

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 4, Report No. 26, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 27, 2017.

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PROPOSED DELEGATION OF AUTHORITY TO STAFF FOR SIGN VARIANCE COMMITTEE BY-LAW

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, the Deputy City Manager, Community Services, the Director of Building Standards, and the Director of By-law and Compliance, Licensing and Permit Services, dated June 20, 2017, be approved subject to including the following phrase at the end of recommendation 1.:**

“...save and except that the disposition of the appeals of refusals shall remain the decision of Council.”

Recommendation

The Deputy City Manager, Planning and Growth Management, the Deputy City Manager, Community Services, the Director of Building Standards, and the Director of By-law and Compliance, Licensing and Permit Services in consultation with the Office of the City Solicitor recommend:

1. THAT a By-law, substantially in form of Attachment 1, be enacted to amend the Sign Variance By-law 286-91, to delegate authority to the Director of Building Standards and the Director of By-Law and Compliance, Licensing and Permit Services on the disposition of sign variance applications.

Contribution to Sustainability

N/A

Economic Impact

The proposed changes to the administrative system surrounding the processing of sign variance applications will lead to a reduction in financial and human resources required to process items going to Council.

Communications Plan

The proposed by-law delegating authority to the Director of Building Standards and the Director of By-Law and Compliance, Licensing and Permit Services is an administrative change to the sign variance application process. The changes will result in improved service delivery and enhanced customer service. The proposed changes will be communicated to the public through a routine public notice on by-law amendments.

Purpose

The purpose of proposing to amend the Sign Variance By-law is to delegate the final authority in the disposition of sign variance application from Council to Staff, in order to reduce the number of administrative matters being considered by Council and to provide quicker turnaround to applicants. This will allow staff to focus on priority projects as part of our effort to improve service delivery.

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Background - Analysis and Options

Sign installation in the City of Vaughan is regulated through a sign by-law, which requires that proposed signs comply with the by-law, and that a permit be obtained from the City before installation. Sign permits are issued by the Building Standards Department upon review of applications that are found to be in compliance with the by-law. Field enforcement of the sign by-law is carried out by staff of the By-Law and Compliance, Licensing and Permit Services department. Applicants, whose applications for a permit have been declined and who are of the opinion that the deviations from the prescribed requirements are relatively minor in nature can apply for a variance to the sign variance committee.

The establishment of the sign variance committee is authorized pursuant to By-law # 286-91. The mandate of the committee is to consider all applications respecting minor variances to the sign by-law and provide recommendations to Council on the disposition of the applications. The members of the committee, who are experts in their area of work, are drawn from various stakeholder departments across the corporation. The committee considers applications on its merit and collectively provides a recommendation to Council, who relies on those recommendations in making a final decision on the application.

The administrative system currently in place to process sign variance applications is lengthy and can easily take up to six months or more from the date of the application to the disposition by Council. Among the various administrative steps that an application has to move through, are: deliberation by the sign variance committee, 3-month agenda review process, Committee of the Whole meeting and Council meeting. Because of this lengthy process, applicants have to wait for a prolonged period of time to know the outcome of their applications. Therefore, it is recommended that Council delegate authority to staff to review the recommendations of the sign variance committee and dispose the applications accordingly.

By delegating authority to staff, including the Director of Building Standards and the Director of By-law and Compliance, Licensing and Permit Services, the sign variance application process will become much faster, leading to improvement in service delivery and enhanced customer experience. An additional benefit of the proposed amendment will be the reduction in the volume of items going to Council for their consideration. This delegated authority will result in an overall reduction in the administrative workload of Council and members of the senior management team that reviews such items.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report supports the following priority set forth in Term of Council Service Excellence Strategy Map (2014-2018):

- Continue to advance a culture of excellence in governance

Regional Implications

None.

