

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 30, 2018

Item 3, Report No. 1, of the Finance, Administration and Audit Committee, which was adopted without amendment by the Council of the City of Vaughan on January 30, 2018.

3 STREAMLINE PROCESS FOR THE ASSUMPTION OF MUNICIPAL SERVICES CITY WIDE

The Finance, Administration and Audit Committee recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated January 22, 2018:

Purpose

This report recommends adoption of a more efficient process related to the assumption of municipal services constructed through development and growth related infrastructure projects.

Recommendations

1. That Council endorse the administrative process improvement related to the assumption of municipal services constructed through private land development and growth related infrastructure projects as set out in this report; and
2. That the necessary by-law be enacted delegating authority to the City's Chief Financial Officer and City Treasurer or designate to release 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 and based on the recommendation of the Director of Development Engineering or its designate.

Report Highlights

- Proposed administrative change related to the assumption process of municipal services.
- The practice of submitting assumption reports to Committee of the Whole be replaced with a staff to Council Memorandum to notify Members of Council of upcoming assumptions.
- This proposed change will have positive economic benefits to the City, the development community as well as individual homeowners.

Background

For many years, the City of Vaughan has been one of the fastest growing municipalities

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in Canada. On average, approximately 34 kilometres of new roads and municipal services are constructed through development annually. Pursuant to the Municipal Act and the standard provisions of the city's development agreements, these municipal services must be assumed by the City once they are satisfactorily completed. Typically, the municipal services associated with approximately 25 developments are assumed by Vaughan Council annually. In addition, increasingly with public sector investments the municipality may be in a position of assuming infrastructure constructed by public agencies and their contractors.

Analysis and Options

Currently, staff report to Committee of the Whole on every assumption.

The current process involves staff reporting to Committee of the Whole on the details of each assumption. This practice was adopted many years ago to notify Members of Council of the assumption of municipal services. Historically, a very small percentage of assumption reports are called for discussion and amended at Committee of the Whole. For example, over the past 5 years Council has received 144 assumption reports, of which staff only recall three reports were called for discussion, and only one was amended prior to approval. The remaining 98% were approved without amendment. If Committee of the Whole recommends approval of staff's recommendations to assume the municipal services then the necessary by-law is added to the next Council meeting agenda.

Council has approved the infrastructure as part of the Block Plan, Secondary Plan and Subdivision approval process. At this point, the development is complete, residents are living within these communities and the infrastructure is being maintained and operated. All deficiencies have been rectified under warranty and clearances have been received by all relative city departments. The Subdivision Agreement now obligates the City of Vaughan to assume this municipal infrastructure.

Removing this assumption report submission process to the Committee of the Whole will improve business processes.

The development industry has for several years requested that the assumption process be accelerated. Typically, it takes approximately ten hours of staff time to prepare and process a report regarding the assumption of municipal services in a development project. The necessary lead time to include a staff report on a Committee of the Whole agenda is currently at least a 90-day process. Accordingly, the entire process can take

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as many as 120 days to process the formal assumption of the municipal services as shown on Attachment No.1. This process can be considerably shortened by removing the assumption report submission to the Committee of the Whole.

On average, approximately 25 development projects become eligible for assumption each year. This equates to approximately 250 hours of staff time that is dedicated to preparing assumption reports each year within the Development Engineering Department alone. Other departments also contribute staff time to the review and processing of assumption reports; including the City Clerk, Office of the DCM of Planning and Growth Management and others. Removing the need to report to the Committee of the Whole regarding the assumption of municipal services will significantly improve business processes and free up staff resources.

In some instances, upwards of 10 assumption reports, which are typically routine and transactional in nature, have been brought forward to a single Committee of the Whole meeting, encumbering the agenda unnecessarily.

Council will be informed of up-coming assumptions by way of memorandum

Staff recommend that the practice of reporting to the Committee of the Whole on the routine assumption of municipal services be eliminated in favour of informing Members of Council of a pending assumption via a staff to Council Memorandum. This process has been adopted as a best practice in other local municipalities. This Memorandum will be sent approximately 2 to 4 weeks before an implementing by-law is brought forward to Council. This will provide an opportunity for Members of Council to advise staff of any concerns well before the formal assumption is considered by Council. If no issues are raised, then staff will schedule the submission of the necessary assumption by-law to the next available Council meeting.

