



## **Staff Report for Council Meeting**

**Date of Meeting:** January 25, 2023

**Report Number:** SRCM.23.01

**Department:** Office of the City Manager

**Subject:** SRCM.23.01 - Delegated Authority Winter Recess Accounting - Reference By-law 86-20 as amended by Bylaw 113-20 (December 19, 2022 to January 13, 2023)

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### **Purpose:**

To report to Council with respect to the approvals granted during the Delegated Authority Winter Recess Period (December 19, 2022 to January 13, 2023)

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

- a) That SRCM.23.01 Delegated Authority Winter Recess Accounting be received for information.

### **Contact Person:**

Darlene Joslin, Interim City Manager, Extension 2423

### **Report Approval:**

**Submitted by:** Darlene Joslin, City Manager

**Approved by:** Darlene Joslin, 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 (as amended by By-law 113-20), being a by-law to delegate authority to the City Manager during the period December 19, 2022 to January 13, 2023 (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 Officers 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*;

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- 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 before the 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.

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

### **APPENDIX A: D.A.23.001 – Request for Approval – Assignment of Municipal Servicing Allocation – City Files D06-18031 and D06-18041 (Related Files D02-15025 and D03-15007)**

Approval was given to a request for approval concerning the assignment of servicing allocation to facilitate the construction of two medium density residential development proposals to be comprised of a total of 203 townhouse dwelling units on the subject lands.

Recommendations:

- a) That the request by Leslie Richmond Developments Limited for 606.97 persons equivalent of additional servicing allocation (Phase 2 – 173 townhouse dwelling units and Phase 3 – 30 townhouse dwelling units) for the lands described as Part of Lot 30, Concession 3, E.Y.S. (Municipal Address: 1521 19th Avenue), City Files D06-18041, be approved;
- b) That the authority to make any necessary modifications to the assigned servicing allocation for the proposed development to be constructed on the subject lands be delegated to the Commissioner of Planning and Infrastructure subject to the City's Interim Growth Management Strategy; and,
- c) That the assigned servicing allocation be released by the Commissioner of Planning and Infrastructure in accordance with By-law 109-11.

### **APPENDIX B: SRCFS.22.042 – Maintenance and Support Services for Richmond Hill Public Library Material Handling Solution**

Approval was given to a non-competitive acquisition greater than \$100,000, in accordance with Procurement By-law 113-16, as amended by By-law 141-20.

Recommendation(s):

- a) That the contract for the maintenance and support of the Richmond Hill Public Library ("Library") Material Handling Solution be awarded non-competitively to Bibliotheca Canada Inc. for a cost not exceeding \$445,711 (exclusive of taxes) for a term of three (3) years commencing January 1, 2023 to December 31, 2025 pursuant to Appendix "B" Part 1, Section (c) of the Procurement By-law No. 113-16 as amended by By-law 141-20 as the goods and/or services ensure that specialized products are maintained by the manufacturer.

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- b) That the Commissioner Corporate and Financial Services be authorized to execute any and all necessary documentation to affect the contract during its term.

### **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 from December 19, 2022 to January 13, 2023.

### **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 from December 19, 2022 to January 13, 2023.

### **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: D.A.23.001 – Request for Approval – Assignment of Municipal Servicing Allocation – City Files D06-18031 and D06-18041 (Related Files D02-15025 and D03-15007)
- Appendix B: SRCFS.22.042 – Maintenance and Support Services for Richmond Hill Public Library Material Handling Solution

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### Report Approval Details

Document Title:	SRCM.23.01 Delegated Authority Winter Recess Accounting.docx
Attachments:	- Appendix A DA.23.001 - 1521 19th Avenue.pdf - APPENDIX B SRCFS.22.042 - RHPL Material Handling Solution.pdf
Final Approval Date:	Jan 11, 2023

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

**Stephen Huycke - Jan 11, 2023 - 10:02 AM**

**Sherry Adams - Jan 11, 2023 - 11:08 AM**

**Kelvin Kwan - Jan 11, 2023 - 12:33 PM**

**Antonio Dimilta - Jan 11, 2023 - 1:09 PM**

**Darlene Joslin - Jan 11, 2023 - 1:46 PM**