



## Staff Report for Council Meeting

Date of Meeting: July 9, 2018

Report Number: SRCAO.18.18

Department: Office of the Chief Administrative Officer

Division: Office of the CAO

**Subject: Additional Delegation of Authority – Summer Recess (July 10 to September 3, 2018); 2018 Pre and Post-Election Recess (September 25 to November 18, 2018)**

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### Purpose:

To approve the delegation of powers to the Chief Administrative Officer (CAO) in addition to those previously delegated by Council in order to facilitate the timely resolution of matters before the Local Planning Appeal Tribunal (LPAT).

### Recommendation(s):

- a) That from July 10 to September 3, 2018 and from September 25 to November 18, 2018, in addition to those powers delegated by Council on June 26, 2018, notwithstanding any other conflicting or inconsistent Town by-law, the Chief Administrative Officer (CAO) also be authorized to take the following actions:
  - (i) upon the recommendation of the Commissioner of Planning and Regulatory Services having advised the Mayor and respective Ward Councillor, instruct the Town Solicitor to take a position in respect of matters before the Local Planning Appeal Tribunal, including, without limitation, with respect to any *Planning Act* appeals;
  - (ii) upon the recommendation of the Commissioner of Planning and Regulatory Services, authorize the acceptance of cash-in-lieu of parkland dedication; and,
  - (iii) declare Town lands surplus without public notice and authorize the disposition of such lands to an appellant in exchange for lands and/or monetary compensation of comparable value;
- b) That the Town Solicitor be authorized to take any necessary actions to effect those actions authorized pursuant to paragraph (a), including the signing and registration of any electronic transfer documents; and

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- c) That the Mayor and the Clerk be authorized to execute any necessary agreements or other documentation to effect those actions authorized pursuant to paragraph (a), upon the recommendation of the Chief Administrative Officer.

### **Contact Person:**

Neil Garbe, Chief Administrative Officer, Extension 6366

Kelvin Kwan, Commissioner of Planning and Regulatory Services, Extension 2410

Antonio Dimilta, Town Solicitor, Extension 2513

### **Report Approval:**

**Submitted by:** Neil Garbe, Chief Administrative Officer

**Approved by:** Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

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### **Background:**

There are various matters at different stages before the LPAT. When matters have been appealed, staff typically engage in discussions with appellants with a view to resolving the matter prior to it being heard by the Tribunal.

Although resolutions are not always achieved or recommended, staff are of the view that there are currently several matters which can be resolved. In such cases, staff would typically provide Council with recommendations for a settlement with details of all the actions required to effect such settlement. Where some outstanding issues remain, staff would typically advise Council of those issues to be adjudicated by LPAT.

Given the pending summer recess, followed by an election recess, Town staff recommend that the Chief Administrative Officer, subject to the recommendations of the Commissioner of Planning and Regulatory Services, be authorized to instruct the Town Solicitor as to the position of the Town on any matter before the LPAT, as set out in the recommendations to this Staff Report SRCAO.18.18.

### **Financial/Staffing/Other Implications:**

Any settlements requiring budgets for implementation will only proceed subject to prior consultation with the Treasurer regarding the availability of funding from existing budgets.

### **Relationship to the Strategic Plan:**

Delegation of approval of these matters will facilitate resolution of appeals before the LPAT during Council's summer recess and 2018 Pre and Post-Election Recess.

### **Conclusion:**

It is recommended that during Council's Summer Recess from July 10 to September 3, 2018 and 2018 Pre-Post-Election Recess from September 25, to November 18, 2018, the Chief Administrative Officer be authorized to approve the actions as outlined above.

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### Report Approval Details

Document Title:	SRCAO.18.18.docx
Attachments:	
Final Approval Date:	Jul 4, 2018

This report and all of its attachments were approved and signed as outlined below:

**Antonio Dimilta - Jul 4, 2018 - 12:11 PM**

**Neil Garbe - Jul 4, 2018 - 12:21 PM**