

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 18, Report No. 44, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 11, 2017.

18 AMENDMENT TO THE CITY OF VAUGHAN DELEGATION BY-LAW # 195-2015

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Community Services and the Director, By-law & Compliance, Licensing & Permit Services, dated December 5, 2017:

Recommendation

The Deputy City Manager, Community Services and the Director, By-law & Compliance, Licensing & Permit Services, in consultation with the City Solicitor, recommend:

1. That Council approve the recommended technical amendment to the City's Delegation By-law No. 195-2015, to delegate to the Director and Chief Licensing Officer the authority to permit entities, other than private security companies, to enforce the City's Parking By-law No. 1-96, as amended, in a form satisfactory to the City Solicitor.

Contribution to Sustainability

A key to continue to ensure and enhance the livability of the city is the ongoing expansion of transportation options. The subway expansion into Vaughan with the opening of two subway stations promises to be one of the most significant enhancements to this end. A critical component of the efficient operation of the two commuter parking lots that will provide commuter access to these transportation hubs is the enforcement of parking regulations. This report provides recommendations to facilitate the effective, seamless and efficient delivery of enforcement services.

Economic Impact

There are no incremental expenses anticipated from the approval of this report's recommendations. Although parking fine revenue generated from the two commuter parking lots will be the City's, it is not possible at this time to estimate how much revenue will be generated.

Communications Plan

Staff are working with officials from the Toronto Parking Authority respecting this matter and will communicate Council's decision accordingly.

Purpose

The purpose of this report is to amend the delegated authority of the Director and Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services, pursuant to the City's Delegation By-law No. 195-2015, to delegate to the Director the authority to permit an entity other than a private security company to enforce the City's Parking By-law No. 1-96, as amended, on property as specified by agreement.

Background – Analysis and Options

Enforcement of the City's Parking By-law No. 1-96, as amended, is carried out by the By-law & Compliance Licensing & Permit Services Department, Enforcement Services Unit. The City of Vaughan was the first City to adopt the Administrative Monetary Penalties (AMPs) program to administer all parking fines and related disputes. Enforcement of the City's Parking By-law on private property, however, is carried out by authorized private security companies, as approved through the delegated authority granted to the Director, pursuant to the City's Delegation By-law No. 195-2015, as amended.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 18, CW Report No. 44 – Page 2

Section 4.(a) of the Delegation By-law grants the Director and Chief Licensing Officer the authority to approve agreements, in the City's standard form, with private security companies for the enforcement of the City's Parking By-law on private property. This authority does not extend to the approval of agreements with other entities, such as government agencies or public authorities, which include the Toronto Parking Authority (TPA). TPA is agent for, and operates all, Toronto Transit Commission (TTC) parking lots within the City of Toronto, including enforcement of parking violations pursuant to the City of Toronto's Parking By-law.

To accommodate the parking needs within the VMC and to support the use of transit, two commuter lots, respectively located at the Pioneer Village Station (Steeles West & Northwest Gate) and the Highway 407 Station (Highway 407 & Jane Street), with a total of 2,464 parking spaces, will provide commuter parking for the VMC Subway Station that is scheduled to open on December 17, 2017. The two lots will be operated by the TTC and their authorized agent, TPA Inc. (Green P).

In late October 2017, the TPA contacted City staff to discuss their role as managing agent of the TTC parking lots and their intent to continue this relationship and provide the same services for the two commuter parking lots located in the City of Vaughan. However, upon review and consultation with City Legal, staff determined that the delegated authority to permit the enforcement of the City's Parking By-law on private property does not extend to public authorities such as the TPA. As a result, staff are seeking approval for a technical amendment to the Delegation By-law. At the same time, staff have been working closely with the Toronto Parking Authority to address the specifics logistics required.

Through the recommended proposal to extend the delegated authority for the Director of By-law & Compliance, Licensing and Permit Services, City staff will be able to provide permission for the TPA, through the City's current standardized agreement (already in use with private security companies) to enforce City parking regulation at the two TTC commuter parking lots. A major benefit of having these lots operate under the TPA is the use an app-based parking fee system (Green P App) that allows customers to pay for parking through any smart mobile device. By authorizing TPA to enforce the City's Parking By-law, there will be no significant impact on City staff and resources. Since the City of Vaughan utilizes the AMPs program, all parking fine revenue generated from the two commuter parking lots will come back to the City.

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

The recommendations in this report are in line with the following priority for this term of Council:

- Continue to develop transit, cycling and pedestrian options for getting around the City;
- Facilitate the development of the VMC;
- Continue to ensure the safety and well-being of all citizens
- Continue to advance excellence in governance.

