

# THE REGIONAL MUNICIPALITY OF YORK

## BYLAW NO. 2016-3

### Delegation Bylaw

The Council of The Regional Municipality of York hereby enacts as follows:

#### **1 DEFINITIONS**

##### 1.1 In this bylaw:

“Board of Health” means The Regional Municipality of York, acting in its capacity as a board of health established under the *Health Protection and Promotion Act*;

“Chief Administrative Officer” means the Chief Administrative Officer of The Regional Municipality of York;

“Commissioner” means any officer or employee of the Region who is designated as the head of a Regional department;

“deliverables” means goods, services and construction;

“document” means any written instrument in paper or electronic form which, when duly executed, will have or is intended to have the effect of binding the Region;

“Region” means The Regional Municipality of York;

“Regional Chair” means the Regional Chair of The Regional Municipality of York;

“Regional Clerk” means the Regional Clerk of The Regional Municipality of York;

“Regional Solicitor” means the Regional Solicitor of The Regional Municipality of York; and

“signing officer” means a person appointed under this bylaw to execute any document on behalf of the Region.

## **2 DELEGATION OF AUTHORITY**

- 2.1 The authority to approve a matter listed in Column 1 of Schedule “A” is hereby delegated to the person or persons set out opposite such matter in Column 2 of Schedule “A”, subject to any conditions or restrictions set out in Column 3.
- 2.2 Where authority to approve a matter is delegated to any person under this bylaw, the Chief Administrative Officer may also exercise that authority.
- 2.3 Despite any provision of this bylaw, a delegate shall not approve any matter or execute any document unless the transaction or activity to which the matter or document relates has been approved by Regional Council. For greater certainty, a transaction or activity shall be deemed to be approved by Regional Council where such transaction or activity:
- (a) is included in the annual budget adopted by Regional Council; or
  - (b) is included in a program, project or activity which has been approved by Regional Council; or
  - (c) is reasonably incidental to the authority given to the Chief Administrative Officer or the Commissioners, as the case may be, to carry out their duties and responsibilities on behalf of the Region.
- 2.4 No provision of this bylaw shall be construed as waiving any provision of Bylaw No. 2014-53 (the “Purchasing Bylaw”), as amended from time to time, and the Purchasing Bylaw shall continue to apply to the procurement of deliverables on behalf of the Region.

## **3 APPOINTMENT OF SIGNING OFFICERS**

- 3.1 The Regional Chair and Regional Clerk are hereby appointed signing officers of the Region and may jointly execute any document on behalf of the Region.

- 3.2 The Regional Chair is hereby appointed the signing officer of the Board of Health and may execute any document on behalf of the Board.
- 3.3 The Chief Administrative Officer is hereby appointed a signing officer in respect of any document listed in Column 1 of Schedule "A" to this bylaw.
- 3.4 Any document related to any matter listed in Column 1 of Schedule "A" to this bylaw may be executed by a delegate appointed under Section 2.1 of this bylaw and that person is hereby appointed a signing officer for such purpose.

#### **4 GENERAL**

- 4.1 Where authority has been given by Regional Council, or under the Purchasing Bylaw, or under this bylaw to any person to approve any matter or execute any document, such authority includes the authority to execute any ancillary documents necessary to give effect to the delegated authority and shall include the authority to amend any document, including extending the term of any agreement, provided such amendment does not result in any additional financial obligation to the Region.
- 4.2 The approval of any matter and the execution of any document under this bylaw shall be subject to compliance with any policies adopted by Regional Council from time to time with respect to the transaction or activity to which the matter or document relates, and to any administrative procedures established by the Chief Administrative Officer.
- 4.3 Where any person is authorized to approve any matter and/or execute any document under this bylaw, such person may appoint a designate to approve the matter and/or to execute any document on his or her behalf.
- 4.4 The appointment of a designate by a Commissioner, Director or the Chief Planner shall be subject to the approval of the Chief Administrative Officer.

