

ADDENDUM

Date: September 28, 2021
Time: 6:30 p.m.
Location: Virtual Meeting

DUE TO THE COVID-19 EMERGENCY attendance at Town Hall is restricted and public meetings are being held by videoconference only. Live streaming video is available on oakville.ca/live or at the town's YouTube channel at [youtube.com/user/townofoakvilleTV](https://www.youtube.com/user/townofoakvilleTV). Information regarding written submissions and requests to delegate can be found at <https://www.oakville.ca/townhall/delegations-presentations.html>.

	Pages
4. Confirmation of Minutes of the previous Council Meeting(s)	
*4.5. Minutes of the Regular Session of Planning and Development Council, SEPTEMBER 13, 2021	3 - 15
10. Discussion Item(s)	
*10.2. Delegation of Municipal Powers and Duties Policy & By-law 2021-077	16 - 56
Recommendation:	
1. That the report titled Delegation of Municipal Powers and Duties Policy, dated September 21, 2021, from the Legal Department, be received;	
2. That By-law 2021-077, a by-law to delegate certain powers and duties under the <i>Municipal Act, 2001, S.O. 2001 c.25, the Planning Act, R.S.O. 1990 c. P. 13</i> , and other Acts, be approved; and	
3. That updated Delegation of Municipal Powers and Duties Policy G-GEN-010 be approved.	
*19. Consideration and Reading of By-Laws	
That the following by-law(s) be passed:	

***19.1. By-law 2021-077**

A by-law to delegate certain powers and duties under the *Municipal Act, 2001*, *S.O. 2001 c.25*, the *Planning Act, R.S.O. 1990 c. P. 13*, and other Acts (re: Item 10.2)



Town of Oakville
Planning and Development Council
MINUTES

Date: September 13, 2021
Time: 6:30 p.m.
Location: Virtual Meeting

Mayor and Council:

- Mayor Burton
- Councillor Adams
- Councillor Chisholm
- Councillor Duddeck
- Councillor Elgar
- Councillor Gittings
- Councillor Grant (Left at 8:43 p.m.)
- Councillor Haslett-Theall
- Councillor Knoll
- Councillor Lishchyna
- Councillor Longo
- Councillor O'Meara
- Councillor Parmar
- Councillor Robertson
- Councillor Sandhu

Staff:

- N. Garbe, Commissioner of Community Development (In person)
- N. Sully, Commissioner of Corporate Services and Treasurer
- G. Charles, Director of Planning Services (In person)
- J. Stephen, Director of Transportation and Engineering
- J. Huctwith, Assistant Town Solicitor
- D. Perlin, Assistant Town Solicitor
- D. Childs, Manager of Policy Planning and Heritage
- P. Kelly, Manager of Development and Environmental Engineering
- M. Maguire, Manager of Transportation Strategy
- C. McConnell, Manager of Planning Services, West District
- L. Musson, Acting Manager of Planning Services, East District

K. Parker, Acting Manager of Development Services
K. Cockburn, Senior Planner
T. Collingwood, Senior Planner
R. Thun, Senior Planner
B. Hassan, Planner
K. Livingstone, Planner
S. Schappert, Heritage Planner
C. Van Sligtenhorst, Heritage Planner
K. Patrick, Acting Town Clerk
J. Marcovecchio, Council and Committee Coordinator

The Town of Oakville Council met in regular session to consider planning matters on this 13th day of September, 2021 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, commencing at 6:38 p.m.

1. Regrets

There were no regrets.

2. Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

3. Committee of the Whole

Moved by Councillor Adams
Seconded by Councillor Knoll

That this meeting proceed into a Committee of the Whole session.

CARRIED

4. Consent Items(s)

In accordance with Section 2(8) of the Procedure By-law, the items were considered out of order.

4.1 Development Application Notice Report

Moved by Councillor O'Meara

That this item be deferred to a future Planning and Development Council meeting for consideration.

LOST

Moved by Councillor Parmar

1. That the Development Application Notice Report prepared by the Planning Services Department dated August 31, 2021, be received for information.
2. That all future statutory public meetings for Draft Plans of Subdivision, Official Plan Amendment, and Zoning By-law Amendment applications require a mail-out notice to all properties within 240 metres of the subject property starting in January 2022, when fees for development applications are updated to reflect the increased circulation area.

CARRIED

5. Confidential Consent Item(s)

5.1 Ontario Land Tribunal Appeal – Branthaven West Oak Inc.

Moved by Councillor Elgar

That staff be authorized to proceed in the appeals to the Ontario Land Tribunal filed by Branthaven West Oak Inc. in respect of the proposed development of 2170 Post Master Drive in accordance with the confidential report from the Legal Department dated August 31, 2021, titled "Ontario Land Tribunal Appeal – Branthaven West Oak Inc."

CARRIED

6. Public Hearing Item(s)

6.1 Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Docasa Group Ltd, 160 Burnhamthorpe Road West, File No. Z.1317.06, 24T-21004/1317

Moved by Councillor Parmar

1. That the public meeting report, prepared by the Planning Services Department dated August 31, 2021, be received.

2. That comments from the public with respect to the Zoning By-law Amendment and Draft Plan of Subdivision by Docasa Group Ltd., File No.: Z.1317.06, 24T-21004/1317, be received.
3. That analysis of the following matters of interest to Council be included as part of the recommendation report:
 - a. work with the applicant/owner to ensure timely construction of the mid-rise buildings in Blocks 177 and 178, and to ensure warning clauses alert future purchasers of potential height of buildings on these blocks.
 - b. work with the developer regarding what climate change initiatives can be incorporated into the design of the subdivision and identify construction materials for new buildings that will help address climate change issues.

CARRIED

6.2 Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Timsin Holding Corp., Sixth Line, File No. Z.1316.11, 24T-21003/1316

Moved by Councillor Sandhu

1. That the public meeting report, prepared by the Planning Services Department dated August 31, 2021, be received.
2. That comments from the public with respect to the Zoning By-law Amendment and Draft Plan of Subdivision by Timsin Holding Corp., File No.: Z.1316.11, 24T-21003/1316, be received.
3. That analysis of the following matters of interest to Council be included as part of the recommendation report:
 - a. provide overview of co-ordination with widening of existing roads and new roads, how the timing is worked out among the Town, Halton Region, and the development industry.
 - b. work with the developer regarding what climate change initiatives can be incorporated into the design of the subdivision, and identify construction materials for new buildings that will help address climate change issues.

CARRIED

6.3 Public Meeting Report, SmartCentres (on behalf of SmartREIT (Oakville II) Inc./SmartREIT (Oakville) Inc.), Official Plan Amendment and Zoning By-law Amendment, Z.1413.34, 256, 260 and 294 Hays Boulevard, 271 Oak Park Boulevard

For the purposes of Planning Act requirements, the following person(s) made an oral submission:

- Frances Angela Borgeest, re: concerns regarding bicycle unit storage, parking including visitor and overnight, building height, and traffic issues caused by bicycles.
- Wanda Crichton, opposed to the proposed amendments, indicating concerns regarding height, density, storm and wastewater management, flooding, mitigation (green roof insufficient), traffic and safety, speeding, noise, parking, electric parking spots, shadow and night light pollution, tree canopy and loss of mature Ash trees, green space, impact on parks and trails, and compatibility with Livable Oakville; and filed submissions.
- Malcolm Fernandes, re: concerns regarding sewage system, building height, climate and level of emissions, trees, noise, transit planning, widening of Trafalgar Road, green zone and recreation use, land use near GO Station, and in agreement with the concerns raised by Wanda Crichton regarding the number of stories and water pressure.
- Nolan Moss, Smart Centres, on behalf of the applicant, advised that he would take back the public comments made at this meeting to his client for consideration.
- Susan Carey opposed to the proposed amendments, re: concerns regarding resident representation on the Rapid Study Transit Group, height of building, in keeping with the character of the neighbourhood, loss of farmland, environment, green space and community gardens, tree planting and canopy, livable Oakville, parking, increase in traffic, bicycles and safety of residents, quality of life, community water, pressure on infrastructure, and sewage system; and filed a submission.
- Ray Campbell, re: concerns regarding expansion of Dundas Street and widening of Trafalgar Road, intensification, compatibility with

Livable Oakville plan, fitting with the neighbourhood context, impact on tall buildings resulting from COVID-19 and future pandemics, overcrowding, and density.

Moved by Councillor Knoll

1. That the public meeting report prepared by the Planning Services Department dated August 31, 2021, be received.
2. That comments from the public with respect to the proposed Official Plan Amendment and Zoning By-law Amendment submitted by SmartCentres (on behalf of SmartREIT (Oakville II) Inc. SmartREIT (Oakville) Inc.) (File No.: Z.1413.34), be received.
3. That analysis of the following matters of interest to Council be included as part of the recommendation report:
 - a. review of functional servicing matters (i.e. stormwater management, sanitary servicing).
 - b. review the proposal in terms of being night sky friendly.
 - c. determine whether there is sufficient outdoor and green space as part of the proposal.
 - d. review the proposal in context of potential noise increases.
 - e. examine the potential mix of land uses and the effect that could have on the overall viability of the Uptown area.
 - f. identify ways in which affordable housing opportunities could be incorporated into the proposal.
 - g. examine the appropriateness of transition of land uses to adjacent properties.
 - h. ensure there is sufficient electrical infrastructure to accommodate electric vehicles.
 - i. how will the proposed reduction of parking space for commercial zones affect viability of commercial in the area (existing and proposed).

CARRIED

RECESS

The meeting recessed at 8:43 p.m. and reconvened at 9:00 p.m.