Regional Implications

There are no Regional implications originating from this report. Although the agencies noted within include both the TTC and the TPA, the contractual agreements between the two agencies do not include the City of Vaughan. Despite this, through the agreement the City will enter into with the TPA, and as with all other like agreements, the City of Vaughan will be indemnified accordingly.

Conclusion

The technical amendment to the City's Delegation By-law being proposed by staff will allow for the TPA to enforce the City's Parking By-law at the two TTC commuter parking lots located in Vaughan.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 18, CW Report No. 44 – Page 3

Staff believe that approval of the above recommendation will support and facilitate the ongoing public service provided by the TPA, beyond the City of Toronto, and provide a consistent travel experience for commuters who choose to use either of the two parking lots established to service the VMC and the City's two subway stations.

Attachment

1. Draft Amending By-law

Report prepared by:

Gus Michaels, Director, By-law and Compliance, Licensing and Permit Services

(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.)

AMENDMENT TO THE CITY OF VAUGHAN DELEGATION BY-LAW # 195-2015**Recommendation**

The Deputy City Manager, Community Services and the Director, By-law & Compliance, Licensing & Permit Services, in consultation with the City Solicitor, recommend:

1. That Council approve the recommended technical amendment to the City's Delegation By-law No. 195-2015, to delegate to the Director and Chief Licensing Officer the authority to permit entities, other than private security companies, to enforce the City's Parking By-law No. 1-96, as amended, in a form satisfactory to the City Solicitor.

Contribution to Sustainability

A key to continue to ensure and enhance the livability of the city is the ongoing expansion of transportation options. The subway expansion into Vaughan with the opening of two subway stations promises to be one of the most significant enhancements to this end. A critical component of the efficient operation of the two commuter parking lots that will provide commuter access to these transportation hubs is the enforcement of parking regulations. This report provides recommendations to facilitate the effective, seamless and efficient delivery of enforcement services.

Economic Impact

There are no incremental expenses anticipated from the approval of this report's recommendations. Although parking fine revenue generated from the two commuter parking lots will be the City's, it is not possible at this time to estimate how much revenue will be generated.

Communications Plan

Staff are working with officials from the Toronto Parking Authority respecting this matter and will communicate Council's decision accordingly.

Purpose

The purpose of this report is to amend the delegated authority of the Director and Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services, pursuant to the City's Delegation By-law No. 195-2015, to delegate to the Director the authority to permit an entity other than a private security company to enforce the City's Parking By-law No. 1-96, as amended, on property as specified by agreement.

Background – Analysis and Options

Enforcement of the City's Parking By-law No. 1-96, as amended, is carried out by the By-law & Compliance Licensing & Permit Services Department, Enforcement Services Unit. The City of Vaughan was the first City to adopt the Administrative Monetary Penalties (AMPs) program to administer all parking fines and related disputes. Enforcement of the City's Parking By-law on private property, however, is carried out by authorized private security companies, as approved through the delegated authority granted to the Director, pursuant to the City's Delegation By-law No. 195-2015, as amended.

Section 4.(a) of the Delegation By-law grants the Director and Chief Licensing Officer the authority to approve agreements, in the City's standard form, with private security companies for the enforcement of the City's Parking By-law on private property. This authority does not extend to the approval of agreements with other entities, such as government agencies or public authorities, which include the Toronto Parking Authority (TPA). TPA is agent for, and operates all,

Toronto Transit Commission (TTC) parking lots within the City of Toronto, including enforcement of parking violations pursuant to the City of Toronto's Parking By-law.

To accommodate the parking needs within the VMC and to support the use of transit, two commuter lots, respectively located at the Pioneer Village Station (Steeles West & Northwest Gate) and the Highway 407 Station (Highway 407 & Jane Street), with a total of 2,464 parking spaces, will provide commuter parking for the VMC Subway Station that is scheduled to open on December 17, 2017. The two lots will be operated by the TTC and their authorized agent, TPA Inc. (Green P).

In late October 2017, the TPA contacted City staff to discuss their role as managing agent of the TTC parking lots and their intent to continue this relationship and provide the same services for the two commuter parking lots located in the City of Vaughan. However, upon review and consultation with City Legal, staff determined that the delegated authority to permit the enforcement of the City's Parking By-law on private property does not extend to public authorities such as the TPA. As a result, staff are seeking approval for a technical amendment to the Delegation By-law. At the same time, staff have been working closely with the Toronto Parking Authority to address the specifics logistics required.

