



BY-LAW 19-186

of the

CITY OF CAMBRIDGE

Being a By-law of the Corporation of the City of Cambridge to consolidate the delegation of powers and duties, delegate certain powers and duties under the *Municipal Act, 2001* and adopt a policy for the delegation of the powers and duties of the municipality.

WHEREAS Section 23.1(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended authorizes a municipality to delegate its powers and duties, subject to certain restrictions;

AND WHEREAS Section 270(1) of the *Municipal Act, 2001*, requires a municipality to adopt and maintain policies with respect to the delegation of powers and duties of the municipality;

AND WHEREAS the Council of the City of Cambridge has deemed that the delegation of certain administrative and legislative powers would contribute to the efficient management of the City while still adhering to the principles of accountability and transparency;

AND WHEREAS the Council of the City of Cambridge has previously delegated authority to Committees and officers and employees of the Corporation of the City of Cambridge, in a number of areas through By-law and Council Resolution, in accordance with prevailing legislation;

AND WHEREAS the Council of City of Cambridge considers that it is appropriate adopt policies related to the delegation of powers and duties of the municipality, consolidate all existing delegation of authority as well as formalize the delegation of certain powers and duties that are being carried out by staff;

NOW THEREFORE BE IT RESOLVED THAT the Corporation of the City of Cambridge enacts as follows:

1. THAT this By-law may be referred to as the “Delegation of Authority By-Law”.
2. THAT Council delegated the powers, duties, and restrictions thereto as set out in the Consolidated List of Delegations of Authority to those officers, employees, or committees listed in Appendix “A”.
3. THAT Council delegates the powers, duties and restrictions thereto as set out in the Delegation of Powers and Duties to those officers or employees listed in Appendix “B” to this by-law.
4. THAT this by-law does not repeal or replace any existing or future by-laws that delegate authority to staff and is not an exhaustive list of existing delegations.
5. THAT notwithstanding the foregoing, Council retains the authority to make or reconsider, at any time and without notice, revoke any delegated power that has been delegated pursuant to this by-law.
6. THAT notwithstanding any provision of this by-law, matters identified herein may be referred to Council for consideration.
7. THAT this by-law shall come into full force on the day it is passed.

PASSED AND ENACTED this 17th day of December, 2019.

MAYOR

CLERK

APPENDIX A
CONSOLIDATED LIST OF DELEGATIONS OF AUTHORITY

Delegate	Delegated Authority Description	Enabling bylaw
General Manager of Development and Infrastructure	Transfer existing authority previously delegated to the Commissioner of Transportation and Public Works to the General Manager of Development and Infrastructure	140-15
Treasurer	Authorize the Treasurer to enter into agreements and execute any document for the purpose of investment or joint investment of money by the City and other municipalities in Ontario	84-93
Treasurer	Delegation of the powers and duties of the Treasurer pursuant to the <i>Municipal Act, 2001</i>	218-02
Chief Administrative Officer	Authorized to use of the name "Cambridge" to non- profit charitable groups who apply for approval to use the name	110-87
Director of Realty Services	Authorize the sale and disposition of real property and establish procedures for same	44-01
Commissioner of Planning	Approve plans and drawings, impose conditions of approval and sign agreements for site plan control	68-10
Commissioner of Community Services	Authority to manage and maintain city facilities for athletic purposes	116-90
Manager of Cemeteries	Authority to manage cemeteries	97-09
Commissioner of Planning Services	Delegate approval authority for plans of condominium, removal of (H) in principle, part lot control exemption in principle, revisions to conditions of draft plans of subdivision, site specific amendments to the sign bylaw, site specific amendments to the fence bylaw and designation of heritage properties in principle	42-01
City Solicitor Mayor and Clerk Director of Realty and Property Services Chief Financial Officer	Execution of agreements and other documents	29-18
City Planner	Authority to comment to the Alcohol and Gaming Commission with respect to the establishment of retail stores for recreational cannabis	Council Resolution

Delegate	Delegated Authority Description	Enabling bylaw
City Manager City Clerk	Authority to enter into other agreements required to administer and govern the work to be funded from the Municipal Accommodation Tax	Council Resolution
Chief Financial Officer Deputy City Manager – Corporate Enterprises	Authority to sign any relevant documentation and/or agreements pertaining to the Recreation Complex and Preston Memorial Auditorium Enhancement and Expansion applications to the Investing in Canada Infrastructure Program	Council Resolution
Commissioner of Transportation and Public Works	Authority to approve the implementation of Residential Parking Programs	Bylaw 39-13
Commissioner of Transportation and Public Works	Authority to approve the application of the On-Street Parking Standards	Council Resolution
Director of Economic Development Director of Realty and Corporate Property Services	Authority to amend scheduled closing dates and conditional dates of previously Council approved Agreements of Purchase and Sale as required pursuant to s. 9 of the bylaw 38-02	Bylaw 60-08
Director of Economic Development	Authority to release the City's Right to Repurchase Property in accordance with the registered Development Covenants and Restrictions upon completion of construction of the property by the Purchaser in accordance with the registered Development Covenants and Restrictions	Bylaw 60-08
Commissioner of Planning Services	Authority to administer bylaw 3-09 which requires mandatory consultation meetings prior to the submission of certain types of development applications	Bylaw 3-09
City Treasurer Manager of Taxation Tax Auditor	Authority relating to assessment and taxation appeal matters under ss. 40(1) and 39.1(8) of the Assessment Act	Bylaw 71-03