7. Discussion Item(s)

7.1 Recommendation Report – Draft Plan of Subdivision and Zoning By-law Amendment, 3483 Sixth Line, EMGO III Corporation, File No.: 24T-20005/1315 and Z.1315.09, By-law 2021-066

- Memorandum from Planning Services Department, September 7, 2021 (*Distributed at meeting.*)

Moved by Councillor Duddeck

1. That Draft Plan of Subdivision application and Zoning By-law Amendment application (File Nos. 24T-20005/1315 and Z.1315.09), submitted by EMGO III Corporation, be approved on the basis that the applications are consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the North Oakville East Secondary Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services department dated August 31, 2021.
2. That By-law 2021-066 an amendment to Zoning By-law 2009-189, be passed, as revised.
3. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-20005/1315) submitted by EMGO III Corporation, prepared by J.D Barnes Limited, dated March 3, 2021, subject to the conditions contained in Appendix “A”.
4. That the Subdivision Agreement be prepared and finalized to the satisfaction of the Commissioner of Community Development and Town Solicitor or delegates, and executed in accordance with By-law 2013-057.
5. That staff be authorized to enter into construction access agreements or easements with this owner and any other owners within the Sixth Line corridor which are necessary to complete the Sixth Line Road Widening project in respect of the future road widening lands not yet conveyed to the Town, or acquire such road widening lands prior to subdivision registration, provided such agreements, easements or transfers are at a nominal cost to the Town and on terms satisfactory to the Town Solicitor.

6. That notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.
7. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

CARRIED

7.2 Recommendation Report - Official Plan Amendment and Zoning By-law Amendment – 677 Burloak GP Inc. – File Nos. OPA.1635.10 and Z.1635.10 (September 13, 2021), 3538, 3540, 3542 and 3544 Wyecroft Road – By-law 2021-120 and By-law 2021-121

Moved by Councillor Duddeck

1. That amended Official Plan Amendment and Zoning By-law Amendment applications submitted by Wellings Planning Consultants Inc., on behalf of their client 677 Burloak GP Inc. (File No. OPA.1635.10 and Z.1635.10), be approved on the basis that the applications are consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the Livable Oakville Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services department dated August 31, 2021.
2. That By-law 2021-120, a by-law to adopt amendment number 40 to the Livable Oakville Plan, be passed.
3. That By-law 2021-121 an amendment to Zoning By-law 2014-014, be passed.
4. That notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.

CARRIED

7.4 Notice of intention to designate – St. John's Church at 262 Randall Street

Moved by Councillor Duddeck

That a notice of intention to designate be issued under Section 29, Part IV of the *Ontario Heritage Act* for St. John's United Church at 262 Randall Street.

CARRIED

7.5 Notice of Intention to Designate – Knox Sixteen Presbyterian Church, 1150 Dundas Street West

Moved by Councillor Duddeck

That a Notice of Intention to Designate under Section 29, Part IV of the *Ontario Heritage Act* for the Knox Sixteen Church and Cemetery cultural heritage landscape, located at 1150 Dundas Street West, as identified in Appendix A to the report dated August 31, 2021 from the Planning Services Department, be issued.

CARRIED

7.6 Old Oakville Heritage Conservation District Update Work Plan

Moved by Councillor Duddeck

That the report '*Old Oakville Heritage Conservation District Work Plan*' by the Planning Services Department dated September 7, 2021, be received.

CARRIED

8. Confidential Discussion Item(s)

There were no Confidential Discussion Items listed for this agenda.

9. Advisory Committee Minutes

9.1 Heritage Oakville Advisory Committee Minutes - August 24, 2021

Moved by Councillor Duddeck

That the following recommendation pertaining to Items 4.1 and 4.2 of the Heritage Oakville Advisory Committee minutes from its meeting on August 24, 2021, be approved and the remainder of the minutes be received:

4.1 Heritage permit application HP035/21-42.20P 105 Paliser Court – New detached garage

1. That Heritage Permit Application HP035/21-42.20P for the construction of a new detached garage at 105 Paliser Court, as attached in Appendix B to the report dated August 17, 2021 from Planning Services, be approved subject to the following:
 - a. That final details on paint colours, doors, trim and cladding be submitted to Heritage Planning staff for final approval; and
2. That this heritage permit expire two years from the date of final approval by Council.

4.2 Heritage permit application HP029/21-42.20F 187 Front Street – Demolition of existing house and construction of new house

1. That Heritage Permit Application HP029/21-42.20F for the demolition of the existing house and the construction of a new two-storey house at 187 Front Street, as attached in Appendix B to the report dated August 17, 2021 from Planning Services, be approved subject to the following:
 - a. That the stone installed on the chimney and the base of the house be a natural stone that replicates local lake stone as closely as possible;
 - b. That final details on paint colours, windows, doors, trim, cladding, and landscaping be submitted to Heritage Planning staff for final approval; and
2. That this heritage permit expire two years from the date of final approval by Council.

CARRIED

7. Discussion Item(s)

7.3 Recommendation Report – Site Plan Application, 3194 Shoreline Drive

Moved by Councillor O'Meara

1. That the revised Site Plan application, File No.: SP.1732.016/02 to construct a detached dwelling at 3194 Shoreline Drive as outlined within the report dated August 31, 2021 from Planning Services, be approved.

2. That the Chief Administrative Officer and the Town Clerk be authorized to execute the Site Plan Agreement between the owners of 3194 Shoreline Drive and the Town of Oakville pursuant to the Town's Document Execution By-law 2013-057.
3. That the Director of Planning Services or designate be authorized to grant final site plan approval to the revised Site Plan application for 3194 Shoreline Drive, File No. SP.1732.016/02 for the construction of a new detached dwelling.

CARRIED

11. New Business

11.1 Parking Administrative Penalties By-law 2015-071 - Amendment

WAIVING OF PROCEDURE BY-LAW

Moved by Councillor Gittings

That, in accordance with Section 2(2) of the Procedure By-law, the rules of procedure established in Section 14.1 be waived to permit consideration of the following Notice of Motion to be introduced at a Planning and Development Council meeting.

CARRIED

Moved by Councillor Duddeck

That, in accordance with Section 2(2) of the Procedure By-law, the rules of procedure established in Section 14.1(2) be waived to permit consideration of the following Notice of Motion upon its introduction this evening.

CARRIED

Moved by Councillor Haslett-Theall

WHEREAS By-law 1984-1, as amended (the "Uniform Traffic Control By-law"), includes regulations related to stopping, standing or parking on highways within the Town of Oakville;

WHEREAS on October 19, 2020, Council approved an amendment to the Uniform Traffic Control By-law to prohibit parking in Special Provision Areas where authorized signs are on display;

WHEREAS By-law 2015-071, as amended (the "Parking Administrative Penalties By-law"), establishes a system of administrative penalties respecting the stopping, standing or parking of vehicles in the Town of Oakville;

WHEREAS By-law 2021-065 was approved on April 26, 2021 and is in effect from May 15 to September 15, 2021, but it is desirable to have the provisions apply until October 22, 2021;

THEREFORE BE IT RESOLVED THAT Council pass By-law 2021-132 to extend the provisions set out in By-law 2021-065 from September 15, 2021 to October 22, 2021.

CARRIED

10. Rise and Report to Council

Moved by Councillor Haslett-Theall

That this committee rise and report.

CARRIED

The Mayor arose and reported that the Committee of the Whole has met and has made recommendations on Consent Item 4.1, Confidential Consent Item 5.1, Public Hearing Items 6.1, 6.2, and 6.3, Discussion Items 7.1, 7.2, 7.3, 7.4, 7.5, and 7.6, Advisory Committee Minutes Item 9.1, and New Business Item 11.1 as noted by the Clerk.

Moved by Councillor Longo

Seconded by Councillor Lishchyna

That the report and recommendations of the Committee of the Whole be approved.

CARRIED

12. Consideration and Reading of By-laws

12.1 By-law 2021-066

A by-law to amend the North Oakville Zoning By-law 2009-189, as amended, to permit the use of lands described as Part of Lot 15, Concession 1, North of Dundas Street (EMGO III Corp., 24T-20005/1315, Z.1315.09), as revised. (Re: Item 7.1)

12.2 By-law 2021-120

A by-law to adopt an amendment to the Livable Oakville Official Plan, Official Plan Amendment Number 40 (Town of Oakville, 3538, 3540, 3542, 3544 Wyecroft Road; File: OPA 1635.10). (Re: Item 7.2)

12.3 By-law 2021-121

A by-law to amend the Town of Oakville Zoning By-law 2014-014, as amended, to permit the use of lands described as Part of Lot 35, Concession 3 and Blocks 4 and 22, Registered Plan 20M-1005 TOWN OF OAKVILLE (677 Burloak GP Inc., File No.: Z.1635.10). (Re: Item 7.2)

12.5 By-law 2021-132 not previously listed

A by-law to amend By-law 2015-071 (Parking Administrative Penalties By-law) as amended. (Re: New Business Item 11.1)

12.4 By-law 2021-126

A by-law to confirm the proceedings of a meeting of Council.

Moved by Councillor Sandhu

Seconded by Councillor Parmar

That the by-law(s) noted above be passed.

CARRIED

13. Adjournment

The Mayor adjourned the meeting at 10:05 p.m.

Kathy Patrick, Acting Town Clerk

REPORT

Council

Meeting Date: September 28, 2021

FROM: Legal Department

DATE: September 21, 2021

SUBJECT: Delegation of Municipal Powers and Duties Policy & By-law
2021-077

LOCATION: Town-wide

WARD: Town-wide

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RECOMMENDATIONS:

1. That the report titled Delegation of Municipal Powers and Duties Policy, dated September 21, 2021, from the Legal Department, be received;
2. That By-law 2021-077, a by-law to delegate certain powers and duties under the *Municipal Act, 2001*, *S.O. 2001 c.25*, the *Planning Act*, *R.S.O. 1990 c. P. 13*, and other Acts, be approved; and
3. That updated Delegation of Municipal Powers and Duties Policy G-GEN-010 be approved.

