

# By-Law No. 2016-369

*A by-law of the City of Ottawa respecting the delegation of authority to various officers of the City and to repeal By-law No. 2014-435.*

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## BY-LAW NO. 2016 - 369

A by-law of the City of Ottawa respecting the delegation of authority to various officers of the City and to repeal By-law No. 2014-435.

The Council of the City of Ottawa enacts as follows:

### DEFINITIONS

1. In this by-law,

“Accessibility for Ontarians With Disabilities Act, 2005” means the *Accessibility for Ontarians With Disabilities Act, 2005*, S.O. 2005, c.11, as amended, and includes any Regulation passed under it, as applicable;

“advertising” means the sale to a person by the City of advertising space on City printed materials or property, at City events or in conjunction with a City program;

“alteration”, for the purposes of Schedule “J”, means to change in any manner and includes to restore, renovate, repair, or disturb and “alter” has a corresponding meaning.

“Boundaries Act” means the *Boundaries Act*, R.S.O. 1990, c.B.10, as amended, and includes any Regulation passed under it, as applicable;

“Building Code Act” means the *Building Code Act, 1992*, S.O. 1992, c.B.23, as amended, and includes any Regulation passed under it, as applicable;

“capital program” means a plan for capital expenditures to be incurred each year over a fixed period of years to meet capital needs arising from the long-term work program and each capital program includes:

- (a) an annual envelope of spending authority;
- (b) individual capital projects of a similar nature, size, scope of work and funding source; and
- (c) the same categorization of individual projects as approved by City Council including but not limited to renewal of City assets and growth and strategic initiatives;

“Child Care and Early Years Act” means the *Child Care and Early Years Act, 2014*, S.O. 2014, c. 11, as amended, and includes any Regulation passed under it, as applicable;

“City” or “City of Ottawa” means the City of Ottawa as constituted as a body corporate on January 1, 2001 by section 2 of the City of Ottawa Act, 1999 or the geographic area of the City of Ottawa as the context requires;

“City Clerk” means the person appointed as City Clerk within the meaning of the Municipal Act and shall be referred to as the City Clerk and Solicitor;

“City Manager” means the chief administrative officer of the City within the meaning of the Municipal Act;

“City of Ottawa Act, 1999” means the *City of Ottawa Act, 1999*, S.O. 1999, c. 14, Sched. E, as amended, and includes any Regulation passed under it, as applicable;

“Condominium Act” means the *Condominium Act, 1998*, S.O. 1998, c.19, as amended, and includes any Regulation passed under it, as applicable;

“Council” or “City Council” means the Council of the City of Ottawa;

“Day Nurseries Act” means the *Day Nurseries Act*, R.S.O. 1990, c.D.2, as amended, and includes any Regulation passed under it, as applicable;

“designated property” means any property designated under Part IV or Part V of the *Ontario Heritage Act*.

“Development Charges Act” means the *Development Charges Act, 1997*, S.O. 1997, c.27, as amended, and includes any Regulation passed under it, as applicable;

“Dog Owners Liability Act” means the *Dog Owners Liability Act*, R.S.O. 1990, c.D.16, as amended, and includes any Regulation passed under it, as applicable;

“emergency application”, for the purposes of Schedule “J” of this By-law, means an application that has been prompted by a catastrophic event such as fire, flood or earthquake, that has damaged a designated heritage property and the property requires immediate attention or risk further damage or if there is an immediate health and safety concern, but does not include properties that are in poor condition as a result of neglect;

“Expropriations Act” means the *Expropriations Act*, R.S.O. 1990, c.E.26, as amended, and includes any Regulation passed under it, as applicable;

“Funeral, Burial and Cremation Services Act, 2002” means the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c.33, as amended, and includes any Regulation passed under it, as applicable;

“heritage attributes” means those attributes of a designated heritage property that express the cultural heritage value of the property;

“heritage conservation district” means a heritage conservation district established under Part V of the Ontario Heritage Act;

“heritage permit” means a permit issued for alterations to a designation property under Sections 33(15) or Section 42(16) of the Ontario Heritage Act;

“Highway Traffic Act” means the *Highway Traffic Act*, R.S.O. 1990, c.H.8, as amended, and includes any Regulation passed under it, as applicable;

“Homemakers and Nurses Services Act” means the *Homemakers and Nurses Services Act*, R.S.O. 1990, c.H.10, as amended, and includes any Regulation passed under it, as applicable;

“Housing Services Act, 2011” means the *Housing Services Act, 2011*, S.O. 2011, c.6., Sched. 1, as amended, and includes any Regulation passed under it, as applicable;

“Land Titles Act” means the *Land Titles Act*, R.S.O. 1990, c.L.5., as amended, and includes any Regulation passed under it, as applicable;

“Line Fences Act” means the *Line Fences Act*, R.S.O. 1990, c.L.17., as amended, and includes any Regulation passed under it, as applicable;

“Long –Term Care Homes Act, 2007” means the *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8, as amended, and includes any Regulation passed under it, as applicable;

“Mayor” means the chief elected representative of the City and the Head of Council, elected by a general vote;

“Ministry of Community and Social Services Act”, means the *Ministry of Community and Social Services Act*, R.S.O. 1990, c.M.20, as amended, and includes any Regulation passed under it, as applicable;

“minor alteration” means a change to a designated property that does not have the potential to obstruct, remove, or significantly change its heritage attributes as defined by the Statement of Cultural Heritage Value or the heritage conservation district guidelines or plan;

“Municipal Act” means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, and includes any Regulation passed under it, as applicable;

“Municipal Conflict of Interest Act” means the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended, and includes any Regulation passed under it, as applicable;

“Ombudsman Act” means the *Ombudsman Act*, R.S.O. 1990, c. O.6, as amended, and includes and Regulation passed under it, as applicable,

“Ontario Disability Support Program Act, 1997” means the *Ontario Disability Support Program Act, 1997*, S.O. 1997, c.25, Schedule B, as amended, and includes any Regulation passed under it, as applicable;

“Ontario Heritage Act” means the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended, and includes any Regulation passed under it, as applicable;

“Ontario Water Resources Act” means the *Ontario Water Resources Act*, R.S.O. 1990, C. O.40, as amended, and includes any Regulation passed under it, as applicable;

“Ontario Works Act” means the *Ontario Works Act, 1997*, S.O. 1997, as amended, and includes any Regulation passed under it, as applicable;

“preservation”, for the purposes of Schedule “J” of this By-law, means the action or process of protecting, maintaining, and/or stabilizing the existing materials, form and integrity of a historic place or of an individual component;

“property”, for the purposes of Schedule “J” of this By-law means real property and includes all buildings and structures thereon and includes a cultural heritage landscape;

“Public Service Works on Highways Act” means the *Public Service Works on Highways Act*, R.S.O. 1990, c.P.49, as amended, and includes and Regulation passed under it, as applicable;

“Planning Act” means the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and includes any Regulation passed under it, as applicable;

“restoration”, for the purposes of Schedule “J” of this By-law, means the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, while protecting its heritage value;

“Safe Drinking Water Act” means the *Safe Drinking Water Act, 2002*, S.O. 2002, c.32, as amended, and includes any Regulation passed under it, as applicable;

“sponsorship” means a mutually agreed to arrangement involving the City and a person whereby the person provides resources by way of direct funding, goods, in-kind services or a combination of both in support of programs, projects, events or facilities of the City in return for recognition, acknowledgement or other promotional considerations or benefits;

“Tile Drainage Act” means the *Tile Drainage Act*, R.S.O. 1990, c.T.8, as amended, and includes any Regulation passed under it, as applicable; and,

“Treasurer” means the person appointed as City Treasurer within the meaning of the Municipal Act and refers to the person in the position of Treasurer and General Manager of the Corporate Services Department.

## RESOLUTION OF CONFLICT

2. The City Manager is hereby authorized to resolve any conflict or ambiguity regarding the individual or individuals of the City authorized to exercise any delegation.

## DELEGATION OF AUTHORITY - GENERAL

3. (1) The City Manager is authorized to further delegate and to authorize further delegations of any powers, duties, and functions delegated to the City Manager by Council under this or any other by-law or resolution to any General Manager or Director of the City provided such delegations are authorized in writing.
- (2) Where authority is delegated to a specific staff member in this by-law, the authority may be further delegated by the authorized person to staff members within the applicable department or branch provided that such delegation is authorized in writing and does not exceed the authority delegated by this by-law to the authorized person.
- (3) Council, as delegating agent, may impose such terms and conditions upon any delegation as it sees fit, and this shall include the power to vary such terms or rescind the delegation in question.
- (4) Where delegations of authority have been authorized to a General Manager such authority includes the person acting in the specific position in all cases where a General Manager has not been formally appointed or a specific position formally filled.

#### VALIDITY OF ACTIONS TAKEN

4. Any variation or rescission of a delegated authority pursuant to Section 3 shall have no effect on the validity of any action taken pursuant to a valid delegation of authority and occurring before the terms of such delegation were varied or rescinded.

#### EMERGENCY OR SPECIAL CIRCUMSTANCES

5. In cases of emergency or special circumstances where it is necessary to act within the normal mandate of a department, but such action is not strictly within the terms of a delegated authority, a General Manager, in respect of his or her specific Department, may take such action as necessary to rectify the situation.

6. All action taken pursuant to Section 5 shall be reported immediately to the appropriate Standing Committee.

7. In cases of emergency or special circumstances where it is necessary to take an action outside the normal mandate of a department, the City Manager may take such action as necessary to rectify the situation.

8. All action taken pursuant to Section 7 shall be reported immediately to the appropriate Standing Committee and subsequently to Council.

#### EXECUTION OF DOCUMENTS

9. The City Manager's signature and the signatures of any other City employees with delegated signing power may be written, engraved, printed, lithographed or otherwise reproduced.

#### CONFERENCES AND CONVENTIONS

10. Funding for conferences, conventions and other similar events that exceed \$10,000.00 shall be approved by the appropriate Standing Committee and Council.

#### RECRUITMENT AND PROMOTION

11. The City Manager, and a General Manager in respect of his or her specific Department, individually are authorized to recruit and employ staff for approved positions or for temporary positions for which funds have been approved by Council.

#### DISMISSAL

12. General Managers, Directors, or Managers of the applicable department individually are authorized to dismiss or discipline all employees under their authority,

subject to the City Manager's authority to approve the dismissal of senior departmental management employees.

#### PETTY CASH AND IMPREST FUNDS

13. A Director shall have authority to establish a Petty Cash or Imprest Fund for their branch or service area through the Treasurer. Any procurement through a Petty Cash or Imprest Fund must be in compliance with the City's Purchasing By-law, being By-law 50 of 2000, as amended.

#### DELEGATIONS CONTAINED IN SCHEDULES

14. In addition to the delegations set out above, further delegations are contained in Schedules "A" to "J" attached hereto.

#### INTERPRETATION

15. (1) Each section of this by-law and every part of each section is an independent section or part of a section, and the holding of any section or part thereof to be void or ineffective for any cause shall not be deemed to affect the validity of any other sections or parts thereof.
- (2) Headings are for reference purposes only and shall not affect in any way the meaning or interpretation of the provisions of this by-law.
- (3) This by-law includes the Schedules annexed hereto and the Schedules are hereby declared to form part of this by-law.

#### REPEAL

16. By-law No. 2014-435 entitled "A by-law of the City of Ottawa respecting delegation of authority to various officers of the City and to repeal By-law No. 2013-71", as amended, is repealed.

#### SHORT TITLE

17. This by-law may be referred to as the "Delegation of Authority By-law".

ENACTED AND PASSED this        day of                                2016.

CITY CLERK

MAYOR



## SCHEDULE "A"

## CITY MANAGER'S PORTFOLIO

## GENERAL RESPONSIBILITIES - CITY MANAGER

1. The City Manager is the senior official of the City, provides organizational leadership of staff, and is responsible for the efficient and effective delivery of services.
2. The City Manager is authorized to appoint an Acting City Manager to act during absences of the City Manager.
3. The City Manager shall:
  - (a) exercise all powers and duties set forth in Section 229 of the Municipal Act and shall carry out such additional duties and exercise such additional responsibilities as the Council may, from time to time, prescribe;
  - (b) co-ordinate and supervise the implementation of all programs and policies approved by Council;
  - (c) advise Council of the hiring and dismissal of the General Managers;
  - (d) annually assess the performance of the General Managers;
  - (e) appoint, promote, demote, suspend and dismiss, subject to the provisions of any personnel regulations adopted by Council or collective agreements applicable to employees of the City, all employees of the City;
  - (f) create new positions, subject to funds being available in an approved annual budget;
  - (g) review the City's organizational structure regularly and implement any changes that would improve the effectiveness or efficiency of the structures; and
  - (h) with the assistance of the City Clerk and Solicitor, direct collective bargaining with all employee groups.

## ACCESS TO RECORDS

4. The City Manager shall have full, free and unrestricted access to all records, reports, property and personnel of the City of Ottawa.

## LEAVES OF ABSENCE

5. The City Manager has the authority to approve leaves of absence by employees at the Director level and above on a with pay, with partial pay, or without pay basis for periods of time that are supported and submitted by the applicable General Manager.

## ORGANIZATIONAL CHANGES

6. (1) The City Manager has the authority to approve organizational changes which do not impact the Council-approved mandate of each department and maintain or improve the current service level to the public provided that:
  - (a) the total cost of the changes including termination costs, if applicable, is available within the total annual compensation budget approved by Council;
  - (b) the organizational changes will not cause an increase in the total compensation budget in future years;
  - (c) the change affects only organizational levels below the General Managers, but shall not include any Council appointed position; and
  - (d) the number of full time equivalent positions within the City is not increased.
  
- (2) The authority of the City Manager set out in subsection (1) includes:
  - (a) the creation, deletion, transfer or reclassification of positions, scope changes, changes to organizational structures and changes to service delivery mechanisms; and
  - (b) the approval of the reclassification, transfer, scope change of any position below the General Managers, but shall not include any Council-appointed position.

SCHEDULE "B"

CORPORATE SERVICES DEPARTMENT

GENERAL RESPONSIBILITIES - TREASURER

1. The Treasurer shall exercise all powers and duties of the Treasurer as set out in the Municipal Act and approve corporate financial administrative policies.

FEDERAL AND PROVINCIAL AGREEMENTS - ALL BRANCHES

2. (1) The Treasurer is authorized to approve, amend, extend and execute agreements with the provincial or federal government provided that such agreements are consistent with the departmental mandate and are at no cost to the City with the exception of associated operational and administrative costs that are within approved budgets.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

SERVICE AND FUNDING AGREEMENTS - ALL BRANCHES

3. (1) The Treasurer is authorized to approve, amend, extend and execute service agreements and contribution agreements and grant agreements provided that such agreements:
  - (a) are in accordance with applicable City policies approved by Council;
  - (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

CORPORATE FINANCE

TRANSFER OF FUNDS - OPERATING

4. (1) At the written request or with the concurrence of the City Manager or a General Manager in respect of his or her department, the Treasurer and the Deputy Treasurer, Corporate Finance, individually are authorized to make operating budget transfers between portfolios involving any type of

expenditure which does not impact the Council-approved mandate of each portfolio and maintains or improves the current service level to the public provided that:

- (a) such transfers do not result in an increase to the portfolios' compensation budgets in current and future years; and
  - (b) the number of full time equivalent positions within the portfolios is not increased.
- (2) At the written request or with the concurrence of the City Manager or a General Manager in respect of his or her department, the Treasurer and the Deputy Treasurer, Corporate Finance, individually are authorized to make operating budget transfers within a portfolio involving any type of expenditure which does not impact the Council-approved mandate of each department and maintains or improves the current service level to the public provided that:
- (a) such transfers do not result in an increase to the department's compensation budgets in current and future years; and
  - (b) the number of full time equivalent positions within the department is not increased.
- (3) At the written request or with the concurrence of the General Manager or Director of a department, the Treasurer and the Deputy Treasurer, Corporate Finance, individually are authorized to make operating budget transfers within a department involving any type of expenditure which does not impact the Council-approved mandate of the department and maintains or improves the current service level to the public provided that:
- (a) such transfers do not result in an increase to the department's compensation budgets in current and future years; and
  - (b) the number of full time equivalent positions within the department is not increased.
- (4) The Treasurer and the Deputy Treasurer, Corporate Finance, individually are authorized to make transfers pursuant to subsections (1) to (3) inclusive that result in a permanent decrease to a department's compensation budget.
- (5) The Treasurer and the Deputy Treasurer, Corporate Finance, individually are authorized, at the written request of the City Manager, to transfer compensation and non-compensation budgets to effect organizational changes approved by the City Manager pursuant to Section 6 of Schedule "A".