Delegate	Delegated Authority Description	Enabling bylaw
Chief Building Official Mayor City Clerk	Authorities to sign residential construction conditional building permit agreements (foundation only). Limited to single family dwellings, semi-detached dwellings and triplex dwellings.	Bylaw 95-97
Deputy City Manager – Community Services	Authority to execute Memoranda of Understanding with the Cities of Waterloo and Kitchener and with each of the 40 owners/operators of the non-municipal venues proposing to participate in the Canada Summer games 2021	Bylaw 3-17
Commissioner of Planning Services	Authority to approve and impose conditions of approval for Phased Condominiums in principle pursuant to the Condominium Act and the issuance of a signed statement as required by Ontario Regulation 48/01	Bylaw 257-01
Manager of Purchasing	Authority to act as the legal purchasing agent for the city and to execute documents on behalf of the City	Bylaw 133-14
City Clerk Director of Property	Authority to sign renewal lease agreements and other documents as a result of property matters in accordance with Council policies	Bylaw 74-95
Property Division	Provide for land purchases, land sales, leasing of City-owned property or any other property-related transactions	Bylaw 74-95

APPENDIX B
DELEGATION OF POWERS AND DUTIES

Delegated Authority	Delegate	Authority	Conditions/Limitations
Administer all approved grant funding amounts in accordance with Council approved financial incentive programs and grant programs and the redistribution of funds as applicable	City Manager, Chief Financial Officer, Deputy City Manager of designated Department	Municipal Act	
Execute applications to any Federal or Provincial department, ministry, agency or fund for compensation funding or other forms of subsidy related to any City programs, operations or approved capital project and	Chief Financial Officer		
Write off taxes in accordance with the provisions of section 354 of the Municipal Act	Chief Financial Officer	Sections 354(2)(a) of the Municipal Act	Limitation as set out in s. 356
Cancel, reduce, refund or restore all or part of taxes levied on land in the year in which the application is made including holding the required hearing under the Municipal Act	Chief Financial Officer	Section 357 of the Municipal Act	
Cancel, reduce, refund all or part of the taxes levied on land caused by a gross or manifest error, including holding the required hearing	Chief Financial Officer	Section 358 of the Municipal Act	

Delegated Authority	Delegate	Authority	Conditions/Limitations
under the Municipal Act			
Increase the taxes levied on land to the extent of any undercharge caused by a gross or manifest error, including holding the required hearing under the Municipal Act	Chief Financial Officer	Section 359 of the Municipal Act	
Authorize an extension agreement extending the period of time in which the cancellation price is to be paid after the registration of a tax arrears certificate and execute such agreement	Chief Financial Officer	Section 378 of the Municipal Act	
Reduce, waive or cancel late payment charges, penalties and interest on overdue tax accounts	Chief Financial Officer	Section 345 of the Municipal Act	
Prepare feasibility studies and make application for funding for eligible projects	Chief Financial Officer	Section 2 Tax Increment Financing Act	
Enter into agreements for funding of eligible projects	Chief Financial Officer	Section 3 of Tax Increment Financing Act	<p>Project is approved in current budget, a multi-year budget, the Strategic Plan or is included in draft budget for the following year.</p> <p>Agreement to be in a form as approved by the City Solicitor</p>
File Taxation/Assessment	Chief Financial Officer	Municipal Act	

Delegated Authority	Delegate	Authority	Conditions/Limitations
Applications or Request for Reconsideration or Appeals with the Assessment Review Board			
Submit grant funding applications that would reduce expenditures associated with projects, programs and services approved as part of the operating and capital budgets, or to advance improvements where such grants represent the full value of the service or capital improvement	Chief Financial Officer		
Powers and duties of the Treasurer with respect to the collection of taxes	Chief Financial Officer	Municipal Act Assessment Act	
Commence any action or other legal proceeding on behalf of the City where the monetary value of the claim is below \$200,000, excluding interest and costs	City Manager/City Solicitor		City Solicitor shall report to Council from time to time on all actions or other legal proceedings involving the City, including a description of any settlement of any action or other legal proceeding.
Where the monetary value of a claim is \$200,000 or more, excluding interest and costs, commence any action or other legal proceeding on	City Manager/City Solicitor		City Solicitor to obtain instructions of Council as soon as practicable thereafter.