KEY FACTS:

The following are key points for consideration with respect to this report:

- The *Municipal Act, 2001* provides municipalities with flexibility in governing their affairs, including authority to delegate powers and duties to individuals or bodies.
- Matters which are eligible for delegation include administrative matters and other matters which are routine, administrative, or operational in nature, but do not include more significant powers such as establishing budgets and tax rates, approving Official Plans or Zoning By-laws, and other powers which are more legislative in nature.
- Efficiencies in both service delivery and the cost of providing services are possible through the delegation of additional powers and duties, in whole or in part.
- In considering the appropriateness of any delegation of powers, it is necessary to maintain comparable levels of accountability, consultation, transparency, and adherence to municipal policy direction.

- This report proposes some areas where expanded delegated authority will provide value and meet accountability and transparency requirements, as well as change the structure in how delegated authority is documented.

BACKGROUND:

Historically, municipalities were required to act solely through by-laws, approved by their council, with only administrative matters delegated to staff or other bodies. This system provided a high level of control by elected officials over the affairs of the municipality, opportunities for public involvement, transparency, and a clear record of municipal decisions. However, it also resulted in councils being required to deal with many minor matters and inefficiencies in making decisions impacting both costs and service levels.

As municipalities grew in size and sophistication, it was no longer practical for municipal councils to oversee all details related to matters under their authority.

The *Municipal Act, 2001* is based on a new approach which provides municipalities with greater control over the manner in which they administer their own affairs. The options available to municipalities for determining their own process were further expanded in 2006 with the introduction of Sections 23.1- 23.5 which provide municipalities with options for delegating powers and duties to individuals or bodies. Subject to certain limits, Council may decide which matters require Council's direct attention, which matters require Council's input and direction, and which matters require limited or no direct Council involvement.

In December 2007, Council approved a delegation policy. Under this policy, additional by-laws and procedures are required describing the manner in which delegated powers are to be exercised and reported to Council. In 2010, staff conducted a review and certain additional delegations of authority were considered and implemented. Prior to the current review and report, the last amendment to this policy was made in 2012, to accurately reflect the current practice of permitting minor delegations by Council resolution (confirmed by meeting's confirming by-law).

Over time, additional opportunities and challenges have been identified leading to staff to undertake the current review. Staff have reviewed existing delegations to determine whether additional efficiencies could be achieved by expanding delegations without compromising appropriate levels of accountability and transparency. Members of senior management were consulted and asked to comment on the effectiveness of their existing delegations and to identify matters within their respective areas which would benefit from additional delegation.

Other matters not included in the draft by-law accompanying this report require a broader examination of existing processes as well as the development of formal processes, criteria, and reporting requirements, related to the making of decisions.

Although preliminary work has been undertaken with respect to several of these initiatives, as further research and consultation on these items is required, staff intends to bring forward these further items in Q1 of 2023 for Council's consideration.

COMMENT/OPTIONS:

Broad delegation of authority is a real opportunity for a municipal council to streamline municipal decision-making. At the same time, it can be a challenge for municipal councils to develop delegation by-laws that serve both council and the delegated person or body effectively. Effective delegation by-laws establish clear lines of accountability and communication between council and the delegate.

In line with the Council endorsed strategy for the implementation of additional delegation of authority as set out in the report from the Legal Department, dated May 15, 2010, staff recommend expanding certain delegations of authority for routine or those being administrative in nature, in order to meet operational requirements while ensuring efficient and effective administrative decision making.

Expanded Delegation of Authority

Municipal powers and duties cover a broad range of matters, requiring different degrees of public input, transparency, and deliberation by elected representatives. Some matters (such as approval of budgets, taxation, Official Plans, and Zoning Bylaws) are specifically ineligible for delegation under the *Municipal Act, 2001*. Other matters, such as regulatory by-laws dealing with signs, licensing, noise, nuisance and similar "legislative" matters require public input and an exercise of policy discretion. Matters of this nature are not suitable for delegation, and would not meet the requirements of the *Municipal Act, 2001*.

Matters which traditionally generate public interest or require policy decisions have not been considered for delegation.

However, there are other matters which require less direct attention from elected representatives. In general, these decisions fall into one of the categories noted below. Areas where expanded delegation of authority is proposed, are noted below the applicable category. Appendix A is an expanded version of Schedule A to By-law 2021-077. New delegations of authority are coloured red with a check mark in the 'New' column of Appendix A.

1. Decisions that are routine or minor in nature

Decisions in this class vary in the level of importance, but do not require direct input from Council.

Existing Examples

- Standard authority under purchasing by-laws (delegated to Staff)

- Biting Dog, Licensing Appeals (delegated to a Committee of Council)
- Applications for Consent to Severance (Director of Planning Services)
- Expenditures up to defined limits (CAO)

2. Decisions based on defined criteria (limited discretion)

Sometimes it is possible to separate a decision into two components, the first being made by Council with staff implementing the decision and exercising discretion and/or professional judgment based on criteria established by Council. Necessary public input and/or policy decisions are made at the earlier stage of the process.

Existing Examples

- Final approval of plans of subdivision – Council's involvement is at the stage of draft approval which includes the statutory public hearing and establishment of conditions of approval. Staff exercise discretion and/or professional judgment in determining whether conditions are satisfied and whether the final plan conforms to the draft plan
- Submission requirements – The range of studies that may be required for planning application is set out in the Official Plan with the exact requirements refined during the pre-consultation meeting with staff
- Permit applications – parks by-law, site alteration by-law, road occupancy by-law set general requirements with additional delegated discretion
- Execution of standard form agreements – (site plan)

3. Decisions that are routine or minor – but require additional formality

Sometimes the decision itself is routine or minor but needs to be documented through a by-law. This is particularly true for decisions involving rights in land which often require a formal record or by-law as proof of a decision being made by the proper authority.

Existing Examples

- Part Lot Control By-laws – applications are approved by the Director of Planning Services with the by-law approved by Council without a report

Implementation of Delegation

The Council process serves several purposes in addition to decision making:

- It provides an opportunity for public comment
- It creates a formal record of the decision
- Public agendas and reports provide transparency of decision making
- Transparency of decision making and the involvement of multiple individuals in the process assists in risk management and protection against fraud
- Circulation of reports prior to them being placed on the agenda provides documentation of interdepartmental consultation and assists in coordinating the actions of various departments

The importance of these issues varies depending on the nature of the decision. For matters in which one or more of these issues is important, substitutes for the Council process must be built into documented process for the use of the delegated power.

Staff is proposing the following approach be adopted with respect to the implementation of delegated authority by Council:

1. Council approve a delegation of authority by-law to establish the framework for delegations of authority to staff. Appendix C is draft By-law 2021-077 which staff is recommending for Council's consideration. This draft by-law contemplates the specific delegations set out in its Schedule A, subject to the limitations specified therein.

Except for emergency situations, where the exercise of a delegated power or duty requires the expenditure of money or subjects the town to potential financial loss or obligation, the funding of the expenditure or provision for the loss or obligation must be part of an approved budget as a condition of the exercise of the delegated authority. Where that is not the case, the matter would have to come to Council.

2. Council approve a revised Delegation of Municipal Powers and Duties Policy as attached as Appendix B. This is a modified version of the town's existing policy reflecting that there will be a delegation by-law moving forward.

Engagement and Communication

In order to promote accountable and transparent municipal governance, guided by simple, open, and transparent decision making, engagement and communication with staff and Council is critical. It is imperative staff delegated authority are fully aware of their responsibilities. The framework principles of the proposed by-law speak to the shared responsibilities of governance and the organization, and recognizes the tools required surrounding rules and compliance requirements. Ensuring effective communication to ensure the process and methods are maintained, controlled, monitored, and reported, are key success factors. If By-law 2021-077 and the revised Delegation of Municipal Powers and Duties Policy are approved, relevant staff will receive education and training on the increased scope of their authority.

Monitoring and compliance

To ensure the effectiveness of the delegation by-law, and establish clear lines of accountability and communication between council and the delegate, every delegation of power or authority will have a corresponding accountability and transparency mechanism. As identified in the revised policy, where applicable, departments are responsible for reporting to Council on the exercise of delegated authority through the Town Clerk, on the number and nature of the delegations

exercised, and confirming compliance with the limitations on the exercise of the delegated power or duty.

Staff continue work on monitoring and compliance mechanisms associated with delegated authority. The report back to Council in Q1 2023 will include recommendations associated with this review.

As identified in By-law 2021-077, 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. The plan is for the Delegation of Municipal Powers and Duties Policy to be reviewed by Council early in its new term of office so that it can make any desired adjustments to the delegated authorities.

CONSIDERATIONS:

(A) PUBLIC

Delegation of individual powers and duties will take place through public reports providing an opportunity for public input. The changes implemented through this report impact decisions which are considered minor, and of limited public interest. Improvements to service delivery through a more efficient process are considered in the public interest.

(B) FINANCIAL

Efficiencies in decision making and service delivery through increased delegation should result in cost savings.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Members of the Senior Management Team from all departments and the Policy Review Administration Group were consulted as part of this project. Commissioners and Directors of affected departments and other members of staff will be involved in the development of processes for the exercise of delegated powers.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:
Accountable Government

(E) CLIMATE CHANGE/ACTION

This matter does not impact climate change.

