

ATTACHMENT 1

Summary of Development Agreement Templates under the purview of the Development Engineering Department

The City of Vaughan has undertaken an Agreement Template Modernization and Process Review Project (“Agreement Modernization”), which has included the review and updating of its existing development agreement templates within the purview of the City’s Development Engineering Department, as well as the consideration and introduction of additional tools to assist the City and its development community to meet growth demands. The following summarizes the typical agreement used and/or offered by the City, and identifies new agreement tools being proposed to be available to meet different development application needs:

No.	Type	Existing/New	Description	Rationale/Benefit
1	Pre-Servicing Agreement	New (Optional)	Permits developer to advance certain aspects of construction (such as installation of water, sanitary and storm sewers and open roadways) as soon as possible, before subdivision /development agreement(s) are finalized. This agreement will replace the current Pre-Development Permit.	<ul style="list-style-type: none"> • Advances Provincial Priority of advancing development as quickly as possible. • Provides time for City and Developer to clear Council imposed conditions, finalize plans and agreements, without holding up development progress, and is therefore anticipated to reduce need for amendments to development agreements (by reducing costs, resources and time).
2	Subdivision Agreement	Existing Updated (Required)	Details the developer's obligations to the City in relation to the completion of subdivision construction, including site grading and drainage; construction of sewers, watermains, roads, curbs and sidewalks; street lighting; landscaping; noise attenuation; and perimeter fencing in the proposed subdivision.	<ul style="list-style-type: none"> • Ensures coordination of expectations between the City and developer, • Provides protection to the City where development does not proceed in accordance with Council approvals, and statutory or City specifications and requirements.
3	Development Agreement	Existing Updated (Required)	Agreement requiring developer to satisfy required conditions prior to final approval of site plan or the enactment of the zoning by-law amendment permitting the proposed use of land and development.	<ul style="list-style-type: none"> • It functions as the City’s mechanism to provide the contractual basis for a municipality to ensure that the owner of land that is the subject of a site plan, zoning/rezoning approval fulfills the conditions of such approvals.

			When used as part of a site plan application, it deals with the required services affecting lands external to the site which will service the site.	<ul style="list-style-type: none"> • Ensures coordination of expectations between the City and developer. • Provides protection to the City where development does not proceed in accordance with Council approvals, and statutory or City specifications and requirements.
4	Spine Servicing Agreement	Existing Updated (Required)	Where there are multiple developers that wish to finance the design and delivery of the capital works and recover their costs from adjacent landowners, or the City (if applicable), at a later date. This is often used where a Landowners Group have entered into a separate Shared Services Agreement and have appointed a Trustee to oversee the coordinated works and sharing of costs within a block of lands. Section 38 of the <i>Development Charges Act</i> will apply for non-local services works, which must be included in the City's Development Charge Background Study and are subject to review for eligibility.	<ul style="list-style-type: none"> • The agreement helps to ensure the proper set up of municipal services as per both City and provincial specifications and requirement. • Advances Provincial Priority of advancing development as quickly as possible - Used to advance the construction services when a parcel or parcels of lands do not have direct access to a required municipal service such as sanitary or storm sewers, watermains or opened roadways.
5	Front Ending Agreement	New (Optional)	Agreements pursuant to Section 44 of the <i>Development Charges Act</i> to assist developers wishing to pay for and advance DC eligible infrastructure which benefit their own and surrounding lands and secures repayment/contribution of benefit landowners at the time of future development.	<ul style="list-style-type: none"> • Advances Provincial Priority of advancing development as quickly as possible - Section 44 of the <i>Development Charges Act</i> provides protections to developer(s) through a statutory process that ensures future recovery of costs from adjacent land owners. • Front-Ending Agreements are proposed to be made available at the request of developers or trustee.
6	Encroachment Permit	Existing Updated (Optional)	Used to permit encroachment onto City lands which may be required for such things as fencing/hoarding; storage of materials; and swing cranes.	<ul style="list-style-type: none"> • Advances Provincial Priority of advancing development as quickly as possible.