

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 212-2023

A By-law to amend By-law 144-2018 to delegate administrative authority regarding development agreement related matters to staff and to repeal certain provisions of delegation By-law 005-2018.

WHEREAS section 23.1(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to delegate administrative powers and duties subject to certain restrictions;

AND WHEREAS the Council of The Corporation of the City of Vaughan has identified certain administrative functions that it wishes to delegate to staff to improve daily business efficiencies;

AND WHEREAS the Council of The Corporation of the City of Vaughan has recognized the need to delegate authority to staff and has enacted By-laws 005-2018 and 144-2018;

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

1. **THAT** Schedule “A” of By-law 144-2018 be hereby amended to add the delegation of powers and duties as set out in Schedule “A” to this by-law.
2. **THAT** Schedule “A” of By-law 144-2018 be hereby further amended by deleting all references to “City Solicitor” in the column entitled Delegate under the heading “Real Estate” and replacing them with “Deputy City Manager, Infrastructure Development”.
3. **THAT** Schedule “A” of By-law 144-2018 be hereby further amended by adding under the heading “Real Estate” under the column “Condition/Requirement” at the end of the existing condition in Items 1 and 2 the following: “and in a form satisfactory to Legal Services”.
4. **THAT** this by-law does not repeal or replace any existing by-laws that delegate authority, except sections 1(a), 1(b), 2(a), 2(b), 3(a), 3(b), 3(c), 6(b), 8, 9 of By-law 005-2018 which are hereby repealed and replaced with the related amendments to By-law 144-2018 set out in Section 1 and Schedule A to this bylaw.

5. **THAT** notwithstanding any provision of this By-law, matters identified herein may be referred to Council for consideration.

Voted in favour by City of Vaughan Council this 12th day of December, 2023.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. 3 of Report No. 48 of the Committee of the Whole.
Report adopted by Vaughan City Council on December 12, 2023.
City Council voted in favour of this by-law on December 12, 2023.
Approved by Mayoral Decision MDC 008-2023 dated December 12, 2023.
Effective Date of By-Law: December 12, 2023

SCHEDULE “A”

Amendments to Schedule “A” of By-law 144-2018

(a) Under a new subheading entitled “Land Development Agreements”

DELEGATED AUTHORITY	DELEGATE	CONDITIONS/RESTRICTIONS	LEGISLATIVE AUTHORITY	DURATION*	
LAND DEVELOPMENT AGREEMENTS					
1	Approve and execute land development agreements and any amendments thereto required to implement a condition of or facilitate a land development application approved by Council or the Committee of Adjustment or by a decision of the Ontario Land Tribunal (or its successor or predecessor Board/Tribunal), or any other public authority with jurisdiction over the matter, including subdivision, development, spine servicing, condominium, community benefits contribution, privately owned public space, parkland and pre-servicing agreements.	Deputy City Manager, Infrastructure Development or Deputy City Manager Planning & Growth Management, as applicable, or their designate.	<p>This authority only applies after approval and subject to any conditions imposed by Council, the applicable tribunal or other public authority with jurisdiction over the matter.</p> <p>Agreements to be substantially in the City’s standard form as amended from time to time, subject to development specific modifications to be approved by applicable Deputy City Manager or designate and the Deputy City Manager, Administrative Services and City Solicitor or designate.</p>	<p><i>Municipal Act, 2001, S.O. 2001, C.25, as amended, sections 23.1, 23.2 (2)</i></p> <p><i>Planning Act, R.S.O. 1990, c. P.13</i></p> <p><i>Condominium Act, 1998, S.O. 1998, c. 19</i></p> <p><i>Development Charges Act, 1997, S.O. 1997, c. 27, section 44</i></p>	At all times.