APPENDICES:

Appendix A – Proposed Schedule A to By-law 2021-077 (identifying new delegations)

Appendix B – Proposed updates to Delegation of Municipal Powers and Duties Policy G-GEN-010

Appendix C – By-law 2021-077

Prepared by:

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Recommended by:

Vicki Tytaneck, Town Clerk

Submitted by:

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SCHEDULE "A": Delegated Municipal Powers and Duties

	Delegation	Delegate	Limitation	NEW
CAO OFFICE				
Chief Administrative Officer				
1	A by-law to provide for the appointed office of Chief Administrative Officer and to define the duties and responsibilities of the position <i>Authorized by By-law 2007-144</i>	CAO	Subject to the limitations set out in the by-law.	
2	Execute grant agreements and applications for federal, provincial or other grant funding to the town	CAO	Relevant department to review and prepare grant application in consultation with Finance and Legal. Commissioner of Corporate Services and Treasurer to be secondary signature.	✓
3	Execute agreements and other documents related to the general control and management of the affairs of the Town for the purpose of ensuring its efficient and effective operation in the exercise of authority under section 229 of the <i>Act</i> .	CAO / Clerk	Relevant department to review and prepare document in consultation with Finance and Legal.	✓
CORPORATE SERVICES COMMISSION				
Clerk's department				
4	Authority to comment on a Liquor Licence Application <i>Authorized by Council resolution (confirming By-law 2002-109)</i>	Town Clerk	Consultation required with Building, Zoning, Ward Councillors, Fire.	

	Delegation	Delegate	Limitation	NEW
5	Designate an event as an event of municipal significance for the purposes of prescribing it as a special event occasion where an application has been made pursuant to subsection 19(1) of the <i>Liquor Licence Act, R.S.O. 1990, c. L. 19</i>	Town Clerk	In accordance with Requests for Designation of Public Events as Municipally Significant Procedure .	
6	All of the powers and duties of the "head" in regard to the <i>Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Chapter M.56</i> . <i>Authorized by By-law 2006-168</i>	Town Clerk		
Legal				
7	Authority to approve utility easements on town-owned lands that are required for the purpose of servicing those lands or the buildings located thereon. And that upon the recommendation of the Town Solicitor, or designate, such easement agreements may be executed in accordance with By-law 2013-057	Town Solicitor	Consultation required with Planning, Transportation and Engineering, Roads and Works, Parks and Open Space, as applicable.	
8	Delegated the authority to appoint or rescind the appointment of Screening Officers and Hearing Officers together with the authority to determine the appropriate terms of such appointments. <i>Authorized by By-law 2015-091</i>	Town Solicitor	.	
9	Removal of expired or no longer relevant agreements or easements from title	Town Solicitor	Consultation required with Planning, Transportation and Engineering, Roads and Works, Parks and Open Space, as applicable.	✓ *existing process, but technically a new delegation
10	Removal of agreements or easements from title to lands being transferred to the Region / authority to grant easements	Town Solicitor		

	Delegation	Delegate	Limitation	NEW
11	<i>Land Titles Act</i> - Removal of s.118 restrictions (prevents transfer or mortgage of land) and consenting to registrations under a S.118 restriction	Town Solicitor	Subject to the restrictions contained in the s. 118 filing.	
12	Registering a transfer to split up a Town PIN for road purposes that does not have the effect of conveying land to a third party	Town Solicitor	May not convey land to a third party.	✓ *existing process, but technically a new delegation
13	Title clean-up of Town lands that does not have the effect of conveying an interest in land to a third party	Town Solicitor	May not convey land to a third party.	✓ *existing process, but technically a new delegation
14	Temporary licenses on Town Property, other than parks and roads, for limited access from abutting properties	Town Solicitor	Must obtain indemnification and insurance certificate from owner of abutting property.	✓ *existing process, but technically a new delegation
15	Lease renewals (short term and minor)	Town Solicitor	Only applies with respect to renewals of previous leases. No commitment beyond short term (2 years). Must have approval from Realty Services Committee.	✓ *existing process, but technically a new delegation, and establishing the two year commitment term (new)
16	Execution of required documentation in connection with a real estate closing where the real estate transaction itself has been approved	Town Solicitor	The real estate transaction which is the subject of the closing must have received the necessary approval(s).	✓ *existing process, but technically a new delegation
Finance Department				
17	Authority to delegate the powers and duties of the Treasurer of The Corporation of the Town of Oakville during any period in which the Treasurer is absent from the municipality or otherwise unable to exercise their powers and duties <i>Authorized by By-law 2004-095</i>	Commissioner of Corporate Services	This delegation does not prevent the Treasurer from exercising their powers and duties.	

	Delegation	Delegate	Limitation	NEW
18	Authority relating to assessment and taxation appeal matters <i>Authorized by By-law 2003-068</i>	Treasurer, or Treasurer's designate	Consult with Legal.	
19	Delegation to approve tax adjustments on behalf of the Town in accordance with sections 354, 356, 357, 358 and 359 of the <i>Municipal Act, 2001</i> . <i>Authorized by By-law 2018-126</i>	Treasurer, or Treasurer's designate	May not exercise any obligation of Council to hold a meeting or pass a by-law.	
20	Delegated authority to implement and administer the Municipal Accommodation Tax By-law, to collect the MAT and to take all actions and make all decisions Required under the By-law. <i>Authorized by By-law 2018-137</i>	Treasurer, or Treasurer's designate		
Human Resources				
21	Execute minutes of settlement and contracts arising out of the arbitration of matters under Collective Agreements	Director, Human Resources	Consultation with subject department and Legal department.	✓
COMMUNITY DEVELOPMENT COMMISSION				
Planning Services				
22	Transfer of servicing allocation between municipalities	Commissioner, Community Development		✓
23	A portion of Council's delegated authority with respect to plans of subdivision, plans of condominium and part lot control by-laws pursuant to the <i>Planning Act</i> . <i>Authorized by By-law 1998-272</i>	Director, Planning Services	Subject to the limitations of the By-law.	
24	Part of the authority vested in Council with respect to the giving of consents pursuant to sections 50 and 53 of the <i>Planning Act</i> . <i>Authorized by By-law 1998-273</i>	Director, Planning Services / Committee of Adjustment	Subject to the limitations of the By-law.	

	Delegation	Delegate	Limitation	NEW
25	Delegation of Council's powers under Section 41 of the <i>Planning Act</i> , to be exercised in accordance with By-law 2019-114.	Director, Planning Services	<p>Notwithstanding the delegation of authority to approve site plans, the Director may present site plans to Council at any time prior to final approval and shall do so if requested by Town Council.</p> <p>Where the Director refuses to approve the plans or drawings referred to in Section 3.1 or where the owner of the land is not satisfied with any of the requirements or conditions imposed by the Director, the owner of the land may refer the matter to Town Council for a decision.</p> <p>The delegation under section 11 of By-law 2019-114 is delegated to the Director of Transportation and Engineering and not the Director, Planning Services.</p>	
26	<p>A by-law to delegate certain powers and authority with respect to Official Plans, Official Plan amendments, Zoning By-law amendments, plans of subdivision, plans of condominium and consents.</p> <p><i>Authorized by By-law 2007-087</i></p>	Director, Planning Services and the Secretary-Treasurer of the Committee of Adjustment	Subject to the limitations of the By-law.	
27	<p>Power to authorize variances from the provisions of the Fence By-law</p> <p><i>Authorized by By-law 2011-130</i></p>	Director, Planning Services	Subject to the limitations of the By-law with a right to appeal to the Appeal Committee.	

	Delegation	Delegate	Limitation	NEW
28	Authorized to make revisions of a technical and administrative nature to the standard template of master list of conditions of draft plan approval as required. <i>Authorized by Council resolution (confirming By-law 2013-075)</i>	Director, Planning Services		
29	Delegate approval authority for the approval of the removal of the holding provision from the Zoning By-law 2013-096. <i>Authorized by Council resolution (confirming By-law 2013-110)</i>	Director, Planning Services	Subject to the limitations of the resolution.	
30	Delegate Council's power under Parts IV and V of the <i>Ontario Heritage Act</i> to address proposed alterations of protected heritage properties. <i>Authorized by By-law 2018-020</i>	Director, Planning Services	Pursuant to subsections 33(15), 33(16), 42(16), and 42(17) of the <i>Ontario Heritage Act, R.S.O. 1990, c. O. 18</i> and in accordance with Procedure G-GEN-010-001 .	
31	Once Council has approved a draft plan of subdivision, authority to approve an agreement of subdivision to the satisfaction of the Chief Administrative Officer and Town Solicitor	Director, Planning Services	Delegation only takes effect once Council has approved a draft plan of subdivision. Agreement must be satisfactory to the Chief Administrative Officer and Town Solicitor. Agreement to be executed in accordance with By-law 2013-057.	✓
Building Services				
32	Execute agreements made pursuant to clause (c) of subsection 8(3) of the <i>Building Code Act, 1992, S.O. 1992, c.23</i>	Commissioner of Community Development Commission	<u>Conditional permit agreements</u> (<i>Building Code Act</i>). Coordination required with Planning and Building required.	✓ <i>*existing process, but technically a new delegation</i>

	Delegation	Delegate	Limitation	NEW
33	Power to prescribe additional forms under Section 7 (1) (f) of the <i>Act</i> , pursuant to Section 23.1(1) and (4) of the <i>Municipal Act, 2001</i> . <i>Authorized by By-law 2013-088</i>	Chief Building Official	Any forms prescribed under this subsection shall be approved in writing by the Chief Building Official and shall be applicable to applications received after such endorsement.	
34	The powers and authority under section 41 of the <i>Planning Act</i> are delegated where the site plan application is a temporary structure	Chief Building Official	Providing it is exercised in accordance with the official plan.	✓ *existing process, but technically a new delegation
35	Execute site plan agreements or documents as required to implement the provisions of the site plan agreement related to a temporary sales office	Chief Building Official		✓ *existing process, but technically a new delegation
36	Execute shared services agreements, joint undertakings and limiting distance agreements	Chief Building Official and Director, Transportation & Engineering	Secondary sign off may be required (Transportation & Engineering).	✓ *existing process, but technically a new delegation
37	Issue or refuse to issue a permit to demolish residential property upon application to Council pursuant to section 33(3) of the <i>Planning Act</i>	Chief Building Official		✓ *existing process, but technically a new delegation
38	Appoint inspectors pursuant to section 3(2) of the <i>Building Code Act, 1992, S.O. 1992, c.23</i>	Chief Building Official and Town Clerk	Certificate of appointment required (secondary sign off – Clerk). Clerk's certificate required pursuant to <i>Building Code Act Section 3(8)</i> .	✓ *existing process, but technically a new delegation
Municipal Enforcement Services				
39	Authority to delegate the power to issue permits granting an exemption from any of the provisions of the Noise By-law with respect to any source of sound for which the person might be prosecuted <i>Authorized by By-law 2008-098</i>	Director, Municipal Enforcement Services (this is a change from Town Clerk pursuant to approval of this Schedule A)	Subject to the limitations of the Noise By-law.	

