



Staff Report for Committee of the Whole Meeting

Date of Meeting: September 17, 2018

Report Number: SRCAO.18.23

Department: Office of the Chief Administrative Officer

Division: Select Division

Subject: Delegation of Authority – Summer Recess
Accounting - Reference SRCAO.18.13, June 19,
2018 Council Meeting and SRCAO.18.18, July 9,
2018 Council Meeting (July 10 to September 3,
2018 Council Summer Recess)

Purpose:

To report to Council with respect to the approvals granted during the Delegated Authority Summer Recess (July 10 to September 3, 2018).

Recommendation(s):

That SRCAO.18.23 Delegation of Authority – Summer Recess Accounting be received.

Contact Person:

Neil Garbe, Chief Administrative Officer, Extension 6366

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:

On July 9, 2018, Council delegated authority to the Chief Administrative Officer during the period July 10 to September 3, 2018 (the “Summer Recess”) to approve, grant or authorize:

- a) The carrying of all activities in connection with an acquisition of goods and services otherwise requiring Council approval, including authorizing;
 - 1. any non-competitive acquisition over \$100,000; and
 - 2. scope of changes of any amount
- b) The execution of the Richmond Hill Office Development and Local Centre Community Improvement Plan Agreements and Cash-in-Lieu of Parking Agreements.
- c) The execution of Offers to Connect and Letters of Consent with Alectra Utilities (formerly known as PowerStream);
- d) The sale of municipal property where Council has previously considered such sale and declared the land surplus to the Town’s needs and where any offer received for such lands (which the Chief Administrative Officer is prepared to accept pursuant to this delegated authority) meets or exceeds the listing price established by the Manager of Real Estate when the lands were offered for sale, or is not more than 5% below such listing price or reserve bid, and to authorize the execution of any agreement related to such sale;
- e) The transfer or sale of any easement, right-of-way or other comparable limited right in or over any land owned by the Corporation or the release of any easement, right-of-way or other comparable limited right in favour of the Corporation in or over any land;
- f) The giving of consent to the alteration of a property and to the demolition or removal of a building or structure under Part IV and Part V of the *Ontario Heritage Act*;
- g) The determination, pursuant to Section 29 of the *Ontario Heritage Act*, of an intention to designate a property to be of cultural heritage value or interest and the authorization of the giving of notice of intention to designate the property;
- h) The determination, pursuant to Section 30.1 of the *Ontario Heritage Act*, of an intention to amend the Designation By-law of a property and the authorization of the giving of notice of intention to amend the by-law;
- i) The execution and/or extension of any other agreements or documents which would otherwise require the express approval and authorization of Council,

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where the CAO deems the matter either to be of a minor nature or determines that waiting until after the Summer Recess on September 4, 2018 would have adverse consequences; and

- j) The acquisition of any lands or easements by the Town (provided there is a source of funding for such acquisition approved by the Treasurer) and the execution by the Mayor and Clerk of any agreements required for such acquisition;
- k) AND THAT during the Summer Recess from July 10 to September 3, 2018, the Chief Administrative Officer be delegated the legislative power:
 - 1. To enact a by-law to remove lands from part lot control pursuant to Subsection 50(7) of the *Planning Act*;
 - 2. To enact a by-law extending the time period specified in any by-law passed pursuant to Subsection 50(7) of the *Planning Act*; and/or
 - 3. Repeal or amend a by-law passed pursuant to Subsection 50(7) of the *Planning Act*, pursuant to Subsection 50(7.5) of the *Planning Act*.