**5 ADMINISTRATION**

- 5.1 Each signing officer shall obtain the approval of the Regional Solicitor or designate prior to executing any document under this bylaw.
- 5.2 Each Commissioner shall maintain a record of each document executed under this bylaw and shall file such record with the Regional Clerk.
- 5.3 At least one original of each executed document shall be retained by the Region.
- 5.4 All executed documents shall be delivered to the Regional Clerk for safekeeping unless otherwise directed.

**6 SCHEDULE**

- 6.1 Schedule "A", attached, shall form part of this bylaw.

**7 REPEAL**

- 7.1 Bylaw No. 2014-18 is hereby repealed.

ENACTED AND PASSED on January 21, 2016

\_\_\_\_\_  
Denis Kelly  
Regional Clerk

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Wayne Emmerson  
Regional Chair

*Authorized by Clause 18, Report 1 of the Committee of the Whole, adopted by Regional Council at its meeting on January 21, 2016*

## SCHEDULE "A"

<u>Column 1</u> Delegated Authority	<u>Column 2</u> Delegate	<u>Column 3</u> Conditions/Restrictions	
<b>Governance &amp; Administration</b>			
1.	Agreements with Federal or Provincial governments, municipalities, agencies, institutions and community partners for Regional undertakings, program delivery and administration	Commissioner responsible for the program or project to which the matter relates	Approval of the program or project by Regional Council
2.	Submission of service and program plans and activity reports as required by any legislative authority	Commissioner responsible for the program or project to which the matter relates	
3.	Agreements for the exchange or release of information under the <i>Municipal Freedom of Information and Protection of Privacy Act</i> or the <i>Personal Health Information Protection Act, 2004</i>	Commissioner responsible for the program or project to which the matter relates	
4.	Confidentiality agreements	Commissioner responsible for the program or project to which the matter relates	
5.	Filming at the Administrative Centre	Chief Administrative Officer	Compliance with the Policy on Filming on Regional Property, including payment of fees and provision of insurance coverage
6.	Agreements for the provision of audit services	Chief Administrative Officer and Director, Audit Services	
7.	Memoranda of understanding with housing providers under the <i>Housing Services Act</i>	Commissioner of Community and Health Services	
8.	Agreements respecting the admission of persons to long-term care facilities	Commissioner of Community and Health Services	
9.	Admission agreements for supportive housing	Commissioner of Community and Health Services	
10.	Admission agreements for long term care and seniors' day programs	Commissioner of Community and Health Services	

<b>Column 1 Delegated Authority</b>		<b>Column 2 Delegate</b>	<b>Column 3 Conditions/Restrictions</b>
11.	Release of any agreement or condition where Regional conditions have been fulfilled or the agreement is no longer required	Commissioner responsible for the program or project to which the matter relates	
12.	Acknowledgment of the status or term of any agreement to which the Region is a party	Commissioner responsible for the matter to which the agreement relates	
<b>Finance</b>			
13.	Investment transactions	Commissioner of Finance	As set out in the Region's Investment Policy
14.	Appointment of members to the underwriting syndicate	Commissioner of Finance	As set out in the Region's Capital Financing and Debt Policy
15.	Approval of timing and structure of debt issues and related activities	Commissioner of Finance and Director, Treasury Office	As set out in the Region's Capital Financing and Debt Policy
16.	Agreements with Federal or Provincial governments or agencies or any other entity for the provision of funding to the Region	Commissioner responsible for the program or project to which the funding relates	
17.	Agreements for the provision of funding by the Region	Commissioner responsible for the program or project to which the funding relates	
18.	Applications for any funding or subsidy on behalf of the Region and any related documentation, including reporting requirements	Commissioner responsible for the program or project to which the funding relates	
19.	Agreements permitting deferral of payment of development charges	Chief Administrative Officer and Commissioner of Finance	Compliance with the Region's Development Charges Bylaw
20.	Signing cheques and other financial instruments respecting banking services	Any two of: Regional Chair; Chief Administrative Officer; Commissioner of Finance; Director, Controllership Office and Deputy Treasurer	

