

By-law 2019-124

**A By-law of the City of Greater Sudbury to Amend By-law 2017-5
being a By-law of the City of Greater Sudbury Respecting the
Delegation of Authority to Various Officials of the City**

Whereas Council for the City of Greater Sudbury deems it advisable to amend By-law 2017-5 being a By-law of the City of Greater Respecting the Delegation of Authority to Various Officers of the City of Greater Sudbury;

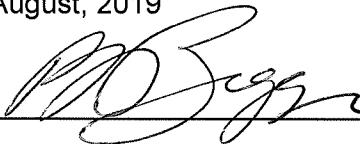
Now therefore Council of the City of Greater Sudbury hereby enacts as follows:

1. By-law 2017-5 being a By-law of the City of Greater Respecting the Delegation of Authority to Various Officers of the City of Greater Sudbury, as amended, is hereby further amended by;

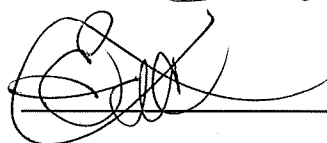
- (a) re-identifying "paragraph 12(d)" as "paragraph 13(d)";
- (b) repealing Schedule "D" and enacting, in its place and stead, Schedule "D" attached hereto as Schedule "A" and forming a part of this By-law.

2. This By-law shall come into full force and effect upon passage.

Read and Passed in Open Council this 13th day of August, 2019



Mayor



Clerk

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Utility Relocation Costs

1. The General Manager of Growth and Infrastructure, the Director of Engineering Services and the Director of Infrastructure Capital Planning individually are delegated the authority, in the absence of an agreement with a utility, to determine a cost sharing agreement in accordance with the *Public Service Works on Highways Act*, R.S.O. 1990, c. P.49, as amended where, in the course of constructing, reconstructing, changing, altering or improving a highway, it becomes necessary to take up, remove or change the location of utility works. In this section "works" means poles, wires, conduits, transformers, pipes, pipe lines or any other works placed on or under a highway by a Person or commission operating or using a telephone or telegraph service, or transmitting, distributing or supplying electricity or artificial or natural gas for light, heat or power.

Road Limits - Boundaries Act

2. The General Manager of Growth and Infrastructure and the Director of Infrastructure Capital Planning individually are delegated the authority to make applications pursuant to section 3(2) of the *Boundaries Act*, R.S.O. 1990, c. B.10, as amended, to confirm City road boundaries or limits.

Former Long Lake Road

3. The General Manager of Growth and Infrastructure and the Director of Infrastructure Capital Planning individually are hereby delegated the authority to Execute releases of interests or other documentation as may be required from time to time to reflect that the City makes no claim to the abandoned roadway of the former Long Lake Road.

Erection of Signs and Signals

4. The General Manager of Growth and Infrastructure and the Director of Engineering Services and the Director of Infrastructure Capital Planning individually are delegated the authority to erect and maintain such signs, traffic control signals and other traffic control devices

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as may be required to regulate and direct pedestrian and vehicular traffic for the safety and convenience of the public.

Temporary Road Closings

5. The General Manager of Growth and Infrastructure and the Director Linear Infrastructure Services, the Director of Engineering Services, and the Director of Infrastructure Capital Planning individually are delegated the authority to temporarily close a City road or a portion of a City road provided that the temporary road closure is for the purpose of routine road operations including construction, rehabilitation or maintenance, snow removal, special events, street fairs, promotional activities or construction on abutting lands and that appropriate signs are erected to provide reasonable notice of the temporary closure.

Occupation or Use of Road

6. The General Manager of Growth and Infrastructure and the Director of Infrastructure Capital Planning individually are delegated the authority to Execute Standard Form Agreements authorizing the occupation or use of City road allowances, provided that such agreements contain appropriate indemnification and insurance requirements, where applicable.