	Delegation	Delegate	Limitation	NEW
40	Authority to delegate the power to issue permits for temporary on-street parking on a highway subject to any terms and conditions deemed appropriate <i>Authorized by By-law 2008-040</i>	Director, Municipal Enforcement Services	Subject to the limitations of the By-law.	
41	Authority to appoint or rescind the appointment of municipal law enforcement officers for the purposes of enforcing parking on private property contrary to the by-laws of The Corporation of the Town of Oakville. <i>Authorized by By-law 2014-116</i>	Director, Municipal Enforcement Services		
42	Delegated authority within the Licensing By-law Re: accept applications without documents that are considered non-safety related.	Director, Municipal Enforcement Services	Subject to the provisions of the Licensing By-law.	
43	Delegated authority to grant exemptions to the Sign By-law as contemplated by Part 15 <i>Authorized by Sign By-law 2018-153, as amended</i>	Director, Municipal Enforcement Services	Limited as set out in Part 15, with further exemptions being authorized by Appeal Committee and/or Council.	
COMMUNITY INFRASTRUCTURE COMMISSION				
Transportation & Engineering				
44	A by-law to delegate the authority to designate a highway or portion of a highway as a construction zone and with that the authority to set the speed limit within that zone, for the purposes of <i>The Highway Traffic Act</i> , as amended <i>Authorized by By-law 2007-011</i>	Director, Transportation & Engineering	These powers and duties shall be exercised in consultation with the Commissioner of Community Infrastructure or designate as required.	
45	Authority to delegate power to close a highway temporarily. <i>Authorized by By-law 2007-135</i>	Director of Transportation & Engineering and Director, Roads and Works	Traffic By-law (18.2). Temporary authorization is applicable to this by-law.	
46	Authority to permit the use and occupation of a municipal right of way or portion thereof and enable fees for such permits <i>Authorized by By-law 2012-116</i>	Director of Transportation & Engineering	Subject to the restrictions of By-law 2012-116.	

	Delegation	Delegate	Limitation	NEW
47	Road Closures	Director, Transportation & Engineering	Importance of internal processes – reporting requirements. Compliance mechanism – Council update immediately following. Limitation: 12 months	✓ *existing delegation, but scope of delegation changed (from 6 months to 12 months for temporary road closures)
48	Where the approval of a site plan application with respect to a development is only required as a result of subsection 4(b)(iv) of By-law 2019-114, delegated authority to approve or deny site plan applications and, subject to Section 7 of By-law 2019-114, impose conditions of approval. <i>Authorized by By-law 2019-114</i>	Director, Transportation & Engineering	This only applies to section 11 of By-law 2019-114. The remainder of the delegations under By-law 2019-114 are to the Director, Planning Services.	
49	Authority to approve operational aspects of commercial filming on Municipal streets, including the use of special effects; hours of filming; and notification and consent.	Director, Transportation & Engineering	Ward councillors to be notified by staff when a film application has been received prior to permit approval.	
50	Traffic control in new subdivisions <i>Authorized by Council resolution (Confirming By-law 2010-026)</i>	Director, Transportation & Engineering	By-law may be submitted to Council without a report.	
51	Traffic control (stop signs and traffic signals)	Director, Transportation & Engineering	By-law may be submitted to Council without a report.	
Roads & Works				
52	Renewals and amendments of boundary road and maintenance agreements for administrative and operational changes.	Director, Roads and Works	Subject to the satisfaction of the Town Solicitor. Consultation required with Finance. CAO to be advised of all terms with Region or neighbouring municipalities.	✓
53	Operational changes to existing Town agreements that with third party property owners (e.g. Oakville Golf Club re. channel inspections).	Director, Roads and Works	Subject to the satisfaction of the Town Solicitor. Consultation required with Finance.	✓

	Delegation	Delegate	Limitation	NEW
Transit				
54	Execute agreements for the primary purpose of improving the integration of transit services and fares, or improving connectivity between transit services	Director, Transit	<p>Agreement must have no negative financial impact on the Town and allow the to terminate the agreement within six (6) months of providing termination notice.</p> <p>Limitation - Providing the amount is budgeted for, for the purpose of integration = no negative financial impact.</p> <p>Example of fares: MTO Fare Service Integration.</p>	✓
COMMUNITY SERVICES COMMISSION				
Recreation and Culture				
55	<p>Authority for the execution of license agreements for the use of recreation facilities by not-for-profit groups only.</p> <p><i>Authorized by Council resolution (confirming By-law 2011-116)</i></p>	Director, Recreation and Culture	Town Solicitor to approve form of agreement.	
56	Receiving grant applications from applicants for town grants	Director, Recreation and Culture	In accordance with Corporate Community Assistance Policy .	<p>✓</p> <p><i>*existing process, but technically a new delegation</i></p>
57	Signing permits (facility booking)	Director, Recreation and Culture	<p>Subject to the Administration of Recreation and Culture Programs and Services Policy and related procedures.</p> <p>Subject to the rates and fees established by Council.</p>	<p>✓</p> <p><i>*existing process, but technically a new delegation</i></p>

	Delegation	Delegate	Limitation	NEW
58	Partnership agreements/letters of agreement with service providers to support Town programming.	Director, Recreation and Culture	Agreements must be in form satisfactory to Town Solicitor. Consultation with Finance required.	✓ *existing process, but technically a new delegation
59	Applying to federal or provincial funding agencies re: operating subsidies / new activity/program subsidies / wage subsidy	Director, Recreation and Culture		✓ *existing process, but technically a new delegation
Parks and Open Space				
60	Power to sell or otherwise dispose of any abandoned vessel and/or trailer in the harbour or yard in accordance with the provisions of the Repair and <i>Storages Lien Act</i> , as may be amended or replaced. <i>Authorized by By-law 2012-007</i>	Director, Parks and Open Space	Consult with Legal.	
61	Delegated authority to execute provisions of the By-Law, including the imposition of conditions as necessary to ensure compliance with By-Law. Re: A by-law to establish rules and regulations for Town of Oakville Cemeteries <i>Authorized by By-law 2018-065</i>	Director, Parks and Open Space	Consult with Legal.	
62	Delegated authority to make designations assigned pursuant to the Parks By-law 2013-013.	Director, Parks and Open Space		
63	Authority to approve operational aspects of commercial filming on Municipal Parkland, including the use of special effects; hours of filming; and notification and consent.	Director, Parks and Open Space	Ward councillors to be notified by staff when a film application has been received prior to permit approval.	
Fire Services				
64	Execute connection agreements to the Corporation's central fire alarm panel.	Fire Chief		✓

	Delegation	Delegate	Limitation	NEW
APPEALS COMMITTEE				
65	<p>Delegation of the powers and duties to hear and determine appeals relating to:</p> <p>A) appeals filed in accordance with any by-law passed under section 105 of the <i>Act</i> relating to the muzzling of dogs;</p> <p>B) appeals filed in accordance with any by-law passed under section 151 of the <i>Act</i> relating to licences;</p> <p>C) complaints received under section 20 of the <i>Development Charges Act, 1997</i>, relating to development charges;</p> <p>D) complaints received under section 257.85 of the <i>Education Act</i>, relating to education development charges;</p> <p>E) appeals filed in accordance with the Private Tree By-law relating to the issuance of tree permits;</p> <p>F) appeals filed in accordance with the Cemetery By-law relating to the rules and regulations for Town of Oakville cemeteries;</p> <p>G) appeals under Part 15 of the Sign By-law that are to be dealt with by the Appeals Committee;</p> <p>H) appeals under the Fence By-law that are to be dealt with by the Appeals Committee;</p> <p>I) additional appeals and complaints as may be determined by Council in the future and included in the Appeals Committee mandate</p> <p><i>Authorized by By-law 2010-163</i></p>	Appeals Committee	Appeals Committee shall adhere to the relevant Rules of Practice and Procedure.	

Delegation of Municipal Powers and Duties

Policy number:	G-GEN-010
Section:	Governance
Sub-section:	General
Author:	Clerk's Department
Authority:	Council
Effective date:	2007-12-03
Review by date:	<i>2 years from Council approval date, subsequent reviews to occur on a four-year cycle</i>
Last modified:	<i>Council approval date</i>

Policy statement

The Council of the Town of Oakville (town) is directly accountable for all municipal powers and duties as legislated under the *Municipal Act, 2001* or any other Act and at the same time recognizes that the delegation of municipal powers and duties may provide for improved efficiencies, the utilization of a particular expertise or enhanced engagement.

In determining any delegation of its powers and duties, Council shall abide by the legislative restrictions and shall also ensure that such delegation will be accomplished maintaining the principles of accountability and transparency.

Purpose

The *Municipal Act, 2001* requires that all municipalities adopt and maintain a policy with respect to the delegation of municipal powers and duties. By-law 2021-077, Delegation of Municipal Powers and Duties By-law, as amended or replaced, delegates administrative authority to senior management and other staff. This policy is to provide further guidance to Council and staff on the application and operation of the By-law. The purpose of this policy is to set out the scope of the powers and duties which Council may delegate, and to establish principles governing such delegation.

