

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2023-31

Delegation Bylaw

WHEREAS Section 23.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or replaced (the “**Municipal Act**”), authorizes the Region to delegate its administrative, quasi-judicial, and legislative powers and duties, subject to certain conditions and restrictions;

AND WHEREAS Regional Council considers it necessary and desirable for the efficient delivery of services and conduct of business and operations to delegate the powers and duties set out in this bylaw;

NOW THEREFORE, 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*, R.S.O. 1990, c. H.7, as amended or replaced;

“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 and General Counsel” means the Regional Solicitor and General Counsel 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 plan, 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. 2021-103 (the “**Procurement Bylaw**”), as amended or replaced from time to time, and the Procurement 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 Procurement 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 terminate any agreement or ancillary document and 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 or otherwise approved by the Chief Administrative Officer 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 authority has been given by Regional Council, or under the Procurement Bylaw, or under this bylaw to any person to approve any matter or execute any document, such person may appoint a designate to approve the matter and/or to execute any document on their 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.

- 4.5 The appointment of any designate under Bylaw No. 2018-50 remains in effect under this bylaw until revoked or amended, notwithstanding the repeal of Bylaw No. 2018-50.
- 4.6 A reference in this bylaw, or in any other bylaw or in any documentation authorizing the appointment of a designate pursuant to Section 4.3, to any Regional department or to any title or position held by a delegate is a reference to the department, title or position as amended or renamed.
- 4.7 The provisions in Part VI of the *Legislation Act, 2006*, S.O. 2006, c. 21, Sched. F, as amended or replaced, shall apply to this bylaw.
- 4.8 Where used in this bylaw, “include”, “includes”, “including”, and similar formulations, denote that the subsequent list is non exhaustive.

5 ADMINISTRATION

- 5.1 Each signing officer shall obtain the approval of the Regional Solicitor and General Counsel 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 unless otherwise directed.
- 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. 2018-50 is hereby repealed.

ENACTED AND PASSED on May 18, 2023.

Regional Clerk

Regional Chair

SCHEDULE “A”

Pursuant to Section 2.4 of this Bylaw, nothing in this schedule shall be construed as waiving any provision of the Procurement Bylaw, as amended or replaced from time to time, and the Procurement Bylaw shall continue to apply to the procurement of deliverables on behalf of the Region.

<u>Column 1</u> Delegated Authority	<u>Column 2</u> Delegate	<u>Column 3</u> Conditions/Restrictions
Governance & Administration		
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 plan, program or project by Regional Council
2. Submission of service and program plans, notices, and reports as required by any legislative authority	Commissioner responsible for the program or project to which the matter relates	
3. Agreements for the exchange, receipt 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 and non-disclosure agreements	Commissioner responsible for the program or project to which the matter relates	The agreement must allow the Region to make full internal disclosure on a confidential and need-to-know basis to Regional Council, management and applicable staff, unless otherwise approved by the Chief Administrative Officer
5. Agreements permitting filming on Regional property	Chief Administrative Officer	Compliance with the Region's standard requirements, including payment of fees and provision of insurance coverage

Column 1 Delegated Authority		Column 2 Delegate	Column 3 Conditions/Restrictions
6.	Agreements for the procurement of services provided in relation to internal audit conducted by the Audit Services Branch, including forensic investigation 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 seniors' adult day programs	Commissioner of Community and Health Services	
11.	Release of any agreement or condition where Regional requirements have been fulfilled or the agreement or condition 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	
13.	Agreements for educational or training services where the service provider is prescribed by a regulatory body	Commissioner responsible for the program or project to which the service relates	
14.	Agreements and documents relating to attendance of staff at conferences, seminars, courses and conventions	Commissioner responsible for the matter to which the agreement or document relates	
15.	Agreements for the procurement of advertising for Regional services or programs	Commissioner responsible for the service or program to which the advertising relates	
16.	Agreements for the procurement of services required by the Procurement Office to comply with the Region's Procurement Bylaw and applicable trade treaties	Commissioner of Finance	

