

AMENDMENT OF HIATUS BY-LAW 332-98

(Referred Item)

Council, at its meeting of May 18, 2010, adopted the following (Item 28, Report No. 21):

That this matter be referred to the June 15, 2010 Committee of the Whole meeting, in accordance with the memorandum of the Director of Legal Services, dated May 7, 2010.

Report of the City Manager and Commissioner of Legal and Administrative Services, dated May 11, 2010

Recommendation

The City Manager and Commissioner of Legal and Administrative Services recommend that:

1. Hiatus Bylaw 332-98 be amended to delegate certain administrative powers and duties to the City Manager during hiatuses in Council Meetings and to clarify authority for the Clerk to execute various documents of an administrative nature

Contribution to Sustainability

This report is consistent with the priorities set by Council in the Green Directions, Vaughan, Community Sustainability Environmental Master Plan, Goal 1: To significantly reduce our use of natural resources and the amount of waste we generate. Fewer reports mean less paper is used.

Economic Impact

The amendments to the bylaw will create administrative efficiencies.

Communications Plan

Not applicable

Purpose

The purpose of this report is to obtain Council approval for amendments to Hiatus Bylaw 332-98 to streamline processes to provide enhanced customer service and achieve administrative efficiencies.

Background - Analysis and Options

In September 1998, Council enacted Hiatus Bylaw 332-98, authorizing the delegation of certain matters to the City Manager during a hiatus of meetings of Council such as the awarding and execution of tenders and requests for proposal included in approved budgets, and to the Commissioner of Engineering and Public Works to grant exemptions to the City's Noise Bylaw for construction projects and to order temporary road closures for construction work. It is appropriate at this time to include the Commissioner's delegation under the hiatus bylaw in the regular delegation bylaw so that the delegation extends to the regular business year and not just during a hiatus in meetings.

It is also appropriate to include a provision in the bylaw that authorizes the City Manager to approve the execution of such documents as he deems reasonably required and necessary to carry on the business of the corporation during hiatuses in meetings.

Toronto-York Spadina Subway Extension (TYSSE)

This project is the 8.6 km extension of the subway from Downsview Station through York University north to the Vaughan Metropolitan Centre in Vaughan. TTC will be applying for site plan approval of the three proposed subway stations: Steeles West Station, Highway 407 Station, and the Vaughan Metropolitan Centre Station. They will also be applying for site plan approval of two Emergency Exit Buildings along the subway route within Vaughan. TTC staff have been working diligently to prepare plans and have been actively seeking comment through the process. They have circulated the 30% conceptual design packages for the three stations and will be proceeding with the 60% and 90% detailed design submissions within the next few months. TTC has also recently submitted a site plan application for the Highway 407 station. TTC anticipates site plan submission for the Steeles West station and Vaughan Metropolitan station within the next several months.

On November 30, 2009 York Region Rapid Transit staff presented to Council the 10% conceptual design submissions for the Steeles West, Highway 407 and the Vaughan Metropolitan Centre stations. Staff in coordination with the YRRTC and TTC will be presenting the latest station designs to members of Council on May 11, 2010 (to be confirmed by Clerks).

In addition UPS will be applying for approval to revise their site plan to incorporate the City of Vaughan storm pond and the York Region lands (previously known as the Damiani lands) in accordance with the Memorandum of Understanding between UPS, Vaughan and the Region.

The schedule for the subway project has very tight timelines for site plan approval, issuance of building permits and tendering of the project for construction. TTC staff have requested that delegated approval for the final site plans for the above matters during hiatuses in Council meetings this year would expedite the subway project significantly. It is proposed to delegate the authority to grant final site plan approval to the City Manager on the recommendation of the Commissioner of Planning and the Commissioner of Engineering and Public Works subject to standard conditions.

Execution of Documents

This Bylaw also authorizes the execution by the Clerk of documents of an administrative nature arising from a decision of Council. There are many different documents of an administrative nature which arise from changes in various processes in City departments over the years and it is timely to amend the Hiatus bylaw to revise the Clerk's authority to clarify the execution authority for various documents not only during a hiatus in meetings, but also generally.

In December, 2007, Council adopted a Delegation of Powers and Duties Policy pursuant to the Municipal Act. The proposed amendments to Bylaw 333-98 are in conformity with the Policy.

Section 284.1 of the Municipal Act now provides that municipalities implement an appeal procedure with respect to delegated decisions. Bylaw 332-98 provides that any matters may be referred to Council for consideration.

Relationship to Vaughan Vision 2020/Strategic Plan

In consideration of the strategic priorities related to Vaughan Vision 2020, the recommendations of this report will assist in:

- The pursuit of excellence in service delivery;
- Leadership initiatives and promotion of environmental sustainability;
- Effective governance; and
- Planning and managing growth, and economic vitality.

Specific Strategic Plan Initiatives applicable to the recommendations made in this report include Vaughan's corporate priorities to:

- Work with other levels of government to continue to support the expansion of the Go Rail System, local transit and the Subway; and
- Support and plan high capacity transit at strategic location throughout the City.

This report is therefore consistent with the priorities previously set by Council.

Regional Implications

The Region is a funding partner for the Toronto-York Spadina Subway Extension.

Conclusion

The Hiatus By-law provides the mechanism for the efficient continuation of administrative matters during hiatuses in Council meetings. The recommended inclusion regarding final site plan approval for the Spadina Subway Extension will facilitate this important project.

Attachments

Attachment #1 - Memorandum of the Director of Legal Services, dated May 7, 2010

Report prepared by:

Heather A. Wilson
Director of Legal Services



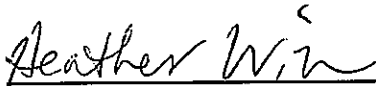
The City Above Toronto

Attachment # 1

memorandum

Date: May 7, 2010
To: Mayor and Members of Council
Re: Amendment of Hiatus By-law 332-98
May 11, 2010, Committee of the Whole Item 28

The above item contains information regarding the Toronto-York Spadina Subway Extension and recommendations for delegation to facilitate the subway project. On May 6, 2010, a meeting was held with City of Vaughan, Region of York, YRRTC, and TTC representatives regarding "Permits and Approvals: Timing, Coordination and Streamlining" and staff were provided with a summary of permits and approvals needed. A Committee of the Whole Working session had been scheduled for May 10, 2010 for an update on the site plans for the stations and the project schedule, however this has been rescheduled to June 14, 2010. Accordingly, staff request this matter be deferred to the Committee of the Whole meeting of June 15, as there may be a number of additional matters which may be included in the recommendations for delegation during the hiatus period in meetings


Heather A. Wilson
Director of Legal Services

HAW/gg

Copy to: Clayton D. Harris
City Manager

Janice Atwood-Petkovski
Commissioner of Legal and Administrative Services
and City Solicitor

Bill Robinson
Commissioner of Engineering & Public Works

John Zipay
Commissioner of Planning