



## **Staff Report for Council Meeting**

**Date of Meeting:** January 27, 2021

**Report Number:** SRCM.21.01

**Department:** Office of the City Manager

**Subject:** SRCM.21.01 Delegation of Authority – Winter Recess Accounting – Reference By-law 86-20 Enacted by Council on June 24, 2020 (December 21, 2020 to January 15, 2021)

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### **Purpose:**

To report to Council with respect to the approvals granted during the Delegated Authority Winter Recess (December 21, 2020 to January 15, 2021).

### **Recommendation(s):**

- a) That SRCM.21.01 Delegation of Authority – Winter Recess Accounting be received.

### **Contact Person:**

Mary-Anne Dempster, City Manager, Extension 2497

### **Report Approval:**

**Submitted by:** Mary-Anne Dempster, City Manager

**Approved by:** Mary-Anne Dempster, City Manager

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

## Page 2

### Background:

By-law 86-20, as amended, delegated authority to the City Manager during the period of December 21, 2020 to January 15, 2021 (the “Winter Recess”) to approve, grant or authorize:

- a) the carrying out of all activities in connection with an acquisition of goods and services otherwise requiring Council approval, including authorizing;
  - i) Any non-competitive acquisition over \$100,000; and
  - ii) Scope 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;
- 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 declare the land surplus to the City’s needs and where any offer received for such lands (which the City Manager 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 of 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 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 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, where the City Manager deems the matter either to be of a minor nature or

## Page 3

determines that waiting until after the recess period would have adverse consequences;

- j) the acquisition of any land or easements by the City (provided there is a source of funding for such acquisition approved by the Treasurer) and the execution of the Mayor and Clerk of any agreements required for such acquisition;
- k) the duty to seek comments pursuant to the procedure for obtaining comments on proposed site plans for properties located on arterial roads, which shall be revised during any Recess Period to require the City Manager to seek such comments from and through the Mayor and the appropriate ward councillor only;
- l) the award of 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 Growth Management Strategy and upon the recommendation of the Commissioner of Planning;
- m) to facilitate the timely resolution of matters before the Local Planning Appeal Tribunal (LPAT) and take the following actions:
  - i) upon the recommendation of the Commissioner of Planning and having advised the Mayor and respective Ward Councillor, instruct the City 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, authorize the acceptance of cash-in-lieu of parkland dedication; and
  - iii) declare lands owned by the Corporation 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.
- n) the following legislative powers, which Council deems to be of a minor nature:
  - i) to enact a by-law to remove lands from part lot control pursuant to Subsection 50(7) of the *Planning Act*;
  - ii) to enact a by-law extending the time period specified in any by-law passed pursuant to Subsection 50(7) of the *Planning Act*;
  - iii) to 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*;
  - iv) to provide draft approval of plans of subdivision under Section 51 of the *Planning Act*, upon the recommendation of the Commissioner of Planning

## Page 4

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

- v) upon the recommendation of the Commissioner of Planning, to name or change the name of a private road pursuant to Section 48 of the *Municipal Act* for the purpose of adding such name(s) to the Corporation's approved Street Name List and assigning street names for site plan, subject to the giving of the requisite public notice;
- vi) to enact, upon consultation with the Mayor and Ward 1 Local Councillor, By-law No. 12-21 to clarify the permit parking restrictions applicable to Dariole Drive in Schedule "E" of the the Parking Regulation By-law No. 402-89 (Municipal Code Chapter 1116) to implement permit parking on public highways near Lake Wilcox during Council Recess Periods (including the first two weeks in January).

In connection with any actions authorized by the City Manager to facilitate the timely resolution of matters before the Local Planning Appeal Tribunal (LPAT) pursuant to paragraph (m) of Section 2 of this by-law:

- a) the City Solicitor is authorized to take any necessary actions to affect those actions authorized pursuant to paragraph (a), including the signing and registration of any electronic transfer documents; and
- b) the Mayor and the Clerk are authorized to execute any necessary agreements or other documentation to effect those actions authorized pursuant to paragraph (a), upon the recommendation of the City Manager.

The delegated authorities to the City Manager under this by-law are subject to a report being submitted by the City Manager to Council at the earliest opportunity to advise of the approval of any matters pursuant to such delegated authority.