AND THAT during the Summer Recess from July 10 to September 3, 2018, the procedure for obtaining comments on proposed site plans for properties located on arterial roads be revised as:

- a) Comments will not be sought from or through the Committee of the Whole; and
- b) Comments will be sought from and through the Mayor and the appropriate Ward Councillor

AND THAT during the Summer Recess from July 10 to September 3, 2018, the Chief Administrative Officer is hereby delegated all of Council's authority under Section 51 of the *Planning Act* in respect of the draft approval of plans of subdivisions, upon the recommendation of the Commissioner of Planning and Regulatory Services, provided that each respective application has been circulated for comments in accordance with the provisions of the *Planning Act* and procedures approved by Council, and the Regional Municipality of York and all other circulated agencies have requested routine conditions of approval, and not otherwise, and subject to the condition that Council's standard conditions of approval together with the conditions requested by the Regional Municipality of York and all other circulated agencies be imposed as conditions of approval of the respective plan.

AND THAT during the Summer Recess from July 10 to September 3, 2018, the Chief Administrative Officer is hereby delegated the authority to award sanitary servicing allocation in respect of a draft approval of a plan of subdivision or site plan approval in accordance with the *Planning Act* upon the satisfaction of the criteria in the Interim

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Growth Management Strategy and upon the recommendation of the Commissioner of Planning and Regulatory Services.

AND THAT during the Summer Recess from July 10 to September 3, 2018, the Chief Administrative Officer be delegated the legislative authority to add street names to the Town's approved Street Name List and assign street names for site plans upon the recommendation of the Commissioner of Planning and Regulatory Services and in accordance with the adopted Town Policy for Municipal Street Naming.

AND THAT during the Summer Recess from July 10 to September 3, 2018, the Chief Administrative Officer be delegated the authority to facilitate the timely resolution of matters before the Local Planning Appeal Tribunal (LPAT):

- a) Notwithstanding any other conflicting or inconsistent Town by-law, the Chief Administrative Officer be authorized to take the following actions:
 1. 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;
 2. Upon the recommendation of the Commissioner of Planning and Regulatory Services, authorize the acceptance of cash-in-lieu of parkland dedication; and,
 3. 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
- 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.

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The following matter(s) were approved in accordance with Council's authorization:

Appendix A: DA.18.040 Request for Approval – Draft Plan of Condominium – 28 and 30 Fulton Way Holdings Inc. – Town File: D05-18003 (19CDM(R)-18002)

Approval was given to:

That the proposed Draft Plan of Condominium application submitted by 28 and 30 Fulton Way Holdings Inc. for lands known as Part of Lots 4 and 5 (Municipal Addresses: 28 and 30 Fulton Way) Town File D05-18002 (19CDCM(R)-18002), be draft approved, subject to the following:

1. That draft approval be subject to the conditions as set out in Appendix A; and,
2. That prior to draft approval being granted, the applicant pays the applicable processing fee in accordance with the Town's Tariff of Fees By-law 79-17.

Appendix B: SRCFS.18.041 – Enterprise Resource Planning System Project

Approval was given to:

In accordance with Financial Control By-law 114-16 for approval of Scope Changes greater than \$100,000, that the ERP project include a Point of Sale solution for a maximum cost of \$400,000 and Application Maintenance Support provisions for an annual maximum cost of \$200,000.

Appendix C: DA.18.042 – Request for Approval – Draft Plan of Subdivision – Fifth Avenue (King North) Inc. – Town File D03-16011 (Related Files D02-16037 and D06-17088)

Approval was given to:

That the proposed draft Plan of Subdivision application submitted by Fifth Avenue (King North) Inc. for lands known as Lots 11 and 12 and Blocks B and C, Plan 484 and part of Lots 2 and 4, Plan 564 (Municipal Addresses: 3, 5, 7 and 9 McCachen Street and 300 King Road) Town File D03-16011 (19T(R) – 16011) be draft approved, subject to the following:

1. That draft approval be subject to the conditions as set out in Appendix B to Staff Report DA.18.042; and,
2. That prior to draft approval being granted, the applicant pays the applicable processing fees in accordance with the Town's Tariff of Fees By-law 79-17, as amended.