<b>Column 1 Delegated Authority</b>	<b>Column 2 Delegate</b>	<b>Column 3 Conditions/Restrictions</b>	
<b>Transportation</b>			
21.	Temporary closure of Regional roads for social, recreational, community, athletic or cinematographic purposes	Commissioner of Transportation Services	Compliance with the Region's Special Events – Regional Roads Policy, including provision of insurance coverage and security deposit
22.	Temporary closure of Regional roads for railway crossing improvements	Commissioner of Transportation Services	
23.	Temporary closure of Regional roads for safety reasons	Commissioner of Transportation Services	
24.	Issuing moving permits under the <i>Highway Traffic Act</i>	Commissioner of Transportation Services	
25.	Establishing reduced load periods on Regional roads	Commissioner of Transportation Services	
26.	Approval of traffic control signal designs and installations under Section 144(31) of the <i>Highway Traffic Act</i>	Commissioner of Transportation Services or Manager, Electrical Design and Construction	
27.	Approval of the installation of temporary traffic controls in support of construction, emergency and safety considerations	Commissioner of Transportation Services	
28.	Designation of parts of Regional roads as construction zones and setting maximum rates of speed under Section 128 of the <i>Highway Traffic Act</i>	Commissioner of Transportation Services	
29.	Location of antennae on private property for the purpose of the Central Traffic Control System	Commissioner of Transportation Services	
30.	Railway crossing relocation agreements	Commissioner of Transportation Services	
31.	Agreements for access to and from Regional roads	Commissioner of Transportation Services	
32.	Requests for conveyance of lands for highway widenings and reserves as a condition of development approvals	Commissioner of Transportation Services	

<b>Column 1 Delegated Authority</b>		<b>Column 2 Delegate</b>	<b>Column 3 Conditions/Restrictions</b>
33.	Dedication of reserves	Commissioner of Transportation Services	Provided that the applicant has fulfilled all conditions
<b>Infrastructure</b>			
34.	Agreements respecting utilities, telecommunications and other services required to service Regional lands and facilities	Commissioner responsible for the Regional infrastructure or facility to which the agreement relates	
35.	Agreements permitting Regional infrastructure to cross railways, highways and pipelines	Commissioner responsible for the Regional infrastructure to which the agreement relates	Compliance with the Region's Policy for Regional Works Crossing Railways, Highways and Utilities
36.	Agreements permitting the Region access to or encroachment on lands for Regional purposes	Commissioner responsible for the Regional infrastructure to which the agreement relates	
37.	Agreements permitting access to or encroachment on Regional lands and facilities by third parties	Commissioner responsible for the Regional infrastructure to which the agreement relates	Compliance with standard conditions including provision of insurance coverage
38.	Documents required in connection with the transfer or assumption of Regional lands, infrastructure and facilities	Regional Solicitor or Commissioner of Corporate Services	
39.	Applications for permits, approvals or licences with respect to any Regional undertaking	Commissioner responsible for the program or project to which the matter relates	
40.	Permits and approvals issued by the Region under any legislative authority	Commissioner responsible for the program or project to which the matter relates	
41.	Development agreements with municipalities for Regional undertakings	Commissioner responsible for the program or project to which the matter relates	
42.	Installation of Communications Antennae on Regional property	Commissioner responsible for the infrastructure to which the agreement relates	Report quarterly to Council Compliance with the Region's Policy on Communications Installations on Regional Property

<b>Column 1 Delegated Authority</b>	<b>Column 2 Delegate</b>	<b>Column 3 Conditions/Restrictions</b>	
<b>Planning &amp; Development</b>			
43.	Site plan agreements and documents required to satisfy any conditions of such agreements	Commissioner of Transportation Services	
44.	Agreements required as a condition of development approvals	Commissioner responsible for the program or project to which the matter relates	
45.	Documents required to clear conditions of development approvals	Commissioner responsible for the program or project to which the matter relates	
46.	Approval of minor or routine amendments to the official plan of a local municipality and to issue notice of decisions	Director, Community Planning (in absence: Director, Long Range Planning)	The approval is not contrary to Regional Council policy No amendment required to Regional Official Plan Amendment primarily local in nature Report twice yearly to Council
47.	Providing Regional comments and conditions of approval with respect to proposed plans of subdivision and condominium descriptions under Section 51 of the <i>Planning Act</i> , and providing clearance of any conditions.	Director, Community Planning and Development Services (in absence: Director, Long Range Planning)	
48.	Scheduling and giving notice of public meetings concerning proposed amendments to Regional Official Plan	Chief Planner (in absence: Director, Community Planning or Director, Long Range Planning)	
<b>Property</b>			
49.	Agreements for the acquisition of land and interests in land	Chief Administrative Officer and Commissioner of Corporate Services	Does not include leases Value of land not to exceed \$100,000 Compliance with the Region's Policy on Corporate Land Acquisition

