



## THE CORPORATION OF THE TOWN OF OAKVILLE

### BY-LAW NUMBER 2023-021

A by-law to delegate certain powers and duties under the Municipal Act, S.O. 2001 c.25, the Planning Act, R.S.O. 1990 c. P. 13, and other Acts, and to repeal By-law 2021-077, as amended, and to repeal By-law 2012-013.

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

**AND WHEREAS** the Delegation of Municipal Powers and Duties By-law 2021-077 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 came into force on September 28, 2021;

**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 **and that the content, substance, and material dealt with in the document are correct in 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;

“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;

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

“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;

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

“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 the CAO, if the CAO has in writing designated a Commissioner or a Director to serve in an acting capacity with respect to a specific matter, the designated Commissioner or Director may exercise the delegated power or duty.
10. 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 either generally or with respect to a specific matter, or where an Acting Commissioner or Director has been appointed, the designated Director or Manager or the Acting Commissioner or Director may exercise the delegated power or duty.
11. 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, 9 and 10 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.
12. 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**

13. 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;
14. 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.
15. 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.
16. Any reference to legislation, regulations or By-laws in this By-law shall be interpreted to include all amendments and any successor legislation thereof.

17. 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.
18. 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.
19. With respect to monitoring and compliance, the Delegation of Municipal Powers and Duties Policy shall be followed.

**PART V – REPEAL**

20. By-law 2021-077 is hereby repealed, along with amending by-laws 2022-022, 2022-036, 2022-040, 2022-045, 2022-093.
21. By-law 2012-013, a by-law to appoint valuers of livestock and poultry for the Corporation of the Town of Oakville, is hereby repealed.

**PART VI – EFFECTIVE DATE**

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

PASSED this 24th day of April, 2023

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MAYOR

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CLERK

Schedule “A”: Delegated Municipal Powers and Duties

	Delegation	Delegate	Limitation	NEW
<b>CAO OFFICE</b>				
<b>Chief Administrative Officer</b>				
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	<b>Apply for, negotiate, enter into, and execute grant agreements and applications for federal, provincial or other grant funding to the town in amounts over \$250,000.00</b>	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	<i>Revision only</i>
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 Act	CAO / Clerk	Relevant department to review and prepare document in consultation with Finance and Legal	
4	<b>Negotiate, enter into and execute agreements for the purposes of a capital project as required to implement an approved capital project</b>	CAO	<b>Capital project approved by Council through the budget process or other means, alignment with Purchasing By-law</b>  <b>Relevant department to review and prepare document in consultation with Finance and Legal</b>	✓

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
5	<p>The hiring or dismissal of any Commissioner or Fire Chief of the municipality</p> <p><i>Authorized by By-law 2022-045</i></p>	CAO	<p>Delegated authority only during 'Restricted Act' period ('lame duck' provision), in accordance with Section 275 of the <i>Municipal Act</i></p> <p>Following the exercise of the authority, must go to the new Council to ratify</p>	
6	<p>The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal, that was not included in the most recent budget adopted by the council before nomination day in the election</p> <p><i>Authorized by By-law 2022-045</i></p>	CAO	<p>Delegated authority only during 'Restricted Act' period ('lame duck' provision), in accordance with Section 275 of the <i>Municipal Act</i></p> <p>Following the exercise of the authority, must go to the new Council to ratify</p>	
7	<p>Authority to make any expenditures or incurring any other liability which exceeds \$50,000, that was not included in the most recent budget adopted by the council before nomination day in the election</p> <p><i>Authorized by By-law 2022-045</i></p>	CAO	<p>Delegated authority only during 'Restricted Act' period ('lame duck' provision), in accordance with Section 275 of the <i>Municipal Act</i></p> <p>Following the exercise of the authority, must go to the new Council to ratify</p>	