Conclusion

Staff recommends that Council enact the proposed By-law (Attachment #1) to delegate authority to Staff for the disposition of applications for minor sign by-law variances. The proposed changes will result in more expeditious service delivery to customers by reducing the number of items going to Council and decreasing turnaround times for reviews. Improvement in service delivery will contribute to the overall service excellence goals of the corporation.

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Attachment

1. Draft By-law delegating authority to the Director of Building Standards and the Director of By-Law and Compliance, Licensing and Permit Services

Report prepared by:

Nadim Khan, Manager of Policy & Regulatory Services, ext. 8232

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

**PROPOSED DELEGATION OF AUTHORITY
TO STAFF FOR SIGN VARIANCE COMMITTEE BY-LAW**

Recommendation

The Deputy City Manager, Planning and Growth Management, the Deputy City Manager, Community Services, the Director of Building Standards, and the Director of By-law and Compliance, Licensing and Permit Services in consultation with the Office of the City Solicitor recommend:

1. THAT a By-law, substantially in form of Attachment 1, be enacted to amend the Sign Variance By-law 286-91, to delegate authority to the Director of Building Standards and the Director of By-Law and Compliance, Licensing and Permit Services on the disposition of sign variance applications.

Contribution to Sustainability

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Attachment

1. Draft By-law delegating authority to the Director of Building Standards and the Director of By-Law and Compliance, Licensing and Permit Services

Report prepared by:

Nadim Khan, Manager of Policy & Regulatory Services, ext. 8232

Respectfully submitted,

JOHN MACKENZIE
Deputy City Manager
Planning and Growth Management

MARY REALI
Deputy City Manager
Community Services

JASON SCHMIDT-SHOUKRI
Director of Building Standards &
Chief Building Official

GUS MICHAELS
Director of By-law and Compliance
Licensing and Permit Services

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER XXX-2017

A By-law of the Corporation of the City of Vaughan to amend the Sign Variance Committee By-law 286-91, and to delegate authority to the Director of Building Standards, and alternatively the Director of By-law and Compliance, Licensing and Permit Services, to make final determinations for sign variance applications.

WHEREAS section 11(2) of the *Municipal Act*, 2001, S.O. 2001, c.25, provides that a Municipality may pass by-laws respecting governance structure of the municipality and its local boards;

AND WHEREAS section 11(3) of the *Municipal Act*, 2001, S.O. 2001, c.25, provides that a Municipality may pass by-laws respecting signs, including the authority to grant sign variances to the City's Sign by-law 203-92;

AND WHEREAS sections 9, 11, and 23.2(1)(c) of the *Municipal Act*, 2001, S.O. 2001, c.25, provide that a Municipality may delegate quasi-judicial powers under the *Municipal Act* to an individual who is an officer, employee or agent of the Municipality.

AND WHEREAS Council wishes to delegate its authority to make final decisions regarding sign variances to the Director of Building Standards, and in his or her absence, the authority is given to the Director of By-law and Compliance, Licensing and Permit Services.

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

1. Amend the Sign Variance Committee By-law 286-91 as follows:

- a. Section 4 is deleted and replaced with the following:

“The Committee shall consider all applications respecting minor variances to the Sign By-law and make recommendations to the Director of Building Standards, or in his or her absence, the Director of By-law and Compliance, Licensing and Permit Services, on the disposition of the applications.”

b. Section 5 shall become section 6.

c. Section 5 shall state the following:

“The Director of Building Standards, and in his or her absence, the Director of By-law and Compliance, Licensing and Permit Services, shall make the final determination to grant or refuse a sign variance to the City’s Sign by-law 203-92.”

2. This By-law shall come into force and take effect on that day it is enacted and passed by the Council for The Corporation of the City of Vaughan.

Enacted by City of Vaughan Council this XX day of XXXX, 2017.

Hon. Maurizio Bevilacqua, Mayor

Barbara A. McEwan, City Clerk

Authorized by Item No. ____ of Report No. ____
of the Committee _____
Adopted by Vaughan City Council on _____