

**By-law 2016-231**


**A By-law of the City of Greater Sudbury to Amend By-law 2014-225  
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 2014-225 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 the Council of the City of Greater Sudbury hereby enacts as follows:**

1. By-law 2014-225 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 Schedule "E" and enacting, in its place and stead, Schedule "A" attached hereto as Schedule "A" and forming a part of this By-law; and
  - (b) repealing Schedule "G" and enacting, in its place and stead, Schedule "B" attached hereto as Schedule "B" and forming a part of this By-law.
2. By-law 2014-225 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 repealing section 2 of By-law 2016-177 being a By-law of the City of Greater Sudbury to Amend By-law 2014-225 being a By-law of the City of Greater Sudbury Respecting the Delegation of Authority to Various Officials of the City.
3. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 13th day of December, 2016

  
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Mayor

  
\_\_\_\_\_  
Clerk

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to By-law 2016-231 of the City of Greater Sudbury

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**Schedule "E"**  
to By-law 2014-225 of the City of Greater Sudbury

**Community Development Department**

**Authority**

1. The General Manager of Community Development and the Directors of Leisure Services, Social Services and North East Centre of Excellence for Seniors Health and the Managers of Housing Services, Children Services, Citizen Services and Library and Heritage Resources individually are authorized to Execute standard form agreements for the Community Development Department with the provincial or federal governments, school boards, educational institutions, provincial or federal agencies, for profit companies or corporations, community groups or associations, not for profit organizations, boards and service providers, provided such entities are legally able to enter into the types of agreements set out below:

- (a) grants, funding and contribution agreements;
- (b) short and long term rental/lease agreements;
- (c) purchase of service agreements;
- (d) jointly with the Manager of Accounting / Deputy Treasurer, access to special purpose bank accounts;
- (e) general licence agreements;
- (f) clinical and student placements;
- (g) licences of occupation related to booking events to be held at municipal facilities or related to the use of services or facilities within municipal facilities including special promotional activities; and
- (h) interim increases to service agreements.

**Leisure Services Section**

2. The General Manager of Community Development, the Director of Leisure Services and the Managers of Recreation, Parks Services, Arenas, Community Partnerships and Cemetery Services individually are delegated the authority where applicable to such Director to Execute Standard Form Agreements related to the following:

- (a) the use of City facilities for the use of community groups/associations and for profit companies/organizations;
- (b) the provision of instructors for community programs;

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**Community Development Department**

**Leisure Services Section**

- (c) letters of understanding related to the short term use of City recreational land and facilities for festivals, special events and delivery of recreational programs;
- (d) purchase of service for the operation, management and maintenance of sports and recreation programs, outdoor rinks and community centre;
- (e) sports teams, concert promoters and entertainment events;
- (f) advertising for recognition, acknowledgement or other promotional consideration;
- (g) community partnerships;
- (h) private mausoleum construction; and
- (i) sale of interment rights.

3. The General Manager of Community Development, the Director of Leisure Services and the Manager of Arenas individually are delegated the authority to Execute Standard Form Agreements, short term rental agreements, licence agreements or licences of occupation related to booking events to be held at the Sudbury Arena, community arenas or the Grace Hartman Amphitheatre, or related to the use of services or facilities within the said locations, including special promotional activities.

4. The Manager of Arenas is authorized to deposit to or write cheques against the special purpose bank account for the Sudbury Arena provided such cheques as written are within the revenues received for any given event and related to City purposes, programs and objectives.

**Citizen Services and Library and Heritage Resources Sections**

5. The General Manager of Community Development and the Managers of Citizen Services and Library and Heritage Resources individually are delegated the authority to Execute Standard Form Agreements within their respective spheres of responsibility related to the following:

- (a) purchase of service and service contracts for after hours Radio Dispatch and Answering Service for the 3-1-1 Call Centre; and
- (b) the use of City facilities for the use of community groups/associations and for profit companies/organizations.

**Community Development Department**

**Social Services Section**

6. The General Manager of Community Development and the Director of Social Services individually are delegated the authority to Execute Standard Form Agreements within their respective spheres of responsibility related to the following:

- (a) educational institutions;
- (b) purchase of service agreements with service providers/agencies; and
- (c) purchase of service agreements for the Community Homelessness Prevention Initiative (CHPI).

7. The Director of Social Services is delegated the authority to perform all of the duties and exercise all of the powers prescribed in the *Ontario Works Act, 1997* S.O. 1997, c. 25 with respect to the whole of the City in accordance with such conditions and restrictions as may be prescribed by Council including but not limited to the following powers:

- (a) the provision of emergency housing;
- (b) the provision of counseling, health care services, medical aids or personal services to or on behalf of social assistance recipients;
- (c) the provision of research or other services by social service agencies or organizations;
- (d) letters and/or memoranda of understanding and protocols with government agencies, social service agencies or organizations ; and
- (e) Information Exchange Agreements with all levels of government, social service agencies and/or organizations.

