

The Corporation of the City of Richmond Hill

By-Law 52-24

A By-Law to enact housekeeping amendments to By-Law 86-20, being A By-law to delegate certain powers and duties during a recess of Council of the Corporation of the City of Richmond Hill

Whereas Section 5.10.2 of the Procedure By-law authorizes the City Clerk to place the following types of By-laws on a Council Agenda without any prior consideration:

- (a) general by-laws where the purpose and intent of the by-law has been clearly authorized by a previous Council resolution;
- (b) consolidation of by-laws or housekeeping amendments;
- (c) by-laws to effect revisions to existing by-laws to align delegated authorities with any organizational changes made by Council, the Mayor under authority of the Strong Mayor Powers, or the City Manager pursuant to the City Manager's delegated authority pertaining to reorganizations;

And Whereas Council enacted By-law 86-20, A by-law to delegate certain powers and duties during a recess of Council of the Corporation of the City of Richmond Hill, on June 24, 2020 ("By-law 86-20");

And Whereas Council amended By-law 86-20 when it enacted By-law 113-20, A By-law to confirm the proceedings of Council at this meeting, on August 17, 2020;

And Whereas Council enacted By-law 125-23, A By-law to Govern the Calling, Place and Proceedings of the Council of the Corporation of the City of Richmond Hill (Procedure By-law), on December 13, 2023 ("the Procedure By-law"), and said Procedure By-law repealed and replaced By-law 74-12 effective January 1, 2024;

And Whereas by Mayoral Decision Number 02-23, dated July 4, 2023, the Mayor did delegate to the City Manager, pursuant to Subsection 284.13(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended ("Act" or "Municipal Act, 2001"): The power to determine the City of Richmond Hill's organizational structure under Subsection 284.6(1) of the Act; and, the powers in respect to the employment of Department Heads under Subsection 284.6(2) of the Act ("Delegated Powers").

And Whereas in exercise of the Delegated Powers, the City Manager has made organizational changes that effect the definitions in By-law 86-20;

And Whereas Council has, on April 28, 2021, delegated authority to approve the assumption of municipal services related to development applications including assuming road allowances within registered plans as public highway, establishing lands within registered plans as public highway and establishing assumption by-laws;

And Whereas, Council deems the amendments to By-law 86-20 herein enacted are:

- (a) general by-laws where the purpose and intent of the by-law has been clearly authorized by a previous Council resolution;
- (b) consolidation of by-laws or housekeeping amendments;
- (c) by-laws to effect revisions to existing by-laws to align delegated authorities with any organizational changes made by Council, the Mayor under authority of the Strong Mayor Powers, or the City Manager pursuant to the City Manager's delegated authority pertaining to reorganizations;

Now Therefore The Council Of The Corporation Of The City Of Richmond Hill Enacts As Follows:

1. The definition of "Commissioner of Planning" in Paragraph 1(c) of By-law 86-20 be amended by replacing the words "Regulatory Services" with "Building Services".

2. That the definition of “Recess Period” in Paragraph 1(i) of By-law 86-20 be repealed and replaced with the following new definition of “Recess Period”:

“‘Recess Period’ means the following periods of time in any calendar year:

- (i) the periods of time referred to in subsection 5.1.7 of the Procedure By-law 125-23, as amended (the “Procedure By-law”), which at enactment of this by-law are the periods of time referred to as the “summer recess”, being the last two weeks of July and the full month of August and as the “winter recess”, being the last two weeks of December and the first two weeks of January;
- (ii) that period of time in September, October and November of a regular municipal election year as set out in subsection 4(1) of the Municipal Elections Act, 1996, as amended, and ending on the day prior to an inaugural meeting of the new council held pursuant to Section 5.1.3 of the Procedure By-law, during which there are no scheduled regular meetings of Council, including those periods of time in which regularly scheduled meetings are rescheduled to a later date pursuant to Section 5.1.4(c) of the Procedural By-law; and
- (iii) if applicable, that period time referred to in Section 275 of the *Municipal Act, 2001* during which the actions that Council may take are restricted;”

3. That the words “to approve, grant or authorize:” in Paragraph 2 of By-Law 86-20 be replaced with the words “authorized to exercise the following powers and duties:”

4. That the words “to facilitate the timely resolution of matters before the Local Planning Appeal Tribunal (LPAT) and take the following actions:” in paragraph 2(l) be replaced with the words “the timely resolution of matters before the Ontario Land Tribunal (OLT), including taking the following actions:”.

5. That the following new Clause be added to Paragraph 2(m) of By-law 86-20:

- “(vi) to enact by-laws to assume above ground and below ground municipal services related to development applications, including assuming road allowances within registered plans as public highway, and establishing lands within registered plans as public highway;”

6. That the words “Local Planning Appeal Tribunal (LPAT)” be replaced with the Words “Ontario Land Tribunal (OLT)” wherever they appear in By-law 86-20.

7. That, notwithstanding the amendment to the definition of “Recess Period” in Paragraph 2 of this By-law, the following resolution adopted by Council at its meeting on April 10, 2024, continue to be in effect for 2024:

“That the definition of “Recess Period” referred to in Subsection 1(i) of By-law 86-20, a By-law to delegate certain powers and duties during a recess of Council of the Corporation of the City of Richmond Hill, as amended, be deemed to include the period of time beginning on June 24, 2024 and ending on August 30, 2024;

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8. That the following new paragraph 6 be added to By-law 86-20:

“6. That the short title of this by-law shall be ‘Recess Delegation By-law’.”

Passed this 8th day of May, 2024.

David West
Mayor

Stephen M.A. Huycke
City Clerk