

Report to Council



Date: September 14, 2020
To: Council
From: City Manager
Subject: COVID-19 Pandemic Council Delegations of Authority
Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated September 14, 2020 with respect to COVID-19 pandemic delegations of authority.

Purpose:

To receive information on the COVID-19-related delegations of authority for Development Planning and Real Estate.

Background:

The COVID-19 pandemic and associated provincial state of emergency, Ministerial Orders, and Public Health Orders impact the way Council meets and how in-person interactions may occur. In response to these Orders and public health guidelines, in spring 2020 Council delegated select authorities related to development applications and real estate transactions. These delegations enable Council and staff to focus on emerging priorities while allowing regular business to proceed. They also support public health guidelines by reducing the need for in-person attendance at Council meetings, particularly by applicants of development projects.

Council directed staff to bring forward a report identifying these delegations of authority for Council's consideration of whether any should remain in place. Council previously reinstated the duties of advisory committees in June, and in July directed staff to no longer recommend that public hearings be waived.

Discussion:

Development Planning

Council delegated several authorities for permits, bylaw extensions, and liquor license applications to the Divisional Director of Planning & Development Services on March 30, 2020 and May 25, 2020. These

delegations include certain conditions and are in addition to items that are normally delegated to the Divisional Director through Development Application Procedures Bylaw No. 10540. Specific COVID-19-related delegations of authority and their application since being implemented are shown below.

Delegation	Application
Permits a) To issue, refuse, and amend development permits (DPs). b) To require security for permit conditions (e.g., landscape security for a DP). c) To issue, amend, and set conditions for temporary farm worker housing permits, in accordance with the ALC Act and Regulations.	Issued DPs: 3 Security required for DPs: 3 This authority was not used.
Bylaw Extensions a) To extend by up to 6 months the deadline of a bylaw at third reading provided no previous extension requests have been made.	Bylaws extended: 1
Liquor Licenses a) To gather views of residents and provide local government input to the LCRB on liquor license applications that do not contravene the public interest and are consistent with Council Policy No. 359 Liquor Licensing Policy & Procedures.	This authority was not used.

Should Council choose to change or remove any of these delegations, an amendment to Development Application Procedures Bylaw No. 10540 would be required.

Real Estate

On March 30, 2020 Council delegated authorities to the City Manager and Divisional Director of Partnership & Investments to facilitate select real estate transactions along with related approvals to execute documents and make necessary budget amendments. These delegations were associated with specific projects, allowing transactions to continue in the event that Council was unable to meet. Council also delegated limited authority for general acquisitions and dispositions.

Delegation	Application
Specific Projects Approved by Council a) City Manager and Divisional Director to approve transactions up to \$8 million. b) Mayor and City Clerk to execute contracts, agreements, and other documents necessary to complete transactions. c) City Manager and Divisional Director to access reserve funds and make necessary budget amendments.	This authority was not used.
General Transactions a) Divisional Director to approve and execute transactions for general and project-based acquisitions and dispositions of property up to \$500,000.	This authority was not used.

Should Council choose to change or remove any of these delegations, an amendment to Delegation of Authority to Enter into Leases and Licences of Occupation Bylaw No. 11550 would be required.

Conclusion:

The three COVID-19-related delegated authorities that were used since being introduced were the ability to: issue DPs, require security as a condition of DP issuance, and extend the deadline of a bylaw at third reading. The other temporarily delegated authorities were not needed to date based on applications and real estate transactions that came forward and Council's ability to continue meeting during this time.

The delegations of authority are in effect until the Government of British Columbia lifts orders restricting the gathering of people. Should Council choose to change any of these delegations, staff would bring forward the appropriate bylaw amendments for Council's consideration.

Internal Circulation:

Planning & Development Services Division
Real Estate Department

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by:

L. Bentley, Deputy City Clerk

Approved for inclusion: S. Fleming, City Clerk

cc:

R. Smith, Divisional Director, Planning & Development Services

D. Edstrom, Divisional Director, Partnership & Investments