

## **By-law 2020-102**

### **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) repealing the definition of "Division" and enacting the following definition in its place and stead:

"Division" means an organizational unit of the City of Greater Sudbury headed by an individual who reports directly to a General Manager, or, in the case of Economic Development and in the case of Strategic Initiatives, Communications and Citizen Services, directly to the Chief Administrative Officer;"

- (b) repealing Section 12 Partnership Contracts and enacting the following Section 12 in its place and stead:

#### **"Partnership Contracts**

**12.** The members of the Executive Leadership Team are each individually delegated the authority to make application for, and to Execute Partnership Contracts in support of approved programs, projects or services provided to or delivered by the City."

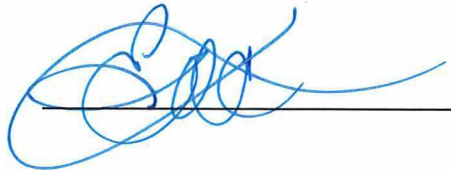
- (c) repealing Schedule "C", in its place and stead, Schedule "C", attached hereto as Schedule "A" and forming a part of this By-law;
- (d) repealing Schedule "D", in its place and stead, Schedule "D", attached hereto as Schedule "B" and forming a part of this By-law; and

(e) repealing Schedule "E", in its place and stead, Schedule "E", attached hereto as Schedule "C" 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 23<sup>rd</sup> day of June, 2020

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**Corporate Services Department**

**Finance, Assets and Fleet Division**

**Asset Services Section**

**Land Agreements**

1. Each of the General Manager of Corporate Services and the Director of Asset and Fleet Services individually are delegated the authority to Execute Standard Form Agreements, applications and/or documents related to the following:

- (a) assignments of lease;
- (b) easements over City land and the negotiation and acquisition of easements for the City;
- (c) land use permits or similar agreements;
- (d) building permits, demolition permits and other applications under the *Building Controls Act 1992*, S.O. 1992 c.23;
- (e) minor variance zoning and other applications under the *Planning Act*, R.S.O.,c.P.13;
- (f) permits, connection permits and similar applications;
- (g) notices, forms, agreements and releases under the *Expropriations Act*, R.S.O. 1990, c.E.26;
- (h) encroachment permits, encroachment agreements, release of encroachment agreements and consents to the assignment of existing encroachment agreements, including encroachments on City lands and easements;
- (i) underground pipe crossing agreements and crossing agreements;
- (j) agreements permitting occupation or use of City land related to approved Department programs and objectives with the approval of the responsible General Manager;
- (k) listing agreements, agreements of purchase and sale, and any schedules, notices or amendments thereto, or other similar documents in use by the Ontario Real Estate Association;

**Corporate Services Department**

- (l) forms, notices, schedules, agreements and any other documents prescribed pursuant to any statute or regulation governing the conveyance of land in the Land Titles or Registry systems in Ontario; and
- (m) covenants to Indemnify the Land Titles Assurance Fund.

**Encroachments**

2. Each of the Treasurer and the Director of Asset and Fleet Services individually is authorized to approve encroachment permits, Execute and release encroachment agreements, release encroachment agreements and consent to the assignment of existing encroachment agreements.

**Energy Initiatives**

3. The Coordinator of Energy Initiatives is authorized to Execute grant applications with other government agencies.

**Parking Revenue**

4. The Treasurer is hereby authorized to enter into parking revenue sharing agreements between the City and Laurentian University, and with all other property owners that issue over 1,000 parking tickets per year.

**Electrical Safety Authority**

5. The General Manager of Corporate Services is hereby authorized to Execute Continuous Safety Services Agreements with the Electrical Safety Authority.

**Finance, Assets and Fleet Division**

**Finance Section**

**General Authority**

6. Each of the General Manager of Corporate Services and the Treasurer individually is authorized to Execute Standard Form Agreements related to quality performance initiatives and the engagement of the City's external auditors.