5. The Treasurer and the Deputy Treasurer, Corporate Finance individually are authorized, upon the written request of a General Manager, to increase the gross estimates of a program in instances where the increase is permanently funded by way of increased recovery from sources external to the department.

6. The Treasurer and the Deputy Treasurer, Corporate Finance, individually are authorized to make budget transfers to effect changes resulting from new or amended legislation or regulations, additional unforeseen revenues, accounting standards or rules, program budgeting or to increase transparency and accountability.

7. The exercise of delegated authority pursuant to Sections 4 to 6 inclusive of this Schedule shall be reported to the appropriate Standing Committee and City Council on at least a quarterly basis in the Operating Status Report.

#### TRANSFER OF CAPITAL FUNDS

8. (1) Upon the written request of the City Manager, a General Manager, or a Director, each of the Treasurer and the Deputy Treasurer, Corporate Finance, individually are delegated the authority to make capital budget transfers provided that,
- (a) the total amount of the transfer between stand-alone capital projects or capital programs does not exceed ten percent (10%) or \$100,000.00 for the life of the capital project receiving the transfer, whichever amount is less;
  - (b) increases in the existing capital projects are offset by corresponding decreases in other capital projects;
  - (c) transfers of debt authority are within the same capital program or projects and year as approved by Council;
  - (d) transfers are of like sources of funding; and
  - (e) the funding split (between growth and non-growth) for transfers involving development charges is maintained.
- (2) The Treasurer and the Deputy Treasurer, Corporate Finance, individually are delegated the authority to make transfers, without limit, between capital projects within an existing capital program provided that the transfer meets the requirements of clauses (b) to (e) inclusive of subsection (1).
- (3) The Treasurer and the Deputy Treasurer, Corporate Finance, individually are delegated the authority to increase the total capital project authority budget if new or additional revenue that is conditional upon the delivery of specific works in an approved project is received.
- (4) The Treasurer and the Deputy Treasurer, Corporate Finance individually are delegated the authority to make capital budget funding adjustments to refinance any capital project to effect changes resulting from new funding sources.
- (5) The Treasurer and the Deputy Treasurer, Corporate Finance individually are delegated the authority to make capital budget adjustments from a main project account to create separate project accounts provided that

such adjustments result in improved monitoring, transparency and comparison on an annual basis.

- (6) The exercise of delegated authority pursuant to subsections (1) to (5) inclusive shall be reported to the appropriate Standing Committee and City Council on at least a quarterly basis in the Operating Status report.

9. Operating and capital budget transfers within the City's local boards and commissions require the authorization of the respective board or commission or its designate.

#### PARK CAPITAL PROJECT ACCOUNTS

- 10. (1) The Treasurer and the Deputy Treasurer, Corporate Finance, individually are delegated the authority to set up a capital project account from the cash-in-lieu of parkland reserve for a park development upon the written request of the General Manager, Recreation, Cultural and Facility Services, provided that,
  - (a) the conditions of subdivision approval contain specific provisions for development of the park;
  - (b) the cost of the planning phase of the park development shall not exceed 10% of the funds in the capital project account;
  - (c) the Ward Councillor of the ward in which the park will be developed has concurred with the plan for the park development; and
  - (d) funds are available in the park reserve for the ward in which the park is to be developed.
- (2) The Treasurer and the Deputy Treasurer, Corporate Finance, individually are delegated the authority to set up a capital project account from the cash-in-lieu of parkland reserve for redevelopment of an existing park or additional components to a new park upon the written request of the General Manager, Recreation, Cultural and Facility Services, provided that:
  - (a) the cost of the planning phase of the park redevelopment or additional components shall not exceed 10% of the capital project account;
  - (b) the Ward Councillor of the ward in which the park will be redeveloped or the new park in which additional components will be included has concurred with the plan for the park redevelopment or additions; and
  - (c) funds are available in the park reserve for the ward in which the park is to be redeveloped or in which additional components are to be included.

- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee and City Council on at least a quarterly basis in the Operating Status report.

## DEBT ISSUES

11. (1) The Treasurer is authorized to proceed with one or more debt issues at any time during a calendar year during the term of Council provided that:
    - (a) the actual debt charges in the calendar year are within the Council approved operating budget for that year;
    - (b) Council has been advised of any resulting impact on budgets in future years; and
    - (c) the project debt authority has been previously approved by Council.
  - (2) The Treasurer is authorized on behalf of the City of Ottawa to agree to incurring and paying on the City of Ottawa's account all costs associated with the debt issued pursuant to subsection (1).
  - (3) The Treasurer and the City Manager are jointly authorized to place any debenture by-law required for debt issued during the term of Council pursuant to subsection (1) directly on the Agenda of the Finance and Economic Development Committee or Council.
  - (4) The Treasurer shall provide an information report to Council upon conclusion of the pricing of the debt issue that identifies the details of the debt issue and the projects to which the debt funding was applied.
  - (5) The exercise of delegated authority pursuant to subsections (1) and by the Finance and Economic Development Committee pursuant to subsection (3) shall be reported to Council at the earliest opportunity after each debt issuance.
12. The Treasurer is authorized to proceed with one or more bank loans and to enter into bank loan agreements, interest rate exchange agreements, and bond forward agreements at any time during a calendar year subject to the conditions of Section 11 of this Schedule as they apply to debt issues.

## REVENUE BRANCH

### EXTENSION AGREEMENTS FOR TAX ARREARS

13. (1) The Treasurer, the Deputy Treasurer, Revenue, and the Program Manager, Collections and Cash Handling, individually are authorized to approve extension agreements for tax arrears for the City of Ottawa pursuant to the Municipal Act on the following terms and conditions:

- (a) the extension agreement shall be in the format and contain the terms and conditions generally outlined in Appendix "A"; and
  - (b) the cancellation price subject to the payment schedule shall be calculated in accordance with the provisions of the Municipal Act.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in a calendar year.

#### LOANS UNDER THE TILE DRAINAGE ACT

14. (1) The Treasurer is authorized to approve loans on behalf of the City of Ottawa pursuant to Section 3 of the Tile Drainage Act for the purpose of constructing drainage works on the following terms and conditions:
- (a) the amount of monies loaned shall be in accordance with Section 7 of the Tile Drainage Act;
  - (b) the application shall be filed with the City Clerk and Solicitor and in the form approved by the Province of Ontario;
  - (c) approval of the loan shall not result in an expenditure of City funds;
  - (d) the amount of the loan to each individual owner of agricultural land shall be in accordance with existing Provincial policies and guidelines and shall not exceed \$50,000.00 in any one fiscal year or any other amount as may be determined by the Province of Ontario from time to time as the maximum amount of the loan available to an individual in one fiscal year;
  - (e) the approval of loans shall be subject to a sufficient unused balance being available under the by-law authorizing the issuing of debentures by the City pursuant to the Tile Drainage Act; and
  - (f) the approval of loans shall be subject to funds being made available in the fiscal year for the purpose of the Tile Drainage Act by the Province of Ontario.
- (2) The Treasurer shall report annually to the appropriate Standing Committee concerning the exercise of delegated authority pursuant to subsection (1).

#### LOCAL IMPROVEMENTS

15. (1) The Deputy Treasurer, Corporate Finance, and the Deputy Treasurer, Revenue, individually are delegated the authority to exercise the duties of Treasurer as prescribed under the Municipal Act with respect to local improvement charges.
- (2) The General Manager, Planning, Infrastructure and Economic Development, and the Director, Infrastructure Services, individually are authorized to submit a local improvement to the Committee of Revision



once seventy-five percent (75%) of the costs of such local improvement have been incurred.

- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in a calendar year.

#### TAXATION ADMINISTRATION

16. The Deputy Treasurer, Revenue and the Program Manager, Collections and Cash Handling, individually are delegated the authority to exercise the duties of the Treasurer pursuant to Part X, Tax Collection and Part XI, Sale of Land for Tax Arrears of the Municipal Act.

17. (1) The Deputy Treasurer, Revenue, is delegated the authority to hold meetings and make decisions pursuant to Sections 334, 356, 357, 358, 359 and 359.1 of the Municipal Act provided that the Deputy Treasurer, Revenue, complies with all provisions of the applicable section.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in a calendar year.

#### PROPERTY ASSESSMENT PROCEEDINGS

18. (1) The Treasurer, the Deputy Treasurer, Revenue, the Manager, Billing, Assessment and Tax Policy, and the Program Manager, Tax Billing and Control, individually are delegated the authority to commence, maintain and settle proceedings at the Assessment Review Board and the Dispute Advisory Panel with respect to property assessment and taxation and payments-in-lieu of taxes subject to such instruction as may be issued by Council or the appropriate Standing Committee from time to time and in the conduct of such proceedings, the Corporate Services Department shall use the most efficient combination of staff and external resources as required to represent the interests of the City.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in a calendar year.

#### CHARITABLE REBATE AND VACANCY REBATE PROGRAMS

19. (1) The Deputy Treasurer, Revenue, the Manager, Billing, Assessment and Tax Policy, and the Program Manager, Tax Billing and Control, individually are delegated the authority to authorize payments under the tax rebate

programs for eligible charities as described in Section 361 of the Municipal Act and specific Council-approved rebate programs.

- (2) The Deputy Treasurer, Revenue, the Manager, Billing, Assessment and Tax Policy, and the Program Manager, Tax Billing and Control, individually are delegated the authority to authorize payments under the tax rebate program for eligible properties with vacant portions as described in Section 364 of the Municipal Act.
- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in a calendar year.

#### WRITE OFF GENERAL ACCOUNTS

20. (1) The Treasurer is authorized to write off general accounts receivable which the Treasurer has determined to be uncollectible.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported annually to the appropriate Standing Committee.
- (3) The list of amounts that have been written off over the previous year and the justification for writing off each item reported shall be maintained by the Deputy Treasurer, Revenue.

#### REPAYMENT AGREEMENTS

21. (1) The Treasurer, the Deputy Treasurer, Revenue, and the Program Manager, Collections and Cash Handling, individually are delegated the authority to approve, conclude, and execute repayment agreements on behalf of the City provided that the agreement contains the following provisions:
  - (a) the amount owing to the City;
  - (b) default provisions, if applicable;
  - (c) interest provisions, if applicable; and
  - (d) a payment schedule.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported annually to the appropriate Standing Committee.

#### WRITE OFF PAYROLL OVERPAYMENT ACCOUNTS

22. (1) The Treasurer and the Deputy Treasurer, Corporate Finance, individually are authorized to write off payroll overpayment accounts that the Treasurer or Deputy Treasurer, Corporate Finance has deemed to be uncollectible.

- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported annually to the appropriate Standing Committee.
- (3) The list of amounts that have been written off over the previous year and the justification for writing off each item reported shall be maintained by the Deputy Treasurer, Revenue.

## TAX CERTIFICATES AND WATER AND SEWER CERTIFICATES

23. The Deputy Treasurer, Revenue, is authorized to sign Tax Certificates and Water and Sewer Certificates issued pursuant to By-law No. 2013-360, as amended, being the Water By-law, or any successor by-law thereto, and the signature of the Deputy Treasurer, Revenue, may be written, engraved, lithographed, printed or otherwise reproduced on these certificates.

## WATER AND SEWER BILLING

24. The Deputy Treasurer, Revenue, the Manager, Billing, Assessment and Tax Policy, and the Program Manager, Water Billing and Systems, individually are authorized to apply water and sewer billing estimates and/or adjustments to water accounts pursuant to By-law No. 2013-360, as amended, being the Water By-law, or any successor by-law thereto, or other Council-approved programs where consumption has not been recorded or has been incorrectly recorded.

## INFORMATION TECHNOLOGY SERVICES

### INFORMATION TECHNOLOGY (IT) SECURITY

25. The Treasurer and the Chief Information Officer individually are authorized to approve and implement policies, processes, procedures and standards related to IT security, IT incident management and response, and IT risk management, including technology systems connecting to the corporate IT environment of the City.

26. (1) The Treasurer and the Chief Information Officer individually are authorized to approve the disconnection of any technology system where there is reason to believe that such system is at-risk of malfunction, of compromising the safety of the City's information, of being mis-used, or of causing disruption to City operations or services.

- (2) In the case of an IT-related emergency or special circumstance where time constraints will not allow for Council-approved purchasing procedures to be followed, the Treasurer and the Chief Information Officer individually are authorized to acquire the required external professional resources or equipment to mitigate or eliminate the IT-related emergency or special circumstance for the purpose of protecting City assets.

- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## SOFTWARE LICENCE AGREEMENTS

27. (1) The Treasurer and the Chief Information Officer individually are delegated the authority to negotiate, approve, conclude, and execute software licence agreements on behalf of the City, as licensor, with other municipalities or local boards provided that:
- (a) the software was developed by the City and the City owns the intellectual property in the software;
  - (b) there is no on-going obligation to provide support services to the other party;
  - (c) the transaction is at no cost to the City and may contribute to the recovery of the software development costs; and
  - (d) there are appropriate indemnification clauses satisfactory to the City Clerk and Solicitor in the licence agreement.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## CORPORATE REAL ESTATE OFFICE

### OTTAWA LIGHT RAIL PROJECT – PROPERTY ACQUISITIONS

28. (1) Despite subsection 31(3), the Director, Corporate Real Estate Office, is delegated the authority to approve, execute documentation as required, and conclude real estate transactions related to the Ottawa Light Rail Transit Project involving the acquisition of an interest in land or property, including fee simple acquisitions, easements, rights of way, leases including extensions and renewals thereof, joint use and maintenance agreements, licences including licences of occupation, consents to enter, and mortgages, including amendments to such transactions, provided that:
- (a) the total value of the transaction is \$ 1,000,000.00 or less;
  - (b) the funds are within those provided in estimates approved by City Council;
  - (c) Ontario Municipal Board approval is not required; and
  - (d) all applicable Council-approved policies have been met.
- (2) Despite subsection 31(4), the Treasurer is delegated the authority to approve, execute documentation as required, and conclude real estate transactions related to the Ottawa Light Rail Transit Project involving the

acquisition of an interest in land or property, including fee simple acquisitions, easements, rights of way, leases including extensions and renewals thereof, joint use and maintenance agreements, licences including licences of occupation, consents to enter, and mortgages, including amendments to such transactions, provided that:

- (a) the Mayor and the Ward Councillor concur;
- (b) the funds are within those provided in estimates approved by City Council;
- (c) Ontario Municipal Board approval is not required; and
- (d) all applicable Council-approved policies including the Real Property Acquisition Policy have been met.

- (3) The exercise of delegated authority pursuant to subsections (1) and (2) inclusive shall be reported to the appropriate Standing Committee when all property related to the Ottawa Light Rail Transit Project has been acquired.

29. The Treasurer and the Director, Corporate Real Estate Office, individually are delegated the authority to sign notices of intention to expropriate where such notices relate to the Ottawa Light Rail Transit Project.