Streamlining of the process will expedite assumption of municipal services while keeping members of Council informed on the upcoming assumption.

This change, if approved, will be communicated to the development community at the next York Chapter of BILD meeting and other industry forums. Other infrastructure delivery agencies (e.g. Metrolinx, TTC, York Region) and relevant city departments will also be advised of the changes.

An annual assumption activity report will be brought forward to Council

An annual report will be brought forward to Council that will summarize all the subdivision and municipal infrastructure assumptions that occurred over the preceding year for information purposes.

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Staff are seeking delegated authority to release development securities after assumption.

To facilitate this new reporting process, staff are also seeking delegated authority from Council to release any posted development securities after the assumption by-law has been passed by Council. A recommendation to this effect is included as Recommendation 2 to this report.

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

This proposed delegation of the assumption process is consistent with the initiatives outlined in the Term of Council Service Excellence Strategy Map. The assumption of these municipal services will continue to:

- Invest, renew and manage infrastructure and assets;
- Attract investment and create jobs
- Continue to ensure the safety and well-being of citizens; and
- Continue to cultivate an environmentally sustainable city.

Financial Impact

There is a positive economic benefit to the City from the adoption of the proposed streamline assumption process:

- Process efficiencies and a reduced administrative demand on staff resources to produce assumption reports
- With faster assumptions, Municipal Service Inspectors will spend less time monitoring completed subdivisions and infrastructure projects. Their focus and time can then be redirected to new development that require more attention.

There are also broader economic benefits to the development industry as well as homeowners:

1. More timely release of development securities (i.e. Letters of Credits)
2. Reduced maintenance costs for the development industry
3. Once assets are assumed by the City, builders and/or developers can expedite refunds of lot grading deposits to homeowners.

Broader Regional Impacts/Considerations

York Region will continue to be contacted for municipal works that extend into regional road right-of-ways for acceptance.

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Conclusion

Staff recommend that the practice of reporting to Committee of the Whole on the assumption of municipal services be eliminated in favour of a new process. This new process will include informing Members of Council of a pending assumption via memorandum before an implementing by-law is brought forward to Council. To facilitate this new reporting process, it is recommended that staff be authorized to release any posted development securities after the assumption by-law is passed by Council. Removing the need to report to Committee of the Whole regarding the assumption of municipal services will significantly improve business processes, accelerate timeframes to address stakeholder concerns, and free up staff resources.

For more information, please contact: Andrew Pearce, Director of Development Engineering, ext. 8255

Attachments

1. Current and Proposed workflow process, October 20, 2017

Prepared by

Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

(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.)

Item:



Finance, Administration and Audit Committee Report

DATE: Monday, January 22, 2018

WARD(S): ALL

**TITLE: STREAMLINE PROCESS FOR THE ASSUMPTION OF
MUNICIPAL SERVICES CITY WIDE.**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