**Corporate Services Department**

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

8. Each of the General Manager of Corporate Services, the Treasurer and the Deputy Treasurer individually is delegated the authority to:

- (a) Execute any necessary agreements with the Canada Revenue Agency for the processing of City matters;
- (b) sign official receipts for income tax purposes for the fair market value of donations made to the City or to its local boards, pursuant to the *Income Tax Act*, R.S.C. 1985, c.1;
- (c) Execute agreements on the City's behalf with banks, investment firms, brokers and similar organizations to invest City funds in accordance with the City's Investment Policy;
- (d) Execute grant applications and grant claim forms on behalf of the City; and
- (e) Execute Standard Form Agreements and any schedules, extensions or amendments thereto or similar documentation with banks, or other financial institutions for any banking related services.

**Installment Payments of Development Charges**

9. The Treasurer is delegated the authority to execute standard form agreements regarding installment payments of Development Charges where authorized under subsection 26.1 of the *Development Charges Act, 1997*.

**Overpayments**

10. Each of the Deputy Treasurer and the Coordinator of Accounting individually are delegated the authority to Execute Standard Form Agreements respecting repayment of Child Care Subsidy overpayments.

**Corporate Services Department**

**Insurance Releases, Binding Coverage and Appraisals**

**11.** Each of the Treasurer, the Manager of Financial Planning and Budgeting and the Coordinator of Insurance and Risk Management individually is authorized to perform the following functions:

- (a) to Execute insurance releases and proof of loss forms on behalf of the City when the City's insurer has negotiated the settlement of a claim;
- (b) to bind coverage during the applicable insurance policy term for any new infrastructure, vehicle or equipment.
- (c) to retain appraisers in relation to insurance claims or risk management issues.

**Bank Statements of Account**

**12.** Each of the Treasurer, Deputy Treasurer and the Coordinator of Accounting and the City's external auditors individually is authorized to receive from the City's bank:

- (a) a statement of the accounts of the City together with all relative vouchers debentures and all unpaid bills lodged for collection by the City;
- (b) all items returned unpaid and charged to the account of the City; and
- (c) to Execute and deliver to the said bank, the bank's form of verification, settlement of balance and release.

**Cheques**

**13.** Each of the Treasurer, Deputy Treasurer and the Manager of Financial Planning and Budgeting individually is authorized, together with the Mayor, or the Deputy Mayor should the Mayor be absent from the City or unavailable due to illness, or where the Mayor's office is vacant, to Execute such cheques, bank promissory notes and other banking documents in the name of the City.

**14.** Each of the Treasurer, Deputy Treasurer and the Manager of Financial Planning and Budgeting individually is authorized jointly with the Mayor or Deputy Mayor, to deposit to or to write cheques on the Retirement Trust Account.

**15.** Each of the Treasurer, Deputy Treasurer and the Manager of Financial Planning and Budgeting individually is authorized jointly with the Mayor or Deputy Mayor, to Execute all

**Corporate Services Department**

cheques, notes or other financial documents relating to the City undertakings and as required by the *Ontario Works Act, 1997*, S.O. 1997, c.25.

**Deposits**

**16.** Each of the Treasurer, Deputy Treasurer and the Coordinator of Accounting individually is authorized to negotiate, deposit with or transfer to the bank designated as the City's bank, for the credit of the City's account or accounts only, cheques and other orders for the payment of money and for that purpose to endorse the same on behalf of the City either in writing or by rubber stamp.

**Receipt of Securities and Other Documents**

**17.** Each of the General Manager of Corporate Services, the Executive Director of Finance, Assets and Fleet, the Manager of Accounting / Deputy Treasurer and the Manager of Financial Planning and Budgeting individually is authorized to obtain delivery from the City's bank of all or any stocks, bonds and other securities held by the said bank in safekeeping or otherwise for the account of the City and to give valid and binding receipts therefor.

**Utility Bills**

**18.** To ensure that utility bills are paid in a timely fashion thereby avoiding interest costs, the Deputy Treasurer is authorized to pay utility bills processed by the Finance Division in advance of review by the operating departments.

**Recovery of Debts**

**19.-(1)** Each of Treasurer and Deputy Treasurer individually is delegated the authority to collect overdue debts owed to the City in accordance with the Accounts Receivable and Collections Policy.

(2) In the exercise of recovering debts, the Treasurer shall use the most efficient combination of staff and external resources and shall consult with the City Solicitor in circumstances where external legal services may be required.

**Corporate Services Department**

**Debt Write-Off**

20. The Treasurer is delegated the authority to abandon and write off, in whole or in part, an amount or claim of the City which he deems to be uncollectible, provided such amount or claim, exclusive of interest, in any one instance does not exceed Thirty-five Thousand Dollars (\$35,000) or the monetary jurisdiction of the Superior Court of Justice - Small Claims Court, whichever is greater.