Through the recommended proposal to extend the delegated authority for the Director of By-law & Compliance, Licensing and Permit Services, City staff will be able to provide permission for the TPA, through the City's current standardized agreement (already in use with private security companies) to enforce City parking regulation at the two TTC commuter parking lots. A major benefit of having these lots operate under the TPA is the use an app-based parking fee system (Green P App) that allows customers to pay for parking through any smart mobile device. By authorizing TPA to enforce the City's Parking By-law, there will be no significant impact on City staff and resources. Since the City of Vaughan utilizes the AMPs program, all parking fine revenue generated from the two commuter parking lots will come back to the City.

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

The recommendations in this report are in line with the following priority for this term of Council:

- Continue to develop transit, cycling and pedestrian options for getting around the City;
- Facilitate the development of the VMC;
- Continue to ensure the safety and well-being of all citizens
- Continue to advance excellence in governance.

Regional Implications

There are no Regional implications originating from this report. Although the agencies noted within include both the TTC and the TPA, the contractual agreements between the two agencies do not include the City of Vaughan. Despite this, through the agreement the City will enter into with the TPA, and as with all other like agreements, the City of Vaughan will be indemnified accordingly.

Conclusion

The technical amendment to the City's Delegation By-law being proposed by staff will allow for the TPA to enforce the City's Parking By-law at the two TTC commuter parking lots located in Vaughan.

Staff believe that approval of the above recommendation will support and facilitate the ongoing public service provided by the TPA, beyond the City of Toronto, and provide a consistent travel experience for commuters who choose to use either of the two parking lots established to service the VMC and the City's two subway stations.

Attachment

1. Draft Amending By-law

Report prepared by:

Gus Michaels, Director, By-law and Compliance, Licensing and Permit Services

Respectfully submitted,

Mary Reali
Deputy City Manager
Community Services

Gus Michaels
Director, By-law & Compliance,
Licensing & Permit Services

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 000-2017

A By-law of the Corporation of the City of Vaughan to amend Delegation By-law No. 195-2015, as amended, to provide the delegated authority to the Director of By-law and Compliance, Licensing and Permit Services and Chief Licensing Officer, to approve agreements respecting the enforcement of the City's Parking By-law with entities other than private security companies.

WHEREAS section 23.1 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides for a municipal council to delegate functions of an administrative nature;

AND WHEREAS the Council of The Corporation of the City of Vaughan wishes to delegate the authority to enter into, and approve, agreements with entities other than private security companies with respect to the enforcement of the City's Parking By-law;

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

1. Amend By-law 195-2015 by amending Section 4.(a) so that the amended section reads:
 4. (a) That on behalf of the City of Vaughan, the authority to approve agreements in the City's standard form as amended from time to time for the enforcement of the Parking By-law on property as specified in such agreements, is hereby delegated to the Director, By-law and Compliance, Licensing and Permit Services and Chief Licensing Officer or designate.
2. This By-law comes into effect and force on the date enacted by City Council.

Enacted by City of Vaughan Council this 11th day of December, 2017.

Hon. Maurizio Bevilacqua, Mayor

Barb McEwan, City Clerk

Authorized by Item No. XX of Report No. XX
of the Committee of the Whole
Adopted by Vaughan City Council on
December 11, 2017

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 162-2017

A By-law of the Corporation of the City of Vaughan to amend Delegation By-law No. 195-2015, as amended, to provide the delegated authority to the Director of By-law and Compliance, Licensing and Permit Services and Chief Licensing Officer, to approve agreements respecting the enforcement of the City's Parking By-law with entities other than private security companies.

WHEREAS section 23.1 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides for a municipal council to delegate functions of an administrative nature;

AND WHEREAS the Council of The Corporation of the City of Vaughan wishes to delegate the authority to enter into, and approve, agreements with entities other than private security companies with respect to the enforcement of the City's Parking By-law;

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

1. Amend By-law 195-2015 by amending Section 4.(a) so that the amended section reads:
 4. (a) That on behalf of the City of Vaughan, the authority to approve agreements in the City's standard form as amended from time to time for the enforcement of the Parking By-law on property as specified in such agreements, is hereby delegated to the Director, By-law and Compliance, Licensing and Permit Services and Chief Licensing Officer or designate.
2. This By-law comes into effect and force on the date enacted by City Council.

Enacted by City of Vaughan Council this 11th day of December, 2017.

Hon. Maurizio Bevilacqua, Mayor

Barbara A. McEwan, City Clerk

Authorized by Addendum Item No. 18 of Report No. 44
of the Committee of the Whole
Adopted by Vaughan City Council on
December 11, 2017.