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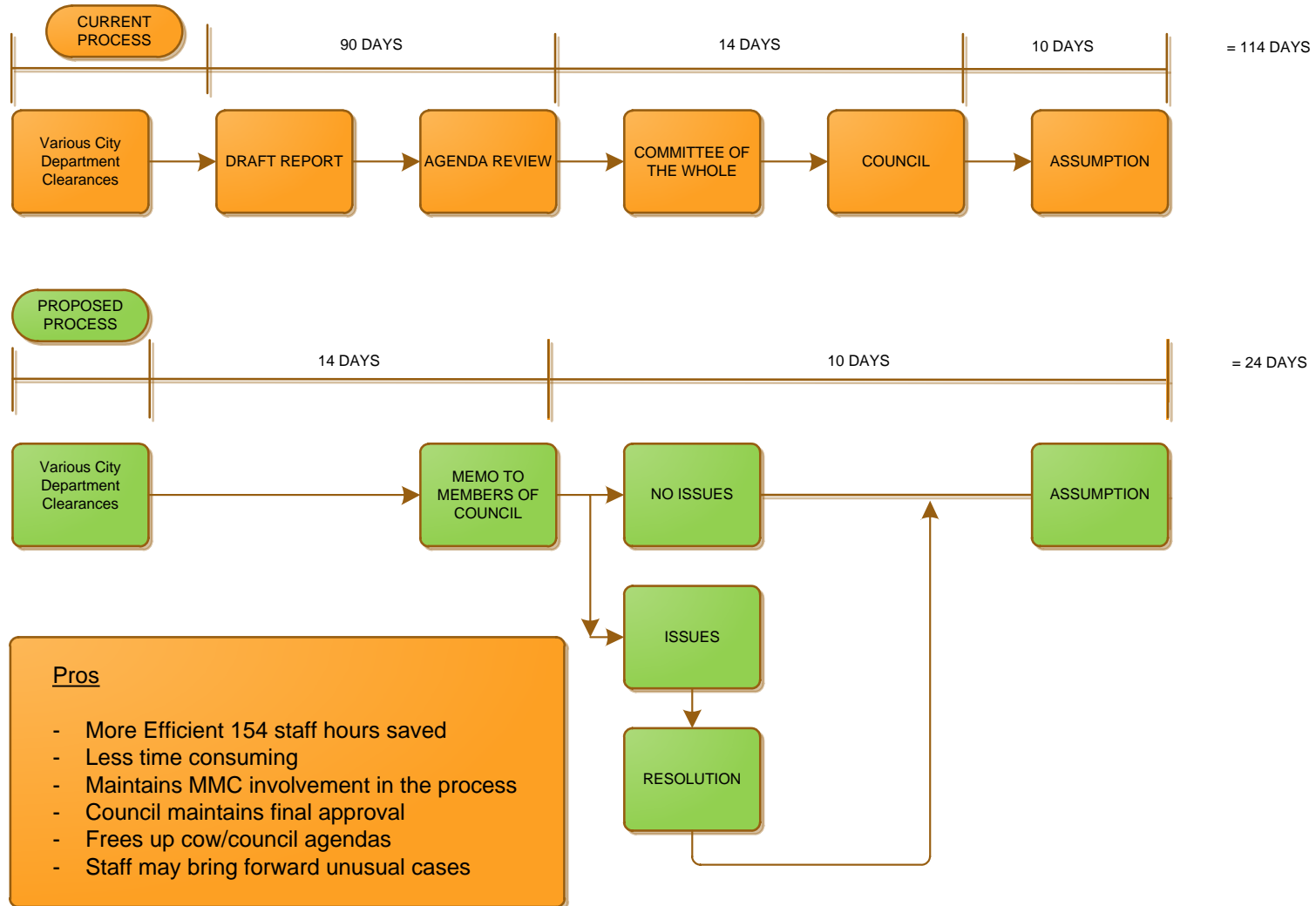
1. Current and Proposed workflow process, October 20, 2017

Prepared by

Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

ATTACHMENT No. 1

ASSUMPTION OF MUNICIPAL SERVICES DELEGATED STREAMLINE PROCESS CITY WIDE



THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 005-2018

A By-law to authorize delegation of approval of certain administrative matters to Staff and to repeal By-law 195-2015.

WHEREAS Section 23.1 of the Municipal Act, as amended, provides for a municipal council to delegate functions of an administrative nature.

WHEREAS Section 51(26) of the Planning Act, as amended, provides municipalities the authority to enter into agreements concerning the subdivision of land;

AND WHEREAS the Council of the Corporation of the City of Vaughan has reviewed the provision of various development approval processes and administrative functions and considers it desirable for the purposes of efficient service delivery to delegate the authority to approve and execute standard form agreements including Model Home Agreements, Subdivision Agreements, various Development Agreements, Spine Servicing Agreements, Pre-servicing Agreements, Agreements arising out of Committee Adjustment matters, Permission to Enter and Construct and parking enforcement agreements and to delegate the authority to deem appropriate lifting of part-lot control restrictions, dedicating roads and road widenings, and dedicating 0.3 metre reserves, assumption of municipal services and other administrative matters;

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

1. (a) That provided all required financial guarantees, letters of credit, and charges are filed with and/or paid to the City upon execution of the agreement, fire protection is established to the satisfaction of the Fire and Rescue Services Department, and any necessary municipal services are available, on behalf of the City of Vaughan, the authority to approve Model Home Agreements, substantially in the City's standard form, and as may be updated by the City from time to time, be and is hereby delegated to the Deputy City

Manager, Planning and Growth Management or designate.