#### DISPOSALS – SALE OF INTEREST IN LAND OR PROPERTY

- 30. (1) The Program Managers of the Corporate Real Estate Office individually are delegated the authority to approve, execute documentation as required, and conclude real estate transactions involving the sale of an interest in land or property including fee simple sales, easements, rights of way, leases including extensions and renewals thereof, joint use and maintenance agreements, licences including licences of occupation, consents to enter, and mortgages, including amendments to such transactions, provided that:
  - (a) the market value of the land or property as determined by a current market value appraisal is \$100,000.00 or less;
  - (b) the sale price is at least 90% of the appraised value of the land or property;
  - (c) Ontario Municipal board approval is not required; and
  - (d) all applicable Council-approved policies including the Disposal of Real Property Policy and Procedures have been met.
- (2) The Manager, Realty Services, and the Manager, Realty Initiatives and Development, individually are delegated the authority to approve, execute documentation as required, and conclude real estate transactions involving the sale of an interest in land or property including fee simple sales, easements, rights of way, leases including extensions and renewals thereof, joint use and maintenance agreements, licences including

licences of occupation, consents to enter, and mortgages, including amendments to such transactions, provided that:

- (a) the market value of the land or property as determined by a current market value appraisal is \$200,000.00 or less;
  - (b) the sale price is at least 90% of the appraised value of the land or property;
  - (c) Ontario Municipal Board approval is not required; and
  - (d) all applicable Council-approved policies including the Disposal of Real Property Policy and Procedures have been met.
- (3) The Director of the Corporate Real Estate Office is delegated the authority to approve, execute documentation as required, and conclude real estate transactions involving the sale of an interest in land or property including fee simple sales, easements, rights of way, leases including extensions and renewals thereof, joint use and maintenance agreements, licences including licences of occupation, consents to enter, and mortgages, including amendments to such transactions, provided that:
- (a) the market value of the land or property as determined in accordance with the Council-approved Disposal of Real Property Policy is \$1,000,000.00 or less;
  - (b) the sale price is at least 90% of the appraised value of the land or property;
  - (c) Ontario Municipal Board approval is not required; and
  - (d) all applicable Council-approved policies including the Disposal of Real Property Policy and Procedures have been met.
- (4) The Treasurer is delegated the authority to approve, execute documentation as required and conclude real estate transactions involving the sale of an interest in land or property including fee simple sales, easements, rights of way, leases including extensions and renewals thereof, joint use and maintenance agreements, licences including licences of occupation, consents to enter, and mortgages, including amendments to such transactions, provided that:
- (a) the market value of the land or property as determined in accordance with the Council-approved Disposal of Real Property Policy is \$2,000,000.00 or less;
  - (b) the sale price is at least 90% of the appraised value of the land or property;
  - (c) Ontario Municipal Board approval is not required; and
  - (d) all applicable Council-approved policies including the Disposal of Real Property Policy and Procedures have been met.
- (5) The exercise of delegated authority pursuant to subsections (1) to (4) inclusive shall be reported to the appropriate Standing Committee on a quarterly basis.

- (6) In respect of the sale of fee simple interests, easements, or rights of way, the reports required under subsection (5) shall include:
  - (a) a list of all offers received in writing for the sale in question together with the name of the persons who made the offers; and,
  - (b) a statement as to why each offer was successful or unsuccessful.

## ACQUISITIONS – PURCHASE OF INTEREST IN LAND OR PROPERTY

### REAL ESTATE TRANSACTIONS

31. (1) The Program Managers of the Corporate Real Estate Office individually are delegated the authority to approve and execute documentation as required, and conclude real estate transactions involving the acquisition of an interest in land or property, including fee simple acquisitions, easements, rights of way, leases including extensions and renewals thereof, joint use and maintenance agreements, licences including licences of occupation, consents to enter, and mortgages, including amendments to such transactions, provided that:
- (a) the total value of the transaction is \$100,000.00 or less;
  - (b) the funds are within those provided in estimates approved by City Council;
  - (c) Ontario Municipal Board approval is not required; and
  - (d) all applicable Council-approved policies have been met.
- (2) The Manager, Realty Services, and the Manager, Realty Initiatives and Development, individually are delegated the authority to approve and execute documentation as required, and conclude real estate transactions involving the acquisition of an interest in land or property, including fee simple acquisitions, easements, rights of way, leases including extensions and renewals thereof, joint use and maintenance agreements, licences including licences of occupation, consents to enter, and mortgages, including amendments to such transactions, provided that:
- (a) the total value of the transaction is \$200,000.00 or less;
  - (b) the funds are within those provided in estimates approved by City Council;
  - (c) Ontario Municipal Board approval is not required; and
  - (d) all applicable Council-approved policies have been met.
- (3) The Director of the Corporate Real Estate Office is delegated the authority to approve and execute documentation as required, and conclude real estate transactions involving the acquisition of an interest in land or property, including fee simple acquisitions, easements, rights of way, leases including extensions and renewals thereof, joint use and maintenance agreements, licences including licences of occupation,

consents to enter, and mortgages, including amendments to such transactions, provided that:

- (a) the total value of the transaction is \$1,000,000.00 or less;
  - (b) the funds are within those provided in estimates approved by City Council;
  - (c) Ontario Municipal Board approval is not required; and
  - (d) all applicable Council-approved policies have been met.
- (4) The Treasurer is delegated the authority to approve and execute documentation as required, and conclude real estate transactions involving the acquisition of an interest in land or property, including fee simple acquisitions, easements, rights of way, leases including extensions and renewals thereof, joint use and maintenance agreements, licences including licences of occupation, consents to enter, and mortgages, including amendments to such transactions, provided that:
- (a) the total value of the transaction is \$2,000,000.00 or less;
  - (b) the funds are within those provided in estimates approved by City Council;
  - (c) Ontario Municipal Board approval is not required; and
  - (d) all applicable Council-approved policies have been met.
- (5) The Director of the Corporate Real Estate Office is delegated the authority to approve, conclude and execute amending agreements or consolidation agreements, including related documentation as required, in respect of existing development or redevelopment agreements, as required for the ease of administration, provided that:
- (a) no financial liability is created for the City by the amendment or consolidation; and,
  - (b) Ontario Municipal Board approval is not required.
- (6) The exercise of delegated authority pursuant to subsections (1) to (5) inclusive shall be reported to the appropriate Standing Committee on a quarterly basis.
- (7) In respect of acquisitions of fee simple interests, easements, or rights of way, the reports required under subsection (6) shall include a description of the major terms and conditions of such acquisitions.
32. (1) The Manager, Realty Services, the Manager, Realty Initiatives and Development, and the Director of the Corporate Real Estate Office, individually are delegated the authority to execute Agreements of Purchase and Sale which are subject to approval by City Council or which are subject to approval pursuant to delegated authority.
- (2) The Manager, Realty Services, the Manager, Realty Initiatives and Development, and the Director of the Corporate Real Estate Office



individually are delegated the authority to execute leases, lease extensions/renewals and option agreements which have been approved by City Council or which have been approved by the Treasurer pursuant to subsections 28(2), 30(4) and 31 (4).

- (3) Despite subsection (2), where the City is the owner of property that has been leased by the City to a lessee/tenant, and the lease contains a clause providing for termination on six (6) months notice by the City if the property is required for municipal purposes, the Manager, Realty Services, the Manager, Realty Initiatives and Development, and the Director of the Corporate Real Estate Office individually are delegated the authority to approve, execute documentation as required, and conclude leases, and amendments thereto.
- (4) Subject to subsection 28(3), the exercise of delegated authority pursuant to subsections (1) to (3) inclusive shall be reported to the appropriate Standing Committee on a semi-annual basis.

#### REMEDICATION OF THE RIGHT-OF-WAY

33. (1) The Manager of Realty Services and the Director of the Corporate Real Estate Office individually are authorized to execute agreements with respect to remediation of contamination in the right-of-way provided that the other party or parties to the agreement:
  - (a) indemnify the City and provide proof of insurance to the satisfaction of the City Clerk and Solicitor;
  - (b) assume all costs, including the City's costs, associated with the preparation, review and implementation of the off-site management plan and/or remediation plan;
  - (c) provide all test results to the City;
  - (d) assume all responsibility for obtaining approvals associated with the remediation; and
  - (e) pay all costs associated with the preparation and registration of the agreement.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee on a semi-annual basis.

#### BYWARD MARKET

34. (1) The Director of the Corporate Real Estate Office and the Manager, Realty Services, individually are delegated the authority to negotiate and execute leases for the retail space in the ByWard Market Garage in a manner consistent with private sector practice and in accordance with the following principles:

- (a) any leases negotiated and executed shall be in the City standard commercial lease form and to the satisfaction of the City Clerk and Solicitor;
  - (b) any expenditures for tenant fit-up, tenant inducements, and leasing commissions shall be consistent with the market conditions prevailing in the ByWard Market at the time of the negotiation;
  - (c) all leases negotiated and executed shall be consistent with the old Ottawa Council approved ByWard Market Strategic Plan including no restaurant uses permitted at grade;
  - (d) lease rates shall be net rents, consistent with market conditions prevailing in the ByWard Market at the time of the negotiation. Additional rents shall include, but not necessarily be limited to, the tenants' proportionate share of the realty taxes, maintenance, repair, upkeep, servicing insurance, and other expenses which are operating costs;
  - (e) lease terms shall be five (5) to ten (10) years in length with the possibility of negotiating an option to renew for a further term of up to five (5) years, subject to negotiation of rents; and
  - (f) the Program Manager, Markets Management, in the Economic Development Branch of the Planning, Infrastructure and Economic Development Department, is authorized to undertake appropriate action and expenditures that are consistent with current commercial leasing practice to ensure continued compliance with all the lease terms by the owner and tenants.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee on a semi-annual basis.

#### WAIVER OF ADMINISTRATIVE FEES

35. (1) The Director of the Corporate Real Estate Office, and the Manager, Realty Services, individually are delegated the authority to waive the administrative fees for the preparation of agreements within the mandate of the Corporate Real Estate Office where the agreement is with another government agency, a charitable organization with a registered Canada Revenue Agency number, a not for profit group funded by the City, or a not for profit group under contract with the City to provide a City program.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee on a semi-annual basis.

EXTENSION AGREEMENT

**THIS AGREEMENT** made MONTH DAY, YEAR

BETWEEN:

CITY OF OTTAWA

(the "City")

AND:

\_\_\_\_\_  
(the "Owner(s)")

**WHEREAS** the Owner(s) is/are the owner(s) of land in the City of Ottawa known municipally as \_\_\_\_\_, which is legally described as:  
(legal description)  
P.I.N. \_\_\_\_\_;

**AND WHEREAS** the Owner's land is in arrears of taxes on December 31, YEAR in the amount of \$\_\_\_\_ and a tax arrears certificate was registered against the title to the Owner's land in the Land Registry Office on MONTH DAY, YEAR as Instrument No. OC\_\_\_\_\_;

**AND WHEREAS**, pursuant to section 378 of the *Municipal Act, 2001*, S.O. 2001, Chap. 25, as amended (the "*Municipal Act, 2001*"), a municipality may authorize that an extension agreement be entered into between the City and the Owner(s) to extend the period of time in which the cancellation price in respect to the Owner's land is to be paid;

**AND WHEREAS**, in the City's Delegation of Authority By-law, Council of the City delegated the authority to the Treasurer, the Deputy Treasurer, Revenue, and the Program Manager, Collections and Cash Handling, individually to approve extension agreements in accordance with the *Municipal Act, 2001*;

**AND WHEREAS** the City Treasurer, or other authorized delegate, has approved this Agreement.

**THEREFORE** in consideration of the mutual agreements contained herein, the parties hereby agree as follows:

1. The Owner shall pay to the City (a lump sum payment in the amount of \$\_\_\_\_ by MONTH DAY, YEAR-optional) and shall pay to the City, the sum of \$\_\_\_\_ monthly, payable on the last business day of each and every month commencing on MONTH DAY, YEAR, to and including MONTH, DAY, YEAR. A final

payment to pay any outstanding balance shall be made on MONTH, DAY, YEAR.

- 2. Despite any of the provisions of this Agreement, the *Municipal Act, 2001* shall continue to apply to the collection and enforcement of all taxes except that the City, without waiving its statutory rights and powers, and so long as the Owner is not in default under this Agreement, shall not enforce collection of tax payments during the term of this Agreement except as set out in paragraph 1.
- 3. In the event the Owner(s) default(s) in any payments required by this Agreement, this Agreement shall, upon notice being given by the City to the Owner, cease to be a subsisting agreement and shall terminate and the Owner(s) shall be placed in the position he or she was before this Agreement was entered into.
- 4. Immediately upon the Owner(s) making all the payments required under paragraph 1, this Agreement shall terminate and the City Treasurer shall immediately register a tax arrears cancellation certificate.
- 5. Despite the provisions of paragraph 1, the Owner(s) or any other person may at any time pay the balance of the cancellation price and upon receipt of such payment by the City, this Agreement shall terminate and the City Treasurer shall immediately register a tax arrears cancellation certificate.
- 6. This Agreement shall extend to and be binding upon and enure to the benefit of the parties and their respective heirs, successors and assigns.
- 7. If any portion of this Agreement is illegal or unenforceable, it shall be considered separate and severable from this Agreement and the remaining provisions of this Agreement shall remain in full force and effect.
- 8. Any notice required to be given to the Owner(s) shall be sufficiently given if sent by registered post to the Owner at the following address: \_\_\_\_\_.

**IN WITNESS WHEREOF** the parties have executed this Agreement on the date first above written.

**CITY OF OTTAWA**

\_\_\_\_\_  
Treasurer or Deputy Treasurer, Revenue, or  
Program Manager, Collections and Cash  
Handling

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
OWNER

\_\_\_\_\_

\_\_\_\_\_

WITNESS

OWNER

SCHEDULE "A"  
(to Extension Agreement)

In the City of Ottawa, Province of Ontario, and being described as:

(legal description)

P.I.N. \_\_\_\_\_

## SCHEDULE "C"

## CITY CLERK AND SOLICITOR DEPARTMENT

## PURCHASE OF INSURANCE

1. (1) The City Clerk and Solicitor is delegated the authority to purchase insurance to protect the City including claims adjusting, insurance brokerage services, and related services provided that the costs are within approved operating budget guidelines and the purchase of insurance complies with the provisions of By-law No. 50 of 2000, as amended, being the City's Purchasing By-law, or any successor by-law thereto.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported once during the calendar year to the appropriate Standing Committee of Council.

## LEGAL PROCEEDINGS

2. The City Clerk and Solicitor is authorized to represent the City, to advance the City's interests, and to defend the City by taking any step or action that is necessary and proper in respect of any legal proceeding affecting the City, including arbitrations, mediations, interim proceedings, and litigation before any court, tribunal, or other forum, subject to such instruction as may be issued by Council or the appropriate Standing Committee from time to time, and in the exercise of such authority, the City Clerk and Solicitor shall use the most efficient combination of staff and external legal services as required.
3. The City Clerk and Solicitor is authorized to conduct prosecutions on behalf of the City and on behalf of the Attorney General of Ontario in accordance with the Memorandum of Agreement, including appeals.
4. In exercising the authority granted by Sections 2 and 3, the City Clerk and Solicitor shall have the authority to:
  - (a) appeal, and seek review or reconsideration, of any judgment, decision, order, or award in any legal proceeding, regardless of the forum;
  - (b) authorize the payment of all expenses related to the conduct of any legal proceeding and the payment of any costs awarded against the City;
  - (c) execute all documents required to conduct any legal proceeding or conclude the settlement of any legal proceeding; and
  - (d) take all steps required to enforce orders, decisions, awards, and judgments.

5. The exercise of delegated authority pursuant to Sections 2 to 3 shall be reported to the appropriate Standing Committee on a semi-annual basis.

#### EXCEPTIONAL CIRCUMSTANCES

6. Where time constraints or other circumstances will not allow for the required authority-granting procedures to be followed with respect to any legal matter, the City Clerk and Solicitor shall have the authority to take the appropriate action and report such action to the Council or the appropriate Standing Committee of Council at the earliest opportunity.