Column 1 Delegated Authority		Column 2 Delegate	Column 3 Conditions/Restrictions
17.	Agreements for the procurement of goods or services mandated by regulatory agencies	Commissioner responsible for the matter to which the agreement relates	
18.	Agreements for the procurement of works of art	Chief Administrative Officer	
19.	Agreements and documents relating to subscriptions to newspapers, magazines, or other periodicals, as well as digital research resources	Commissioner responsible for the matter to which the subscription relates	Digital research resources must comply with the Region's applicable technology policies
20.	Agreements and documents relating to association membership fees	Commissioner responsible for the matter to which the agreement or document relates	
21.	Agreements for purchases from other government bodies	Commissioner responsible for the matter to which the agreement relates	
22.	Submit bylaws where an action is authorized by Regional Council and if the recommendation to introduce or amend a bylaw has been omitted or if there is an error in the reference to the bylaw that should be amended or if it is necessary to repeal a bylaw to give effect to an action authorized by Council or to correct an error, including placement on the Council agenda without requiring in each instance an accompanying report to Council	Regional Solicitor and General Counsel	
23.	Submit bylaws directly to Regional Council to correct technical errors, to update bylaws to refer to the current statute, provision, position/title, or department, to reflect organizational or governance changes or to refresh content for readability, accessible and clear language and format	Regional Solicitor and General Counsel, in consultation with the Regional Clerk	
Finance			
24.	Investment transactions	Commissioner of Finance and/or Director, Treasury Office	As set out in the Region's Investment Policy

Column 1 Delegated Authority		Column 2 Delegate	Column 3 Conditions/Restrictions
25.	Appointment of members to the underwriting syndicate	Commissioner of Finance	As set out in the Region's Capital Financing and Debt Policy
26.	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
27.	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	
28.	Agreements for the provision of funding by the Region	Commissioner responsible for the program or project to which the funding relates	
29.	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	
30.	Agreements permitting deferral of payment of development charges	Chief Administrative Officer and Commissioner of Finance	Compliance with the Region's Development Charges Bylaw and Regional Policies
31.	Signing cheques and other financial instruments and agreements respecting banking services	Any two of: Regional Chair; Chief Administrative Officer; Commissioner of Finance; Deputy Treasurer(s)	
32.	Signing cheques and other documents in connection with Trust Accounts established in accordance with O. Reg 246/22 under the <i>Fixing Long-Term Care Act, 2021</i>	Any two of: Manager(s), Financial Services and Business Planning; Accounting Supervisor(s), Community & Health Services Department, Integrated Business Services Branch	
Public Works			
33.	Temporary closure of Regional roads for social, recreational, community, athletic or cinematographic purposes	Commissioner of Public Works	Compliance with the Regional Roads - Special Events Policy, including provision of insurance coverage and security deposit
34.	Temporary closure of Regional roads for railway crossing improvements	Commissioner of Public Works	

Column 1 Delegated Authority		Column 2 Delegate	Column 3 Conditions/Restrictions
35.	Temporary closure of Regional roads for operational or safety reasons	Commissioner of Public Works	
36.	Issuing moving permits under the <i>Highway Traffic Act</i>	Commissioner of Public Works	
37.	Establishing reduced load periods on Regional roads	Commissioner of Public Works	
38.	Establishing turning movement restrictions on Regional roads	Commissioner of Public Works	
39.	Approval of traffic control signal designs and installations under Section 144(31) of the <i>Highway Traffic Act</i>	Commissioner of Public Works or Manager, Engineering	
40.	Approval of the installation of temporary traffic controls in support of construction, emergency and safety considerations	Commissioner of Public Works	
41.	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 Public Works	
42.	Location of antennae on private property for the purpose of the Central Traffic Control System	Commissioner of Public Works	
43.	Railway crossing relocation agreements	Commissioner of Public Works	
44.	Agreements for access to and from Regional roads	Commissioner of Public Works	
45.	Requests for conveyance of lands for highway widenings and reserves as a condition of development approvals	Commissioner of Public Works	
46.	Dedication of reserves	Commissioner of Public Works	
47.	Appointments of, and revocation of appointments of, Risk Management Inspectors and Risk Management Officials under Part IV of the <i>Clean Water Act, 2006</i>	Commissioner of Public Works	