Delegated Authority	Delegate	Authority	Conditions/Limitations
behalf of the City to ensure that no limitation period or other time restriction expires before Council instructions can be obtained			
Take all steps necessary to defend any action or legal proceeding commenced against the City	City Manager/City Solicitor		City Solicitor shall report to Council from time to time on all actions or other legal proceedings involving the City, including a description of any settlement of any action or other legal proceeding.
Commence any counterclaim, crossclaim or third party claim as part of the City's defence of any action or other legal proceeding.	City Manager/City Solicitor		City Solicitor shall report to Council from time to time on all actions or other legal proceedings involving the City, including a description of any settlement of any action or other legal proceeding.
Retain external counsel, any expert or other person to assist in an actual or potential action or other legal proceeding or to obtain legal advice on behalf of the City	City Manager/City Solicitor		The cost of the retainer falls within the approved City budget
Accept service of any legal document on behalf of the City	City Solicitor or City Clerk	Municipal Act Rules of Civil Procedure	
Obtain standing or participate in any	City Manager/City Solicitor		City Solicitor to obtain instructions of Council as

Delegated Authority	Delegate	Authority	Conditions/Limitations
administrative proceeding on behalf of the City			soon as practicable
Take all steps deemed necessary to collect debts and outstanding accounts, enforce orders, decisions, awards and judgements made in favour of the City, including the commencement of claims or other legal proceedings	City Manager/City Solicitor		
Enter into a settlement with any person or entity on behalf of the City where the monetary amount of the settlement is below \$200,000, inclusive of interest or costs	City Manager/City Solicitor		<p>Sufficient funds are available within the approved budget.</p> <p>City Solicitor shall report to Council from time to time on all actions or other legal proceedings involving the City, including a description of any settlement of any action or legal proceeding</p>
Execute any legal document on behalf of the City that is necessary to carry out the City Solicitor's authority as set out herein, including releases, receipts, waivers, indemnities and minutes of settlement	City Manager/City Solicitor		
Designate an event as a municipally significant in	City Clerk	Municipal Act Liquor Licence Act	

Delegated Authority	Delegate	Authority	Conditions/Limitations
relation to an application to the Alcohol and Gaming Commission of Ontario for a Public Event Sale Permit		City Policy A09 GOV003 – Letters of Municipal Significance	
Authorized to negotiate municipal access agreements for telecommunication and utilities within the right of way and all other documents necessary to give effect to these agreements	City Engineer		
Authority to approve temporary road closures for road work	City Engineer		Council to be informed by memorandum (written or electronic correspondence) prior to the date of the temporary road closure
Authority to impose conditions on the use of highways	City Engineer		Council to be informed by memorandum (written or electronic correspondence) prior to the change in the conditions on the use of the highways
Authority to relocate and/or modify school crossings as required	City Engineer		Council to be informed by memorandum (written or electronic correspondence) of the relocation and/or modifications
Authority to approve traffic signal designs and installations	City Engineer	Highway Traffic Act. Section 144(31)	
Authority to issue a road	City Engineer		

Delegated Authority	Delegate	Authority	Conditions/Limitations
occupancy and municipal access permit upon satisfaction that all requirements of the permit application have been met			
Designate an event as a municipally significant event in relation to an application to the Alcohol and Gaming Commission of Ontario for a Public Event Sale Permit	City Clerk	Municipal Act Liquor Licence Act City Policy A09 GOV003 – Letters of Municipal Significance	
Authority to allow special events to take place within the City's right of way and on City property including road closures	City Engineer	City Policy TPW – 12.050	
Authority to approve the installation of banners within the City's right of way on City infrastructure	City Engineer	City Policy TPW-12.050	
Authority to regulate activity on municipal road allowances, rights of way and public lands in accordance with bylaw 126-17	City Engineer	Bylaw 126-17	
Authority to allow utility and telecommunications companies to install infrastructure within the City's right of way.	City Engineer	City Policy TPW-60.020	
Authority to allow staff to	City Engineer	City Policy TPW-60.020	

Delegated Authority	Delegate	Authority	Conditions/Limitations
enter into Municipal Access Agreements with telecommunications and utility companies		Bylaw No. 152-00	
Authority to allow encroachments within the City's right of way and on City property	City Engineer	TPW-30.020 TPW-30.030	
Authority to permit oversize loads on City roadways	City Engineer		
Authority to implement parking restrictions in accordance with the City's On-Street Parking Standards	City Engineer	Report TPW-30-14	
Authority to designate fire routes on private and municipal property and to designate enforcement officials to regulate parking in fire routes on private and municipal property	City Engineer	Bylaw 1301 (amending bylaw 185-06)	
Authority to designate parking enforcement officials to regulate parking on private property and municipal parking lots	City Engineer	Bylaw 62 (amending bylaw 186-06)	
Authority to designate accessible parking spaces on private roadways and municipal lots and to designate enforcement officials to regulate parking	City Engineer	Bylaw 184-06	

Delegated Authority	Delegate	Authority	Conditions/Limitations
in accessible parking spaces on private roadways and municipal lots			
Authority to implement traffic and parking regulations for new subdivisions	City Engineer		