7. The City Clerk and Solicitor shall give notice, whenever possible, to those Members of Council that may reasonably be expected to have an interest in any legal proceeding involving the City.

#### ESTATES OF RESIDENTS OF LONG TERM CARE HOMES

8. (1) The City Clerk and Solicitor shall have the authority to act as the representative of the City for the purposes of providing for the due and proper administration of the estates of the deceased residents of the City's Long Term Care Homes under the Long Term Care Homes Act, 2007, where no next-of-kin are available or willing to administer the estate.

(2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee on a semi-annual basis.

#### HEARINGS OF NECESSITY

9. (1) The City Clerk and Solicitor shall have the authority in expropriation cases to pay the cost of the owners in appearing at the Hearing of Necessity as provided for in subsection 7(10) of the Expropriations Act.

(2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee on a semi-annual basis.

#### CLAIMS - INSURER

10. The City Clerk and Solicitor is delegated the authority to approve payment to the City's Third Party Liability Insurer of any deductible limit provided under an insurance policy upon settlement of any claim in excess of the deductible limit.

#### CLAIMS - SETTLEMENTS

11. The City Clerk and Solicitor is delegated the authority to settle both litigated and non-litigated claims, to abandon any part of such claims, and make

payments where the total amount of the claim settlement is an amount not exceeding the amount of \$1,000,000.00.

12. The City Manager is delegated the authority to settle both litigated and non-litigated claims, to abandon any part of such claims, and make payments where the total amount of the claim settlement is an amount not exceeding the self-insured retention limits under the City's insurance program.

13. The exercise of delegated authority pursuant to Sections 1 and 12 shall be reported to the appropriate Standing Committee on a semi-annual basis.

14. Where the City Clerk and Solicitor determines a claim of the City to be unrecoverable, in whole or in part, and the total claim amount does not exceed the amount referred to in Sections 11 and 12, the City Clerk and Solicitor or the City Manager, as applicable, have the authority to abandon the claim or any part of it, including writing off any amount owing to the City.

#### EXTERNAL COUNSEL

15. The City Clerk and Solicitor is assigned the exclusive authority for retaining all external legal counsel required by the City.

#### LAND UNDER THE LAND TITLES ACT

16. The City Clerk and Solicitor shall have the authority to make applications under the Land Titles Act to bring under the Act such lands of the City as the City Clerk and Solicitor deems proper, or for the conversion of such lands to absolute title under the Land Titles Act.

#### RESERVES

17. (1) The City Clerk and Solicitor shall have the authority together with any one of the Managers of Development Review to approve the release and conveyance of reserves of land held for purposes of development control and not exceeding 300 mm (one foot) in width, to the holder in fee simple of properties abutting upon the reserves of land to be released and conveyed for nominal consideration.
- (2) The City Clerk and Solicitor shall have the authority jointly with the General Manager, Planning, Infrastructure and Economic Development, to release utility easements where the utility services or works at the location of the easements have been discontinued to the holder in fee simple of lands subject to the easements for nominal consideration.



## EASEMENTS FOR WATER WORKS AND SEWAGE WORKS

18. (1) The City Clerk and Solicitor shall have the authority, together with any one of the General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, or the Managers of Development Review, to approve the release of easements for water works and sewage works in development related situations to the holder in fee simple of the lands subject to the easement for nominal consideration where utility services provided by these works at the location of the easements have been discontinued.
- (2) The City Clerk and Solicitor shall have the authority, jointly with the General Manager, Planning, Infrastructure and Economic Development, to approve the release of easements for water works and sewage works in non-development situations to the holder in fee simple of the lands subject to the easement for nominal consideration where utility services provided by these works at the location of the easements have been discontinued.

## EXTENSION AGREEMENTS FOR TAX ARREARS

19. The City Clerk and Solicitor is authorized to proceed directly to Council to authorize extension agreements approved by the Treasurer pursuant to Section 13 of Schedule "A" by way of placing a by-law on the Agenda of Council for enactment.

## LOANS UNDER THE TILE DRAINAGE ACT

20. The City Clerk and Solicitor is authorized to proceed directly to Council to authorize rating by-laws made pursuant to Section 8 of the Tile Drainage Act and based upon loans approved by the Treasurer pursuant to Section 14 of Schedule "A" by way of placing a by-law on the Agenda of Council for enactment.

## DEVELOPMENT CHARGES DEFERRAL AGREEMENTS

- 21.(1) The City Clerk and Solicitor shall have the authority to conclude, approve, and execute deferral agreements entered into pursuant to Section 27 of the Development Charges Act, 1997, and release of the said deferral agreements provided that:
- (a) the applicant agrees to pay the development charges within twelve (12) months of the issuance of each building permit for the project or the date the project receives an occupancy permit, whichever comes first;
  - (b) the applicant agrees to pay interest at the rate of ten (10) per cent per annum on the total amount of the development charges outstanding;
  - (c) the agreement terminates if the building permit is not issued within six (6) months of the date of the agreement or construction has not

- commenced within three (3) months after the first building permit is issued;
- (d) the City retains the right to have the development charges collected as taxes, together with interest at the rate charged by the City for unpaid taxes, if the applicant fails to comply with any terms of the agreement;
  - (e) the applicant agrees that, if the applicant ceases to be the registered owner of the lands subject to the development charges, the development charges and interest shall be immediately due and payable; and
  - (f) the applicant agrees to pay all costs associated with the preparation and registration of this agreement.
- (2) For development that consists of other than single detached homes, semi-detached homes and townhomes (row houses or stacked), the period in clause (1)(a) may be extended to twenty-four (24) months unless the concurrence of the Ward Councillor is withdrawn.
  - (3) Where the concurrence of the Ward Councillor is withdrawn, the matter shall proceed to the appropriate Standing Committee of Council.
  - (4) Where an applicant has defaulted on its obligations under a deferral agreement, such applicant is not entitled to any further deferrals of development charges unless the applicant has paid the arrears, including applicable interest.

#### PART LOT CONTROL

22. The City Clerk and Solicitor is authorized to proceed directly to Council to authorize part lot control as approved by any one of the Managers of Development Review pursuant to Section 10 of Schedule "J" by way of placing a by-law on the Agenda of Council for enactment.

#### LIFTING HOLDING ZONES

23. The City Clerk and Solicitor is authorized to proceed directly to Council to authorize the lifting of Holding Zones approved by the General Manager of Planning, Infrastructure and Economic Development, the Director, Planning Services, or any one of the Managers of Development Review pursuant to Section 27 of Schedule "J" by way of placing a by-law on the Agenda of Council for enactment.

#### ROAD CLOSURES

24. The City Clerk and Solicitor is authorized to proceed directly to Council to authorize road closures as approved by any one of the Managers of Development Review pursuant to Section 20 of Schedule "J".

## ROAD OPENINGS

25. The City Clerk and Solicitor is authorized to proceed directly to Council to authorize road openings as approved by any one of the Managers of Development Review pursuant to Section 21 of Schedule "J" by way of placing of a by-law on the Agenda of Council for enactment.

26. The City Clerk and Solicitor is authorized to proceed directly to Council to authorize road openings where the land that is subject to the road opening was acquired as a result of a development approval and all conditions of development approval pertaining to the road opening have been met by way of placing a by-law on the Agenda of Council for enactment.

## TRANSIT FUNDING AGREEMENTS

27. The City Clerk and Solicitor is authorized to proceed directly to Council to obtain authorization for a transit funding agreement approved by the General Manager, Transportation Services, by way of placing a by-law on the Agenda of Council for enactment.

## PURCHASES UNDER \$15,000.00

28. For purchases not exceeding \$15,000.00, the City Clerk and Solicitor is authorized, in consultation with the Chief Procurement Officer, to prescribe non-monetary standard terms and conditions necessary to protect the legal interests of the City, including but not limited to, insurance, indemnification, Occupational Health and Safety, Workplace Safety and Insurance, termination for default, termination for convenience, and warranties.

## COLLECTIVE AGREEMENTS

29. (1) The City Clerk and Solicitor is authorized to make minor amendments to a collective agreement provided that the affected bargaining agent agrees with the amendment and the amendment does not create any financial liability for the City that is beyond a budget approved by Council.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee and City Council as soon as is practicable.

## APPROVAL OF CONTRACTS

30. (1) The City Clerk and Solicitor and the Chief Procurement Officer, where appropriate, are delegated the authority to review or direct the review and initial as "Approved for Execution", including by electronic means or

measures, all significant legally binding contractual, funding, and other such contracts and agreements prior to final execution by authorized signing officers of the City.

- (2) Where there is a disagreement between the City Clerk and Solicitor and the operating department with respect to a contract or agreement awaiting approval for execution, the matter will be brought to the appropriate Standing Committee and City Council for resolution.
- (3) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee on a semi-annual basis.

#### APPOINTMENT BY-LAWS – MUNICIPAL LAW ENFORCEMENT OFFICERS

31. The City Clerk and Solicitor is authorized to prepare by-laws to appoint or withdraw the appointment of persons as Municipal Law Enforcement Officers and to proceed directly to Council by way of placing a by-law on the Agenda of Council for enactment provided that:

- (a) the by-laws appoint or withdraw the appointment of persons as Municipal Law Enforcement Officers for enforcement purposes; and
- (b) the persons who are being appointed are:
  - (i) employees of the City whose duties include the enforcement of Provincial Acts and regulations and by-laws; or
  - (ii) in compliance with the Council-approved Deputization Program of an old municipality for Non-City Staff to issue Parking Infraction Notices on private property or pedestrian malls established by the City; or
- (c) the persons whose appointments are being withdrawn are:
  - (i) no longer employees of the City whose duties include the enforcement of Provincial Acts and regulations or by-laws; or
  - (ii) no longer in compliance with the Council-approved Deputization Program of an old municipality for Non-City Staff to issue Parking Infraction Notices on private property or pedestrian malls established by the City.

#### PARKING AND STOPPING BY-LAWS

32. The City Clerk and Solicitor is authorized to proceed directly to Council by way of placing of a by-law on the Agenda of Council for enactment to implement the authority of the General Manager, Transportation Services, or the Manager, Traffic Services, or the General Manager, Public Works and Environmental Services, as applicable, respecting implementing changes in parking and stopping regulations and intersection controls approved under this by-law with respect to By-law No. 2003-530, as amended, being the Traffic and Parking By-law.

## FIRE ROUTES DESIGNATION BY-LAWS

33. The City Clerk and Solicitor is authorized to proceed directly to Council to amend By-law No. 2003-499, as amended, being the Fire Routes By-law, as approved by the General Manager, Emergency and Protective Services, or the Manager, By-law and Regulatory Services, pursuant to Section 5 of Schedule "F" of this by-law by way of placing a by-law directly on the Agenda of Council for enactment.

## ACCESSIBILITY REPORTS

34. The City Clerk and Solicitor is authorized to execute and file with the designated Provincial authority all accessibility reports and other information required under the Accessibility for Ontarians with Disabilities Act, 2005.

## CORRECTION OF CLERICAL AND MINOR ERRORS

35. The City Clerk and Solicitor is authorized to correct clerical, spelling, or minor errors of an administrative nature in by-laws of the City by placing the appropriate amending by-law directly on the Agenda of Council for enactment, and in reports to Standing Committees of Council and Council by placing the corrected report on the appropriate agenda with a notation made in the disposition that the report has been amended pursuant to this provision.

## DONATION AND DEPOSIT OF LIBRARY AND ARCHIVAL MATERIALS

36. (1) The City Clerk and Solicitor, the Manager, Legislative Services, and the City Archivist individually are delegated the authority to negotiate, approve, conclude, and execute agreements related to the long-term deposit of library and archival materials in the City Archives, including executing deeds of gift and letters of acknowledgement as required, provided that such agreements:
- (a) are in accordance with applicable City policies;
  - (b) are related to approved departmental programs and objectives; and
  - (c) are within approved budget limits.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## OMBUDSMAN ACT

37. (1) The City Clerk and Solicitor is delegated the powers and duties of Council as head of a public sector body that is a municipality for the purposes of the Ombudsman Act.

- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

SCHEDULE "D"  
COMMUNITY AND SOCIAL SERVICES DEPARTMENT

FEDERAL AND PROVINCIAL AGREEMENTS - ALL BRANCHES

1. (1) The General Manager, Community and Social Services, is authorized to approve, amend, extend and execute agreements with the provincial or federal government provided that such agreements are consistent with the departmental mandate and are at no cost to the City with the exception of associated operational and administrative costs that are within approved budgets.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

SERVICE AND FUNDING AGREEMENTS - ALL BRANCHES

2. (1) The General Manager, Community and Social Services, is authorized to approve, amend, extend and execute service agreements and contribution agreements and grant agreements provided that such agreements:
  - (a) are in accordance with applicable City policies approved by Council;
  - (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

STRATEGIC COMMUNITY INITIATIVES

3. (1) The Manager, Strategic Community Initiatives, is delegated the authority to approve, amend, extend, and execute service agreements and contribution agreements and grant agreements related to community initiatives provided that such agreements:
  - (a) are in accordance with applicable City policies approved by Council;
  - (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and

- (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### COMMUNITY AND SOCIAL SUPPORTS

- 4. (1) The Manager, Community and Social Supports Direct Operations, and the Managers of each Community and Social Supports Section are individually delegated the authority to approve, amend, extend, and execute service agreements, contribution agreements, and grant agreements related to community and social supports and social services legislation, including but not limited to the Ontario Works Act, 1997, the Ontario Disability Support Program Act, 1997, the Homemakers and Nurses Act, and employment development initiatives provided that such agreements:
  - (a) are in accordance with applicable City policies approved by Council;
  - (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
- 5. (1) The General Manager, Community and Social Services, is authorized to approve the issuance of and sign cheques in emergency situations.
- (2) The signature of the General Manager, Community and Social Services, may be written, engraved, lithographed, printed or otherwise mechanically reproduced on the emergency cheques issued pursuant to subsection (1).
- (3) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### LONG-TERM CARE

- 6. (1) The Manager, Community and Social Services Direct Operations, and the Administrator of each long-term care facility are individually delegated the authority to approve, amend, extend, and execute service agreements,



contribution agreements, grant agreements, and other agreements related to long-term care provided that such agreements:

- (a) are in accordance with applicable City policies approved by Council;
  - (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The General Manager, Community and Social Services, and the Manager, Community and Social Services Direct Operations, individually are delegated the authority to sign and submit to the Champlain Local Health Integration Network the compliance declarations and all reports required to fulfill the City's reporting obligations under accountability agreements, including the Long-Term Care Home Service Accountability Agreement and the Multi-Sector Service Accountability Agreement, between the Champlain Local Health Integration Network and the City in relation to Carleton Lodge, Centre d'accueil Champlain, Garry J. Armstrong, and Peter D. Clark Long-Term Care Homes and the multi-sector programs delivered by the City, provided that the appropriate standing Committee is informed by the Manager, Community and Social Services Direct Operations, on the annual planning submission, performance indicators, and other requirements for each compliance period under each accountability agreement.
- (3) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## HOUSING SERVICES

7. (1) The Administrator, Housing Services, is delegated the authority to perform the provincially designated role of Services Systems Manager, Homelessness and Housing, and, after consultation with stakeholders, to allocate provincial funding related to the issues of homelessness including but not limited to the Community Homelessness Prevention Initiative, the Investment in Affordable Housing, the Social Infrastructure Fund, and any new provincial funding programs that are to be administered by the City as Service Manager.
- (2) The Administrator, Housing Services, is delegated the authority to approve, amend, extend, and execute service agreements, contribution agreements, and grant agreements funded by the City or the Provincial Government related to housing programs or issues of homelessness including the Community Homelessness Prevention Initiative and any new provincial funding programs that are to be administered by the City as Service Manager provided that such agreements:

- (a) are in accordance with applicable City policies approved by Council;
  - (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (3) The General Manager, Community and Social Services, and the Administrator, Housing Services, individually are delegated the authority to perform the federally designated role of Community Entity for Homelessness and to allocate federal funding related to issues of homelessness, including the Homelessness Partnership Strategy or any successor program and any new federal funding programs that are to be administered by the Community Entity for Homelessness.
- (4) The Administrator, Housing Services, is delegated the authority to approve, amend, extend and execute service agreements and contribution agreements and grant agreements funded by the City or the Federal Government related to housing programs or issues of homelessness including the Homelessness Partnership Strategy or any successor program and any new federal funding programs that are to be administered by the Community Entity for Homelessness provided that such agreements are:
- (a) in accordance with applicable City policies approved by Council;
  - (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (5) The General Manager, Community and Social Services, and the Administrator, Housing Services, individually are delegated the authority to fulfill the responsibilities of the executed agreements in relation to the Homelessness Partnership Strategy or any successor program and any new federal funding programs that are to be administered by the Community entity for Homelessness, including but not limited to hiring temporary staff and expending monies necessary to conduct contracted activities notwithstanding any hiring or spending limitations imposed on City departments provided all costs, including all administration costs, are covered by the federal funding.
- (6) The Administrator, Housing Services, is authorized to approve, amend, extend, and execute service agreements and contribution agreements and grant agreements related to housing services legislation including the Housing Services Act, 2011, provide that such agreements:
- (a) in accordance with applicable City policies approved by Council;
  - (b) are related to approved departmental programs and objectives;

- (c) are within approved budget limits; and
  - (e) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (7) The exercise of delegated authority pursuant to subsections (1) to (6) inclusive shall be reported to the appropriate Standing Committee at least once in each calendar year.
8. (1) The Administrator, Housing Services, is delegated the authority to allocate the funding envelope for Social Housing Repair to prescribed housing providers currently in receipt of annualized capital subsidy contributions as outlined in the legislation and operating agreement in a manner supported by data identified in the 2012 Capital Building Program and the current level of capital subsidy contributions from the Service Manager.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### COMMUNITY FUNDING

9. (1) The General Manager, Community and Social Services, and the Strategic Support Coordinator are individually delegated the authority to approve, amend, extend, and execute service agreements, contribution agreements, and grant agreements related to community development including but not limited to Community Health and Resource Centres, Community Houses, day programs, food programs, counseling and support services, senior social services, poverty initiatives, and other community programs and services provided that such agreements:
- (a) are in accordance with applicable City policies approved by Council;
  - (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### CHILDREN'S SERVICES

10. (1) The Manager, Community and Social Services Direct Operations, and the Manager, Community and Social Services Child Care, individually are delegated the authority to approve, amend, extend, and execute service agreements, contribution agreements, and grant agreements related to

child care, child care fee subsidies, wage subsidies and pay equity funding, and child care minor capital funding provided that such agreements:

- (a) are in accordance with applicable City policies approved by Council;
  - (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The General Manager, Community and Social Services, is delegated the authority to perform the provincially designated role of service manager under the Ontario Works Act, 1997, and the provincially designated role of administrator under the Child Care and Early Years Act to administer provincial and City child care funding and to allocate child care fee subsidies provided that such allocations:
- (a) are in accordance with the applicable provincial legislation, regulations, directives and guidelines including the Child Care and Early Years Act, the Ministry of Community and Social Services Act and the Ontario Child Care Management and Funding Guideline issued by the provincial Ministry of Education;
  - (b) are made on a first come, first serve basis prioritized as follows:
    - (i) persons eligible for income assistance under the Ontario Works Act, 1997, who are employed or participating in employment assistance activities under the said Act,
    - (ii) persons eligible for income support under the Ontario Disability Support Program Act, 1997,
    - (iii) persons who are eligible for assistance under the Child Care and Early Years Act on the basis of their adjusted income; and
  - (c) are within approved budget limits.
- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## SCHEDULE "E"

## RECREATION, CULTURAL AND FACILITY SERVICES DEPARTMENT

## FEDERAL AND PROVINCIAL AGREEMENTS - ALL BRANCHES

1. (1) The General Manager, Recreation, Cultural and Facility Services, is delegated the authority to approve, amend, extend, and execute agreements with the federal and provincial government provided that such agreements are consistent with the departmental mandate and are at no cost to the City, with the exception of associated operational and administrative costs that are within approved budgets.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## SERVICE AND FUNDING AGREEMENTS - ALL BRANCHES

2. (1) The General Manager, Recreation, Cultural and Facility Services, is delegated the authority to approve, amend, extend, and execute service agreements and contribution agreements and grant agreements provided that such agreements:
  - (a) are in accordance with applicable City policies approved by Council;
  - (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
3. (1) The General Manager, Recreation, Cultural and Facility Services, is delegated the authority to approve, amend, extend, and execute agreements related to the use of City recreational and cultural land and facilities provided that such agreements:
  - (a) are in accordance with applicable City policies;
  - (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.

- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
4.
  - (1) The General Manager, Recreation, Cultural and Facility Services, is delegated the authority to approve, amend, extend, and execute agreements related to the provision of instructors for community programs provided that such agreements:
    - (a) are in accordance with applicable City policies;
    - (b) are related to approved departmental programs and objectives;
    - (c) are within approved budget limits; and
    - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
  - (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
5.
  - (1) The General Manager, Recreation, Cultural and Facility Services, is delegated the authority to approve, amend, extend, and execute agreements related to purchase of service for the operation, management, and maintenance of recreation, sports, and cultural programs and facilities provided that such agreements:
    - (a) are in accordance with applicable City policies;
    - (b) are related to approved departmental programs and objectives;
    - (c) are within approved budget limits; and
    - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
  - (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
6.
  - (1) The General Manager, Recreation, Cultural and Facilities Services, is delegated the authority to approve, amend, extend and execute agreements related to cultural facilities and community major and minor capital partnership projects provided that such agreements,
    - (a) are in accordance with applicable City policies;
    - (b) are related to approved departmental programs and objectives;
    - (c) are within approved budget limits; and
    - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
  - (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

7. (1) The General Manager, Recreation, Cultural and Facility Services, is delegated the authority to approve, amend, extend, and execute agreements related to recreation, culture, arts, heritage, festivals, fairs, and special events provided that such agreements:
  - (a) are in accordance with applicable City policies;
  - (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
8. (1) The General Manager, Recreation, Cultural and Facility Services, is delegated the authority to adjust service offerings including participant, admission, rental, and other fees provided that such adjustments:
  - (a) do not exceed the Council-approved limited annual adjustment to fees, being the greater of 10% of the existing fee or \$20;
  - (b) are related to approved departmental programs and objectives; and
  - (c) are within approved budget limits.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in a calendar year.
9. (1) The General Manager, Recreation, Cultural and Facility Services, is delegated the authority to provide final approval to Cultural Capital Facilities Grants provided that such allocations:
  - (a) singly or collectively, when multiple grants are approved, do not exceed the value of the capital budget provision approved for such grants; and
  - (b) are assigned in accordance with the recommendation of the Grants Review Group assigned to review applications and meet the eligibility criteria approved by Council.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
10. (1) The General Manager, Recreation, Cultural, and Facility Services, is delegated the authority to negotiate, approve, conclude, and execute agreements related to programming, including events, occurring at the Urban Park of Lansdowne Park, provided that such agreements:
  - (a) are in accordance with applicable City policies;

- (b) are related to approved departmental programs and objectives;
  - (c) are within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### UTILITY CONTRACTS

11. (1) The General Manager, Recreation, Cultural and Facility Services, and the Director, Facility Operations Services, individually are authorized to purchase electricity and natural gas and to execute utility contracts provided that:
- (a) the purchases comply with the Council-approved Corporate Utility Procurement Policy;
  - (b) the form and content of the contract has received approval from the City Clerk and Solicitor; and
  - (c) the purchase is within approved budget projections for the term of the contract.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### ALLOCATIONS OF ARENAS, SPORTSFIELDS AND BALL DIAMONDS

12. (1) The General Manager, Recreation, Cultural and Facility Services, is authorized to approve minor exceptions and adjustments to facility allocations policies, including adjustments in the designation of prime and non-prime hours, exceptions to cancellation provisions, adjustments to play time standards, exceptions to established deadlines for applications and permit cancellation notices, and one-time adjustments, provided that the minor exceptions and adjustments are:
- (a) in accordance with applicable Council policies and directions;
  - (b) related to approved departmental service levels and objectives; and
  - (c) are within approved budget limits.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.



## INTERIM FEES – NEW PROGRAMS AND SERVICES

13. (1) The General Manager, Recreation, Cultural and Facility Services, is authorized to approve interim fees for new recreation, cultural or facility programs, services and recoveries created during the year, provided that all newly-created fees under this authority will be included as part of the operating budget approval process for the subsequent year.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported as part of the annual operating budget submission

## SCHEDULE "F"

## EMERGENCY AND PROTECTIVE SERVICES DEPARTMENT

## EMERGENCY MANAGEMENT

1. (1) The General Manager, Emergency and Protective Services, and the Manager, Security and Emergency Management, individually are delegated the authority to approve, amend, execute and extend agreements with the provincial or federal governments, contribution agreements, purchase of service agreements and other agreements related to emergency management and planning for the City, provided that such agreements:
  - (a) are in accordance with applicable City policies;
  - (b) are in accordance with applicable federal or provincial statutes and regulations;
  - (c) are related to approved departmental programs and objectives;
  - (d) are within approved budget limits; and
  - (e) contain the appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## CORPORATE SECURITY

2. (1) The General Manager, Emergency and Protective Services, and the Manager, Security and Emergency Management, individually are delegated the authority to negotiate, approve, conclude, and execute agreements related to the provision of corporate security services, including incident management and investigations, event security planning, threat and risk - assessments, and security system design, installation, management and monitoring, provided that such agreements:
  - (a) are in accordance with applicable City policies;
  - (b) are in accordance with applicable federal or provincial statutes and regulations;
  - (c) are related to approved departmental programs and objectives;
  - (d) are within approved budget limits; and
  - (e) contain the appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

### DOG OWNERS' LIABILITY ACT

3. (1) The General Manager, Emergency and Protective Services, and the Manager, By-law and Regulatory Services, individually are delegated the authority to commence, maintain, and settle proceedings pursuant to the Dog Owners' Liability Act subject to such instruction as may be issued by Council or the appropriate Standing Committee from time to time and in the conduct of such proceedings, the By-law and Regulatory Services Branch shall use the most efficient combination of staff and external resources as required to represent the City.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

### PARKING TICKET REVENUE SHARING

4. (1) The General Manager, Emergency and Protective Services, and the Manager, By-law and Regulatory Services, individually are delegated the authority to approve, execute, amend, or extend agreements respecting parking ticket revenue sharing with public service agencies or institutions provided that:
  - (a) the Parking Infraction Notices (PINs) are issued on private properties by deputized private property agents;
  - (b) the revenue sharing percentage is structured to ensure that the City realizes a minimum of 50% of the net revenues paid to the City for all PINs issued on the private property;
  - (c) the private property owner is an educational or health agency or institution;
  - (d) a minimum of 2,600 PINs have been issued on the property by deputized personnel in the year preceding the initiation of the agreement and in each subsequent year; and
  - (e) the agreement is in a form satisfactory to the City Clerk and Solicitor.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

### FIRE ROUTES

5. (1) The General Manager, Emergency and Protective Services, and the Manager, By-law and Regulatory Services, individually are authorized to approve amendments to By-law No. 2003-499, as amended, being the Fire Routes By-law, to designate fire routes required as a result of a site

plan approval or a building permit and to extend the timeframe for the enforcement of fire route signage existing at the time of enactment of the Fire Routes By-law and for the harmonization of fire route signage.

- (2) The General Manager, Emergency and Protective Services, and the Manager, By-law and Regulatory Services, individually are delegated authority to undertake any steps necessary to ensure the harmonization of fire routes, including signage, provided such actions are of an administrative nature.
- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### APPOINTMENT OF FENCE-VIEWERS UNDER LINE FENCES ACT

6. (1) The General Manager, Emergency and Protective Services, and the Manager, By-law and Regulatory Services, individually are authorized to appoint or withdraw the appointment, as the case may be, of fence-viewers for the City of Ottawa as may required to carry out the provisions of the Line Fences Act.
- (2) The City Clerk and Solicitor is authorized to proceed directly to Council by way of placing a by-law on the Agenda of Council for enactment to amend By-law 2004-293, or any successor by-law thereto, in order to implement the exercise of authority under subsection (1).
- (3) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### SPAY/NEUTER CLINIC

7. (1) The Manager, By-law and Regulatory Services, is delegated the authority to approve, amend, extend, and execute agreements respecting the provision of veterinary services for the City's Spay/Neuter Clinic provided that:
  - (a) the services to be contracted are within the approved budget; and
  - (b) the veterinarian,
    - (i) is licensed by the College of Veterinarians of Ontario;
    - (ii) carries appropriate insurance and agrees to indemnify the City, to the satisfaction of the City Clerk and Solicitor;
    - (iii) agrees to perform functions and duties in accordance with established policies and procedures;
    - (iv) provides emergency and on-call services each day that surgical services are provided; and

- (v) submits a monthly service report.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year

#### PROHIBITION – DISCHARGE OF FIREARMS

- 8. (1) The General Manager, Emergency and Protective Services, and the Manager, By-law and Regulatory Services, individually are authorized to approve amendments to the boundaries of areas in which firearms may not be discharged pursuant to By-law No. 2002-344, as amended, being the Discharge of Firearms By-law, provided that:
  - (a) the affected Ward Councillor concurs with the amendment; and
  - (b) the amendment is required for the health and safety of the public, based on population and building density and other relevant factors in the affected area.
- (2) The City Clerk and Solicitor is authorized to proceed directly to Council by way of placing a by-law on the Agenda of Council for enactment in order to implement the exercise of authority pursuant to subsection (1).
- (3) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### APPOINTMENTS TO ANIMAL CARE AND CONTROL TRIBUNAL

- 9. (1) The City Manager and the Deputy City Clerk individually are authorized to appoint or withdraw the appointment, as the case may be, of members of the Animal Control Tribunal provided under By-law No. 2003-77, as amended, being the Animal Care and Control By-law, as may be required to fulfill the City's obligations with respect to appeals of muzzle orders issued under the By-law.
- (2) The City Clerk and Solicitor is authorized to proceed directly to Council by way of placing a by-law on the Agenda of Council for enactment to implement the exercise of authority under subsection (1).
- (3) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### DESIGNATION OF CHIEF LICENSE INSPECTOR

- 10. The Manager, By-law and Regulatory Services, is designated the Chief License

Inspector for the City of Ottawa.