Column 1 Delegated Authority		Column 2 Delegate	Column 3 Conditions/Restrictions
48.	Appointments of, and repeal of appointments of, area weed inspectors under Section 6 of the <i>Weed Control Act</i>	Commissioner of Public Works	Commissioner of Public Works to request Regional Solicitor and General Counsel to submit bylaw directly to Regional Council
49.	Agreements for the provision of transit charter services by the Region	Commissioner of Public Works	Compliance with the Region's Transit Charters Policy
50.	Agreements with Metrolinx or such successor agencies and other participating transit agencies to govern the joint procurement of transit buses	Commissioner of Public Works	
Infrastructure			
51.	Agreements respecting utilities (including utility relocations and utility locates), telecommunications and other services required to service Regional lands and facilities or to facilitate a third party or Regional project	Commissioner responsible for the Regional infrastructure or facility to which the agreement relates	
52.	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 with Railways, Highways and Utilities
53.	Agreements permitting the Region access to or encroachment on lands for Regional purposes	Commissioner responsible for the Regional infrastructure to which the agreement relates	The agreement must be for nominal consideration
54.	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
55.	Documents required in connection with the transfer or assumption of Regional lands, infrastructure and facilities	Regional Solicitor and General Counsel or Commissioner of Corporate Services	
56.	Applications and documentation with respect to permits, approvals or licences with respect to any Regional undertaking, including data licences, data sub-licences and data sharing licences	Commissioner responsible for the program or project to which the matter relates	

Column 1 Delegated Authority		Column 2 Delegate	Column 3 Conditions/Restrictions
57.	Permits and approvals issued by the Region under any legislative authority	Commissioner responsible for the program or project to which the matter relates	
58.	Development agreements with municipalities for Regional undertakings	Commissioner responsible for the program or project to which the matter relates	
59.	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 Telecommunications Installations on Regional Property
60.	Agreements for the procurement of railway flagging and protection services in relation to work performed adjacent to a railway crossing	Commissioner responsible for the infrastructure to which the agreement relates	
Planning & Development			
61.	Site plan agreements and documents required to satisfy any conditions of such agreements	Chief Planner	
62.	Agreements required as a condition of subdivision or other development approvals	Commissioner responsible for the program or project to which the matter relates	
63.	Providing comments and conditions of approval on development applications, and issuing clearance of any conditions	Chief Planner or Director, Community Planning and Development Services	
64.	Documents required to clear conditions of development approvals	Commissioner responsible for the program or project to which the matter relates	
65.	Providing comments on proposed official plans and amendments to official plans of local municipalities	Chief Planner or Director, Community Planning and Development Services	
66.	Approval of routine amendments to the official plan of a local municipality and to issue notice of decisions	Chief Planner or Director, Community Planning and Development Services	Amendment primarily local in nature Report twice yearly to Council

Column 1 Delegated Authority		Column 2 Delegate	Column 3 Conditions/Restrictions
67.	Scheduling and giving notice of public meetings concerning proposed amendments to Regional Official Plan or issuing other notices under the <i>Planning Act</i> or the <i>Development Charges Act, 1997</i>	Chief Planner or Commissioner of Finance	
68.	Issue notice to limit non-decision period for approval of official plans	Chief Planner	
69.	Issue notice to extend non-decision timeframe for approval of official plans	Chief Planner	
70.	Issue statement that official plan update does not conform to Regional Official Plan	Chief Planner	
71.	Issue notice for ADR or other dispute resolution with respect to appeals of official plans	Chief Planner	
72.	Decisions regarding restrictions on ability to appeal official plan/ policies that address specific provincially approved matters and second suites	Chief Planner	
73.	Decisions regarding whether an official plan appeal is a global appeal	Chief Planner	
74.	Decisions regarding ability to appeal official plan provisions addressing protected major transit station policies	Chief Planner	
Property			
75.	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 \$500,000 Compliance with the Region's Policy on Corporate Land Acquisition

