



Staff Report for Council Meeting

Date of Meeting: November 23, 2022

Report Number: SRCM.22.06

Department: Office of the City Manager

Subject: **SRCM.22.06 - Delegated Authority Election Recess Accounting - Reference By-law 86-20 as amended by Bylaw 113-20 (September 15 to November 22, 2022)**

Purpose:

To report to Council with respect to the approvals granted during the Delegated Authority Election Recess Period (September 15 to November 22, 2022).

Recommendation(s):

- a) That SRCM.22.06 Delegated Authority 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.

Page 2

Background:

On June 24, 2020 Council enacted By-law 86-20 (as amended by By-law 113-20), being a by-law to delegate authority to the City Manager during the period September 15 to November 22, 2022 (the “Election 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;
 - i) Any non-competitive acquisition over \$1,000,000; and
 - ii) 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;
- 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

Page 3

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*;

Page 4

- iii) to repeal or amend a by-law passed pursuant to Subsection 50(7) 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 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 by 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.

Page 5

The following matter(s) were approved in accordance with Bylaw 86-20(as amended by By-law 113-20):

APPENDIX A: SRCFS.22.031 Renewal and Support Services for Integrated Library System (ILS)

Approval was given to the City of Richmond Hill Information Technology Division for a non-competitive acquisition greater than \$100,000, in accordance with Procurement By-law 113-16 as amended by By-law 141-20.

Recommendations:

- a) That the contract renewal of the backend ILS system be awarded non-competitively to SirsiDynix (Canada) Inc. for a cost not exceeding \$826,634.87 (exclusive of taxes) for a term of five (5) years commencing January 1, 2023 to 31 December, 2027 pursuant to Part 1, Item c of the Procurement By-law No. 113-16 as the goods and/or services ensures compatibility with existing products.
- b) That the Commissioner Corporate and Financial Services (CFS) be authorized to execute any and all necessary documentation to affect the contract during its term.

APPENDIX B: SRCS.22.16 – Additional Funds for Sole Source Acquisition of Parts & Maintenance Services for Highly Specialized Equipment

Approval was given to add funds to the purchase orders associated with sole source contracts for the maintenance of highly specialized fleet equipment.

Recommendations:

- a) That funds in the amount of \$240,000 (exclusive of taxes) be approved for addition to the Purchase Orders associated with the sole source maintenance contracts for Joe Johnson Equipment, Viking-Cives Ltd., Brandt Tractor, B.E. Larken Equipment, and Turf Care Canada Inc.; and.
- b) That the Acting Commissioner of Community Services be authorized to execute any necessary documentation to effect the required changes to sole source maintenance contracts.

APPENDIX C: City File: PLC-22-07 Request for Approval (Delegated Authority) – Enactment of a By-law to Remove Lands from Part Lot Control

Sedgewick (RCH) Development Inc., Blocks 355, 368, 369, 370 and 381, Plan 65M-4685 Various Addresses on Hercules Club Drive and Mace Avenue

Page 6

Approval was given to pass Part Lot Control Exemption By-law 132-22, By-law 134-22 and By-law 135-22, to remove lands from Part Lot Control pursuant to Subsection 50(7) of the *Planning Act*, to facilitate the creation of lots for 29 street town house dwelling units on the subject lands.

APPENDIX D: City File: PLC-22-0005 Request for Approval (Delegated Authority) – Enactment of By-law to remove lands from Part Lot Control

Grovetrail Developments Inc. Blocks 50 and 51, Plan 65M-4695 41, 43, 47, 49, 51 and 53 Tipp Drive

Approval was given to pass Part Lot Control Exemption By-law 133-22, to remove lands from Part Lot Control pursuant to Subsection 50(7) of the *Planning Act*, to facilitate the creation of lots for seven (7) street town house dwelling units on the subject lands.

APPENDIX E: City File: AA-22-0018 Street Naming Application. Enactment of By-law for Private Street Name – Harold Wilson Lane, Leslie Elgin Developments Block 284, of Plan 65M-4571, 0 McCague

Approval was given to pass By-law 136-22 to name a portion of the private road as Harold Wilson Lane (P) as part of Block 284, Plan 65M-4571, being Part 1 on Reference Plan 65R-40038, City of Richmond Hill, Regional Municipality of York.

APPENDIX F: DA.22.006 – Request for Approval – Draft Plan of Condominium Application – Leslie Elgin Developments Inc. – City File CON-22-002

Approval was given to a draft Plan of Condominium application to establish common element condominium tenure for a residential development to be comprised of 19 live-work and 16 back-to back townhouse dwelling units to be constructed on the subject lands.