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Appendix D: DA.18.044 – Request for Direction – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Sundance (Richmond Hill) Estates Inc. – Town Files D02-16027 and D03-16009 – LPAT Case PL171200

Approval was given to:

- a) That the Local Planning Appeal Tribunal be advised as follows:
 1. That Council supports the revised Zoning By-law Amendment application submitted by Sundance (Richmond Hill) Estates Inc. for lands known as Part of Lot 5, Concession 2, E.Y.S. (Municipal Address: 12860 Leslie Street), Town File D02-16027, for the reasons outlined in Staff Report D.A.18.044;
 2. That Council supports the revised draft Plan of Subdivision application submitted by Sundance (Richmond Hill) Estates Inc. for lands known as part of Lot 5, Concession 2, E.Y.S. (Municipal Address: 12860 Leslie Street), Town File D03-16009, for the reasons outlined in Staff Report DA.18.044, subject to the conditions of draft approval as set out in Appendix C and the payment of the applicable processing fee in accordance with the Town's Tariff of Fees By-law; and,
 3. That the Local Planning Appeal Tribunal delegate authority to the Town to clear conditions of draft plan approval and to issue final subdivision approval for the proposed development.
- b) That 112 persons equivalent of servicing allocation (32 single detached dwelling units) be assigned to the subject lands, to be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11; and,
- c) That appropriate Town staff be directed to appear at the Local Planning Appeal Tribunal in support of Council's position concerning the subject applications.

Appendix E: SREIS.18.011 Approval of Scope Change for RFP-86-17 – Project Management Services for the Civic Precinct Project

Approval was given to:

- a) Staff are recommending that the existing project scope of RFP86-17 with Colliers Project Leaders be amended to reflect the July 8, 2018 direction of Council, in accordance with Section 6.20 – Delegated Authority – Scope Changes of the Financial Control Bylaw 114-16;
- b) Environment and Infrastructure Services is seeking Council approval for the amendment in an amount not exceeding \$300,000; and

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- c) That the Commissioner of Environment and Infrastructure Services be authorized to execute any necessary documentation to affect the contract.

Financial/Staffing/Other Implications:

There will be no financial implications which will exceed approved capital or operating budgets, or otherwise allowable adjustments within the Town's Financial Control Bylaw

Relationship to the Strategic Plan:

Delegation of approval of these matters will allow normal business to proceed during Summer Recess July 10 to September 3, 2018.

Conclusion:

That Council receive this accounting of delegated approvals during Summer Recess July 10 to September 3, 2018

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A: DA.18.040 – Request for Approval – Draft Plan of Condominium – 28 and 30 Fulton Way Holdings Inc. – Town File: D05-18002 (19CDM(R)-18002)
- Appendix B: SRCFS.18.041 – Enterprise Resource Planning System Project
- Appendix C: DA.18.042 – Request for Approval – Draft Plan of Subdivision – Fifth Avenue (King North) Inc. – Town File D03-16011 (Related Files D02-16037 and D06-17088)
- Appendix D: DA.18.044 – Request for Direction – Zoning Bylaw Amendment and Draft Plan of Subdivision Applications – Sundance (Richmond Hill) Estates Inc. – Town Files D02-16027 and D03-16009 – LPAT Case PL171200
- Appendix E: SREIS.18.011 – Approval of Scope Change for RFP-86-17 – Project Management Services for the Civic Precinct Project

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Report Approval Details

Document Title:	SRCAO.18.23 - Delegation of Authority Summer Recess Accounting.docx
Attachments:	<ul style="list-style-type: none">- SRCAO.18.23 - Appendix A.pdf- SRCAO.18.23 - Appendix B.pdf- SRCAO.18.23 - Appendix C.pdf- SRCAO.18.23 - Appendix D.pdf- SRCAO.18.23 - Appendix E.pdf
Final Approval Date:	Sep 11, 2018

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

MaryAnne Dempster - Sep 10, 2018 - 8:38 AM

Italo Brutto - Sep 11, 2018 - 10:31 AM

Kelvin Kwan - Sep 11, 2018 - 10:58 AM

Antonio Dimilta - Sep 11, 2018 - 11:00 AM

Neil Garbe - Sep 11, 2018 - 11:07 AM