	Delegation	Delegate	Limitation	NEW
<b>CORPORATE SERVICES COMMISSION</b>				
8	Apply for, negotiate, enter into, and execute grant agreements and applications for federal, provincial or other grant funding to the town in amounts of \$250,000.00 and under.	Commissioner, Corporate Services	Relevant department to review and prepare grant application in consultation with Finance and Legal  Town Clerk or Treasurer to be secondary signature	✓
9	Negotiate, enter into and execute agreements for the purposes of a capital project as required to implement an approved capital project	Commissioner, Corporate Services	Capital project approved by Council through the budget process or other means, alignment with Purchasing By-law  Relevant department to review and prepare document in consultation with Finance and Legal  Town Clerk or Treasurer to be secondary signature	✓
10	Enter into a settlement agreement for the purpose of resolving applications made under the Human Rights Tribunal of Ontario unrelated to Town employees	Commissioner, Corporate Services	Consult with Legal	✓
<b>Clerk's</b>				
11	Authority to comment on a Liquor Licence Application  Authorized by Council resolution (confirming By-law 2002-109)	Town Clerk	Consultation required with Building, Zoning, Ward Councillors, Fire	

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
12	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</i> , R.S.O. 1990, c. L.19	Town Clerk	In accordance with <u>Requests for Designation of Public Events as Municipally Significant Procedure</u>	
13	All of the powers and duties of the "head" in regard to the <i>Municipal Freedom of Information and Protection of Privacy Act</i> , R.S.O. 1990, Chapter M.56  Authorized by By-law 2006-168	Town Clerk		
<b>Legal</b>				
14	Authorize legal proceeding by the Town in any Ontario Court or administrative tribunal	CAO and Town Solicitor	<p>Legal proceeding other than the ones specified in this Schedule</p> <p>Town Solicitor determines that the Town's case has merit</p> <p>CAO determines in consultation with the Treasurer and Town Solicitor that the legal proceeding is in the Town's best interest</p> <p>Town Solicitor shall report from time to time on actions or other legal proceedings involving the Town, including a description of any settlement of any action or other legal proceeding</p>	✓

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
15	Authorize defence to or opposition of legal proceeding against the Town in any Ontario Court or administrative tribunal	CAO and Town Solicitor	Town Solicitor determines that the Town's case has merit  Town Solicitor shall report from time to time on actions or other legal proceedings involving the Town, including a description of any settlement of any action or other legal proceeding	✓
16	Authorize appeal by Town against a decision of any Ontario Court or administrative tribunal	CAO and Town Solicitor	Town Solicitor determines that the Town's case has merit  Town Solicitor shall report from time to time on actions or other legal proceedings involving the Town, including a description of any settlement of any action or other legal proceeding	✓
17	Authorize a proceeding in Small Claims Court	Treasurer and Town Solicitor	Proceeding is for the collection of a debt owed to the Town	✓
18	Accept service of any legal document on behalf of the Town	Town Solicitor or Town Clerk		✓

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
19	<p>Represent the Town to advance the Town's interests, and to defend the Town, by taking any step or action that is necessary and proper in respect of any legal proceeding affecting the Town, including arbitrations, mediations, interim proceedings, and litigation before any court, tribunal, or forum</p> <p>This includes authority to settle litigation involving the dismissal of an action without costs</p>	Town Solicitor	<p>Town Solicitor determines that the step or action is in the Town's interests</p> <p>Town Solicitor shall report from time to time on actions or other legal proceedings involving the Town, including a description of any settlement of any action or other legal proceeding</p>	✓
20	<p>Conduct prosecutions on behalf of the Town and on behalf of the Attorney General of Ontario, and any appeals related thereto</p>	Town Solicitor	<p>Town Solicitor determines that the prosecution has merit</p> <p>In the case of proceedings on behalf of the Attorney General of Ontario, in accordance with the Memorandum of Understanding between the Attorney General of Ontario and the City of Burlington, the Town, the Town of Milton and the Town of Halton Hills</p>	<p>✓</p> <p><i>(existing process, but technically a new delegation)</i></p>
21	<p>Take all necessary steps to protect or pursue the rights of the Town in its capacity as an owner, occupier, landlord or tenant of property, or as a party or participant in any negotiations, mediations or other dispute resolution processes, settlement discussions, and adjudications in courts or administrative tribunals</p>	Town Solicitor	<p>Town Solicitor shall report from time to time on actions or other legal proceedings involving the Town, including a description of any settlement of any action or other legal proceeding</p>	✓