**Assessment Appeals**

21.-(1) Each of the Treasurer, the Manager of Financial Planning and Budgeting and the Manager of Taxation individually is delegated the authority to commence, maintain and settle proceedings or to appeal decisions of the Assessment Review Board with respect to all property assessment issues subject to instruction as may be issued by Council, from time to time, and in the conduct of such proceedings, the Finance Division shall represent the City and shall use the most efficient combination of staff and external resources as required to represent the interests of the City.

(2) In carrying out the authority delegated hereunder, the Treasurer, the Manager of Financial Planning and Budgeting and the Manager of Taxation is authorized to Execute Minutes of Settlement in respect of property assessment issues.

**Legal and Clerk's Services Division**

**Clerk's Services Section**

**Use of Facilities - Tom Davies Square**

22. Each of the General Manager of Corporate Services and the City Solicitor and Clerk individually is authorized to approve the use of the interior and exterior concourse of the Tom Davies Square, meeting rooms, or Council Chambers, in accordance with related policies governing such use.

**Noise By-law Exemptions**

23. Subject to sections 16 and 28 of Schedule "D", each of the General Manager of Corporate Services and the City Solicitor and Clerk individually is authorized to grant



**Corporate Services Department**

exemptions from the application of, or permission under, City and Former Municipality by-laws regulating noise.

**Marriages**

**24.** The City Solicitor and Clerk and the Deputy Clerks are each authorized to solemnize marriages in accordance with the City's civil marriage solemnization policy.

***Municipal Freedom of Information and Protection of Privacy Act***

**25.** In accordance with s.23.1 of the *Municipal Act* and s. 49(1) of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended, the City Solicitor and Clerk is delegated the powers and duties of the Head and in his/her absence shall be the Deputy City Clerk / Deputy City Solicitor.

**Clerk of the Court**

**26.** All powers and duties of a clerk of the Ontario Court of Justice Provincial Offences Court have been delegated pursuant to the *Courts of Justice Act*, R.S.O. 1990, c. C.43 to the individuals holding the positions of, or acting as Deputy City Clerk appointed as Clerk of the Court under the Appointments By-law, POA Administration Clerk and/or Clerk/Monitor.

**Fines**

**27.** The City Solicitor and Clerk and the Deputy City Clerk appointed as Clerk of the Court under the Appointments By-law, are jointly authorized to adjust or write off fines in the event of an administrative error.

**Agreements**

**28.** Each of the General Manager of Corporate Services and the City Solicitor and Clerk individually is authorized to Execute Standard Form Agreements related to the following:

- (a) postage and delivery services;
- (b) printing and copying equipment or services;
- (c) corporate security;
- (d) *Provincial Offences Act* operations;

**Corporate Services Department**

- (e) disclosure agreements with other institutions, or for research purposes, relating to the *Personal Health Information Protection Act, 2004*, S.O. 2004, c. 3, Sched. A and the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56; and
- (f) other agreements related to the corporate-wide administration of the City.

**Municipal Elections**

**29.** The City Solicitor and Clerk is authorized to sign agreements to secure voting locations for municipal elections and any other agreements required to fulfill the duties of the Clerk in a municipal election.

**Legal and Clerk's Services Division**

**Legal Services Section**

**General Authority**

**30.**-(1) The City Solicitor and Clerk, the Deputy City Solicitor / Deputy City Clerk and the Assistant City Solicitors shall be responsible for providing legal services to the City, Council and Committees of Council.

(2) In addition, legal services may be provided to such local boards or municipal corporations as may be approved or required by Council provided that, in the event of an actual or potential conflict of interest between the City's interests and the interests of another party, legal services shall be provided only to the City.

**Litigation**

**31.**-(1) The City Solicitor and Clerk shall be responsible for the conduct of all litigation before courts and administrative tribunals as set out herein, subject to:

- (a) the delegated authority granted to the Director of Human Resources and Organizational Development;
- (b) assessment appeals before the Assessment Review Board as provided for in Section 20 of this Schedule; and
- (c) such instruction as may be issued by Council from time to time,

**Corporate Services Department**

(2) In the conduct of such litigation, the City Solicitor and Clerk shall:

- (a) use the most efficient and effective combination of staff and external legal services as required to represent the interests of the City and
- (b) consult with, and receive instructions from, the appropriate member of the Executive Leadership Team whose Department or Division is associated with such proceedings.