Special Circumstances

7. The General Manager of Growth and Infrastructure and the Director of Linear Infrastructure Services, the Director of Engineering Services and the Director of Infrastructure Capital Planning individually are delegated the authority to prohibit and regulate the movement, parking or stopping of vehicles for a temporary period, including the temporary closing of a road\street, on a City street during such times and days as deemed proper and necessary for the safe operation of the street and the safe performance of a vital City function and to erect appropriate signs to provide reasonable notice thereof.

Encroachments

8. The General Manager of Growth and Infrastructure and the Director of Infrastructure Capital Planning individually are authorized to approve encroachment permits, Execute and

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release encroachment agreements, release encroachment agreements and consent to the assignment of existing encroachment agreements.

Construction Zone Speed Limits

9. The General Manager of Growth and Infrastructure, the Director Water/Wastewater Treatment and Compliance, the Director of Linear Infrastructure Services, the Director of Engineering Services and the Director of Infrastructure Capital Planning individually are authorized to designate construction zones on roads and highways within the City and to set the speed limit within such designated construction zones pursuant to section 128 of *the Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended.

Water Works Connection

10. The General Manager of Growth and Infrastructure, the Director Water/Wastewater Treatment and Compliance, the Director of Linear Infrastructure Services, the Director of Engineering Services and the Director of Infrastructure Capital Planning individually are delegated the authority to grant all approvals for connections to the City waterworks system on the condition that an applicant assumes any responsibility for any injury or damage arising from the construction, operation or existence of the connection and provided such approval contains an indemnification of the City.

Ontario Water Resources Act

11. The General Manager of Growth and Infrastructure, the Director of Linear Infrastructure Services and the Director of Water/Wastewater Treatment and Compliance individually are delegated the authority to grant approvals pursuant to the applicable sections of the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40 as amended.

Release of Easements

12. The General Manager of Growth and Infrastructure is delegated the authority jointly with the City Solicitor to Execute the release of easements for access, waterworks, drainage, or sewage works where the utility services have been discontinued, subject to any fee imposed by Council.

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Development Related / Vehicle Rental / Crossing / Locate Agreements

13. The General Manager of Growth and Infrastructure is delegated the authority to Execute Standard Form Agreements related to the following:

- (a) subdivision or condominium development;
- (b) servicing agreements;
- (c) potable water or no demand for services;
- (d) road or easement dedication;
- (e) any agreements required as part of a rezoning, minor variance, severance, Official Plan Amendment or similar application;
- (f) winter truck, fleet and other vehicle rental;
- (g) lot grading;
- (h) railway crossing; and
- (i) alternate locates with utility companies.

Nuisance Habitats

14. The General Manager of Growth and Infrastructure and the Director of Linear Infrastructure Services individually are delegated the authority to Execute agreements with Her Majesty the Queen in Right of Ontario as represented by the Minister of Natural Resources or with other parties, to control disturbances caused by beaver dams.

Service Connections

15. The General Manager of Growth and Infrastructure is authorized to Execute agreements which relate to the connection by a landowner to City water or sewer services.

Noise By-law Exemptions

16. In relation to construction, repair or maintenance of City infrastructure, the General Manager of Growth and Infrastructure is authorized to grant exemptions from, or permission under, City and Former Municipality by-laws regulating noise.

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Solid Waste

17. The General Manager of Growth and Infrastructure and the Director of Environmental Services individually are delegated the authority to Execute Standard Form Agreements related to the following:

- (a) Adopt-a-Road agreements with Persons and volunteer groups for programs related to the pick-up of garbage or litter from the rights of way of City roads;
- (b) Adopt-a-Bin agreements with Persons and volunteer groups for programs related to additional collection services and the disposal of garbage from designated trash bins;
- (c) Adopt-a-Spot agreements with Persons and volunteer groups for programs related to the pick-up of litter from designated spots;
- (d) recycling agreements with Persons living or carrying on business or venture outside the City;
- (e) waste collection services with property owners; and
- (f) collection services for residential waste and recyclables with owners of small commercial businesses and high density residential buildings.

