
Subject: Revised Delegation of Authority By-law

Staff Report No. EPW-012-25

**Department/
Commission:** Engineering and Public Works Commission

Date: June 18, 2025

Recommendation:

- 1) That Council bring forward a bylaw to amend the Delegation of Authority By-law 2024-123-RE to reflect the change in delegated authority, allowing the Commissioner of Engineering and Public Works to determine the required security amount for pre-servicing and servicing agreements related to development applications on a case-by-case basis.

Report Highlights

- Amend the Delegation of Authority By-Law to allow for more flexibility on the required securities for pre-servicing and servicing agreements relating to planning applications.
- The approved delegated authority will help staff determine the appropriate securities requirements for servicing agreements on a case-by-case basis.
- The Town's approach to requiring lower security amounts, only where appropriate, would mitigate barriers for development and help align the Town with other municipalities in York Region.

1. Purpose:

This report provides Council with proposed amendments to the Town of Whitchurch-Stouffville's Delegation By-law 2024-123-RE to reflect the need to provide more flexibility on the required securities associated with pre-servicing and servicing agreements relating to subdivision works.

2. Background:

Town staff consistently seek out opportunities to improve processes, enhance efficiencies, and identify initiatives to drive continuous improvement and organizational

success. As part of the process improvements, the Engineering and Public Works Commission identified an opportunity to support development initiatives in Town by reducing the required securities for certain servicing agreements.

3. Analysis:

As a result of increased financial pressures, concerns have been raised by the development community regarding the securities required by the Town for certain servicing agreements where the servicing work is limited to private property. Currently, the Fees and Charges By-law requires that 100% security is provided for all types of development agreements, including servicing agreements. This requirement adds additional financial pressures on the developers to secure financing in advance of the final approval. This constraint is particularly challenging for larger development projects requiring substantial financial commitments, which is more pronounced in the current market.

In keeping with the Town's directive to support development and housing growth, delegated authority to the Commissioner of Engineering and Public Works to determine the appropriate security amounts for pre-servicing and servicing agreements will provide additional flexibility to determine the appropriate security amount for the servicing agreement on a case-by-case depending on the scope of work, project location, and total financial obligations. However, at no time will the security for the servicing agreement be less than 40% of the estimated cost of works.

This approach is consistent with other municipalities in York Region, where securities for servicing agreements range between 20% to 40%. Lowering security requirements, where appropriate, without added risk to the Town would align with other area municipalities.

4. Options:

4.1 Option A (Recommended)

That Council enact Delegation By-law 2024-123-RE to reflect the change in delegated authority, allowing the Commissioner of Engineering and Public Works to determine the required security amount for pre-servicing and servicing agreements related to development applications on a case-by-case basis.

This option will reduce the financial burden for those projects supporting ICI and residential development in the Town.

4.2 Option B

That Council doesn't support the proposed amendment to By-law 2024-123-RE. There will be no change in the financial requirements for pre-servicing and servicing agreements, resulting in challenges for development when compared to other municipalities.

5. Financial Implications:

There are no financial implications.

6. Broader Intergovernmental Impacts and/or Considerations:

None.

7. Communication:

None.

8. Alignment with Strategic Plan:

1. A Town that Grows
A Town that grows in support of complete communities
2. Good Governance
Provide Good Governance
3. Organizational Effectiveness
To Elevate our Organizational Effectiveness

9. Attachments:

Attachment 1 - Draft amended By-law 2024-123-RE Delegated Authority DEPW
Attachment 2 - Schedule G of amended By-law 2024-123-RE Delegation of Authority DEPW

10. Related Reports:

None

Author: Stan Tsysar, Manager of Development Engineering

For further information on this report, please contact the Department Head: Jack Graziosi, Commissioner at 905-640-1900 or 1-855-642-8697 ext. 2464 or via email at jack.graziosi@townofws.ca.