



Report to: Development Services Committee

Report Date: April 15, 2019

SUBJECT: Delegated Authority for Acceptance for Maintenance and Assumption (City Wide)

PREPARED BY: Kay Man Poon, P.Eng., Manager, Municipal Inspections ext. 2897

RECOMMENDATION:

- 1) That the report "Delegated Authority for Acceptance for Maintenance and Assumption (City Wide)" be received; and,
- 2) That the Director of Engineering be authorized to accept 'Plan' (Registered 65M-Plans and/or Reference Plans that contain Municipal infrastructures) for Acceptance for Maintenance and establish the maintenance period commencement date; and further,
- 3) That the Director of Engineering be authorized to accept 'Plan' (Registered 65M-Plans and/or Reference Plans that contain Municipal infrastructures) for Assumption; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The report seeks Council's authority for the Director of Engineering to accept 'Plan' for Acceptance for Maintenance and establish the maintenance period commencement date provided conditions within the Subdivision Agreements are met; and further,

The report seeks Council's authority for the Director of Engineering to accept 'Plan' for Assumption provided conditions within the Subdivision Agreements are met.

BACKGROUND:

The construction of municipal services infrastructure within the 'Plan' is in accordance with the terms and conditions of the Subdivision / Development / Construction Agreement and to the satisfaction of the Development Services Commission in consultation with other internal commenting departments.

The Engineering Department seeks the approval of Development Services Committee (DSC) for Acceptance for Maintenance. These reports are listed under the consent agenda of DSC and recommend the City assume the responsibility for the maintenance and operation of the municipal services and transportation infrastructure within the 'Plan' after Acceptance for Maintenance. The reports also establish the maintenance period commencement date as defined in the subdivision agreement.

The reports also recommend Council enact Public Highway by-laws for each 'Plan', and that each street within the 'Plan' as a public highway of the City of Markham. The reports also recommend amendments to traffic control by-laws that include speed, stop and parking control on streets within the 'Plan'.

There are other Planning Act agreements, e.g. Subdivision / Development / Construction Agreements that require Council approval for Assumption of 'Plan' (Registered 65M-Plans and/or Reference Plans that contain Municipal infrastructures).

OPTIONS/ DISCUSSION:

Delegated Authority to Staff for Acceptance for Maintenance and Assumption

Staff is of the opinion that there is no added value for Council to be involved in the Acceptance for Maintenance and Assumption as the agreements clearly stipulate the conditions for these processes. Delegating Authority to Staff for Acceptance for Maintenance and Assumption will streamline the processes and will allow the development industry to work with staff directly. The necessary by-laws will still be passed by Council. Staff recommends that the Acceptance for Maintenance and Assumption be delegated to the Director of Engineering.

Public highway by-law to be passed

Under the proposed delegation of authority, Staff will continue to prepare Public Highway by-laws for each 'Plan' to establish each street as a Public Highway of the City of Markham for enactment by Council prior to Acceptance for Maintenance.

Amendments to speed, stop and parking control by-laws

Under the proposed delegation of authority, Staff will continue to prepare all applicable amendments to traffic control by-laws to by-laws 106-71, 2017-104 and 2005-188 for enactment by Council prior to Acceptance for Maintenance.

Changes to the Definition in the Subdivision / Development / Construction Agreements

Upon the approval of the recommendation of this report, Engineering staff will work with the City Solicitor to amend the definition of Acceptance for Maintenance and Assumption in the standard agreement templates.

FINANCIAL CONSIDERATIONS

N.A.

HUMAN RESOURCES CONSIDERATIONS

N.A.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The recommendation is to streamline the Acceptance for Maintenance and Assumption processes to eliminate unnecessary approval by Council while ensuring the necessary by-laws continue to be enacted by Council. The process change is aligned with the corporate strategy of Exceptional Services by Exceptional People. The development industry will welcome this change.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Legal Department, Environmental Services Department and Operations Department have been consulted and their comments have been incorporated into this report.

RECOMMENDED BY:



Brian Lee, P.Eng
Director of Engineering



Arvin Prasad, RPP, MCIP
Commissioner, Development Services