The following matter(s) were approved in accordance with By-law 86-20:

### **Appendix A: SRCFS.20.037 Sole Source of Agenda Management and Council Live Stream Services**

Approval was given to:

## Page 5

- a) That the current contract for the provision of Agenda Management and Council Livestreaming Software previously awarded non-competitively to eScribe Software Ltd. be extended for a term of three (3) years and three (3) months, with two (2) optional one-year term extensions, for a cost not exceeding \$349,000 (exclusive of taxes) pursuant to Appendix “B” Part I, Section © of the Procurement By-law No. 113-16;
- b) That the Commissioner of Corporate and Financial Services be authorized to execute any necessary documentation to effect the contract.

### **Appendix B: SRCS.21.02 Arena Refrigeration Plants Preventative Maintenance and Repair**

Approval was given to:

- a) That the recently expired contract for the provision of preventative maintenance and repairs of the refrigeration plants at the following locations: Bond Lake Arena, Ed Sackfield Arena, Elgin Barrow Arena, Elvis Stokjo Arena, Tom Graham Arena and Richmond Hill Skate trail be extended for a term of two (2) years, with optional (1) one-year term extension, for a cost not exceeding \$499,990 pursuant to Appendix “B” Part I, Section © of the Procurement By-law No. 113-16.
- b) That the Commissioner of Community Services be authorized to execute any necessary documentation to effect the contract.

### **Appendix C: Request for Approval – Amendment of Parking Regulation By-law No. 402-87 Schedule ‘E’ Dariole Drive**

On August 17, 2020, via an amendment to By-law 86-20, Council delegated authority to the City Manager to amend Schedule ‘E’ of the Parking Regulation By-law #402-89 (Municipal Code Chapter 1116) to implement permit parking restrictions on public highways near Lake Wilcox during Council recess periods (including the first two weeks in January).

On October 28, 2020 Council approved a motion, which among other things, was intended to amend the Parking Regulation By-law to facilitate additional permit parking restrictions on Dariole Drive (which is located in the Oak Rides Area near Lake Wilcox). It has just come to the attention of Staff that there was an error in the approved motion that incorrectly alters the intention of the new Dariole Drive restriction. The comment and edit indicated on Item #15.1 (page 46) of the attached Council Minutes describes the necessary correction which needs to be implemented to affect Council’s intention (i.e., we need to add another Dariole Drive line to the Parking Regulation By-law, Schedule ‘E’ table).

## **Page 6**

In accordance with the above, approval was given to By-law No. 12-21 in order to correct the error and clarify the permit parking restrictions applicable to Dariole Drive.

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

There will be no financial implications, which will exceed approved capital or operating budgets, or otherwise allowable adjustments within the City's Financial Control By-law.

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

Delegation of approval of these matters will allow normal business to proceed during Council Winter Recess from December 21, 2020 to January 15, 2021.

### **Conclusion:**

That Council receive this accounting of delegated approvals during the Council Winter Recess from December 21, 2020 to January 15, 2021.

### **Attachments:**

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

- Appendix A: SRCFS.20.037 Sole Source of Agenda Management and Council Live Stream Services
- Appendix B: SRCS.21.02 Arena Refrigeration Plants Preventative Maintenance and Repair
- Appendix C: Request for Approval – Amendment of Parking Regulation By-law No. 402-87 Schedule "E" Dariole Drive

## Page 7

### Report Approval Details

Document Title:	SRCM.21.01 Delegation of Authority - Winter Recess Accounting.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A SRPRS.20.037 - Sole Source Renewal of Agenda Management and Council Live Stream Services.pdf</li><li>- Appendix B SRCS.21.02 Arena Refrigeration Plants Preventative Maintenance and Repairs.pdf</li><li>- Appendix C By-law No. 12-21.pdf</li></ul>
Final Approval Date:	Jan 20, 2021

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

**Stephen Huycke - Jan 19, 2021 - 4:18 PM**

**Darlene Joslin - Jan 19, 2021 - 4:53 PM**

**Sherry Adams - Jan 20, 2021 - 3:53 PM**

**Kelvin Kwan - Jan 20, 2021 - 3:59 PM**

**Antonio Dimilta - Jan 20, 2021 - 4:17 PM**

**MaryAnne Dempster - Jan 20, 2021 - 4:26 PM**