Certificates of Approval - Solid Waste

18. The General Manager of Growth and Infrastructure, and the Director of Environmental Services individually are delegated the authority to approve solid waste facilities and short term waste facilities, to enter into agreements related thereto and to provide technical comments to the Ontario Ministry of the Environment on all Certificate of Approval applications.

Planning Services

19. The General Manager of Growth and Infrastructure, the Director of Planning Services and the Manager of Development Approvals individually are authorized to:

- (a) notify an applicant, prescribed Persons, and public bodies whether the requirements under subsections 22(6.1), 22(6.4), 34(10.4), 34(10.7), 51(19.1) and 51(19.4) of the *Planning Act*, including any applicable requirements of the Official Plan of the City, have been satisfied;

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- (b) require any Person or public body that applies for an Official Plan or Zoning By-law amendment, or draft plan of subdivision and condominiums approval to provide such other information that the City may need; and
- (c) add, delete or amend conditions of draft approval of subdivisions and condominiums and Execute final plans relating thereto deemed appropriate.

20. The General Manager of Growth and Infrastructure, the Director of Planning Services and the Manager of Community and Strategic Planning individually are authorized to Execute the following agreements:

- (a) licensing agreements for the use of spatial data of the City and updates of spatial data sets;
- (b) licensing agreements with boards, agencies, municipal, provincial or federal governments for data sharing;
- (c) end-user license agreements for the Ontario Land Information Directory; and
- (d) Ontario Road Network Database agreements.

21. The Manager of Development Approvals is delegated the authority to make the decisions, perform the administrative tasks and exercise the rights assigned to the "Designated Municipal Officer" for the purposes of implementing the City of Greater Sudbury Radio-communication and Broadcasting Antenna Systems Public Consultation Protocol.

Front Ending Agreements

22. In consultation with the Treasurer, the General Manager of Growth and Infrastructure and the Director of Planning Services individually are authorized to Execute front-ending agreements pursuant to the *Development Charges Act*, 1997, S.O 1997, c. 27.

Development Cost Sharing Agreements

23.-(1) In consultation with the Treasurer, the General Manager of Growth and Infrastructure and the Director of Planning Services individually are is authorized to:

- (a) review and approve or reject applications for Development Cost Sharing Agreements, in accordance with the principles set out in the City's Development

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Cost Sharing Policy, provided that the City's contribution does not exceed \$250,000; and

- (b) negotiate, sign, amend and administer, an agreement for Development Cost Sharing where approved by the General Manager of Growth and Infrastructure under paragraph 21A(1)(a) or approved by Council for the City of Greater Sudbury.

(2) Nothing herein limits the right of the General Manager of Growth and Infrastructure from referring any application for Development Cost Sharing to Council for decision.

Development Deposits

24. The General Manager of Growth and Infrastructure, the Director of Planning Services, the Manager of Development Approvals and the Subdivision Site Plan Control Engineer are individually authorized to advise the Finance Division on the release of letters of credit and deposits provided to the City as security pursuant to subdivision and site plan agreements.

Building Services

25. The Chief Building Official and the Treasurer are jointly authorized to approve all refunds of development charges.

26. The Chief Building Official is delegated the authority to Execute agreements related to the following:

- (a) site plan control;
- (b) removal of buildings; and
- (c) consolidation of lots.

27. The Chief Building Official is authorized to Execute agreements and take appropriate action related to the issuance of a conditional building permit where:

- (a) the conditional building permit application complies with the requirements prescribed by the *Building Code Act, 1992*, S.O. 1992, c.23, as amended, and its regulations; and

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- (b) the applicant and all departments and agencies having an interest in the application are in agreement with the conditions.

Noise By-law Exemptions – Filming Events

28.-(1) The General Manager of Growth and Infrastructure is authorized to grant exemptions from, or permission under, City and Former Municipality by-laws regulating noise for Filming Events and such exemptions or permissions may include conditions to be determined by the General Manager of Growth and Infrastructure.

(2) Applications for an exemption issued pursuant to subsection 1 shall be filed with the General Manager of Growth and Infrastructure no less than two weeks prior to the Filming Event.