**Housing Services Section**

8. The Manager of Housing Services is delegated the authority to perform all of the duties and exercise all of the powers of the Service Manager as prescribed by *the Housing Services Act, 2011*, S.O. 2011, c. 6 (for purposes this section "the Act"), with respect to the whole of the City in accordance with such conditions and restrictions as may be prescribed by Council including but not limited to the following powers and obligations under the Act:

**Community Development Department**

**Housing Services Section**

- (a) to determine eligibility of social housing applicants and perform other functions under Part V of the Act;
- (b) to exercise the remedies listed in the section 85 of the Act when a housing provider has not met one or more of his/her obligations;
- (c) to prescribe training for a director, employee or agent of a housing provider if the housing provider has not met one or more of his/her obligations under the Act;
- (d) to bill a housing provider for any costs incurred performing duties on behalf of the housing provider;
- (e) to change, extend or terminate the appointment of a receiver or receiver and manager appointed under the Act and make a new appointment of the same Person or a different Person; and
- (f) to approve additional subsidy to a housing provider or group of housing providers in the event of Emergency or fiscal difficulties provided the housing provider's request for additional subsidy is within Council approved total social housing budget.

**Children Services**

9. The General Manager of Community Development and the Manager of Children Services individually are delegated the authority to Execute Standard Form Agreements within their respective spheres of responsibility related to the following:

- (a) purchase of service agreements with community organizations, private home day care agencies, family resource centres, day nursery agencies, nursery schools or other similar providers of childcare services;
- (b) to enter into agreements with school boards, post-secondary institutions and service providers relating to the allocation and advance of Early Learning and Child Care operating and minor capital funding;
- (c) purchase of service and service contracts for childcare fee subsidies, operating grants, special purpose funding;

**Community Development Department**

**North East Centre of Excellence For Seniors' Health**

10. The General Manager of Community Development, the Director of North East Centre of Excellence for Seniors Health and the Managers of Resident Care, Physical Services, Therapeutic Services and Administration individually are delegated the authority to Execute Standard Form Agreements within their respective spheres of responsibility related to the following:

- (a) clinical and student placements;
- (b) purchase of service for agreements with physicians, health care providers and health care agencies;
- (c) service accountability agreements with ministries and agencies on a Provincial and Federal level, and
- (d) short and long term lease agreements for space with not for profit and for profit organizations, companies and individuals.

**Cheques - Pioneer Manor**

11. The General Manager of Community Development, Director, North East Centre of Excellence for Seniors' Health and the Manager of Administration individually are authorized, together with one of the Chief Financial Officer and Treasurer, Deputy Treasurer, or Manager of Accounting, to deposit to or write cheques on the special purpose bank account for the Pioneer Manor Trust, for the purposes of residents of Pioneer Manor only.

**Infrastructure Services Department**

**Utility Relocation Costs**

1. The General Manager of Infrastructure Services and the Director of Roads and Transportation Services 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 Infrastructure Services and the Director of Roads and Transportation Services 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 Infrastructure Services and the Director of Roads and Transportation Services 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 Infrastructure Services and the Director of Roads and Transportation Services 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.

**Infrastructure Services Department**

**Temporary Road Closings**

5. The General Manager of Infrastructure Services and the Director of Roads and Transportation Services 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 Infrastructure Services and the Director of Roads and Transportation Services 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 Infrastructure Services and the Director of Roads and Transportation Services 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 Infrastructure Services and the Director of Roads and Transportation Services individually are authorized to approve encroachment permits, Execute and release encroachment agreements, release encroachment agreements and consent to the assignment of existing encroachment agreements.



**Infrastructure Services Department**

**Construction Zone Speed Limits**

9. The General Manager of Infrastructure Services and the Director of Roads and Transportation Services 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 Infrastructure Services and the Director of Water / Wastewater Services 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 Infrastructure Services and the Director of Water / Wastewater Services 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 Infrastructure Services 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.

**Development Related / Vehicle Rental / Crossing / Locate Agreements**

13. The General Manager of Infrastructure Services 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;

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- (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 Infrastructure Services and the Director of Roads and Transportation 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 Infrastructure Services 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 Infrastructure Services is authorized to grant exemptions from, or permission under, City and Former Municipality by-laws regulating noise.

**Solid Waste**

**17.** The General Manager of Infrastructure Services 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;

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- (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 Infrastructure Services, 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 Infrastructure Services, 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;
- (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 Infrastructure Services, 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;

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**Planning Services**

- (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 Chief Financial Officer / Treasurer, the General Manager of Infrastructure Services 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**

**22A.-(1)** In consultation with the Chief Financial Officer / Treasurer, the General Manager of Infrastructure Services 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 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 Infrastructure Services 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 Infrastructure Services from referring any application for Development Cost Sharing to Council for decision.

**Infrastructure Services Department**

**Planning Services**

**Development Deposits**

**23.** The General Manager of Infrastructure Services, 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**

**24.** The Chief Building Official and the Chief Financial Officer / Treasurer are jointly authorized to approve all refunds of development charges.

**25.** 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.

**26.** 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.

**Noise By-law Exemptions – Filming Events**

**27.-(1)** The General Manager of Infrastructure Services 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 Infrastructure Services.

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

**Regreening Program Funding Agreements**

**28.** The General Manager of 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.