#### PARAMEDIC SERVICE

11. (1) The General Manager, Emergency and Protective Services, and the Chief, Ottawa Paramedic Service, individually are delegated the authority to approve, amend, execute, and extend agreements with the federal or provincial government, contribution agreements, inter-municipal agreements, purchase of service agreements, clinical placement agreements, and other agreements related to the operation of the Ottawa Paramedic Service Branch provided that such agreements:
- (a) are in accordance with applicable City policies approved by Council;
  - (b) are related to department programs and objectives;
  - (c) are within the approved budget; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### FIRE SERVICE

12. (1) The General Manager, Emergency and Protective Services, and the Chief, Ottawa Fire Service (Fire Chief), individually are delegated the authority to approve, amend, execute and extend agreements with other municipalities and townships in relation to fire dispatch services and other areas related to the operation of the Ottawa Fire Services, provided that such agreements:
- (a) are in accordance with applicable City policies approved by Council;
  - (b) are related to department programs and objectives;
  - (c) are within the approved budget; and
  - (d) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year

SCHEDULE "G"  
TRANSPORTATION SERVICES

MAINTENANCE AND LIABILITY AGREEMENTS

1. (1) The General Manager, Transportation Services and the Director, Traffic Services, individually are authorized to approve, conclude, and execute non-development related maintenance and liability agreements on behalf of the City provided that:
  - (a) the agreement contains insurance and indemnity provisions satisfactory to the City Clerk and Solicitor;
  - (b) the applicant agrees to carry out the work in accordance with the City's specifications and to assume all costs related to the work; and
  - (c) the applicant agrees to pay all costs associated with the preparation and registration of the agreement.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

INTERSECTION AND ROAD MODIFICATIONS

2. (1) The General Manager, Transportation Services, and the Director, Traffic Services, individually are delegated the authority to proceed with intersection or road modifications provided that:
  - (a) there are no outstanding written objections in response to notice given by the City pursuant to the requirements of the Municipal Act, 2001, and in accordance with the requirements of By-law 2002-522, as amended, being the City's Public Notice By-law; and
  - (b) the respective Ward Councillor has concurred with the modifications.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

SIGNS, TRAFFIC SIGNALS, PAVEMENT MARKINGS, AND STREET LIGHTING

3. (1) The General Manager, Transportation Services, and the Director, Traffic Services, individually are delegated the authority to approve, erect and maintain such signs, traffic control signals, pavement markings, and other traffic control devices as may be required to regulate and direct pedestrian and vehicular traffic for the safety and convenience of the public.

- (2) The General Manager, Transportation Services, and the Director, Traffic Services, individually are delegated the authority to approve the erection and maintenance of such street light fixtures, street light poles, and associated street lighting devices as may be required provided that the erection and maintenance is in accordance with the approved City Right of Way Lighting Policy and it is for the safety and convenience of the public.
- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### TEMPORARY ROAD CLOSURES

4. (1) The General Manager, Transportation Services, and the Director, Traffic Services, individually are delegated the authority to temporarily close a City road or a portion of a City road provided that the road closure is for the purpose of routine road operations including construction, rehabilitation, or maintenance and appropriate signs are erected to provide reasonable notice of the temporary closure.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing at least once in each calendar year.

#### TEMPORARY TRAFFIC AND PARKING CONTROL

5. (1) The General Manager, Transportation Services, and the Director, Traffic Services, individually are delegated the authority to prohibit and regulate the movement, parking, or stopping of vehicles for a temporary period, including the temporary closing of a City street during such times and days as deemed proper and necessary for the safe operation of the street and the safe performance of a vital City function, and to erect appropriate signs to provide reasonable notice thereof.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### CONTROLLED ACCESS ROADS

6. (1) The General Manager, Transportation Services, is delegated the authority to close any private road, entranceway, gate, or other structure or facility constructed or used as a means of access to a controlled access road in accordance with By-law No. 2003-530, as amended, being the City's Traffic and Parking By-law, or any successor by-law thereto.



- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### TRAFFIC AND PARKING BY-LAW

7. (1) Subject to Council-approved and departmental policies and in accordance with By-law No. 2003-530, as amended, being the Traffic and Parking By-law, or any successor by-law thereto, the General Manager, Transportation Services, and the Director, Traffic Services, individually are delegated the authority to establish and implement changes in parking and stopping regulations and intersection controls to the following:
- (a) parking prohibitions,
  - (b) stopping prohibitions,
  - (c) standing prohibitions,
  - (d) parking zones,
  - (e) bus zones,
  - (f) bus time point zones,
  - (g) school bus loading zones,
  - (h) hotel loading zones,
  - (i) diplomatic loading zones,
  - (j) excursion loading zones,
  - (k) police vehicle zones,
  - (l) bookmobile zones,
  - (m) motorcycle zones,
  - (n) taxi zones,
  - (o) loading zones,
  - (p) pedestrian crossover zones,
  - (q) tour bus zones,
  - (r) roundabouts,
  - (s) through highways,
  - (t) stop control at intersections,
  - (u) yield control at intersections,
  - (v) multi-way control at intersections,
  - (w) turn prohibitions including cyclist and vehicular exemptions where appropriate,
  - (x) pavement markings,
  - (y) truck routes,
  - (z) truck route load designations,
  - (aa) multiple lane highways,
  - (bb) pedestrian crossing prohibitions,
  - (cc) pedestrians and pedestrian malls,
  - (dd) reserved bus lanes,
  - (ee) reserved bicycle lanes,
  - (hh) reserved high occupancy vehicle lanes,
  - (ii) controlled access roads,
  - (jj) speed limits,

- (kk) temporary road closures for traffic and parking matters,
  - (ll) temporary amendments to regulations for construction.
- (2) The General Manager, Transportation Services, and the Director, Traffic Services, individually are authorized to proceed directly to Council to authorize an amendment to By-law No. 2003-530, as amended, being the Traffic and Parking By-law, or any successor by-law thereto, pursuant to subsection (1) by way of placing a by-law on the Agenda of Council.
  - (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### TRANSPORTATION GUIDELINES

8. The General Manager, Transportation Services, the Director, Traffic Services, and the Manager, Transportation Planning, individually are delegated the authority to make minor and administrative amendments to the 2006 Transportation Impact Assessment Guidelines, standards, and specifications for the design and construction of municipal infrastructure.

#### TRANSIT OPERATIONS

- 9. (1) The General Manager, Transportation Services, is delegated the authority to make service adjustments to bus and O-Train service in response to operational needs and requirements, including changes to individual O-Train lines and bus routes schedules and bus stops, provided such changes are in compliance with applicable City by-laws and in accordance with the policies of Transit Commission and Council.
- (2) The General Manager, Transportation Services is delegated the authority to designate new Park and Ride Lots within the City provided that such Park and Ride Lot is within approved budget limits and is in accordance with approved transit programs and objectives.
- (3) The General Manager, Transportation Services is delegated the authority to change the hours of operation of the Park and Ride Lots to reflect changes in transit schedules and other operational requirements.
- (4) The General Manager, Transportation Services, is delegated the authority to approve, conclude and execute agreements for the provision of transit service for significant public events, celebrations, festivals, conventions, and similar events to an external organization, even free of charge to the external organization, provided such service is within approved budget

limits, complies with applicable City by-laws, and is in accordance with the policies of Transit Commission and Council.

- (5) The General Manager, Transportation Services, is delegated the authority to approve, conclude, execute and extend agreements for group payment of fares approved by Council for all members of a group of potential transit customers, such as a universal pass, provided such agreements are in compliance with applicable City by-laws, and in accordance with policies of the Transit Commission and Council.
- (6) The exercise of delegated authority pursuant to subsections (1) to (5) inclusive shall be reported to the Transit Commission at least once in each calendar year.

#### O-Train Trillium Line – O-Train Confederation Line - Regulatory Obligations

- 10. (1) The City Manager or his designate is delegated the responsibility as the senior executive accountable for the operations and activities of the Capital Railway (“O-Train Trillium Line”), including the safety management system, railway operating certificate, and other matters imposed by applicable Federal legislation and regulations, and is authorized to take all necessary actions to fulfill the City’s obligations for regulatory filings required by Transport Canada or other Federal departments and agencies under applicable Federal legislation.
- (2) The City Manager or his designate is delegated the authority for and responsibility for the operations and activities of the O-Train Confederation Line, including the safety management system and other regulatory matters imposed by applicable Federal legislation and regulations, and are authorized to take all necessary actions to fulfill the City’s obligations for filings required by the Delegation Agreement with Transport Canada or other applicable Federal departments and agencies under applicable legislation, and to fulfill all regulatory reporting requirements to City Council.
- (3) The exercise of delegated authority under subsection (1) and (2) shall be reported to the appropriate Standing Committee of Council at least once in every calendar year.

## SCHEDULE "H"

## SERVICE INNOVATION AND PERFORMANCE DEPARTMENT

## SERVICE AND SPECIAL INTEREST AGREEMENTS

1. (1) The Director, Service Ottawa, is authorized to approve, amend, extend, and execute service agreements and funding agreements provided that such agreements are:
  - (a) in accordance with applicable City policies;
  - (b) related to approved departmental programs and objectives;
  - (c) within approved budget limits; and
  - (d) contain appropriate insurance, termination, workplace safety, and indemnification provisions satisfactory to the City Clerk and Solicitor.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
2. (1) The General Manager, Service Innovation and Performance, and the Director, Service Ottawa, individually are authorized to approve, amend, extend, and execute agreements with the provincial and federal government provided that such agreements are consistent with the mandate of the department and are at no cost to the City with the exception of associated operational and administrative costs that are within approved budgets.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## CITY MERCHANDISE

3. (1) The General Manager, Service Innovation and Performance, and the Director, Service Ottawa, individually are delegated the authority to:
  - (a) change the price of City merchandise sold internally and to the public to reflect the market demand provided the price does not exceed the amount established by Council in the annual operating budget; and
  - (b) set an interim price for new City merchandise received during the year pending approval of the price as part of the annual operating budget approval process.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported as part of the annual operating budget submission.

## SCHEDULE I

## PUBLIC WORKS AND ENVIRONMENTAL SERVICES DEPARTMENT

## ONTARIO WATER RESOURCES ACT

1. (1) The General Manager, Public Works and Environmental Services, or designate, as arranged with the Ministry of the Environment and Climate Change, is delegated the authority to grant approvals pursuant to the applicable sections of the Ontario Water Resources Act.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## SOIL TESTS

2. (1) The General Manager, Public Works and Environmental Services, is delegated the authority to sign standard form agreements with the National Capital Commission in order to carry out routine soil tests on National Capital Commission lands abutting City roads, easements, or rights of way.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## WATER SERVICE AGREEMENTS

3. (1) The General Manager, Public Works and Environmental Services, is delegated the authority to approve and execute standard form agreements for:
  - (a) joint water service agreements, where required as a condition of a Planning Act approval; and
  - (b) water service, where a property does not abut a servicemain to be serviced.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## NON-MUNICIPAL WATER SYSTEMS

4. (1) The General Manager, Public Works and Environmental Services, is delegated the authority to:

- (a) grant municipal consent for the approval on non-municipal drinking water systems pursuant to the provisions of the Safe Drinking Water Act, 2002;
  - (b) approve, execute, and amend standard form non-municipal or communal water and wastewater system responsibility agreements provided that such agreements contain insurance, indemnity, and financial assurances to the satisfaction of the City Clerk and Solicitor; and
  - (c) take any action necessary to administer the operation of the systems described in clauses (a) and (b).
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### DISCHARGE AGREEMENTS

5. (1) The General Manager, Public Works and Environmental Services, is delegated the authority to enter into and execute or amend sewer discharge agreements in accordance with Section 9 of By-law No. 2003-514, as amended, being the Sewer Use By-law, or any successor by-law thereto.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### COMPLIANCE CERTIFICATES

6. (1) The General Manager, Public Works and Environmental Services, is delegated the authority to issue or amend compliance certificates for sewer and waste disposal programs in accordance with Section 10 of By-law No. 2003-514, as amended, being the Sewer Use By-law, or any successor by-law thereto.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### HAULED WASTE

7. (1) The General Manager, Public Works and Environmental Services, is delegated the authority to enter into, execute, and amend permits for the disposal of hauled liquid materials in accordance with Section 7 of By-law No. 2003-514, as amended, the Sewer Use By-law, or any successor by-law thereto.

- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### CITY CONSENTS AND CERTIFICATES OF APPROVAL

8. (1) The General Manager, Public Works and Environmental Services, is delegated the authority to approve solid waste facilities, liquid waste facilities, and short term waste facilities, to approve and execute agreements related thereto, and to provide technical comments to the Ontario Ministry of the Environment and Climate Change on all certificate of approval applications.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### LEACHATE AGREEMENTS

9. (1) The General Manager, Public Works and Environmental Services, is delegated the authority to grant, approve, execute, and amend leachate agreements.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### PROVINCIAL AND FEDERAL AGREEMENTS

10. (1) The General Manager, Public Works and Environmental Services, is delegated the authority to approve, amend, extend, and execute service agreements, contribution agreements, and grant agreements with provincial and federal governments or any funding organization or agency designated by these governments provided that these agreements are:
- (a) related to approved departmental programs and objectives;
  - (b) within approved budget limits; and
  - (c) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## GRANTS

11. (1) The City Manager and the General Manager, Public Works and Environmental Services, individually are authorized to approve grants and approve, amend, extend and execute appropriate grant agreements for the High Volume User Program, the Protective Plumbing Program, the Lead Service Replacement Program, and the Rural Clean Water Program, provided that such agreements:
- (a) are in accordance with applicable City policies approved by Council;
  - (b) are within approved budget limits; and,
  - (c) contain appropriate insurance, termination, and indemnification provisions.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee of Council at least one in each calendar year.

## MAINTENANCE AND LIABILITY AGREEMENTS

12. (1) The General Manager, Public Works and Environmental Services, is authorized to approve, conclude, and execute non-development related maintenance and liability agreements on behalf of the City provided that:
- (a) the agreement contains insurance and indemnity provisions satisfactory to the City Clerk and Solicitor;
  - (b) the applicant agrees to carry out the work in accordance with the City's specifications and to assume all costs related to the work; and
  - (c) the applicant agrees to pay all costs associated with the preparation and registration of the agreement.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## MUNICIPALLY-MANAGED PARKING RATES - OFF-STREET

13. (1) The General Manager, Public Works and Environmental Services, and the Director, Road Services, individually are delegated the authority to adjust the parking rates in City-owned parking facilities at any time throughout the year to reflect seasonal and market adjustment provided that the rate does not exceed the upper limit as approved by Council in the annual operating budget.
- (2) The General Manager, Public Works and Environmental Services, and the Director Road Services, individually are delegated the authority to vary the



parking rates in City-owned parking facilities from those for a standard vehicle for alternative modes of transportation such as motorcycles, scooters, and auto-share vehicles provided that the variation in rates is consistent with the Municipal Parking Management Strategy and is within the range approved by Council as part of the annual operating budget.

- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee on an annual basis as part of the Municipal Parking Management Annual Report.

#### MUNICIPALLY-MANAGED PARKING RATES - ON-STREET

14. (1) The General Manager, Public Works and Environmental Services, is delegated the authority to vary the on-street parking rates and hours of parking by location to reflect parking demand and utilization provided that the variation of rates is within the range approved by Council as part of the annual operating budget and the local Ward Councillor, Business Improvement Area, and Community Association concur with the variation.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee on an annual basis as part of the Municipal Parking Management Annual Report.

#### TRAFFIC AND PARKING BY-LAW

15. (1) Subject to Council-approved and departmental policies and in accordance with By-law No. 2003-530, as amended, being the Traffic and Parking By-law, or any successor by-law thereto, the General Manager, Public Works, and Environmental Services, is delegated the authority to establish and implement changes in parking and stopping regulations to the following:
  - (a) metered parking zones;
  - (b) pay and display parking machine zones; and,
  - (c) paid parking zones.
- (2) The General Manager, Public Works and Environmental Services, is authorized to proceed directly to Council to authorize an amendment to By-law No. 2003-530, as amended, being the Traffic and Parking By-law, or any successor by-law thereto, pursuant to subsection (1) by way of placing a by-law on the Agenda of Council.
- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## SCHEDULE "J"

## PLANNING, INFRASTRUCTURE AND ECONOMIC DEVELOPMENT DEPARTMENT

## SUBDIVISION

1. (1) For applications commenced prior to March 28, 1995, the General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to approve applications under Section 51(1) of the Planning Act, subject to the conditions of Ontario Regulation 476/83 and the following conditions:
  - (a) the draft conditions of approval are supported by the applicant and the Ward Councillor of the ward in which the application is located;
  - (b) compliance with the relevant policies of the City's Official Plan;
  - (c) the proposed development does not require the expenditure of municipal funds over and above those funds recovered by development charges or for which an allocation has been made in a Council approved budget; and
  - (d) delegated authority has not been withdrawn by the appropriate Standing Committee.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
2. (1) For applications commenced on or after March 28, 1995, the General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to approve applications under Section 51 of the Planning Act subject to the following conditions:
  - (a) the draft conditions of approval are supported by the applicant and the Ward Councillor of the ward in which the application is located;
  - (b) compliance with the relevant policies of the City's Official Plan;
  - (c) the proposed development does not require the expenditure of municipal funds over and above those funds recovered by development charges or for which an allocation has been made in a Council approved budget; and
  - (d) delegated authority has not been withdrawn by the appropriate Standing Committee.

- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
3. (1) The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to revise, clarify, or change conditions of a draft approved plan or make such other revisions deemed necessary pursuant to Section 51 of the Planning Act.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
4. (1) The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to refuse subdivision applications provided that:
- (a) the applicant has not agreed to the proposed conditions of approval;
  - (b) the Ward Councillor of the ward in which the application is located concurs with the refusal; and
  - (c) delegated authority has not been withdrawn by the appropriate Standing Committee.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
5. Where the Ward Councillor has indicated in writing that such Councillor desires that delegated authority granted pursuant to Sections 1, 2 or 4 of this Schedule be removed from the General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, or a Manager of Development Review, as applicable, all authority under Section 51 of the Planning Act for any actions not taken to the date of the receipt of the written request to remove delegated authority shall rest with the appropriate Standing Committee.
6. The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are delegated the authority to authorize the Mayor and City Clerk and Solicitor to sign a plan of subdivision where:
- (a) the City is the owner of lands within the plan of subdivision that are intended for a public purpose; and
  - (b) draft approval for the plan of subdivision has been given by the City in accordance with the provisions of the Planning Act and this by-law.

## CONDOMINIUMS

7. (1) For applications commenced prior to March 28, 1995, the General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to approve applications under Section 50 of the Condominium Act, subject to the conditions of Ontario Regulation 475/83 and the following conditions:
- (a) the draft conditions of approval are supported by the applicant and the Ward Councillor of the ward in which the application is located;
  - (b) compliance with the relevant policies of the City's Official Plan;
  - (c) the proposed development does not require the expenditure of municipal funds over and above those funds recovered by development charges or for which an allocation has been made in a Council approved budget; and
  - (d) delegated authority has not been withdrawn by the appropriate Standing Committee.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
8. (1) For applications commenced on or after March 28, 1995, the General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to approve applications under Section 50 of the Condominium Act subject to the following conditions:
- (a) the draft conditions of approval are supported by the applicant and the Ward Councillor of the ward in which the application is located;
  - (b) compliance with the relevant policies of the City's Official Plan;
  - (c) the proposed development does not require the expenditure of municipal funds over and above those funds recovered by development charges or for which an allocation has been made in a Council approved budget; and
  - (d) delegated authority has not been withdrawn by the appropriate Standing Committee.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
9. Where the Ward Councillor has indicated in writing that such Councillor desires that delegated authority granted pursuant to Sections 7 or 8 of this Schedule be removed from the General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, or a Manager of Development Review,

as applicable, all authority under Section 50 of the Condominium Act for any actions not taken to the date of the receipt of the written request to remove delegated authority shall rest with the appropriate Standing Committee.

#### PART LOT CONTROL EXEMPTIONS

10. (1) The Managers of Development Review individually are authorized to approve part lot control exemption applications subject to the applicant agreeing to the standard conditions of approval.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
11. Where the Ward Councillor has indicated in writing that such Councillor desires that delegated authority granted pursuant to Section 10 of this Schedule be removed from a Manager of Development Review, all authority under Section 50 of the Planning Act for any actions not taken to the date of the receipt of the written request to remove delegated authority shall rest with the appropriate Standing Committee.

#### SITE PLAN CONTROL

12. (1) The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to approve site plan applications subject to the following conditions:
- (a) the Special Conditions are supported by the applicant and the Ward Councillor of the ward in which the application is located;
  - (b) the application complies with the relevant policies of the Official Plan; and
  - (c) delegated authority has not been withdrawn by the appropriate Standing Committee.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
13. (1) Where the site plan is for townhomes that have separate frontage on a public highway, the General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to approve these applications subject to the following conditions:
- (a) the Special Conditions are supported by the applicant and the Ward Councillor of the ward in which the application is located;
  - (b) the application complies with the relevant policies of the Official Plan; and

- (c) delegated authority has not been withdrawn by the appropriate Standing Committee.
  - (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
14. (1) The staff person to whom the site plan application has been assigned is authorized to approve site plans, including revisions to site plans, in the following circumstances:
- (a) the application is to add or change a use within an existing building;
  - (b) revision is an addition, deletion, or relocation of accessory buildings or structures, utility equipment, garbage enclosures, landscape elements, decks, swimming pools, lighting, or signs;
  - (c) the revision constitutes modifications to internal pedestrian or vehicular circulation, parking and loading areas or building footprint which modifications represent a change of 600 square metres or less in gross floor area;
  - (d) an extension of less than one year to the time limit to sign a site plan control agreement or a letter of undertaking if the extension is requested prior to the lapse of the original time limit;
  - (e) an extension of less than one year to the time limit to obtain a building permit if the extension is requested prior to the lapse of the original time limit; and
  - (f) delegated authority has not been withdrawn by the appropriate Standing Committee.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
15. (1) The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to approve any revisions or extension to approved site plans not delegated pursuant to Section 14 of this Schedule.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.
16. (1) The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are delegated the authority to refuse site plan applications subject to the following conditions:

- (a) the applicant has not agreed to the proposed conditions of site plan approval;
  - (b) the Ward Councillor of the ward in which the application is located concurs with the refusal; and
  - (c) delegated authority has not been withdrawn by the appropriate Standing Committee.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

17. Where the Ward Councillor has indicated in writing that such Councillor desires that delegated authority granted pursuant to Sections 12, 13, 14, 15 or 16 of this Schedule be removed from the General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, a Manager of Development Review, or the staff person to whom the site plan application was assigned, as applicable, all authority to approve site plan applications and for any actions not taken to the date of the receipt of the written request to remove delegated authority shall rest with the appropriate Standing Committee.

#### CASH-IN-LIEU OF PARKLAND

18. (1) The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to approve, as a condition of development, the conveyance of land or an equivalent amount of cash-in-lieu of land for park or other recreational purposes whichever option, in the opinion of the General Manager, the Director, or the Manager, is appropriate and in compliance with the applicable Official Plan policies.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### 30 CM RESERVES

19. (1) The Managers of Development Review individually are authorized to approve the release and conveyance of reserves of land held for the purposes of development control and not exceeding 30 centimetres in width to the holder in fee simple of the property abutting the reserve providing all conditions of the release have been satisfied.
- (2) The Managers of Development Review individually are authorized to approve the release and dedication as part of the public highway of land not exceeding 30 centimetres in width held for the purposes of

development control providing all conditions of release and dedication have been satisfied.

- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## ROAD CLOSURES

20. (1) The Managers of Development Review individually are authorized to approve applications for road closures where the applications are initiated as part of the development approval process provided that the applicant is in agreement with all conditions related to the closure and no objection is received to the closure as a result of the public notice requirements of the Municipal Act, and the By-law No. 2002-522, as amended, being the Public Notice By-law.
- (2) The Managers of Development Review individually are authorized to approve applications for road closures where the applications are not associated with the development approval process provided that the applicant is in agreement with all conditions related to the closure and no objection is received to the closure as a result of the public notice requirements of the Municipal Act and By-law No. 2002-522, as amended, being the City's Public Notice By-law.
- (3) Where an objection has been received to an application for road closure pursuant to subsections (1) or (2), the appropriate Standing Committee shall hold a public hearing and the decision of the Committee is final.
- (4) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## ROAD OPENINGS

21. (1) The Managers of Development Review individually are authorized to approve applications for road openings when the application is initiated as part of the development approval process and the applicant is in agreement with conditions related to the road opening.
- (2) The Managers of Development Review individually are delegated the authority to proceed with opening of a City road or a portion of a City road provided that:
  - (a) the road opening is for the purpose of routine road operations including construction and rehabilitation;



- (b) the road opening has been approved by City Council in accordance with the provisions of the Municipal Act; and
  - (c) funds have been approved in the annual operating or capital budget.
- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### RELEASE OF AGREEMENTS

22. (1) The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to approve the release of site plan agreements registered on title where:
- (a) the release is a condition of a new site plan approval or a revision to a site plan;
  - (b) the release of an agreement is initiated by the Planning, Infrastructure and Economic Development Department;
  - (c) the terms of the agreement have been completed or the terms of the agreement have been satisfied by the requirements of another agreement or the site is in compliance with the approved plans except that the site is found to vary from the registered agreement in that the “as built” development differs from the approved site plan only by way of additional planting or replacement of approved planting with comparable plant materials or the location of hydro vaults, enclosures for the storage of garbage and waste material or garden sheds;
  - (d) the registered owner pays all costs associated with the release of the agreement;
  - (e) in the case of residential developments governed by site plan control, all financial securities have been released;
  - (f) in the case of non-residential developments governed by site plan control, the release of the agreement is no earlier than five (5) years following the release of all financial securities; and
  - (g) there is no history of non-compliance, complaints and enforcement regarding the terms and conditions of the agreement.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### RELEASE OF FINANCIAL SECURITIES

23. The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development

Review individually are authorized to approve the release or partial release of financial securities related to subdivision and site plan control approvals provided that compliance with the terms and conditions for which the securities are held has occurred.

#### REDUCTION OR WAIVER OF APPLICATION FEES

24. The General Manager, Planning, Infrastructure and Economic Development, is authorized to reduce or waive the application fee for,

- (a) Official Plan amendments,
- (b) Zoning By-law amendments,
- (c) site plan control applications, or
- (d) subdivision applications

that is of a minor or technical nature.

#### LETTERS OF UNDERTAKING

25. The General Manager, Planning, Infrastructure and Economic Development, is authorized to approve minor revisions to the standard form for Letters of Undertaking approved by Council on July 11, 2001, provided that the intent of the standard form for Letters of Undertaking is maintained.

#### LIFTING HOLDING ZONES

26. (1) The Director, Planning Services, and the Managers of Development Review individually are authorized to approve applications for lifting Holding Zones provided that the prescribed preconditions for the Holding Zone have been met.

- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### OTHER INFORMATION AND MATERIALS REQUIRED

27. In addition to the prescribed information identified by regulation made under the Planning Act, the General Manager, Planning, Infrastructure and Economic Development, is authorized to require any person or public body that applies for an Official Plan or Zoning By-law amendment, or for draft Plan of Subdivision or Condominium approval, to provide such other information that the City may require pursuant to section 51(18) of the Planning Act.

#### CEMETERIES

28. (1) The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are delegated the authority to approve

an application to establish, alter or increase a cemetery or crematorium pursuant to the provisions of the Funeral, Burial and Cremation Services Act, as amended, and forward the approval to the Registrar appointed under this Act provided that:

- (a) the cemetery complies with the relevant provisions of the applicable Zoning By-law; and
  - (b) the Ward Councillor has no objections to the approval.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### INFRASTRUCTURE EXTENSION AGREEMENTS

29. The Director, Planning Services, and the Managers of Development Review individually are delegated the authority to approve and execute an extension to standard form infrastructure agreements in accordance with the terms and conditions approved by Council from time to time and to make revisions of a minor technical or administrative nature to these agreements.

#### PART IV AND PART V – ONTARIO HERITAGE ACT

30. (1) The General Manager, Planning, Infrastructure and Economic Development Department, or his/her designate, is delegated the following authority with respect to properties that are designated under Part IV of the Ontario Heritage Act:
- (a) to receive and issue notices of receipt for applications for heritage permits pursuant to Section 33 and Section 34 of the Ontario Heritage Act;
  - (b) to approve heritage permit applications under Section 33 of the Ontario Heritage Act that meet the definition of an emergency application; and
  - (c) to approve heritage permit applications relating to minor alterations which include the following classes of alterations:
    - (i) restoration or preservation projects including projects funded through the Heritage Grant Program for Building Restoration;
    - (ii) changes or renovations to additions or outbuildings such as changes to barns, garages, or modern additions not identified in the Statement of Reason for Designation or the Statement of Cultural Heritage Value;
    - (iii) landscape alterations including but not limited to tree removal, new hard landscaping, new soft landscaping and new driveways where the proposal does not impact the heritage attributes of the designated property;

- (iv) minor exterior alterations that do not impact the heritage attributes of the property;
  - (v) additions that meet both of the following criteria:
    - (I) the size is less than 30 per cent of the gross floor area of the existing building and,
    - (II) the proposal does not impact the heritage attributes of the property as defined in the Statement of Cultural Heritage Value or Statement of Reason for Designation; and,
  - (vi) construction of detached accessory structures, with the exception of Coach Houses as defined by the City of Ottawa Zoning By-law, which meet the requirements of the Zoning By-law and do not impact the heritage attributes of the property.
- (2) The General Manager, Planning, Infrastructure and Economic Development Department or his/her designate, is delegated the following authority with respect to properties that are designated under Part V of the Ontario Heritage Act:
- (a) receive and issue notices of receipt for heritage permit applications that are received by the City pursuant to Section 42 of the Ontario Heritage Act; and,
  - (b) approve heritage permit applications that meet the definition of an emergency application; and,
  - (c) approve heritage permit applications which include the following classes of alterations:
    - i. restoration or preservation projects including projects funded through the Heritage Grant Program for Building Restoration,
    - ii. changes or renovations to additions or outbuildings such as changes to barns, garages, or modern additions that meet the requirements of the applicable heritage conservation district plan or guidelines,
    - iii. landscape alterations including but not limited to tree removal, new hard or soft landscaping and new driveways where the proposed alterations meet the requirements of the applicable heritage conservation district plan or guidelines,
    - iv. minor exterior alterations that meet the requirements of the applicable heritage conservation district plan or guidelines,
    - v. additions that meet both of the following criteria:
      - (I) the size is less than 30% of the gross floor area of the existing building; and
      - (II) the proposal meets the heritage conservation district guidelines or heritage conservation district plan.

- vi. exterior alterations to Category 4, Non-Contributing or Grade 2 (Rockcliffe Park) properties that meet the requirements of the applicable heritage conservation district plan or guidelines, and,
  - vii. construction of detached accessory structures, with the exception of Coach Houses as defined by the Zoning By-law, which meet the requirements of the Zoning By-law and applicable heritage conservation district plan or guidelines.
- (3) The delegated authority in subsections 2 and 3 does not include the power to refuse an application.
  - (4) All applications that do not meet the criteria in subsections (1) and (2) will be forwarded to the Built Heritage Subcommittee, the appropriate Standing Committee, and Council for approval. Other applications that may meet the criteria in subsections (1) and (2) may be forwarded to the Built Heritage Subcommittee, the appropriate Standing Committee, and Council for approval at the discretion of the General Manager, Planning, Infrastructure and Economic Development.
  - (5) The General Manager, Planning, Infrastructure and Economic Development, shall notify the Ward Councillor of any heritage permit application received. The Ward Councillor may, within five (5) business days following notification, provide comments to the General Manager on the heritage permit application and may at any time prior to issuance of the permit withdraw the authority delegated in subsections (1) or (2). If the delegated authority is withdrawn, the heritage permit application will be forwarded to the Built Heritage Subcommittee, the appropriate Standing Committee and Council.
  - (6) The General Manager, Planning, Infrastructure and Economic Development, will bring forward to the appropriate Standing Committee of Council, at least once every calendar year, an annual information report of heritage permits issued under delegated authority.

