

AMENDMENT OF DELEGATION BYLAW 333-98

Recommendation

The Commissioner of Legal and Administrative Services and the Commissioner of Engineering and Public Works recommend that:

1. Delegation Bylaw 333-98 be amended to reflect updated development processes and to delegate certain administrative powers and duties to City staff to provide enhanced customer service and achieve administrative efficiencies;

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 Delegation Bylaw 333-98 to streamline processes to provide enhanced customer service and achieve administrative efficiencies.

Background - Analysis and Options

In September 1998, Council enacted Delegation Bylaw 333-98 to delegate approval of certain administrative matters to staff in order to streamline and expedite development approval processes, to expedite service delivery, and to maximize efficiency of staff involved in various aspects of development review. There are a number of matters involving routine requests and applications where faster delivery of customer service could be achieved by delegating responsibility for administrative approvals to commissioners or directors. Bylaw 333-98 authorized the delegation of authority to approve and execute standard Model Home Agreements, Subdivision Agreements, Development Agreements, Pre-Servicing Agreements, and Agreements arising out of Committee of Adjustment matters. It also delegated authority to deem appropriate lifting of part-lot control restrictions, dedication of road widenings and dedication of .3 metre reserves, thereby allowing these bylaws to be placed directly on Council agendas for enactment without the necessity of an item having to be prepared for each one for the Committee of the Whole Agenda beforehand.

There are various other procedures and functions which have either evolved over the years in the development processes or have been downloaded to the municipality through legislative change or regulation, which are administrative and minor in nature, and delegation to staff would expedite service delivery and maximize staff efficiency. With the growth in Vaughan, the number of requests has also increased, and delegation allows routine matters to be dealt on a more expeditious basis.

Through the Block Planning process, the City now enters into Spine Servicing Agreements with representatives of Developers' Groups from the various planning blocks. The City also executes No-Presale agreements for draft plans of subdivision where servicing allocation will be identified in the future. For construction of services required for draft plans of subdivision, condominiums and site developments in advance of the execution of subdivision agreements, the City executes Permissions to Enter and Construct and Development Road Occupancy Agreements. While authority to execute these administrative permits arises from Council's approval of site plans, condominium plans, and Draft Plans of Subdivision, it is appropriate to have a specific delegation of authority for approval and execution.

The standard Subdivision Agreement Template has been updated to include Developer-build development charges projects and financial provisions relating to those projects as approved in the Capital Budget. It is appropriate to attach the revised agreement to the bylaw as the template for execution. Development and Pre-servicing agreements are pared-down versions of the standard subdivision template.

The locations of traffic control devices such as stop signs and traffic signals are determined through the processing of new subdivision plans. Registration of the plans results in the dedication of the roads in the plan as public highways, and the City's Traffic Bylaw must then be updated in a timely manner to reflect the traffic control requirements and provide for enforcement. It would be appropriate to deal with these bylaws in a similar manner to road dedication bylaws, in that the amending bylaw would be added directly to the Council Agenda without the requirement for a report on each amendment.

Through the draft plan of subdivision process, the developer's consulting engineers are required to design and certify the water distribution system. Previously, they were required to file a standard form called a "Record of Watermains Authorized as a Future Alteration" with the Ministry of the Environment, which authorized the commencement of the works and was executed by Ministry staff. As part of the City's Water Permit and License, this responsibility has been transferred to municipalities. This form and all drawings are required to be kept by the City for inspection by the Ministry pursuant to regulation. It is appropriate to delegate the authority to the Commissioner of Engineering and Public Works to approve and execute these forms on behalf of the City.

It has been a longstanding practice for the municipality to enter into agreements through the Enforcement Services Department, for parking enforcement by private security companies on private property. This was authorized many years ago, and it is appropriate to include the new standard agreement and authorization to execute in this revised by-law.

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 333-98 provides that any matters may be referred to Council for consideration.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and ties into the Vaughan Vision 20/20 Goals of Service Excellence and to Enhance Productivity, Cost Effectiveness and Innovation.

Regional Implications

None

Conclusion

Amendments to the Delegation By-law to recognize updated processes will provide enhanced customer service and achieve administrative efficiencies.

Attachments

None

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Respectfully submitted,

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Commissioner of Legal and Administrative
Services and City Solicitor**

**Bill Robinson
Commissioner of Engineering
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