

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, June 05, 2018

**WARD(S):** ALL

**TITLE: THE COUNTRY CLUB, 20 LLOYD STREET, WOODBRIDGE –  
TREE PROTECTION**

**FROM:**

Mary Reali, Deputy City Manager, Community Services

**ACTION:** DECISION

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### **Purpose**

This report provides an update in response to the direction of Council at its meeting of May 23, 2018 (Committee of the Whole Report #18, Item 23), regarding tree protection at The Country Club (formerly known as the “Board of Trade Golf and Country Club”), located at premises municipally known as 20 Lloyd Street, Woodbridge (Vaughan).

### **Recommendations**

1. THAT Committee defer this matter to the Council meeting of June 19, 2018 to allow The Country Club time to confirm whether it will voluntarily comply with the City’s Tree Protection By-law;
2. THAT if The Country Club fails to provide the written confirmation described in recommendation no. 1 by June 19, 2018, then Council adopt the site-specific by-law relating to The Country Club lands in Attachment 1, to amend the Tree Protection By-law removing the exemption as provided for in Section 8(e); and
3. THAT Council authorize staff to make any other consequential amendments to any other by-laws, as may be required to bring into effect recommendation nos.1 and 2.

## **Report Highlights**

- Staff recently sent a request to The Country Club asking for confirmation in writing that it will voluntarily comply with the Tree Protection By-law, until such time as the stakeholder consultations have concluded and staff are in a position to report back to Council.
- Staff are recommending that further time be given to The Country Club to provide a response. If the requested response is not received by the Council meeting on June 19, 2018, Council can consider the adoption the attached amending by-law.
- Staff have been in discussions with representatives of The Country Club, and they are in agreement with staff's recommendation for additional time to June 19<sup>th</sup>.

## **Background**

At its meeting of May 23, 2018 (Item 23, Report 18, Committee of the Whole), Council directed as follows:

1. That appropriate staff be directed to request the owners of [The Country Club] to formally agree in writing to abide by the provisions of the [Tree Protection By-law] as a gesture of good faith toward neighbouring residents, and to do so until such time as the consultations referenced above is concluded and Council takes what action it deems appropriate in light of said consultations; and
2. That failing agreement with the above, that appropriate staff be directed to bring forward no later than the Committee of the Whole meeting of June 5, 2018, a site-specific by-law that subjects the said lands to the provisions of the [Tree Protection By-law], until such time as the consultations referenced above is concluded and Council takes what action it deems appropriate in light of said consultations.

Staff from By-law & Compliance, Licensing & Permit Services (BCLPS) contacted The Country Club to advise of Council's direction and made the appropriate request. Staff have prepared a site-specific by-law as directed by Council at its meeting of May 23, 2018, as per Attachment 1.

## **Previous Reports/Authority**

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 23, 2018. Item 23, Report No. 18, of the Committee of the Whole, which was adopted by the Council of the City of Vaughan on May 23, 2018.

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018. Item 23, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 11, 2018.

[http://www.vaughan.ca/council/minutes\\_agendas/AgendaItems/CW\\_0404\\_18\\_23.pdf](http://www.vaughan.ca/council/minutes_agendas/AgendaItems/CW_0404_18_23.pdf)

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2018. Item 2, Report No. 10, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 20, 2018, as follows:

[http://www.vaughan.ca/council/minutes\\_agendas/AgendaItems/CW\\_0306\\_18\\_2.pdf](http://www.vaughan.ca/council/minutes_agendas/AgendaItems/CW_0306_18_2.pdf)

### **Analysis and Options**

Further to the above minutes and direction of Council, on or about May 31, 2018 and again on June 4, 2018, a request was made to representatives of The Country Club advising of Council's direction and requesting that The Country Club agree to abide by the Tree Protection By-law as a show of good faith, until such time as staff conclude the necessary stakeholder consultations and are in a position to report findings and make recommendations to City Council allowing for an informed decision on the matter.

As of the evening of June 4 in discussions with The Country Club, staff had not received a confirmation in writing as requested. However, staff believe that it is possible that providing the additional time would allow for the opportunity for The Country Club to consider the request of Council and respond appropriately.

Staff have prepared a site-specific by-law, as in Attachment 1, that subjects the identified property municipally known as 20 Lloyd Street, Woodbridge (Vaughan), also recognized as The Country Club, to the provisions of the City's Tree Protection By-law.

