



Staff Report for Council Meeting

Date of Meeting: September 13, 2021

Report Number: SRCM.21.09

Department: Office of the City Manager

Division: Select Division

Subject: **SRCM.21.09 Delegation of Authority – Summer Recess Accounting – Reference By-law 86-20 Enacted by Council on June 24, 2020 (July 19 to August 31, 2021)**

Purpose:

To report to Council with respect to the approvals granted during the Delegated Authority Summer Recess (July 19 to August 31, 2021).

Recommendation(s):

That SRCM.21.09 Delegation of Authority – Summer Recess Accounting be received.

Contact Person:

Darlene Joslin, Acting City Manager, Extension 2423

Report Approval:

Submitted by: Darlene Joslin, Acting City Manager

Approved by: Darlene Joslin, Acting 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.

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Background:

On June 24, 2020, Council enacted By-law 86-20, being a by-law to delegate authority to the City Manager during the period July 19 to August 31, 2021 (the “Summer 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;

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;

- e) 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*;
- f) 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;
- g) 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;
- h) 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

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

- i) 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;
- j) 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 councilor only;
- k) 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 Planning and Infrastructure Department;
- l) 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 Planning and Infrastructure Department 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 Planning and Infrastructure Department, 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.
- m) 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*;

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- iv) to provide draft approval of plans of subdivision under Section 51 of the *Planning Act*, upon the recommendation of the Commissioner Planning and Infrastructure Department, 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 Planning and Infrastructure Department, 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, a by-law to amend Schedule "E" of Parking Regulation Bylaw 402-89 (Municipal Code Chapter 1116), as amended, to implement permit parking on public highways near Lake Wilcox.

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 effect 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 Bylaw 86-20:

Appendix A: Request for Approval (Delegated Authority) – Enactment of a By-law to Remove Lands from Part Lot Control

VIRTUAL DEVELOPMENTS INC., Blocks 147 and 148, Plan 65M-4625, 68-96 Ness Drive, City of Richmond Hill (City File: PLC-21-0034)

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Approval was given to enact By-law 95-21 to remove lands from Part Lot Control pursuant to Section 50(7) of the *Planning Act* during the summer recess period, to facilitate the development of 15 townhouse dwelling units on the subject lands.

Appendix B: Request for Approval (Delegated Authority) – Enactment of a By-law to Remove Lands from Part Lot Control

COUNTRY WIDE HOMES OBSERVATORY INC. Lots 76 and 92, Plan 65M-4547, 40 Callisto Land, 194 Milky Way Drive, 22 Protostar Avenue and 22 Callisto Land (City File: PLC-21-0033)

Approval was given to enact By-law 100-21 and By-law 101-21 to remove lands from Part Lot Control pursuant to Section 50(7) of the *Planning Act* during the summer recess period, to facilitate the development of four semi-detached dwelling units on the subject lands.

Appendix C: SRPI.21.082 – Heritage Permit Application for 103 Richmond Street (The Eliza Gaby House) – File D12-07362

Approval was given to the Heritage Permit Application to erect a garage structure to the rear of the designated structure at 103 Richmond Street.

- a) That the Heritage Permit Application to erect a garage structure, as described in report SRPI.21.082 and recommended by Heritage Richmond Hill, be approved with the condition that the colours for the front façade be chosen from the heritage palette.

Appendix D: SRPI.21.092 Request to Reinstate Budget to Complete Developer Deficiencies at Wellsprings Pond (8-5) Stormwater Management Facility

Approval was given to reinstate a budget to complete developer deficiencies at Wellsprings Pond (8-5) stormwater management facility.

- a) That the City Manager approve, under the authorization provided in the Recess Delegation By-law 86-20, the re-instatement of a project budget in the amount of \$235,000 for the completion of Wellspring Pond (8-5) stormwater management facility, and that this project be funded from the Developer Contribution account as described in this report.

Appendix E: PRIMONT HOMES : Request for Approval (Delegated Authority) – Enactment of a By-law to Remove Lands from Part Lot Control

PRIMONT HOMES (BAYVIEW) INC., Block 1, Plan 65M-4628, 5 Glen Meadow Lane, City of Richmond Hill (City File: PLC-21-0040)

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Approval was given to enact a by-law 106-21 to remove lands from part lot control pursuant to Subsection 50(7) of the *Planning Act* during the summer recess period, to facilitate the creation of 2 single detached dwellings and 169 townhouse dwelling units on the subject lands.

Appendix F: Request for Approval – Private Street Naming Application – Elbay Developments Inc. (City File D15-21014)

Approval was given to a request for Private Street Naming Application to facilitate the naming of two private streets to be established within an approved residential development to be constructed on the subject lands.

