



Staff Report for Council Meeting

Date of Meeting: February 9, 2022

Report Number: SRCM.22.01

Department: Office of the City Manager

Division: Office of the City Manager

Subject: SRCM.22.01 - Delegated Authority Winter Recess and By-Election Recess Accounting - Reference By-law 86-20 Enacted by Council on June 24, 2020 (December 9, 2021 to February 8, 2022)

Purpose:

To report to Council with respect to the approvals granted during the Delegated Authority Winter Recess and By-Election Recess (December 9, 2021 to February 8, 2022).

Recommendation(s):

- a) That SRCM22.01 Delegated Authority – Winter Recess and By-Election Recess Accounting be received for information.

Contact Person:

Darlene Joslin, Interim City Manager, Extension 2423

Report Approval:

Submitted by: Darlene Joslin, Interim City Manager

Approved by: Darlene Joslin, Interim 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 December 9, 2021 to February 8, 2022 (the “Winter Recess and By-Election 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 \$1,000,000; 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 councillor 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 Ontario Land Tribunal (OLT) (formerly known as the Local Planning Appeal Tribunal) 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 Ontario Land Tribunal (OLT) (formerly known as 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 By-law 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 Ontario Land Tribunal (OLT) (formerly known as the Local Planning Appeal Tribunal) 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: City File: PLC-21-044 Request for Approval (Delegated Authority) – Enactment of a By-law to Remove Lands from Part Lot Control

ARISTA HOMES (RICHMOND HILL) INC.

Lots 3, 4, 6, 8, 9 and Blocks 36, 44, 45, 46, 47, Plan 65M-4668

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83, 85, 87 and 89 McCague Avenue, 36, 38, 40, 42, 70 and 72 Boiton Street, 160 to 172 Bawden, Drive, 45 to 59 and 75 to 87 Boiton Street, and 44 to 50 and 52 to 58 Hewison Avenue

Approval was given to enact By-law 3-22, By-law 4-22 and By-law 5-22 to remove lands from part lot control pursuant to Subsection 50(7) of the *Planning Act* during the by-election period, to facilitate the development of 28 Street townhouse dwelling units and 8 semi-detached dwellings on the subject lands.

Appendix B: City File: PLC-21-0045 Request for Approval (Delegated Authority) – Enactment of a By-law to Remove Lands from Part Lot Control

DECO HOMES (RICHMOND HILL) INC.

**Lots 14 to 17 and Blocks 31, 32, 34, 35, 38 and 39, Plan 65M-4668
37, 39, 41, 43, 44 to 50 and 52 to 62 Boiton Street, 36, 38, 40 and 42 Hewison Avenue, 91 to 97, 101 to 109 and 127 to 135 McCague Avenue, and 174 to 184 Bawden Drive**

Approval was given to enact By-law 6-22, By-law 7-22, By-law 8-22 to remove lands from part lot control pursuant to Subsection 50(7) of the *Planning Act* during the by-election period, to facilitate the development of 31 street townhouse dwelling units and 8 semi-detached dwelling units on the subject lands.

Appendix C: City File: PLC-21-0049 Request for Approval (Delegated Authority) – Enactment of a By-law to Remove Lands from Part Lot Control

GROVETRAIL DEVELOPMENTS INC. (ROYAL PINE HOMES)

**Blocks 58, 59 and 60, Plan 65M-4696
77 to 109 Schmeltzer Crescent**

Approval was given to enact By-law 2-2 to remove lands from part lot control pursuant to Subsection 50(7) of the *Planning Act* during the by-election period, to facilitate the development of 17 street townhouse dwelling units on the subject lands.

Appendix D: D.A.22.003 – Request for Approval (Delegated Authority) – Draft Plan of Condominium – Dormer Bond Inc. – City File D05-21003

Approval was given to a request for approval of a draft Plan of Condominium application to establish standard condominium tenure concerning a residential development to be comprised of 120 stacked townhouse dwelling units on the subject lands.

- a) That the draft Plan of Condominium application submitted by Dormer Bond Inc. for the lands known as Lot 72 and Part of Lots 68, 69, 70, 71 and 73, Plan 136 and Part of Bostwick Crescent, Plan 136 (Municipal Addresses: 12850, 12860,

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12864, 12874 and 12890 Yonge Street and 1, 3 and 5 Bond Crescent), City File D05-21003, be approved, subject to the following:

- i) That draft approval be subject to the conditions as set out in Appendix “A” to Staff Report D.A.22.003; and,
- ii) That prior to draft approval being granted, the applicant pay the applicable processing fee in accordance with the City’s Tariff of Fees By-law.

Appendix E: City File: PLC-21-0052 Request for Approval (Delegated Authority) Enactment of By-laws to Remove Lands from Part Lot Control

OH (RICHLANDS) inc.

**Lots 5, 12, 13, 18 and 19, and Blocks 29, 30, 37, 40 and 41, Plan 65M-4669
Multiple Addresses on Boiton Street, Hewison Avenue and McCague Avenue**

Approval was given to the enactment of By-law 12-22, By-law 13-22 and By-law 14-22 to remove lands from Part Lot Control pursuant to Subsection 50*7) of the Planning Act during the by-election period, to facilitate the creation of lots for 30 street townhouse dwelling units and 10 semi-detached dwelling units on the subject lands.

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 Winter Recess and By-election Recess from December 9, 2021 to February 8, 2022.

Climate Change Considerations:

Climate change considerations are not applicable to this staff report.

Conclusion:

That Council receive this accounting of delegated approvals during Council Winter Recess and Council By-election Recess from December 9, 2021 to February 8, 2022.

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.

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- Appendix A City File: PLC-21-044 Request for Approval (Delegated Authority) – Enactment of a By-law to Remove Lands from Part Lot Control
- Appendix B City File: PLC-21-0045 Request for Approval (Delegated Authority) – Enactment of a By-law to Remove Lands from Part Lot Control
- Appendix C City File: PLC-21-0049 Request for Approval (Delegated Authority) – Enactment of a By-law to Remove Lands from Part Lot Control
- Appendix D City File: PLC-21-0052 Request for Approval (Delegated Authority) – Draft Plan of Condominium – Dormer Bond Inc.
- Appendix E City File: PLC-21-0052 Request for Approval (Delegated Authority) – Enactment of By-laws to Remove Lands from Part Lot Control

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Report Approval Details

Document Title:	SRCM.22.01 Delegated Authority Winter Recess By-Election Recess Accounting.docx
Attachments:	<ul style="list-style-type: none">- Appendix A PLC-21-0044 - Request for Approval.docx.pdf- Appendix B PLC-21-0045 - Request for Approval.docx.pdf- Appendix C PLC-21-0049 - Request for Approval.docx.pdf- Appendix D D.A.22.003 - Request for Approval - Draft Plan of Condo - D05-21003.pdf- Appendix E PLC-21-0052- SIGNED Approval Memo - OH Richlands Inc.pdf
Final Approval Date:	Feb 2, 2022

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

Stephen Huycke - Jan 31, 2022 - 3:50 PM

Tracey Steele - Jan 31, 2022 - 4:24 PM

Sherry Adams - Jan 31, 2022 - 5:07 PM

Kelvin Kwan - Feb 1, 2022 - 1:54 PM

Antonio Dimilta - Feb 1, 2022 - 2:51 PM

Darlene Joslin - Feb 1, 2022 - 4:13 PM