Scope

This policy applies to all departments and staff.

Council may choose to delegate administrative powers and duties to:

- Individuals (including town staff);
- Committees of Council;
- Local boards;
- Municipal Service Boards; or
- Municipal Service Corporations (but not legislative or quasi-judicial powers).

Council may choose to delegate legislative and quasi-judicial powers and duties to:

- One or more members of the municipal Council or a Council committee;
- A body having at least 2 members, of which at least half are Council members, Council appointees, or combination of Council members or Council appointees;
- An individual who is an officer, employee or agent of the municipality (if the power delegated is of a “minor nature” as it applies to legislative powers).

In accordance with subsection 23.3(1) of the *Municipal Act, 2001*, Council is not authorized to delegate any of the following powers and duties:

- The power to appoint or remove from office, statutory officers of the municipality
- The power to pass a by-law under section 400.1 and Parts VIII, IX, IX.1 and X of the Act.~~The power to pass a by-law and deal with issues relating to taxes.~~
- The power to incorporate municipal corporations.
- The power to adopt an Official Plan or an amendment to the Official Plan.
- The power to pass a zoning by-law.
- The power to pass a by-law related to small business counselling and municipal capital facilities.
- The power to adopt a community improvement plan.
- The power to adopt or amend the budget of the municipality.
- Any other power or duty that may be prescribed.

Council may choose to revoke a delegation of power at any time or Council may delegate a power and specify that it cannot be revoked during the term of Council.

Policy Requirements:

1. Except where deemed minor in nature, or as identified in this policy,
~~d~~Delegations of municipal powers and duties shall be authorized by by-law;
~~except where deemed minor in nature, in which case the delegation may be authorized by resolution of Council.~~ All delegations ~~s~~ by-laws shall be in accordance with the provisions and restrictions established under the *Municipal Act, 2001*.

2. A delegation of a municipal power or duty to a person or body shall establish the scope of power applicable to the delegation in accordance with the *Municipal Act, 2001*.
3. A person or body to whom a municipal power or duty has been delegated has no authority to further delegate any such power or duty, unless such sub-delegation is expressly permitted within the scope of the initial delegation.
4. Delegation of a municipal power or duty shall include, where appropriate, a determination of whether such delegated authority will be subject to an appeal process and if so, a determination of the individual or body which will address such appeals.
5. Procedures shall be established for all delegations of a municipal power or duty, including but not limited to:
 - a. the manner in which the delegate's actions and decisions will be transparent to the public; and
 - b. the manner in which the delegate will provide ongoing reports to Council which shall confirm compliance with the delegated authority and advise of the status of the business of the delegation.
6. In exercising any delegated power, the delegate shall ensure:
 - a. Any expenditure related to the matter has been provided for in the current year's budget ~~(or authorized by the purchasing by-law)~~;
 - b. The scope of the delegated authority shall not be exceeded by the delegate;
 - c. Compliance with all Corporate policies, including those relating to purchasing, insurance and risk management; and
 - d. the consistent and equitable application of council policies and guidelines.
 - e. For the purposes of this policy, potential financial losses or obligations do not extend to those arising from indemnities and, for clarity, are not required to be included in an approved budget.
7. Delegation of a power or duty to an officer, employee or agent of the municipality shall be subject to the approval of the Chief Administrative Officer (CAO).
- ~~8. All delegations of municipal powers and duties shall be listed in Schedule A which shall be amended as required to incorporate ongoing determinations of Council with respect to such delegations.~~

Corporate Values

This policy is also aligned with the corporate values of the Town to be accountable, dedicated, honest, innovative, respectful, and to work as a team.

Monitoring and Compliance

All delegation of powers and duties set out in the Municipal Powers and Duties By-law shall be reviewed every term of Council. Best practice would be for this to be reviewed early in the term of Council, in conjunction with a review of this policy.

Every delegation of a power or duty of Council shall be accompanied by a corresponding accountability and transparency mechanism. Where applicable, departments are responsible for reporting to Council on the exercise of delegated authority through the Town Clerk, on the number and nature of the delegations exercised, and confirming compliance with the limitations on the exercise of the delegated power or duty.

The Town Clerk is responsible for receiving complaints and inquiries related to this policy and the exercise of delegated authority. Upon receipt of a complaint, the Clerk shall notify Town Council and the Chief Administrative Officer.

References and related documents

Appendix A—Delegated Municipal Powers and Duties
Delegation of Municipal Powers and Duties By-law
Accountability and Transparency Policy
Municipal Act, 2001, S.O. 2001, c. 25

Definitions

Legislative powers - Includes all matters where council acts in a legislative or quasi judicial function including enacting by-laws, setting policies, and exercising decision making authority.

Administrative powers – Includes all matters required for the management of the corporation which do not involve discretionary decision making.

Roles and Responsibilities

Pursuant to the *Municipal Act, 2001*, it is the role of Council to ensure:

- a. that administrative policies, practices and procedures are in place to implement the decisions of Council; and,
- b. the accountability and transparency of the operations of the municipality, including the activities of senior management.

Pursuant to the *Municipal Act, 2001*, it is the role of staff to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions.

Town staff is responsible for adhering to the parameters of this policy and for ensuring appropriate application of delegated authority.



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2021-077

A by-law to delegate certain powers and duties under the *Municipal Act, 2001*, S.O. 2001 c.25, the *Planning Act*, R.S.O. 1990 c. P. 13, and other Acts.

WHEREAS a municipality is authorized to delegate its powers and duties under section 23.1 of the *Municipal Act, 2001*, (Act) subject to the restrictions set out in Part II thereof;

AND WHEREAS Council wishes to consolidate previous delegations of authority to officers, employees or committees, through various by-laws and to further delegate powers and duties as set out under this By-law;

AND WHEREAS delegations under certain other by-laws, are not intended to be addressed in this By-law but shall remain in full force and effect;

COUNCIL ENACTS AS FOLLOWS:

PART I – SHORT TITLE

1. This By-law may be referred to as the “Municipal Powers and Duties By-law”
2. The Delegation of Municipal Powers and Duties Policy concerning the delegation of powers and duties of this By-law pursuant to section 270 of the *Act* forms part of and provides guidance respecting the operationalization of this By-law.

PART II – DEFINITIONS

3. For the purposes of this By-law:

“Act” means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended from time to time;

“Approval” includes authority to sign for approval and execute an agreement, contract, release, waiver, application or document intended to bind the Corporation,

and includes any renewal, amendment or termination thereof, and “Approve” has a corresponding meaning;

“Approved as to Content” means that the content, substance and material dealt with in the document are approved and are in accordance with authority delegated under this By-law;

“Approved as to Form” means that the document is approved for execution in the correct form, style and procedures of the town in accordance with the authority delegated under this By-law;

“By-law” means this By-law and includes its Schedules;

“CAO” means the Town’s Chief Administrative Officer appointed from time to time by Council;

“Chief Building Official” or “CBO” means the Town’s Chief Building Official appointed from time to time by Council;

“Fire Chief” means the Town’s Fire Chief appointed from time to time by Council;

“Town Solicitor” means the Town Solicitor and includes an Assistant Town Solicitor or Legal Counsel acting under the direction of the Town Solicitor;

“Clerk” means the Town Clerk appointed from time to time by Council;

“Commissioner” means a head of a commission reporting directly to the CAO;

“Corporation” means The Corporation of the Town of Oakville;

“Council” means the elected Council of The Corporation of the Town of Oakville;

“Department” means a department with a director or acting director, within a commission of the town;

“Delegation of Municipal Powers and Duties Policy” means a policy that has been approved by Council in accordance with section 270(1)6 of the *Act*;

“Director” means head of a department reporting directly to a Commissioner, and may include CBO, Clerk, Fire Chief, Town Solicitor, and Treasurer;

“Legal Proceeding” means any court or administrative tribunal proceeding commenced by, or against the town;

“Limitation” means a restriction specified in Schedule “A”, which must be complied with prior to the exercise of the delegated authority;

“Procurement By-law” means By-law 2017-095, a by-law to Adopt and Maintain a Procurement Policy for the Town of Oakville, as it may be amended, or replaced;

“Purchasing Agent” means the Agent as defined in the Procurement By-law;

“Restricted Acts Period” means the period of time after nomination day but before voting day when Council’s powers are limited pursuant to section 275(1) of the *Act*;

“Treasurer” means the Treasurer of the Corporation appointed by Council pursuant to By-law 2019-028, a by-law to appoint a Treasurer and Deputy Treasurer for The Corporation of the Town of Oakville, as it may be amended, or replaced, in accordance with 286(2) of the *Act*;

“Usual Operations” means the activities and administrative decision making required as part of the day-to-day operations of the department in the ordinary course of business, which are not legislative or quasi-judicial in nature.

PART III – NATURE AND SCOPE OF DELEGATION OF POWERS AND DUTIES

4. Council delegates the powers and duties set out in the attached Schedule “A” to those officers, employees and committees listed therein and subject to any Limitations specified therein.
5. Notwithstanding the foregoing, Council retains the authority to make or reconsider, at any time and without notice, revoke or restrict any delegated power that has been delegated pursuant to this By-law.
6. Any delegation to a Commissioner or Director shall be deemed to include the CAO.
7. Any delegation to a Director shall be deemed to include the applicable Commissioner.
8. Where this By-law has delegated power to the CAO, if the CAO has in writing designated a Commissioner to serve as Acting CAO or where an Acting CAO has been appointed by Council, in the absence of the CAO, the Acting CAO may exercise the delegated power or duty.
9. Where this By-law has delegated power to a Commissioner or Director, if the Commissioner or Director has in writing designated a Director or Manager to serve in an acting capacity, or where an Acting Commissioner or Director has

been appointed, the Acting Commissioner or Director may exercise the delegated power or duty.