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
22	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	
23	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  Authorized by By-law 2015-091	Town Solicitor		
24	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	
25	Removal of agreements or easements from title to lands being transferred to the Region and <del>authority to grant/receive easements and road widenings at no cost from/to the Region easements</del>	Town Solicitor	<b>Easements and road widenings transferred at no cost</b>	<i>Revision only</i>
26	<b>Authorize the filing of applications under the <i>Planning Act</i> or other statute with respect to town land</b>	<b>Town Solicitor</b>	<b>Town Solicitor determines the filing is in the Town's interests</b>	✓
27	<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	

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
28	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	
29	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	
30	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	
31	Crane Swing and Tieback agreements over Town lands	Town Solicitor	Fees charged under these agreements will match the Council approved temporary street occupation permit fees	✓
32	Temporary licenses for access or construction purposes over private lands to assist with Town projects	Town Solicitor	Fees must not exceed \$25,000 per agreement	✓
33	Lease/License renewals (short term and minor)	Town Solicitor	Only applies with respect to renewals of previous leases/licenses  No commitment beyond short term (2 years). Must have approval from Realty Services Committee	Revision only
34	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)	

	Delegation	Delegate	Limitation	NEW
<b>Finance</b>				
35	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  Authorized by By-law 2004-095	Commissioner of Corporate Services	This delegation does not prevent the Treasurer from exercising their powers and duties	
36	Authority relating to assessment and taxation appeal matters  Authorized by By-law 2003-068	Treasurer, or Treasurer's designate	Consult with Legal	
37	Delegation to approve tax adjustments on behalf of the Town in accordance with sections 354, 356, 357, <b>357.1</b> , 358, <del>and 359</del> , and <b>359.1</b> of the <i>Municipal Act, 2001</i>  Authorized by By-law 2018-126	Treasurer, or Treasurer's designate	May not exercise any obligation of Council to hold a meeting or pass a by-law	<i>Revision only</i>
38	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  Authorized by By-law 2018-137	Treasurer, or Treasurer's designate		
39	<b>Certify documentation related to reporting (progress and final) and claims for payment required by federal, provincial or other grant funding agreements</b>	<b>Treasurer</b>		✓

	Delegation	Delegate	Limitation	NEW
<b>Human Resources</b>				
40	Negotiate, enter into and execute collective agreements including minutes of settlement and contracts, arbitration, grievance and interpretation matters arising out of the arbitration of matters under Collective Agreements	Director, Human Resources	<p>Consultation with subject department required <del>and Legal department</del></p> <p>Consultation with CAO, subject commissioner, where appropriate or required</p> <p>Following the exercise of the authority, Collective Agreement Contracts must go to Council to ratify</p>	<i>Revision only</i>
41	Enter into a settlement agreement for the purpose of resolving applications or claims made related to employment under the Human Rights Tribunal of Ontario, civil litigation, <i>Ontario Labour Relations Act</i> or any applications or claims under any employment related legislation or regulation	Director, Human Resources	<p>Consult with Legal (may be external Legal)</p> <p>Consultation with CAO, subject commissioner and/or department, where appropriate or required</p>	✓
<b>COMMUNITY DEVELOPMENT COMMISSION</b>				
42	Apply for, negotiate, enter into, and execute grant agreements and applications for federal, provincial or other grant funding to the town in amounts of \$250,000.00 and under	Commissioner, Community Development	<p>Relevant department to review and prepare grant application in consultation with Finance and Legal</p> <p>Treasurer to be secondary signature</p>	✓

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
43	Negotiate, enter into and execute agreements for the purposes of a capital project as required to implement an approved capital project	Commissioner, Community Development	Capital project approved by Council through the budget process or other means, alignment with Purchasing By-law  Relevant department to review and prepare document in consultation with Finance and Legal  Treasurer to be secondary signature	✓
44	Enter into a settlement agreement for the purpose of resolving applications made under the Human Rights Tribunal of Ontario unrelated to Town employees	Commissioner, Community Development	Consult with Legal	✓
<b>Planning Services</b>				
45	Transfer of servicing allocation between municipalities	Commissioner, Community Development		
46	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	
47	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	