In addition, staff from BCLPS have been in communication with the Regional Municipality of York (York Region) Natural Heritage Office who have responsibility for the Regional Forestry Conservation By-law and have confirmed that they will be reaching out to The Country Club to assess the applicability of the aforementioned by-law in relation to tree protection on the site.

### **Financial Impact**

There are no identified financial impacts that originate from adoption of staff's recommendations within this report.

### **Broader Regional Impacts/Considerations**

The York Region Natural Heritage Office who have responsibility for the Regional Forestry Conservation By-law have been engaged by City staff to assess the applicability of the aforementioned regional by-law in relation to tree protection on the subject site.

## **Conclusion**

At its meeting of May 23, 2018 Council Minutes Extract: Committee of the Whole Report #18, Item 23, Council directed the appropriate staff to request that The Country Club provide written confirmation that it will voluntarily comply with the City's PTPP By-law. Staff from BCLPS made the request as directed by Council on May 31, 2018 and again on June 4, 2018. As this request was made quite recently, staff recommend providing The Country Club with further time to respond to staff's request. If The Country Club fails to provide the requested response by June 19, 2018, Council can then consider adopting the amending by-law.

**For more information**, please contact: Gus Michaels, Director & Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services, ext. 8735.

## **Attachments**

1. By-law # 000-2018, a site-specific by-law respecting protection of street at the premises municipally known as 20 Lloyd Street, Woodbridge (Vaughan), also recognized as The Country Club.

## **Prepared by**

Gus Michaels, Director & Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services, ext. 8735

***THE CITY OF VAUGHAN***

***BY-LAW***

**BY-LAW NUMBER 000-2018**

**A By-law to regulate the removal of trees on the property of The Country Club golf course, municipally located at 20 Lloyd Street in Woodbridge.**

**WHEREAS** section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c.25 provides that powers of a municipality shall be interpreted broadly as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate, and enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** 11(2) of the *Municipal Act, 2001*, S.O. 2001, c.25 provides that a lower-tier municipality may pass by-laws respecting the economic, social and environmental well-being of the municipality, including respecting climate change;

**AND WHEREAS** section 135(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, without limiting sections 9, 10 and 11, and subject to a by-law passed by an upper-tier municipality, provides that a lower-tier municipality may prohibit or regulate the destruction or injuring of trees;

**AND WHEREAS** section 425 of the *Municipal Act, 2001*, S.O. 2001, c.25, authorizes a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality passed under the *Municipal Act, 2001* is guilty of an offence;

**AND WHEREAS** section 426 of the *Municipal Act, S.O. 2001*, c.25 provides that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under the *Municipal Act, 2001* or under a by-law passed under the *Municipal Act, 2001*;

**AND WHEREAS** section 429 of the *Municipal Act*, S.O. 2001, c.25 provides for a municipality to establish a system of fines for offences under a by-law of the municipality passed under the *Municipal Act*, 2001;

**AND WHEREAS** section 436 of the *Municipal Act*, S.O. 2001, c.25 provides for a municipality to pass by-laws that authorize it to enter on land at any reasonable time for the purpose of carrying out an inspection to determine if a by-law of the municipality is being complied with, or to determine if an order or direction of the municipality made under the Act or made under the by-law is complied with, and may require information, inspect documents and take samples;

**AND WHEREAS** the Council of The Corporation of the City of Vaughan wishes to protect the municipality's tree canopy and has passed By-law No. 052-2018 to regulate the injury and destruction of trees;

**AND WHEREAS** the Council of The Corporation of the City of Vaughan wishes to protect all trees, other than those deemed to represent a hazard, located on the property of The Country Club, municipally located at 20 Lloyd Street in Woodbridge;

**NOW THEREFORE** the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. By-law No. 052-2018 is amended by adding the following as subsection 8(f):

“subsection 8(e) does not apply to the the lands municipally known as 20 Lloyd Street in Woodbridge.”

3. This By-law shall come into force and effect on the date it is enacted.

Enacted by City of Vaughan Council this 19<sup>th</sup> day of June, 2018.

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Hon. Maurizio Bevilacqua, Mayor

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Todd Coles, City Clerk

Authorized by Member Resolution  
Adopted by Vaughan City Council on  
May 23, 2018