recommendations being presented to Council at a later date.

Financial Impact

Financial impact to the City will be dependent on Council's direction regarding the strategy.

Broader Regional Impacts/Considerations

There are no regional impacts/considerations at this time.

Conclusion

The Consultant will continue to develop the Land Acquisition Strategy, incorporating comments received from Committee of the Whole and bring the final report to a future Council meeting.

For more information, please contact: Paul Salerno, Senior Manager, Real Estate extension 8473

Attachments

Non-applicable

Prepared by

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