2	Authority to make revisions of a technical and administrative nature to the City's standard land development agreement templates.	DCM, Legal and Administrative Services & City Solicitor	In consultation with the Deputy City Manager, Infrastructure Development.	<i>Municipal Act, 2001, S.O. 2001, C.25, as amended, sections 23.1, 23.2 (2)</i>	At all times.
3	Execute a release or issue a compliance letter with respect to land development agreements or other agreements and interests registered on title.	The applicable Deputy City Manager or designate.		<i>Municipal Act, 2001, S.O. 2001, C.25, as amended, sections 23.1, 23.2 (2)</i> <i>Planning Act, R.S.O. 1990, c. P.13</i>	At all times.
4	Execute Model Home Agreements, substantially in the City's standard form, and any amendments thereto.	Deputy City Manager, Infrastructure Development or designate	Provided that all required financial guarantees, letters of credit, and charges are filed with and/or paid to the City upon execution of the agreement; that fire protection is established to the satisfaction of the Fire and Rescue Services Department; and any necessary municipal services are available. This delegated authority is limited to a maximum of ten (10%) percent of the total number of dwelling units to a maximum number of twenty	<i>Municipal Act, 2001, S.O. 2001, C.25, as amended, sections 23.1, 23.2 (2)</i> <i>Planning Act, R.S.O. 1990, c. P.13</i>	At all times.

			dwelling units, whichever is less, for the development to which the agreement applies.		
5	Authority to release all or a part of financial securities posted with the City related to the installation of municipal services, land and infrastructure development and site alteration following assumption of municipal services by the City.	Chief Financial Officer and City Treasurer or designate	Approval for release of security is obtained from the Director of Engineering or delegate	<i>Municipal Act, 2001, S.O. 2001, C.25, as amended, sections 23.1, 23.2 (2)</i>	At all times.
6	Authority to deem appropriate dedication of parcels of land for roads, road widenings and 0.3 metre reserves as public highways and bring forward amendments to the Traffic By-law and the Parking By- law	Deputy City Manager, Infrastructure Development or designate	Traffic By-law and Parking By-law amendments to be authorized by Council. Notwithstanding Section 6.3 of Procedural By-law Number 7-2011, matters referred to in this section may be placed on the Agenda for Council without the prior consideration of a Standing Committee, and without a report/recommendation to Council.	<i>Municipal Act, 2001, S.O. 2001, C.25, as amended, sections 23.1, 23.2 (2)</i>	At all times.
7	Execute Permission to Enter and Construct, and Development Road Occupancy agreements	Deputy City Manager, Infrastructure Development or delegate	Terms and conditions of such agreements and related documents must be acceptable to the City Solicitor or delegate.	<i>Municipal Act, 2001, S.O. 2001, C.25, as amended, sections 23.1, 23.2 (2)</i>	At all times.

(b) Under the existing subheading "Building Standards"

DELEGATED AUTHORITY	DELEGATE	CONDITIONS/RESTRICTIONS	LEGISLATIVE AUTHORITY	DURATION*	
BUILDING STANDARDS					
8	Approve and execute agreements and amending agreements as required from time to time to achieve compliance with the Building Code Act (Spatial Separation).	Chief Building Official or designate	Form of agreement to be approved by the Deputy City Manager, Legal and Administrative Services & City Solicitor, or delegate.	<i>Municipal Act, 2001, S.O. 2001, C.25, as amended, sections 23.1, 23.2 (2)</i> <i>Building Code Act, 1992, S.O. 1992, c.23</i>	At all times.

(c) Under the existing subheading “Planning and Growth Management”

DELEGATED AUTHORITY	DELEGATE	CONDITIONS/RESTRICTIONS	LEGISLATIVE AUTHORITY	DURATION*
PLANNING AND GROWTH MANAGEMENT				
9	Authority to grant exemptions to Part Lot Control provisions of the <i>Planning Act</i> .	Deputy City Manager, Planning and Growth or designate	<i>Municipal Act, 2001, S.O. 2001, C.25, as amended, sections 23.1, 23.2 (2)</i> <i>Planning Act, R.S.O. 1990, c. P.13</i>	At all times.