**32.** Each of the City Solicitor and Clerk and the Deputy City Solicitor / Deputy City Clerk individually shall have authority to commence, prosecute, defend, settle and abandon legal proceedings that fall within the jurisdiction of the Superior Court of Justice - Small Claims Court.

**33.** With respect to matters that fall within the jurisdiction of the Superior Court of Justice, each of the City Solicitor and Clerk and the Deputy City Solicitor / Deputy City Clerk individually shall have the authority to:

- (a) conduct the defence of all actions or applications;
- (b) commence, prosecute, settle and abandon actions or applications for damages up to Fifty Thousand (\$50,000) Dollars;
- (c) commence, prosecute, settle and abandon legal proceedings for equitable relief where such manner of proceeding is appropriate;
- (d) initiate or defend applications under section 3 of the *Assessment Act*, R.S.O 1990, c. A31; and
- (e) execute on behalf of the City all forms contemplated by the Rules of Civil Procedure.

**34.** Each of the City Solicitor and Clerk and the Deputy City Solicitor / Deputy City Clerk individually shall have the authority to:

- (a) authorize the payment of all expenses related to the conduct of any legal proceeding and the payment of any costs awarded against the City;
- (b) Execute all documents required to conduct any legal proceeding or conclude the settlement thereof including, but not limited to, minutes of settlement, consents, draft orders and releases; and
- (c) take all steps required to enforce orders, decisions, awards and judgments.

**Corporate Services Department**

**Appeals**

35. Each of the City Solicitor and Clerk and the Deputy City Solicitor / Deputy City Clerk individually shall have the authority to appeal decisions of the Superior Court of Justice - Small Claims Court and to take all necessary action in relation to the appeal.

**Administrative Tribunals**

36. Each of the City Solicitor and Clerk and the Deputy City Solicitor / Deputy City Clerk individually shall have the authority to apply for standing to make applications and take objection to all matters before administrative tribunals.

37. In addition, each of the City Solicitor and Clerk and the Deputy City Solicitor / Deputy City Clerk individually shall have the following authority, with regard to administrative tribunals, to:

- (a) commence, conduct, participate in, and settle appeals, including but not limited to planning matters and appeals from decisions of the Committee of Adjustment to the Ontario Municipal Board and similar administrative tribunals;
- (b) Execute all related documentation;
- (c) appeal any decision of an administrative tribunal where the appeal lies to another administrative tribunal; and
- (d) make applications for judicial review of decisions of administrative tribunals.

**Emergency or Unforeseen Exceptional Circumstances**

38. Where an Emergency or unforeseen exceptional circumstances arise that will not allow for the required authority granting procedures to be followed with respect to any legal matter, each of the City Solicitor and Clerk and the Deputy City Solicitor / Deputy City Clerk individually shall have the authority to take the appropriate action and report such action to Council at the earliest opportunity.

**Release of Easements**

39. Each of the City Solicitor and Clerk and the Deputy City Solicitor / Deputy City Clerk individually is delegated the authority jointly with the General Manager of Growth and

**Corporate Services Department**

Infrastructure to review, approve and process the release of easements for waterworks and sewage works to the holder in fee simple of the lands that are subject to the easement for nominal consideration where the utility services provided by these works at the location of the easements have been discontinued, subject to any fee imposed by Council.

**Lands under the *Land Titles Act* and Interests in Lands**

- 40.** Each of the City Solicitor and Clerk and the Deputy City Solicitor / Deputy City Clerk individually is delegated the authority to:
- (a) make applications under the *Land Titles Act*, R.S.O. 1990, c. L.5, as amended and under related legislation to bring under that Act lands of the City;
  - (b) register easements, transfers, agreements, restrictions, by-laws, orders, liens, mortgages and other documents and interests in land, both owned by the City and not owned by the City, and where applicable, to register discharges or releases in whole or in part when authorized to do so by the applicable department, division or section or where there is no longer an interest by the City; and
  - (c) register mortgages, charges, agreements protecting rights of the City under the Affordable Housing Program, or under similar programs and to register discharges or releases of same, when authorized to do so by the applicable department, division or section or where there is no longer an interest by the City.