	<b>Column 1 Delegated Authority</b>	<b>Column 2 Delegate</b>	<b>Column 3 Conditions/Restrictions</b>
50.	Agreements for the disposal of land and interests in land	Chief Administrative Officer	Does not include leases Value of land not to exceed \$100,000 Compliance with the Region's Policy on Sale and Disposition of Land
51.	Agreements for the occupancy of lands and facilities for Regional purposes, including public meetings, staff training and workshops	Commissioner responsible for the program requiring the facility	Does not include leases
52.	Agreements permitting the occupancy of Regional lands and facilities by third parties	Commissioner responsible for the Regional infrastructure or facility to which the agreement relates	Does not include leases Compliance with standard conditions including provision of insurance coverage
53.	Acquisition of widenings and reserves from abutting owners to clarify title to Regional lands	Commissioner of Transportation Services	
54.	Documents required for the completion of any real estate transaction, including transfers, easements, undertakings, certificates, acknowledgments, declarations, indemnities and releases	Regional Solicitor or Commissioner of Corporate Services	
55.	Release of any interest in lands and facilities no longer required by the Region	Regional Solicitor or Commissioner of Corporate Services	
56.	Agreements respecting conditions, covenants or indemnities in favour of the Region	Regional Solicitor or Commissioner of Corporate Services	
57.	Conveyance of rights and easements required to service Regional lands and facilities	Commissioner of Corporate Services	
58.	Conveyance of easements to local municipalities and utilities over closed highways and reserves	Commissioner of Corporate Services	
59.	Conveyance of widenings and reserves to the entity having jurisdiction over the abutting highway	Commissioner of Corporate Services	

<b>Column 1 Delegated Authority</b>		<b>Column 2 Delegate</b>	<b>Column 3 Conditions/Restrictions</b>
60.	Documents required for the purpose of correcting or clarifying title or boundaries	Commissioner of Corporate Services	
61.	Applications, notices and declarations required under the <i>Expropriations Act</i>	Commissioner of Corporate Services	
62.	Applications, agreements and renewals required to obtain authorization to register documents in the electronic land registration system	Regional Solicitor or Commissioner of Corporate Services	
63.	Transfers, applications, notices and documents required under applicable legislation and the Teraview land registration system to register all Regional documents, including those that preserve any right, title or interest in lands	Regional Solicitor or Commissioner of Corporate Services	
64.	Consents and waivers of notice relating to registrations in the land titles system	Commissioner of Corporate Services	
65.	Documents to register liens and discharges on title to real property owned by recipients of social assistance	Commissioner of Community and Health Services	
<b>Purchase of Services</b>			
66.	Agreements for the purchase of services from child care providers, homemakers and domiciliary and emergency hostel providers	Commissioner of Community and Health Services	
67.	Agreements for the purchase of services from physicians, nurses and other health care professionals	Commissioner of Community and Health Services	
68.	Agreements for the purchase of services for clients receiving social assistance	Commissioner of Community and Health Services	
69.	Agreements for the purchase of services from agencies receiving funding from the Region	Commissioner responsible for the program or project to which the service relates	

<b>Column 1 Delegated Authority</b>	<b>Column 2 Delegate</b>	<b>Column 3 Conditions/Restrictions</b>
<b>Litigation</b>		
70.	Originating documents for claims on behalf of the Region	Regional Solicitor
		Value of the claim not to exceed \$500,000
71.	Settlement documents for uninsured claims including settlements under the <i>Expropriations Act</i>	Regional Solicitor
		Value of the settlement not to exceed \$500,000
72.	Releases, indemnities, minutes of settlement and other documents required for the settlement of claims	Regional Solicitor