#### FRONT ENDING AGREEMENTS – ROAD MODIFICATIONS

- 31. (1) The General Manager, Planning, Infrastructure and Economic Development, is delegated the authority to approve and execute agreements for City funding of road modifications to be carried out by applicants for planning approvals provided that:
  - (a) the agreement is consistent with Council's approved front ending policy;
  - (b) the money to fund the work is within the department's approved budget;

- (c) the modifications are to be tendered to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development; and
  - (d) the applicant obtains at least three quotations for the work satisfactory to the General Manager, Planning, Infrastructure and Economic Development.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

### THIRD PARTY INFRASTRUCTURE AGREEMENTS

32. (1) The General Manager, Planning, Infrastructure and Economic Development, is delegated the authority to enter into agreements with a third party to reimburse the City for infrastructure works that the City completes on behalf of the third party provided that:
- (a) for a non-government party, the total value of the works to be completed shall not exceed \$350,000.00 and the funds owing by the third party shall be fully secured to the satisfaction of the City Treasurer; and
  - (b) for a government party, the total value of the works to be completed shall not exceed \$500,000.00.
- (2) The General Manager, Planning, Infrastructure and Economic Development, is delegated the authority to negotiate, conclude, and execute agreements with a third party to complete works that are contemplated in a subdivision agreement, where the third party is a developer and a party to the subdivision agreement.
- (3) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

### DEVELOPMENT APPROVAL ENFORCEMENT

33. (1) The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review individually are authorized to enforce conditions of development approvals and award contracts to carry out the work where the enforcement entails work valued at \$50,000.00 or less or where securities to guarantee completion of the work are held by the City in the amount necessary to complete the work.

- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### SPECIAL VEHICLE PERMITS

34. The Manager of Right-of-Way, Heritage and Urban Design Services and the Program Manager, Right-of-Way, Permits and Applications, individually are delegated the authority to issue permits for heavy vehicles, oversized vehicles and heavy loads pursuant to Section 110 of the Highway Traffic Act or any applicable City by-law.

#### MISCELLANEOUS PERMITS

35. (1) The Manager, Right-of-Way, Heritage and Urban Design Services, and the Program Manager, Right-of-Way, Permits and Applications, are individually authorized to issue permits for private approaches, encroachments, road cuts, and water and sewer connections in accordance with the applicable by-law and approved policy.
- (2) The Manager, Right-of-Way, Heritage and Urban Design Services, and the Program Manager, Right-of-Way, Permits and Applications, individually are authorized to waive the requirements of By-law No. 2003-447, as amended, being the Private Approach By-law, or any successor by-law thereto, including procedural requirements, as appropriate, where there are technical reasons to support the waiver based on the development review process.
- (3) The Managers of Development Review individually are authorized to waive the requirements of By-law No. 2003-445, as amended, being the Use and Care of Roads By-law, or any successor by-law thereto, where there are technical reasons to support the waiver based on the development review process.
- (4) The exercise of delegated authority pursuant to subsections (1) to (3) inclusive shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### ENCROACHMENTS

36. (1) The Manager, Right-of-Way, Heritage and Urban Design Services, and the Program Manager, Right-of-Way, Permits and Applications, individually are authorized to approve encroachment permits, execute encroachment agreements, release encroachment agreements, and consent to the assignment of encroachment agreements in accordance

with By-law No. 2003-446, as amended, being the Encroachment By-law, or any successor by-law thereto.

- (2) The Manager, Right-of-Way, Heritage and Urban Design Services, and the Program Manager, Right-of-Way, Permits and Applications, individually are authorized to waive the requirements of By-law No. 2003-446, as amended, being the Encroachment By-law, or any successor by-law thereto, where there are technical reasons to support the waiver based on the development review process.
- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### RELEASE OF EASEMENTS (DEVELOPMENT)

37. (1) The Director, Planning Services, and the Managers of Development Review individually are delegated the authority jointly with the City Clerk and Solicitor to approve and execute the release of easements for waterworks and sewage works in development related situations to the holder in fee simple of the lands that are subject to the easement for nominal consideration where the utility services provided by these works at the location of the easements have been discontinued.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### RELEASE OF EASEMENTS (NON-DEVELOPMENT)

38. (1) The General Manager, Planning, Infrastructure and Economic Development is delegated the authority jointly with the City Clerk and Solicitor to approve and execute the release of easements for waterworks and sewage works in non-development situations to the holder in fee simple of the lands that are subject to the easement for nominal consideration where the utility services provided by these works at the location of the easements have been discontinued.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### MAINTENANCE AND LIABILITY AGREEMENTS

39. (1) The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of



Development Review individually are authorized to execute development related maintenance and liability agreements on behalf of the City provided that:

- (a) the agreement contains insurance and indemnity provisions satisfactory to the City Clerk and Solicitor and the Coordinator, Insurance Services;
  - (b) the applicant agrees to carry out the work in accordance with the City's specifications and to assume all costs related to the work; and
  - (c) the applicant agrees to pay all costs associated with the preparation and registration of the agreement.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### INTERSECTION AND ROAD MODIFICATIONS

40. (1) The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, individually are delegated the authority to proceed with intersection or road modifications provided that
- (a) there are no outstanding written objections in response to notice given by the City pursuant to the requirements of the Municipal Act and in accordance with the requirements of By-law No. 2002-522, as amended, being the Public Notice By-law; and
  - (b) the respective Ward Councillor has concurred with the modifications.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

#### PIPE CROSSING AGREEMENTS

41. (1) The Managers of Development Review individually are delegated the authority to enter into and execute standard pipe crossing agreements in development situations.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## UTILITY RELOCATION COSTS

42. (1) The General Manager, Planning, Infrastructure and Economic Development, the Director, Planning Services, and the Managers of Development Review, individually are authorized, in the absence of an agreement with a utility, to determine a cost sharing agreement in accordance with the Public Service Works on Highways Act where, in the course of constructing, reconstructing, changing, altering or improving a highway, it becomes necessary to take up, remove, or change the location of the utility works as part of the development process.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## VACANCY OF A WARD COUNCILLOR

43. During the vacancy of a Ward Councillor position pursuant to Section 259 of the Municipal Act, the Mayor may exercise any of the authority of this Schedule that would ordinarily reside with the Ward Councillor.

## MUNICIPAL REVIEW OF ANTENNA SYSTEMS

44. (1) The staff person to whom the application for municipal review of an antenna system or residential use antenna system has been assigned is delegated the authority to provide:
- (a) concurrence;
  - (b) concurrence with conditions; or
  - (c) non-concurrence
- on behalf of the City to the applicant and Industry Canada in accordance with the Municipal Concurrence and Public Consultation Process for antenna systems as approved by Council, provided that the applicant has complied with all applicable requirements as outlined therein.
- (2) the exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in a calendar year.

## SECTION 37 AGREEMENTS

45. The General Manager, Planning, Infrastructure and Economic Development, is authorized to execute Section 37 Agreements under the Planning Act related to increased height or density in development projects in exchange for community benefits provided the agreement is in accordance with the approved Section 37 Guidelines and Protocol and the Ward Councillor for the ward in which the development project is located concurs.

## COMMUNITY ENVIRONMENTAL GRANT PROGRAM AGREEMENTS

46. (1) The General Manager, Planning, Infrastructure and Economic Development, is delegated the authority to approve, conclude and execute agreements for acceptance of funds for the Community Environmental Grant Program, provided that such agreements:
- (a) are in accordance with applicable Council-approved policies and by-laws;
  - (b) are within approved budget limits; and,
  - (c) contain appropriate insurance, termination, workplace safety and indemnification provisions.
- (2) The exercise of delegated authority under subsection (1) shall be reported to the appropriate Standing Committee of Council at least once every calendar year.

## BUILDING CODE SERVICES BRANCH

### LIMITING DISTANCE AGREEMENTS

47. The Chief Building Official is authorized to negotiate and execute limiting distance agreements between the City and owners of properties with a contiguous property line regarding exceptions to the limiting distance requirements of the Building Code Act, in accordance with the provisions of that Act.

### CONDITIONAL BUILDING PERMITS

48. The Chief Building Official is authorized to execute agreements related to the issuance of a conditional building permit where:

- (a) the conditional building permit application complies with the requirements prescribed by the Building Code Act, 1992;
- (b) the conditional building permit application complies with the conditional building permit policy; and
- (c) the applicant and all departments and agencies having an interest in the application are in agreement with the conditions.

### RELEASE OF AGREEMENTS

49. (1) The Chief Building Official is authorized to approve the release of agreements, including maintenance and liability agreements and encroachment agreements entered into as a condition of site plan control where,

- (a) an owner or authorized agent or bona fide purchaser or authorized agent or mortgagee has requested the release in writing;

- (b) the requirements of the agreement have been fulfilled;
  - (c) all parties having jurisdiction over the terms or conditions of the agreement have agreed to the release;
  - (d) in the case of residential developments governed by site plan control agreements, all financial securities have been release;
  - (e) in the case of non-residential developments governed by site plan control agreements, the release of the agreement is no earlier than five (5) years following the release of all financial securities;
  - (f) the costs associated with the registration of the release of the agreement are incurred by the applicant; and
  - (g) the authority to release the agreement has not been withdrawn by City Council.
- (2) The Chief Building Official is authorized to approve the release of agreements, including maintenance and liability agreements and encroachment agreements entered into as a condition of subdivision, condominium, cash-in-lieu of parking, demolition control, or zoning approvals, or heritage agreements, as part of the compliance or enforcement process subject to the following conditions:
- (a) an owner or authorized agent or bona fide purchaser or authorized agent or mortgagee has requested the release in writing;
  - (b) the requirements of the agreement have been fulfilled;
  - (c) all parties having jurisdiction over the terms or conditions of the agreement have agreed to its release;
  - (d) the applicant for the release agrees to assume all costs associated with the release of this agreement; and
  - (e) the authority to release the agreement has not been withdrawn by the appropriate Standing Committee.
- (3) The exercise of delegated authority pursuant to subsections (1) and (2) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## PROVINCIAL AGREEMENTS

50. (1) The Chief Building Official is delegated the authority to enter into agreements with the Ontario Ministry of Municipal Affairs and Housing provided that such agreements:
- (a) relate to the Chief Building Official's mandate under the Building Code Act, 1992;
  - (b) are at no cost to the City with the exception of associated operational and administrative costs which costs are within approved budgets; and
  - (c) contain appropriate termination, insurance and indemnity provisions as applicable.

- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## INFRASTRUCTURE SERVICES

### MUNICIPAL INFRASTRUCTURE DESIGN GUIDELINES

51. The General Manager, Planning, Infrastructure and Economic Development, is authorized to establish, implement, and amend design guidelines, standards, and specifications for the design and construction of municipal infrastructure.

### LICENCE OF OCCUPATION AGREEMENTS

52. (1) The General Manager, Planning, Infrastructure and Economic Development, is delegated the authority to negotiate, amend, extend, and execute license of occupation agreements for private infrastructure installed in City rights-of-way provided that the agreements contain:
  - (a) insurance and indemnity provisions satisfactory to the City Clerk and Solicitor; and
  - (b) a licence fee commensurate with the size, length, and type of infrastructure installed in the City's right-of-way.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

### THIRD PARTY INFRASTRUCTURE AGREEMENTS

53. The General Manager, Planning, Infrastructure and Economic Development, is delegated the authority to enter into agreements with a third party to reimburse the City for infrastructure works completed by the City on behalf of the third party provided that,
  - (a) for a non-government party, the total value of the work to be completed shall not exceed \$350,000.00 and the funds owing by the third party are fully secured to the satisfaction of the City Treasurer; and,
  - (b) for a government party, the total value of the works to be completed shall not exceed \$500,000.

## UTILITY RELOCATION COSTS

54. (1) The General Manager, Planning, Infrastructure and Economic Development, is authorized, in the absence of an agreement with a utility, to determine a cost sharing agreement in accordance with the Public Service Works on Highways Act where, in the course of constructing, reconstructing, changing, altering, or improving a highway, it becomes necessary to take up, remove, or change the location of the utility works as part of the development process.
- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## BOUNDARIES ACT

55. The General Manager, Planning, Infrastructure and Economic Development, is delegated the authority to make applications under the Boundaries Act to confirm City road boundaries.

## ECONOMIC DEVELOPMENT SERVICES

56. (1) The City Manager and the General Manager, Planning, Infrastructure and Economic Development, individually are delegated the authority to approve, conclude, extend and execute or amend agreements related to the following:
- (a) purchase of service agreements and contribution agreements and funding agreements for programs and services related to economic development including entrepreneurship and small business, industry (cluster) development, investment attraction and marketing, and workforce development;
  - (b) one time project-based funding related to economic development including financial contributions to events related to economic development initiatives, and
  - (c) minor capital projects related to economic development,

provided that such agreements are in accordance with applicable City policies as approved by Council, are consistent with the monetary limits established in the Purchasing By-law, are related to approved department programs and objectives, are within approved budget limits, and contain appropriate indemnification and insurance requirements, where applicable.

- (2) The exercise of delegated authority pursuant to subsection (1) shall be reported to the appropriate Standing Committee at least once in each calendar year.

## SPONSORSHIP

57. (1) The Supervisors and Program Managers within a branch or service area individually are delegated the authority to approve sponsorships or advertising and execute associated agreements where the value of the sponsorship or advertising does not exceed \$10,000.00 provided that the sponsorship or advertising and the associated agreement comply with the requirements of the City's Corporate Policy on Sponsorship and Advertising.
- (2) The Managers within a branch or service area individually are delegated the authority to approve sponsorships or advertising and execute associated agreements where the value of the sponsorship or advertising does not exceed \$50,000.00 provided that the sponsorship or advertising and the associated agreement comply with the requirements of the City's Corporate Policy on Sponsorship and Advertising.
- (3) The Directors or General Managers within a department individually are delegated the authority to approve sponsorships or advertising, and to conclude and execute associated agreements of up to five (5) years in term where the value of the sponsorship or advertising does not exceed \$100,000.00 per year, provided that the sponsorship or advertising and the associated agreement comply with the requirements of the City's Corporate Policy on Sponsorship and Advertising.
- (4) The City Manager individually is delegated the authority to approve sponsorships or advertising and execute associated agreements where the value of the sponsorship or advertising exceeds \$100,000.00 provided that the sponsorship or advertising and the associated agreement comply with the requirements of the City's Corporate Policy on Sponsorship and Advertising.
- (5) Despite subsections (1), (2) and (3), where any sponsorship or advertising exceeds five (5) years in duration, the sponsorship or advertising shall be approved by the City Manager.
- (6) Subsections (1) to (5) inclusive do not apply to approval of an advertising proposal that includes billboard advertising and such a proposal shall require approval in accordance with the Council-approved process.
- (7) The General Managers and the City Manager shall maintain a list of all sponsorships and advertising approved during the year and shall submit the list to the Manager of Corporate Partnerships by January 31<sup>st</sup> of the following year.

- (8) The Manager, Corporate Partnerships, shall submit an annual list of all sponsorships and advertising with a value exceeding \$25,000.00 to the appropriate Standing Committee for its information by March 31<sup>st</sup> of the next following year.
- (9) The annual list referred to in subsections (7) and (8) shall contain the following information:
  - (a) the name of the sponsor or advertiser;
  - (b) a description of the sponsorship or advertising;
  - (c) the value of the sponsorship or advertising; and
  - (d) the duration of the sponsorship or advertising.

#### WARD COUNCILLOR APPROVAL

58. Notwithstanding any other Section in this Schedule, where the concurrence of a Ward Councillor is required for a planning approval under this Schedule and the Ward Councillor declares a pecuniary interest in the matter pursuant to the Municipal Conflict of Interest Act, concurrence may be given either:

- (a) jointly by the Chair and Vice-Chair of the Planning Committee or the Agriculture and Rural Affairs Committee, as applicable; or
- (b) by the Mayor, where the Chair or Vice-Chair has declared a pecuniary interest in the matter.



BY-LAW NO. 2016 - 369

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A by-law of the City of Ottawa respecting the delegation of authority to various officers of the City and to repeal By-law No. 2014-435.

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Enacted by City Council at its meeting of November 23, 2016.

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LEGAL SERVICES  
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COUNCIL AUTHORITY:  
City Council - November 9, 2016  
Council Agenda, Item 8  
(FEDCO Report 19)