10. Except as otherwise required by law, should any position identified in this By-law with delegated powers or duty be vacant; or no longer exist within the Corporation, the powers and duties of that position may be exercised by a person deemed to have authority in accordance with paragraphs 6, 7, 8 and 9 above, until such time as the position is either no longer vacant, or a new delegation for the corresponding delegated power or duty is approved.
11. Except for authority to deal with emergency situations, where the exercise of a delegated power or duty requires the expenditure of money or subjects the Corporation to a potential financial loss or obligation, funding for the expenditure or provision for the potential loss or obligation must be included in an approved budget and all relevant requirements of the Procurement By-law, as amended or replaced, from time to time, shall be followed as a condition to the exercise of the delegated authority.

PART IV – GENERAL

12. A document executed under authority delegated by this By-law shall first be Approved as to Content by the CAO, Commissioner, Director or designate, as required by Schedule “A” and Approved as to Form by the Town Solicitor;
13. In the event of any inconsistency between this By-law or any other town by-law, the more restrictive provision shall prevail to the extent of the inconsistency.
14. It is the opinion of Council that any of the legislative powers delegated pursuant to this By-law are of a minor nature within the meaning of subsection 23.2(4) of the *Act*.
15. Any reference to legislation, regulations or By-laws in this By-law shall be interpreted to include all amendments and any successor legislation thereof.
16. Throughout this By-law (i) the term "including" or the phrases "e.g.," or "for example" shall be interpreted to mean "including, without limitation", (ii) the singular includes the plural and vice-versa and (iii) any gender includes all genders, unless the context requires otherwise.
17. If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this By-law, that each and every other

provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

18. With respect to monitoring and compliance, the Delegation of Municipal Powers and Duties Policy shall be followed.

PART V – EFFECTIVE DATE

19. This By-law is effective on the date of its passing.

PASSED this 28th day of September, 2021

MAYOR

CLERK

Schedule “A”

	Delegation	Delegate	Limitation
CAO OFFICE			
Chief Administrative Officer			
1	A by-law to provide for the appointed office of Chief Administrative Officer and to define the duties and responsibilities of the position <i>Authorized by By-law 2007-144</i>	CAO	Subject to the limitations set out in the by-law
2	Execute grant agreements and applications for federal, provincial or other grant funding to the town	CAO	Relevant department to review and prepare grant application in consultation with Finance and Legal. Commissioner of Corporate Services and Treasurer to be secondary signature.
3	Execute agreements and other documents related to the general control and management of the affairs of the Town for the purpose of ensuring its efficient and effective operation in the exercise of authority under section 229 of the <i>Act</i> .	CAO / Clerk	Relevant department to review and prepare document in consultation with Finance and Legal.
CORPORATE SERVICES COMMISSION			
Clerk's department			
4	Authority to comment on a Liquor Licence Application <i>Authorized by Council resolution (confirming By-law 2002-109)</i>	Town Clerk	Consultation required with Building, Zoning, Ward Councillors, Fire
5	Designate an event as an event of municipal significance for the purposes of prescribing it as a special event occasion where an application has been made pursuant to subsection 19(1) of the <i>Liquor Licence Act, R.S.O. 1990, c. L.19</i>	Town Clerk	In accordance with Requests for Designation of Public Events as Municipally Significant Procedure .

	Delegation	Delegate	Limitation
6	All of the powers and duties of the "head" in regard to the <i>Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Chapter M.56.</i> <i>Authorized by By-law 2006-168</i>	Town Clerk	
Legal			
7	Authority to approve utility easements on town-owned lands that are required for the purpose of servicing those lands or the buildings located thereon. And that upon the recommendation of the Town Solicitor, or designate, such easement agreements may be executed in accordance with By-law 2013-057	Town Solicitor	Consultation required with Planning, Transportation and Engineering, Roads and Works, Parks and Open Space, as applicable
8	Delegated the authority to appoint or rescind the appointment of Screening Officers and Hearing Officers together with the authority to determine the appropriate terms of such appointments. <i>Authorized by By-law 2015-091</i>	Town Solicitor	.
9	Removal of expired or no longer relevant agreements or easements from title	Town Solicitor	Consultation required with Planning, Transportation and Engineering, Roads and Works, Parks and Open Space, as applicable
10	Removal of agreements or easements from title to lands being transferred to the Region / authority to grant easements	Town Solicitor	
11	<i>Land Titles Act</i> - Removal of s.118 restrictions (prevents transfer or mortgage of land) and consenting to registrations under a S.118 restriction	Town Solicitor	Subject to the restrictions contained in the s. 118 filing
12	Registering a transfer to split up a Town PIN for road purposes that does not have the effect of conveying land to a third party	Town Solicitor	May not convey land to a third party.

	Delegation	Delegate	Limitation
13	Title clean-up of Town lands that does not have the effect of conveying an interest in land to a third party	Town Solicitor	May not convey land to a third party.
14	Temporary licenses on Town Property, other than parks and roads, for limited access from abutting properties	Town Solicitor	Must obtain indemnification and insurance certificate from owner of abutting property
15	Lease renewals (short term and minor)	Town Solicitor	Only applies with respect to renewals of previous leases. No commitment beyond short term (2 years). Must have approval from Realty Services Committee.
16	Execution of required documentation in connection with a real estate closing where the real estate transaction itself has been approved	Town Solicitor	The real estate transaction which is the subject of the closing must have received the necessary approval(s)
Finance Department			
17	Authority to delegate the powers and duties of the Treasurer of The Corporation of the Town of Oakville during any period in which the Treasurer is absent from the municipality or otherwise unable to exercise their powers and duties <i>Authorized by By-law 2004-095</i>	Commissioner of Corporate Services	This delegation does not prevent the Treasurer from exercising their powers and duties.
18	Authority relating to assessment and taxation appeal matters <i>Authorized by By-law 2003-068</i>	Treasurer, or Treasurer's designate	Consult with Legal
19	Delegation to approve tax adjustments on behalf of the Town in accordance with sections 354, 356, 357, 358 and 359 of the <i>Municipal Act, 2001</i> . <i>Authorized by By-law 2018-126</i>	Treasurer, or Treasurer's designate	May not exercise any obligation of Council to hold a meeting or pass a by-law.

	Delegation	Delegate	Limitation
20	Delegated authority to implement and administer the Municipal Accommodation Tax By-law, to collect the MAT and to take all actions and make all decisions Required under the By-law. <i>Authorized by By-law 2018-137</i>	Treasurer, or Treasurer's designate	
Human Resources			
21	Execute minutes of settlement and contracts arising out of the arbitration of matters under Collective Agreements	Director, Human Resources	Consultation with subject department and Legal department.
COMMUNITY DEVELOPMENT COMMISSION			
Planning Services			
22	Transfer of servicing allocation between municipalities	Commissioner, Community Development	
23	A portion of Council's delegated authority with respect to plans of subdivision, plans of condominium and part lot control by-laws pursuant to the <i>Planning Act</i> . <i>Authorized by By-law 1998-272</i>	Director, Planning Services	Subject to the limitations of the By-law
24	Part of the authority vested in Council with respect to the giving of consents pursuant to sections 50 and 53 of the <i>Planning Act</i> . <i>Authorized by By-law 1998-273</i>	Director, Planning Services / Committee of Adjustment	Subject to the limitations of the By-law

	Delegation	Delegate	Limitation
25	Delegation of Council's powers under Section 41 of the <i>Planning Act</i> , to be exercised in accordance with By-law 2019-114.	Director, Planning Services	Notwithstanding the delegation of authority to approve site plans, the Director may present site plans to Council at any time prior to final approval and shall do so if requested by Town Council. Where the Director refuses to approve the plans or drawings referred to in Section 3.1 or where the owner of the land is not satisfied with any of the requirements or conditions imposed by the Director, the owner of the land may refer the matter to Town Council for a decision. The delegation under section 11 of By-law 2019-114 is delegated to the Director of Transportation and Engineering and not the Director, Planning Services.
26	A by-law to delegate certain powers and authority with respect to Official Plans, Official Plan amendments, Zoning By-law amendments, plans of subdivision, plans of condominium and consents. <i>Authorized by By-law 2007-087</i>	Director, Planning Services and the Secretary- Treasurer of the Committee of Adjustment	Subject to the limitations of the By-law
27	Power to authorize variances from the provisions of the Fence By-law <i>Authorized by By-law 2011-130</i>	Director, Planning Services	Subject to the limitations of the By-law with a right to appeal to the Appeal Committee

	Delegation	Delegate	Limitation
28	<p>Authorized to make revisions of a technical and administrative nature to the standard template of master list of conditions of draft plan approval as required.</p> <p><i>Authorized by Council resolution (confirming By-law 2013-075)</i></p>	Director, Planning Services	
29	<p>Delegate approval authority for the approval of the removal of the holding provision from the Zoning By-law 2013-096.</p> <p><i>Authorized by Council resolution (confirming By-law 2013-110)</i></p>	Director, Planning Services	Subject to the limitations of the resolution
30	<p>Delegate Council's power under Parts IV and V of the <i>Ontario Heritage Act</i> to address proposed alterations of protected heritage properties.</p> <p><i>Authorized by By-law 2018-020</i></p>	Director, Planning Services	Pursuant to subsections 33(15), 33(16), 42(16), and 42(17) of the <i>Ontario Heritage Act</i> , R.S.O. 1990, c.O. 18 and in accordance with Procedure G-GEN-010-001 .
31	<p>Once Council has approved a draft plan of subdivision, authority to approve an agreement of subdivision to the satisfaction of the Chief Administrative Officer and Town Solicitor</p>	Director, Planning Services	<p>Delegation only takes effect once Council has approved a draft plan of subdivision.</p> <p>Agreement must be satisfactory to the Chief Administrative Officer and Town Solicitor.</p> <p>Agreement to be executed in accordance with By-law 2013-057</p>
Building Services			
32	<p>Execute agreements made pursuant to clause (c) of subsection 8(3) of the <i>Building Code Act</i>, 1992, S.O. 1992, c.23</p>	Commissioner of Community Development Commission	<p>Conditional permit agreements (<i>Building Code Act</i>)</p> <p>Coordination required with Planning and Building required.</p>