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
48	Delegation of Council's powers under Section 41 of the <i>Planning Act</i>	Director, Planning Services (for development described in section 4 of By-law 2022-093)  <del>or</del>  Director of Transportation and Engineering (for development described in section 5 of By-law 2022-093)	To be exercised in accordance with By-law 2022-093	Revision only (as a result of Bill 23)
49	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	
50	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	
51	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		

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
52	<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	
53	<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>Authorized by By-law <del>2018-020</del> 2022-021</p>	Director, Planning Services	<p>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 <del>and in accordance with Procedure G-GEN-010-001</del></p>	<i>Revision only</i>
54	<p><del>Once Council has approved a draft plan of subdivision,</del> 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>	<i>Revision only</i>

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
55	<p>Approval of by-laws of a minor nature under s. 34 of the <i>Planning Act</i> with respect to:</p> <p><del>(a) A by-law to remove a holding symbol;</del></p> <p>(b) a by-law to authorize the temporary use of land, buildings or structures in accordance with s. 39(1) of the <i>Planning Act</i>, and</p> <p>a housekeeping by-law for the purpose of making clerical or other changes to assist in the interpretation of a zoning by-law</p>	<p>Commissioner of Community Development,</p> <p><del>or</del></p> <p><del>their designate</del></p>	<p>Limitations of the applicable Official Plan(s) and s. 39.2 of the <i>Planning Act</i></p>	<p>Revision only (as a result of Bill 23)</p>
<b>Building Services</b>				
56	<p><b>Negotiate, enter into and</b> 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>	<p>Commissioner of Community Development</p> <p><b>or Chief Building Official</b></p>	<p><u>Conditional permit agreements</u> (<i>Building Code Act</i>)</p> <p><b>Legal department to prepare Conditional Permit Agreement for review and execution by the Chief Building Official</b></p> <p>Coordination required with Planning and Building required</p>	<p>Revision only</p>
57	<p>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></p> <p>Authorized by By-law 2013-088</p>	<p>Chief Building Official</p>	<p>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</p>	

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
58	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	
59	<b>Negotiate, enter into, and</b> 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	<b>Agreement to be reviewed by Legal before execution</b>	<i>Revision only</i>
60	<b>Negotiate, enter into, and</b> execute shared services agreements, joint undertakings and limiting distance agreements	Chief Building Official and Director, <b>and</b> Transportation & Engineering	Secondary sign off may be required (Transportation & Engineering)  <b>Agreement to be reviewed by Legal before execution</b>	<i>Revision only</i>
61	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		
62	Appoint <b>and remove</b> inspectors pursuant to section 3(2) of the <i>Building Code Act</i> , 1992, 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)	<i>Revision only</i>
<b>Municipal Enforcement Services</b>				
63	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  Authorized by By-law 2008-098	Director, Municipal Enforcement Services	Subject to the limitations of the Noise By-law	

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
64	<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>Authorized by By-law 2008-040</p>	Director, Municipal Enforcement Services	Subject to the limitations of the By-law	
65	<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>Authorized by By-law 2014-116</p>	Director, Municipal Enforcement Services		
66	<p>Delegated authority within the Licensing By-law Re: extending or suspending the model year restriction for taxicabs</p> <p>Authorized by By-law 2022-040</p>	Director, Municipal Enforcement Services	Subject to the provisions of the Licensing By-law	
67	<p>Delegated authority within the Licensing By-law Re: accept applications without documents that are considered non-safety related</p>	Director, Municipal Enforcement Services	Subject to the provisions of the Licensing By-law	
68	<p>Delegated authority to grant <del>exemptions</del> <b>exceptions</b> to the Sign By-law as contemplated by Part 15</p> <p>Authorized by the Sign By-law 2018-153, as amended</p>	Director, Municipal Enforcement Services	Limited as set out in Part 15, with further <del>exemptions</del> <b>exceptions</b> being authorized by Appeal Committee and/or Council	<i>Revision only</i>
69	<p><b>Authority to appoint on behalf of the Town valuers for the purposes of investigating or assessing damage to livestock or poultry caused by wild animals as may be required pursuant to s. 7(6) of the Ministry of Agriculture, Food and Rural Affairs Act, R.S.O. 1990, M. 16</b></p>	<b>Director, Municipal Enforcement Services</b>		<p>✓ <i>Existing process established by By-law 2012-013, but technically a new delegation under this by-law</i></p>