Recommendations:

- a) That the proposed draft Plan of Condominium application submitted by Leslie Elgin Developments Inc. for the lands known as Block 284, Plan 65M-4571 (Municipal Address: 0 McCague Avenue), City File CON-22-0002, 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.22.006; 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; and,

Page 7

- iii) that the Mayor and Clerk be authorized to execute the Condominium Agreement referred to in Appendix “A” to D.A.22.006, if requested to do so.

APPENDIX G: D.A.22.011 – Request for Approval of Condominium Application – Fifth Avenue Home (King West) Inc. – City File D02-21001

Approval was given to a draft Plan of Condominium application to establish common element condominium tenure concerning a residential development to be comprised of two semi-detached dwelling units and 34 townhouse dwelling units on the subject lands.

Recommendations:

- a) That the draft Plan of Condominium application submitted by Fifth Avenue Homes (King West) Inc. for lands known as Block 1, Plan 65M-4727 (Municipal Addresses: 4, 6, 8, 10 and 12 McCachen Street), City File F05-21001, 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.22.011;
 - 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; and,
 - iii) that the Mayor and Clerk be authorized to execute the Condominium Agreement referred to in Appendix “A” to D.A.22.011, if requested to do so.

APPENDIX H: D.A.22.007 – Request for Approval – Draft Plan of Condominium – The Gates of Bayview Glen Phase XI Corporation – City File D-6-21005

Approval was given to a draft Plan of Condominium application with respect to high density residential development comprised of a 24 storey and a 30 storey apartment building that are currently under construction on the subject lands.

Recommendations:

- a) That the draft Plan of Condominium application submitted by The Gates of Bayview Glen Phase XI Corporation for the lands known as Part of Blocks 16, 17, 19 and 20, Plan 65M-2838, Part of Lot 38, Concession 1, E.Y.S. (Municipal Addresses: 95 and 105 Oneida Crescent), City File D01-21005 (19 CDM®-21005), 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.22.007; and,

Page 8

- 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.

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 Election Recess from September 15 to November 22, 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 Election Recess from September 15 to November 22.

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: SRCFS.22.031 – Renewal and Support Services for Integrated Library System (ILS)
- Appendix B: SRCS.22.16 – Additional Funds for Sole Source Acquisition of Parts & Maintenance Services for Highly Specialized Equipment
- Appendix C: City File: PLC-22-007 Enactment of By-laws to Remove Lands from Part Lot Control, Sedgewick (RCH) Development Inc.
- Appendix D: City File: PLC-22-005 Enactment of By-law to Remove Lands from Part Lot Control, Grovetrail Developments Inc.
- Appendix E: City File: AA-22-0018 Street Naming Application. Enactment of By-law for Private Street Name – Harold Wilson Lane, Leslie Elgin Developments
- Appendix F: D.A.22.006, City File CON-22-002 Request for Approval – Draft Plan of Condominium Application – Leslie Elgin Developments Inc.

Page 9

- Appendix G: D.A.22.011, City File D05-21001 Request for Approval – Draft Plan of Condominium Application – Fifth Avenue Homes (King West) Inc.
- Appendix H: D.A.22.007, City File D05-21005 Request for Approval - Draft Plan of Condominium – The Gates of Bayview Glen Phase XI Corporation

Page 10

Report Approval Details

Document Title:	SRCM.22.06 Delegation of Authority Election Recess Accounting (Sept. 15 to Nov. 22).docx
Attachments:	<ul style="list-style-type: none">- Appendix A - SRCFS22.031- ILS_Renewal.pdf- Appendix B - SRCS.22.16 Sole Source Acquisition.pdf- Appendix C - PLC-22-0007.pdf- Appendix D - D.A. PLC-22-0005.pdf- Appendix E - AA-22-0018 Street Naming 0 McCague.pdf- Appendix F - DA.22.006 - CON-22-0002.pdf- Appendix G - DA.22.011 - 4-12 McCachen Street - D05-21001.pdf- Appendix H - D.A.22.007 - 95 and 105 Oneida Crescent.pdf
Final Approval Date:	Nov 9, 2022

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

Task assigned to Stephen Huycke was completed by delegate Ryan Ban

Ryan Ban on behalf of Stephen Huycke - Nov 9, 2022 - 10:24 AM

Tracey Steele - Nov 9, 2022 - 11:54 AM

Sherry Adams - Nov 9, 2022 - 1:27 PM

Kelvin Kwan - Nov 9, 2022 - 3:51 PM

Antonio Dimilta - Nov 9, 2022 - 4:03 PM

Darlene Joslin - Nov 9, 2022 - 4:18 PM