Column 1 Delegated Authority		Column 2 Delegate	Column 3 Conditions/Restrictions
76.	Agreements for the disposal of land and interests in land	Chief Administrative Officer	Does not include leases Value of land not to exceed \$500,000 Compliance with the Region's Policy on Sale and Other Disposition of Regional Lands
77.	Agreements, including licences, for the occupancy of third party lands and facilities for Regional purposes, programs, events and activities, including public meetings, staff training and workshops	Commissioner responsible for the program requiring the facility	Does not include leases
78.	Agreements, including licences, 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
79.	Acquisition of widenings and reserves from abutting owners to clarify title to Regional lands	Commissioner of Public Works	
80.	Documents required for the completion of any real estate transaction, including transfers, easements, undertakings, certificates, acknowledgments, declarations, indemnities and releases	Regional Solicitor and General Counsel or Commissioner of Corporate Services	
81.	Release of any interest in lands and facilities no longer required by the Region	Regional Solicitor and General Counsel or Commissioner of Corporate Services	
82.	Agreements respecting conditions, covenants or indemnities in favour of the Region	Regional Solicitor and General Counsel or Commissioner of Corporate Services	
83.	Conveyance of rights and easements required to service Regional lands and facilities	Commissioner of Corporate Services	
84.	Conveyance of easements to local municipalities and utilities over closed highways and reserves	Commissioner of Corporate Services	

Column 1 Delegated Authority		Column 2 Delegate	Column 3 Conditions/Restrictions
85.	Conveyance of widenings and reserves to the entity having jurisdiction over the abutting highway	Commissioner of Corporate Services	
86.	Documents required for the purpose of correcting or clarifying title or boundaries	Commissioner of Corporate Services	
87.	Applications, notices and declarations required under the <i>Expropriations Act</i>	Commissioner of Corporate Services	
88.	Applications, agreements and renewals required to obtain authorization to register documents in the electronic land registration system	Regional Solicitor and General Counsel or Commissioner of Corporate Services	
89.	Transfers, applications, notices and documents required under applicable legislation and the Ontario electronic land registration system (Teraview) to register all Regional documents, including those that preserve any right, title or interest in lands	Regional Solicitor and General Counsel or Commissioner of Corporate Services	
90.	Consents and waivers of notice relating to registrations in the land titles system	Commissioner of Corporate Services	
91.	Documents to register liens and discharges on title to real property owned by recipients of social assistance	Commissioner of Community and Health Services	
92.	Issuing notices under the <i>Trespass to Property Act</i>	Commissioner responsible for the program, project, or property to which the notice relates	
Purchase of Program Services			
93.	Agreements for the purchase of services from licensed child care providers, housing with supports operators and emergency and transitional housing operators	Commissioner of Community and Health Services	

Column 1 Delegated Authority		Column 2 Delegate	Column 3 Conditions/Restrictions
94.	Agreements for the purchase of services from physicians, nurses and other health care professionals	Commissioner of Community and Health Services	
95.	Agreements for the purchase of services for clients receiving social assistance	Commissioner of Community and Health Services	
96.	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	
Litigation			
97.	Originating documents for claims on behalf of the Region	Regional Solicitor and General Counsel	Value of the claim not to exceed \$500,000 (exclusive of interest and costs)
98.	Settlement documents for uninsured claims including settlements under the <i>Expropriations Act</i>	Regional Solicitor and General Counsel	Value of the settlement not to exceed \$500,000 (exclusive of interest and costs)
99.	Releases, indemnities, minutes of settlement and other documents required for the settlement of claims	Regional Solicitor and General Counsel	
100.	Agreements for the procurement of services of expert witnesses or factual witnesses for proceedings before the courts or administrative tribunals	Regional Solicitor and General Counsel	
101.	Agreements for the procurement of legal services	Regional Solicitor and General Counsel	