	Delegation	Delegate	Limitation	NEW
<b>COMMUNITY INFRASTRUCTURE COMMISSION</b>				
70	Apply for, negotiate, enter into, and execute grant agreements and applications for federal, provincial or other grant funding to the town in amounts of \$250,000.00 and under	Commissioner, Community Infrastructure	Relevant department to review and prepare grant application in consultation with Finance and Legal  Treasurer to be secondary signature	✓
71	Negotiate, enter into and execute agreements for the purposes of a capital project as required to implement an approved capital project	Commissioner, Community Infrastructure	Capital project approved by Council through the budget process or other means, alignment with Purchasing By-law  Relevant department to review and prepare document in consultation with Finance and Legal  Treasurer to be secondary signature	✓
72	Enter into a settlement agreement for the purpose of resolving applications made under the Human Rights Tribunal of Ontario unrelated to Town employees	Commissioner, Community Infrastructure	Consult with Legal	✓
<b>Transportation &amp; Engineering</b>				
73	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	

	Delegation	Delegate	Limitation	NEW
74	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	
75	Authority to permit the use and occupation of a municipal right of way or portion thereof and enable fees for such permits  Authorized by By-law 2012-116	Director of Transportation & Engineering	Subject to the restrictions of By-law 2012-116	
76	<b>Approve and implement temporary Road Closures</b>	Director, Transportation & Engineering	Importance of internal processes – reporting requirements  Compliance mechanism – Council update immediately following  Limitation: <b>12 months maximum closure may be 14 months</b>	✓ <i>Revision only</i>
	<del>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.  Authorized by By-law 2019-114</del>	<del>Director, Transportation &amp; Engineering</del>	<del>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</del>	<i>Bill 23 removed authority, delegation no longer permitted</i>
77	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	

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
78	Traffic control in new subdivisions  Authorized by Council resolution (Confirming By-law 2010-026)	Director, Transportation & Engineering	By-law may be submitted to Council without a report	
79	Traffic control ( <del>stop signs and traffic signals</del> )	Director, Transportation & Engineering	By-law may be submitted to Council without a report	<i>Revision only</i>
80	<del>Negotiate, enter into and execute Municipal Access Agreements</del>	<del>Director, Transportation &amp; Engineering</del>	<del>Consult with Legal</del>	✓
<b>Roads &amp; Works</b>				
81	<del>Negotiate, enter into and execute</del> boundary road and maintenance agreements, including renewals and amendments of such agreements	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	<i>Revision only</i>
82	<del>Negotiate, enter into, and execute</del> Boundary Road Construction Agreements with neighbouring municipalities	<del>Director, Roads and Works</del>	<del>Consultation required with Transportation &amp; Engineering department and Finance</del>  <del>Subject to the satisfaction of the Town Solicitor</del>  <del>Subject to an approved town budget allocation for the Town's share of the cost of such construction</del>	✓

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
83	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	
<b>Transit</b>				
84	Execute agreements for the primary purpose of improving the integration of transit services and fares, or improving connectivity between transit services	Director, Transit	Agreement must have no negative financial impact on the Town and allow the Town to terminate the agreement within six (6) months of providing termination notice  Limitation - Providing the amount is budgeted for, for the purpose of integration = no negative financial impact  <b>Subject to the satisfaction of the Town Solicitor</b>  Example of fares: MTO Fare Service Integration	<i>Revision only</i>
85	<b>Negotiate, enter into and execute Access agreements with private property owners (accessing and what are the terms to access)</b>	<b>Director, Transit</b>	<b>Consultation with Legal department</b>	<b>✓</b>
<b>COMMUNITY SERVICES COMMISSION</b>				
86	<b>Apply for, negotiate, enter into, and execute grant agreements and applications for federal, provincial or other grant funding to the town in amounts of \$250,000.00 and under</b>	<b>Commissioner, Community Services</b>	<b>Relevant department to review and prepare grant application in consultation with Finance and Legal</b>  <b>Treasurer to be secondary signature</b>	<b>✓</b>