**Writs of Seizure and Sale**

- 41.** Each of the City Solicitor and Clerk and the Deputy City Solicitor / Deputy City Clerk individually is delegated the authority to subject lands and property to, and release lands and property from, Writs of Seizure and Sale, as the City Solicitor deems appropriate.

**Recovery of Debts**

- 42.** Each of the City Solicitor and Clerk and the Deputy City Solicitor / Deputy City Clerk individually is authorized to initiate proceedings to collect funds owed to the City in accordance with the Accounts Receivable and Collections Policy.

**Corporate Services Department**

**External Counsel**

43. Each of the Chief Administrative Officer, the General Manager of Corporate Services, the City Solicitor and Clerk, the Deputy City Solicitor / Deputy City Clerk and the Director of Human Resources and Organizational Development individually is delegated the authority to retain external legal counsel required by the City, and the Chief of Police and the City Solicitor individually are assigned the exclusive authority to retain external legal counsel required by the Greater Sudbury Police Services Board.

44. The General Manager for the affected Department, together with the Coordinator of Insurance and Risk Management, are hereby authorized jointly to Execute on behalf of the City, Agreements awarded by or paid for by the City's insurer from time to time for the performance of work on City property or facilities.

**Applications for Incorporation**

45. Each of the City Solicitor and Clerk and the Deputy City Solicitor / Deputy City Clerk individually is delegated the authority to consent or object to an application for incorporation for a corporate name where consent is required because the proposed name may involve potential identification or confusion with the City.

**Security and By-law Services Section**

**Corporate Security**

46. The authority to give notice pursuant to the *Trespass to Property Act*, R.S.O. 1990, c. T.21, prohibiting entry to all or part of a City property or facility or all City properties or facilities, and the reconsideration of the issuance of such notice when an objection is filed, is delegated to such persons and in such circumstances as is outlined in the City's Trespass Policy from time to time.

**Appointment of Municipal By-law Enforcement Officers**

47. Each of the General Manager of Corporate Services and the Manager of Security and By-law Services is individually authorized to take the necessary steps to appoint or withdraw the appointment of Persons as municipal by-law enforcement officers.

**Corporate Services Department**

**Spay and Neuter Program**

48. Each of the General Manager of Corporate Services and the Manager of Security and By-law Services individually is authorized to Execute Agreements with participating veterinarians for the City's spay and neuter program and is further authorized to amend and terminate such agreements.

**Human Resources and Organizational Development Division**

**General Authority**

49. Each of the General Manager of Corporate Services and the Director of Human Resources and Organizational Development individually is authorized to:
- (a) approve employee administrative policies;
  - (b) provide leadership to the Human Resources and Organizational Development Division to meet the present and future needs of the City;
  - (c) ensure the City is able to attract, recruit, develop, motivate and retain qualified employees; and
  - (d) promote a safe and healthy work environment for City employees.

**Litigation**

50. Each of the General Manager of Corporate Services and the Director of Human Resources and Organizational Development individually is authorized to commence, prosecute, defend, settle and abandon legal proceedings that fall within the jurisdiction of the Superior Court of Justice - Small Claims Court in relation to labour and employment matters.

51. With respect to labour and employment matters that fall within the jurisdiction of the Superior Court of Justice, each of the General Manager of Corporate Services and the Director of Human Resources and Organizational Development individually is authorized to:
- (a) retain external counsel;
  - (b) conduct the defence of all actions or applications;
  - (c) commence, prosecute, settle and abandon actions or applications for damages up to Fifty Thousand Dollars (\$50,000);

**Corporate Services Department**

- (d) commence, prosecute, settle and abandon legal proceedings by way of application for equitable relief where such manner of proceeding is appropriate; and
- (e) Execute on behalf of the City all forms contemplated by the Rules of Civil Procedure.

**52.** In the conduct of litigation under section 48 or 49, the General Manager of Corporate Services or the Director of Human Resources and Organizational Development, as the case may be, shall:

- (a) use the most efficient and effective combination of staff and external legal services as required to represent the interests of the City; and
- (b) consult with, and receive instructions from, the appropriate member of the Executive Leadership Team whose Department or Division is associated with such proceedings.