- a) That Staff Report D.A.21.013 regarding a Private Street Naming Application submitted by Elbay Developments Inc. for the lands known as Part of Lot 26, Concession 2, E.Y.S. (Municipal Address: 930 Elgin Mills Road East) be approved subject to the following:
 - i) That the proposed private street names Walder Lane (P) and Red Squirrel Land (P) be approved in accordance with D.A.21.013 and,
 - ii) That staff be directed to bring forward a by-law through Council's Delegated Authority to implement the approval of the private street names in accordance with D.A.21.013 upon finalization of the applicant's related development applications.

Appendix G: D.A.21.010 Request for Approval – Private Street Naming Application – Altona (Bathurst) Developments Inc. City File D15-21021

Approval was given to assign two street names from the Council Approved Street Name List to the private streets within an approved residential development to be constructed on the subject lands.

- a) That Staff Report D.A.21.010 regarding a Private Street Naming Application submitted by Altona (Bathurst) Developments Inc. for the lands known as Lot 11 and 12, Registered Plan 1960 (Municipal Addresses: 9113 and 9125 Bathurst Street) be approved subject to the following:
 - i) That the proposed private street names Manser Gate (P) and Carolina Court (P) be approved in accordance with D.A.21.010; and,
 - ii) That staff be directed to bring forward a by-law through the Council's Delegated Authority to implement the approval of the private street names in accordance with D.A.21.010.

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Appendix H: SRPI.21.091 – Request for Approval - Community Improvement Plan - Façade and Signage Grant Application – Property Address 10157 and 10165 Yonge Street

Approval was given to a Community Improvement grant application under the Façade Improvement and Signage grant program submitted by Ashkan Halabi, the applicant on behalf of 2558748 Ontario Inc. Owner of 10157, and 10165 Yonge Street.

- a) That Council approves a Community Improvement Plan Façade Improvement and Signage grant application submitted by Ashkan Halabi for improvements to 10157 and 10165 Yonge Street in the amount not to exceed the lessor of \$63,000 in total or 90% eligible costs per each grant program, as outlined in SRPRS.21.091 and pending the issuance of the necessary permits from the Building Division.
- b) That the Mayor and Clerk be authorized to sign the grant agreement to provide the funding identified in Recommendation (a), upon the recommendation of the Commissioner of Planning Infrastructure Department;
- c) That should the ownership of the property change prior to the completion of the proposed improvements, the City Manager delegate authority to the Commissioner of Planning and Infrastructure Department to enter into a CIP agreement with the new owner as per section 6.2.5 of the CIP and as outlines in the Grant Agreement.
- d) That Council allows the Director of Financial Services and Treasurer to issue a cheque(s) to disburse the funding to the applicant after it is determined the project has satisfied all requirements.

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 Council's Strategic Priorities 2020-2022:

Delegation of approval of these matters will allow normal business to proceed during Council Summer Recess from July 19 to August 31, 2021.

Climate Change Considerations:

Climate change considerations are not applicable to this staff report.

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Conclusion:

That Council receive this accounting of delegated approvals during the Council Summer Recess from July 19 to August 31, 2021.

Attachments:

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

- Appendix A: Enactment of a Bylaw City File: PLC-21-0034 Virtual Developments Inc.
- Appendix B: Enactment of a Bylaw City File: PLC-21-0033 Country Wide Homes Observatory Inc.
- Appendix C: SRPI.21.082 Heritage Permit Application for 103 Richmond Street
- Appendix D: SRPI.21.092 Request to Reinstate A Budget to Complete Developer Deficiencies at Wellsprings Pond (8-5) Stormwater Management Facility
- Appendix E: Enactment of a Bylaw City File: PLC-21-0040 Primont Homes (Bayview) Inc.
- Appendix F: D.A.21.013 Private Street Naming Application Elbay Developments Inc.
- Appendix G: D.A.21.010 Private Street Naming Application Altona (Bathurst) Developments Inc.
- Appendix H: SRPRS.21.091 Request for Approval Community Improvement Plan – Façade and Signage Grant Application – Property Address 10157 and 10165 Yonge Street

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Report Approval Details

Document Title:	SRCM.21.09 Delegated Authority Summer Recess Accounting July 19 to August 31.docx
Attachments:	<ul style="list-style-type: none">- Appendix A D04 21034 Virtual Developments Inc.pdf- Appendix B - By-law 100-21 and 101-21.pdf- Appendix C SRPI.21.082 - 103 Richmond Street.pdf- Appendix D SRPI.21.092 SWMF 8-5 Budget Request.pdf- Appendix F D.A.21.013-930 Elgin Mills Rd E.pdf- Appendix E D04-21040 - Primont Homes (Bayview) Inc.pdf- Appendix G D.A.21.010 (2021.08.24)-9113-9125 Bathurst.pdf- Appendix H SRPRS.21.091 - Request for Approval of CIP Grant 10157_10165 Yonge Street.pdf
Final Approval Date:	Sep 1, 2021

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

Kelvin Kwan - Aug 31, 2021 - 5:11 PM

Stephen Huycke - Sep 1, 2021 - 8:34 AM

Darlene Joslin on behalf of MaryAnne Dempster - Sep 1, 2021 - 10:20 AM