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
87	Negotiate, enter into and execute agreements for the purposes of a capital project as required to implement an approved capital project	Commissioner, Community Services	Capital project approved by Council through the budget process or other means, alignment with Purchasing By-law  Relevant department to review and prepare document in consultation with Finance and Legal  Treasurer to be secondary signature	✓
88	Enter into a settlement agreement for the purpose of resolving applications made under the Human Rights Tribunal of Ontario unrelated to Town employees	Commissioner, Community Services	Consult with Legal	✓
<b>Recreation and Culture</b>				
89	Authority for the negotiation, entering into and execution of license agreements for the use of recreation facilities by not-for-profit groups only.  Authorized by Council resolution (confirming By-law 2011-116)	Director, Recreation and Culture	Town Solicitor to approve form of agreement	
90	Receiving grant applications from applicants for town grants	Director, Recreation and Culture	In accordance with <u>Corporate Community Assistance Policy</u>	
91	Signing permits (facility booking)	Director, Recreation and Culture	Subject to the Administration of Recreation and Culture Programs and Services Policy and related procedures  Subject to the rates and fees established by Council	

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
92	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 <i>where</i> required	<i>Revision only</i>
93	Applying to federal or provincial funding agencies re: operating subsidies / new activity/program subsidies / wage subsidy	Director, Recreation and Culture		
94	<i>Approving fee waivers</i>	<i>Director, Recreation and Culture</i>	<i>In accordance with the <a href="#">Corporate Community Assistance Procedure</a></i>	<i>✓</i>
95	<i>From time to time, authority to introduce new fees related to facility rentals, programs or services, in addition to promotional offers</i>	<i>Director, Recreation and Culture</i>	<i>Any new fees would be included in the next budget development cycle and included in the following year's rates and fees document</i>	<i>✓ (existing process, but technically a new delegation)</i>
96	<i>Negotiate, enter into and execute sponsorship agreements</i>	<i>Director, Recreation and Culture</i>	<i>In accordance with the limitation and thresholds identified in the <a href="#">Corporate Sponsorship Procedure</a>  Consult with Finance and Legal</i>	<i>✓ (existing process, but technically a new delegation)</i>
97	<i>Negotiate, enter into and execute performing arts agreements</i>	<i>Director, Recreation and Culture</i>	<i>Consult with Finance and Legal</i>	<i>✓</i>
<b>Parks and Open Space</b>				
98	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  Authorized by By-law 2012-007	Director, Parks and Open Space	Consult with Legal	

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
99	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  Authorized by By-law 2018-065	Director, Parks and Open Space	Consult with Legal	
100	Delegated authority to make designations assigned pursuant to the Parks By-law 2013-013	Director, Parks and Open Space		
101	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	
<b>Fire Services</b>				
102	Execute connection agreements to the Corporation's central fire alarm panel	Fire Chief	Consult with Legal	Revision only
<b>APPEALS COMMITTEE</b>				
103	Delegation of the powers and duties to hear and determine appeals relating to:  A) appeals filed in accordance with any by-law passed under section 105 of the Act relating to the muzzling of dogs;  B) appeals filed in accordance with any by-law passed under section 151 of the Act relating to licences;  C) complaints received under section 20 of the <i>Development</i>	Appeals Committee	Appeals Committee shall adhere to the relevant Rules of Practice and Procedure	Revision only

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
	<p><i>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) appeals filed in accordance with the Noise By-law relating to the issuance of noise exemption permits;</p> <p>J) appeals filed in accordance with the Public Nuisance By-law relating to the issuance of exemption permits; <del>and</del></p> <p>K) <b>Treasurer's initial decisions under ss.356, 357, 357.1, 358, 359, and 359.1 of the <i>Municipal Act</i> (the Appeal Committee's decision shall be final subject to any appeal</b></p>			

	<b>Delegation</b>	<b>Delegate</b>	<b>Limitation</b>	<b>NEW</b>
	<p>rights to the Assessment Review Board); and</p> <p>L) additional appeals and complaints as may be determined by Council in the future and included in the Appeals Committee mandate</p> <p>Authorized by By-law 2010-163</p>			