**53.** Each of the General Manager of Corporate Services and the Director of Human Resources and Organizational Development individually is authorized to commence, prosecute, defend, settle and abandon all proceedings, including grievances and arbitrations, affecting the City within the jurisdiction of the *Employment Standards Act*, the *Occupational Health and Safety Act*, the *Human Rights Code*, the *Pay Equity Act*, the *Ontario Labour Relations Act*, the *Hospital Labour Disputes Arbitration Act*, the *Fire Protection and Prevention Act*, the *Ontario Municipal Employees Retirement System Act*, the *Workplace Safety and Insurance Act* and the *Pension Benefits Standards Act* except where damages exceeding Fifty Thousand Dollars (\$50,000) are claimed or ordered against the City.

**Collective Agreements**

**54** The Director of Human Resources and Organizational Development is authorized to Execute all collective bargaining agreements, memoranda of agreements and understanding on behalf of the City provided the terms of the agreement are within the mandate approved by Council.



**Corporate Services Department**

**Purchase of Service Agreements**

55. The General Manager of Corporate Services and the Director of Human Resources and Organizational Development individually are delegated the authority to Execute agreements related to the purchase of services related to training and development, employee assistance, intervention and support, employee benefits, compensation and other surveys and other related employment matters.

**Information Technology Division**

**Agreements**

56. The General Manager of Corporate Services and the Director of Information Technology individually are delegated the authority to Execute Standard Form Agreements related to software, hardware and business applications and licences relating to information technology.

**Growth and Infrastructure Department**

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

**Growth and Infrastructure Department**

**Temporary Road Closings**

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

**Growth and Infrastructure Department**

**Construction Zone Speed Limits**

9. The General Manager of Growth and Infrastructure, the Director of 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 of 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. 0.40 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.

**Growth and Infrastructure Department**

**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.

**Growth and Infrastructure Department**

**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;

**Growth and Infrastructure Department**

- (b) require any Person or public body that applies for an Official Plan or Zoning Bylaw 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

**Growth and Infrastructure Department**

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



**Growth and Infrastructure Department**

**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.

**Regreening Program Funding Agreements**

**29.** The General Manager of Growth and Infrastructure Services is authorized to execute on behalf of the City of Greater Sudbury agreements for receipt of financial contributions related to the Regreening Program.

**Economic Development**

**Tourism Agreements**

1. The Chief Administrative Officer, the Director of Economic Development and the Manager of Tourism and Culture individually are delegated the authority to Execute, and authorize payments related to, the following:

- (a) Standard Form Agreements for tourism signage; and
- (b) Standard Form Agreements for tourism event support.

**Economic Development Agreements**

2. The Chief Administrative Officer and the Director of Economic Development individually are delegated the authority to Execute:

- (a) Standard Form Agreements for funding and to authorize the payments pursuant to such agreements from the funds transferred to the City of Greater Sudbury Development Corporation for the purposes of economic development and arts and culture, to a maximum of \$10,000;
- (b) Standard Form Agreements related to the work of the Economic Development Division with provincial and federal ministries and agencies including, but not limited to, Industry Canada, Citizenship and Immigration Canada, the Ministry of Northern Development and Mines, the Northern Ontario Heritage Fund Corporation, the Ontario Tourism Marketing Partnership Corporation, Science North, Tourism Northern Ontario, Northeastern Ontario Tourism, the Ontario Ministry of Tourism, the Ontario Ministry of Economic Development, Employment and Infrastructure, and the Ontario Ministry of Citizenship, Immigration and International Trade, or their successor agencies;
- (c) Standard Form Agreements related to the Northern Ontario Export Program formerly known as the Mining Supplies and Services Export Assistance Program, or its successor program, including funding agreements related thereto, and to make payments pursuant thereto;
- (d) Standard Form Agreements related to Ontario's North Economic Development Corporation;

**Economic Development**

- (e) and Standard Form Agreements related to bids for conferences and sporting events to be held in the City.

**Collaboration Agreements**

3. The Director of Economic Development is delegated the authority to Execute Standard Form collaboration agreements with parties chosen by the City of Greater Sudbury Development Corporation to be community collaborators, educational collaborators, financial institution collaborators or private sector collaborators, for the purpose of supporting the Regional Business Centre.