	Delegation	Delegate	Limitation
33	Power to prescribe additional forms under Section 7 (1) (f) of the <i>Act</i> , pursuant to Section 23.1(1) and (4) of the <i>Municipal Act, 2001</i> . <i>Authorized by By-law 2013-088</i>	Chief Building Official	Any forms prescribed under this subsection shall be approved in writing by the Chief Building Official and shall be applicable to applications received after such endorsement.
34	The powers and authority under section 41 of the <i>Planning Act</i> are delegated where the site plan application is a temporary structure	Chief Building Official	Providing it is exercised in accordance with the official plan
35	Execute site plan agreements or documents as required to implement the provisions of the site plan agreement related to a temporary sales office	Chief Building Official	
36	Execute shared services agreements, joint undertakings and limiting distance agreements	Chief Building Official and Director, Transportation & Engineering	Secondary sign off may be required (Transportation & Engineering)
37	Issue or refuse to issue a permit to demolish residential property upon application to Council pursuant to section 33(3) of the <i>Planning Act</i>	Chief Building Official	
38	Appoint inspectors pursuant to section 3(2) of the <i>Building Code Act, 1992</i> , S.O. 1992, c.23	Chief Building Official and Town Clerk	Certificate of appointment required (secondary sign off – Clerk). Clerk's certificate required pursuant to <i>Building Code Act</i> Section 3(8) .

	Delegation	Delegate	Limitation
Municipal Enforcement Services			
39	<p>Authority to delegate the power to issue permits granting an exemption from any of the provisions of the Noise By-law with respect to any source of sound for which the person might be prosecuted</p> <p><i>Authorized by By-law 2008-098</i></p>	<p>Director, Municipal Enforcement Services (this is a change from Town Clerk pursuant to approval of this Schedule)</p>	<p>Subject to the limitations of the Noise By-law</p>
40	<p>Authority to delegate the power to issue permits for temporary on-street parking on a highway subject to any terms and conditions deemed appropriate</p> <p><i>Authorized by By-law 2008-040</i></p>	<p>Director, Municipal Enforcement Services</p>	<p>Subject to the limitations of the By-law</p>
41	<p>Authority to appoint or rescind the appointment of municipal law enforcement officers for the purposes of enforcing parking on private property contrary to the by-laws of The Corporation of the Town of Oakville.</p> <p><i>Authorized by By-law 2014-116</i></p>	<p>Director, Municipal Enforcement Services</p>	
42	<p>Delegated authority within the Licensing By-law Re: accept applications without documents that are considered non-safety related.</p>	<p>Director, Municipal Enforcement Services</p>	<p>Subject to the provisions of the Licensing By-law</p>
43	<p>Delegated authority to grant exemptions to the Sign By-law as contemplated by Part 15</p> <p><i>Authorized by the Sign By-law 2018-153, as amended</i></p>	<p>Director, Municipal Enforcement Services</p>	<p>Limited as set out in Part 15, with further exemptions being authorized by Appeal Committee and/or Council</p>

Delegation		Delegate	Limitation
COMMUNITY INFRASTRUCTURE COMMISSION			
Transportation & Engineering			
44	A by-law to delegate the authority to designate a highway or portion of a highway as a construction zone and with that the authority to set the speed limit within that zone, for the purposes of <i>The Highway Traffic Act</i> , as amended <i>Authorized by By-law 2007-011</i>	Director, Transportation & Engineering	These powers and duties shall be exercised in consultation with the Commissioner of Community Infrastructure or designate as required.
45	Authority to delegate power to close a highway temporarily. <i>Authorized by By-law 2007-135</i>	Director of Transportation & Engineering and Director, Roads and Works	Traffic By-law (18.2). Temporary authorization is applicable to this by-law.
46	Authority to permit the use and occupation of a municipal right of way or portion thereof and enable fees for such permits <i>Authorized by By-law 2012-116</i>	Director of Transportation & Engineering	Subject to the restrictions of By-law 2012-116
47	Road Closures	Director, Transportation & Engineering	Importance of internal processes – reporting requirements. Compliance mechanism – Council update immediately following. Limitation: 12 months

	Delegation	Delegate	Limitation
48	Where the approval of a site plan application with respect to a development is only required as a result of subsection 4(b)(iv) of By-law 2019-114, delegated authority to approve or deny site plan applications and, subject to Section 7 of By-law 2019-114, impose conditions of approval. <i>Authorized by By-law 2019-114</i>	Director, Transportation & Engineering	This only applies to section 11 of By-law 2019-114. The remainder of the delegations under By-law 2019-114 are to the Director, Planning Services
49	Authority to approve operational aspects of commercial filming on Municipal streets, including the use of special effects; hours of filming; and notification and consent.	Director, Transportation & Engineering	Ward councillors to be notified by staff when a film application has been received prior to permit approval.
50	Traffic control in new subdivisions <i>Authorized by Council resolution (Confirming By-law 2010-026)</i>	Director, Transportation & Engineering	By-law may be submitted to Council without a report.
51	Traffic control (stop signs and traffic signals)	Director, Transportation & Engineering	By-law may be submitted to Council without a report.
Roads & Works			
52	Renewals and amendments of boundary road and maintenance agreements for administrative and operational changes.	Director, Roads and Works	Subject to the satisfaction of the Town Solicitor Consultation required with Finance. CAO to be advised of all terms with Region or neighbouring municipalities.
53	Operational changes to existing Town agreements that with third party property owners (e.g. Oakville Golf Club re. channel inspections).	Director, Roads and Works	Subject to the satisfaction of the Town Solicitor Consultation required with Finance.

	Delegation	Delegate	Limitation
Transit			
54	Execute agreements for the primary purpose of improving the integration of transit services and fares, or improving connectivity between transit services	Director, Transit	<p>Agreement must have no negative financial impact on the Town and allow the to terminate the agreement within six (6) months of providing termination notice</p> <p>Limitation - Providing the amount is budgeted for, for the purpose of integration = no negative financial impact.</p> <p>Example of fares: MTO Fare Service Integration</p>
COMMUNITY SERVICES COMMISSION			
Recreation and Culture			
55	<p>Authority for the execution of license agreements for the use of recreation facilities by not-for-profit groups only.</p> <p><i>Authorized by Council resolution (confirming By-law 2011-116)</i></p>	Director, Recreation and Culture	Town Solicitor to approve form of agreement
56	Receiving grant applications from applicants for town grants	Director, Recreation and Culture	In accordance with Corporate Community Assistance Policy
57	Signing permits (facility booking)	Director, Recreation and Culture	<p>Subject to the Administration of Recreation and Culture Programs and Services Policy and related procedures</p> <p>Subject to the rates and fees established by Council</p>

	Delegation	Delegate	Limitation
58	Partnership agreements/letters of agreement with service providers to support Town programming.	Director, Recreation and Culture	Agreements must be in form satisfactory to Town Solicitor. Consultation with Finance required.
59	Applying to federal or provincial funding agencies re: operating subsidies / new activity/program subsidies / wage subsidy	Director, Recreation and Culture	
Parks and Open Space			
60	Power to sell or otherwise dispose of any abandoned vessel and/or trailer in the harbour or yard in accordance with the provisions of the <i>Repair and Storages Lien Act</i> , as may be amended or replaced. <i>Authorized by By-law 2012-007</i>	Director, Parks and Open Space	Consult with Legal
61	Delegated authority to execute provisions of the By-Law, including the imposition of conditions as necessary to ensure compliance with By-Law. Re: A by-law to establish rules and regulations for Town of Oakville Cemeteries <i>Authorized by By-law 2018-065</i>	Director, Parks and Open Space	Consult with Legal
62	Delegated authority to make designations assigned pursuant to the Parks By-law 2013-013.	Director, Parks and Open Space	
63	Authority to approve operational aspects of commercial filming on Municipal Parkland, including the use of special effects; hours of filming; and notification and consent.	Director, Parks and Open Space	Ward councillors to be notified by staff when a film application has been received prior to permit approval.
Fire Services			
64	Execute connection agreements to the Corporation's central fire alarm panel.	Fire Chief	

	Delegation	Delegate	Limitation
APPEALS COMMITTEE			
65	<p>Delegation of the powers and duties to hear and determine appeals relating to:</p> <p>A) appeals filed in accordance with any by-law passed under section 105 of the <i>Act</i> relating to the muzzling of dogs;</p> <p>B) appeals filed in accordance with any by-law passed under section 151 of the <i>Act</i> relating to licences;</p> <p>C) complaints received under section 20 of the <i>Development Charges Act, 1997</i>, relating to development charges;</p> <p>D) complaints received under section 257.85 of the <i>Education Act</i>, relating to education development charges;</p> <p>E) appeals filed in accordance with the Private Tree By-law relating to the issuance of tree permits;</p> <p>F) appeals filed in accordance with the Cemetery By-law relating to the rules and regulations for Town of Oakville cemeteries;</p> <p>G) appeals under Part 15 of the Sign By-law that are to be dealt with by the Appeals Committee;</p> <p>H) appeals under the Fence By-law that are to be dealt with by the Appeals Committee;</p> <p>I) additional appeals and complaints as may be determined by Council in the future and included in the Appeals Committee mandate</p> <p><i>Authorized by By-law 2010-163</i></p>	Appeals Committee	Appeals Committee shall adhere to the relevant Rules of Practice and Procedure