- (b) The delegated authority set out herein shall permit the approval by the Deputy City Manager, Planning and Growth Management, and execution of Model Home Agreements for a maximum of ten (10%) percent of the total number of dwelling units to a maximum number of twenty dwelling units, whichever is less, for the development to which the agreement applies;
- 2.
 - (a) THAT on behalf of the City of Vaughan, the authority to approve Subdivision Agreements, and Spine Servicing Agreements and Development Agreements, substantially in the City's standard form as amended from time to time be and is hereby delegated to the Deputy City Manager, Planning and Growth Management, or designate.
 - (b) THAT on behalf of the City of Vaughan, the authority to approve servicing agreements, Permissions to Enter and Construct and Development Road Occupancy agreements substantially in the City's standard forms be and is hereby delegated to the Deputy City Manager, Planning and Growth Management, or designate.
- 3.
 - (a) That on behalf of the City of Vaughan, the authority to approve development or servicing agreements in substantially the City's standard form, required as a condition of a Decision of the Committee of Adjustment be and is hereby delegated to the Deputy City Manager, Planning and Growth Management, or designate.
 - (b) That on behalf of the City of Vaughan, the authority to approve other agreements, as required from time to time to comply with or fulfill conditions imposed by the Committee of Adjustment prior to the issuance of building permits, or to achieve compliance with the *Building Code Act* (Spatial Separation) be and is hereby delegated to the Chief Building Official or designate.
 - (c) That on behalf of the City of Vaughan, the authority to release 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 and based on the recommendation of the Director of Engineering or its designate, be and is hereby delegated to the City's Chief Financial Officer and City Treasurer or designate.

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 with private security companies for enforcement of the Parking By-law on private property is hereby delegated to the Director of Enforcement Services or designate.
 - (b) Notwithstanding the provisions of Section 6.3 of Procedural By-law Number 7-2011, by-laws appointing persons as municipal law enforcement officers for the purposes of this paragraph may be placed on the Agenda for Council without the prior consideration by a Standing Committee, and without recommendation to Council.
 - (c) That on behalf of the City of Vaughan, the authority to add or delete animals from time to time from the List of Animals Permitted to be Kept by the Earth Rangers Foundation is hereby delegated to the Director of By-law & Compliance, Licensing & Permit Services.
5. The Deputy City Manager, Public Works, is hereby authorized to grant exemptions to the provisions of the City's Noise By-law for City initiated capital construction projects and to order road closures for temporary periods for required construction.
6. (a) That on behalf of the City of Vaughan, the Mayor and/or Clerk are hereby authorized to execute Agreements referred to in this By-law, once said agreement has been approved as provided for in this by-law.
 - (b) That on behalf of the City of Vaughan, the Deputy City Manager, Planning and Growth Management, or designate is hereby authorized to execute Development Road Occupancy agreements and Permission to Enter and Construct referred to in Section 2(b).
7. The authority delegated in sections 1 through 6 above shall also apply to the approval and execution of amendments to said agreements, and inclusion of additional provisions as may be required by the municipality.
8. That the authority to deem as appropriate, exemptions to the Part Lot Control provisions of the Planning Act be and is hereby delegated to the Deputy City Manager, Planning and Growth or designate.

9. That the authority to deem appropriate dedication of parcels of land for roads, road widenings and 0.3 metre reserves as public highways and amendments to the Traffic By-law and the Parking By-law be and is hereby delegated to the Deputy City Manager, Planning and Growth Management or designate.
10. Notwithstanding any provision of this By-law, the City Manager, or designate, may refer any matter referred to in this By-Law to Council for consideration.
11. Notwithstanding Section 6.3 of Procedural By-law Number 7-2011, matters referred to in this By-law may be placed on the Agenda for Council without the prior consideration of a Standing Committee, and without a recommendation to Council.
12. By-law 195-2015 is repealed.

Enacted by City of Vaughan Council this 30th day of January, 2018.

Hon. Maurizio Bevilacqua, Mayor

Barbara A. McEwan, City Clerk

Authorized by Item No. 1 of Report No. 34
of the Special Committee of the Whole (Working
Session) Adopted by Vaughan City Council on
September 30, 2015.

Authorized by Item No. 12 of Report No. 40
of the Committee of the Whole
Adopted by Vaughan City Council on
November 17, 2015.

Authorized by Item No. 3 of Report No. 1
of the Finance, Administration and Audit Committee
Adopted by Vaughan City Council on
January 30, 2018.