

THE CORPORATION OF THE CITY OF GUELPH
Office Consolidation

By-law Number (2013)-19529

A by-law to delegate authority pursuant to the Municipal Act, and to repeal By-law Numbers (2010)-18935, (2010)-19066, (2011)-19204 and (2012)-19380. **[amended by By-law (2013)-19529; (2013)-19559; (2013)-19586; (2013)-19596; (2013)-19618; (2014)-19749; (2014)-19792; (2015)-19879; (2016)-20022; (2017)- 20150]**

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 the Council of The Corporation of the City of Guelph has deemed that certain routine administrative and legislative powers are of a minor nature, and the delegation of these powers would contribute to the efficient management of the City while still adhering to the principles of accountability and transparency;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. That the delegation of powers and duties as set out in Schedules "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q", "R", "S", "T", "U", "V", "W", "X", "Y" and "Z" to this by-law, are hereby adopted:
[amended by By-laws (2013)-19586; (2013)-19596; (2013)-19618; (2015)-19879; (2016)-20022; (2017)-20150]
2.
 - a. Schedule "A" - Grant Agreements;
 - b. Schedule "B" - Software Licensing Agreements;
 - c. Schedule "C" - Data Acquisition Agreements;
 - d. Schedule "D" - Confidentiality Of Data Agreements;
 - e. Schedule "E" - Agreements Pursuant To An Approval Under the Planning Act;
 - f. Schedule "F" - Agreements For Parking Enforcement On Private Property;
 - g. Schedule "G" - Agreements For Fire Dispatch Services;
 - h. Schedule "H" - Agreements With Telephone Service Providers For 9-1-1 Service;
 - i. Schedule "I" - Temporary Road Closures Necessitated By Construction, Routine Operations, Rehabilitation, Maintenance And Repairs;
 - j. Schedule "J" - Temporary Road Closures For Special Events;
 - k. Schedule "K" - Special Events In City Parks;
 - l. Schedule "L" - Special Events In City Recreational And Cultural Facilities;
 - m. Schedule "M" - Community Festivals/Special Occasion Permits;
 - n. Schedule "N" - Agreements for use of Emergency Services Training Facilities;
 - o. Schedule "O" - Exemptions to the Noise Control By-law for Events that have been Exempted in the Past;
 - p. Schedule "P" - To Approve Tax-Write Offs and Increases;
 - q. Schedule "Q" - Downtown Guelph Community Improvement Plan (DGCIP) Grant Awards;
 - r. Schedule "R" - Downtown Guelph Community Improvement Plan (DGCIP) Grant Amendments;

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- s. Schedule "S" – To Award environmental Study Grants pursuant to the Brownfield Redevelopment Community Improvement Plan
 - t. Schedule "T"- To Approve temporary exemptions to Exotic Animal control by-laws;
 - u. Schedule "U" –To Approve the execution of Community Wellbeing Grant applications; **[amended by By-law (2013)-19559]**
 - v. Schedule "V"- To Negotiate the Purchase Price of City-Owned Land in the Hanlon Creek Business Park;
 - w. Schedule "W"- To Approve Traffic Signal Drawings;
 - x. Schedule "X"- To Approve Execution Of Community Benefit Agreement for the Guelph Neighbourhood Support Coalition; **[added by By-law (2013)-19586]**
 - y. Schedule "Y" - To Make Funding Decisions as Part of the Community Innovation Connection; **[added by By-law (2013)-19596]**
 - z. Schedule "Z" - To Enter Into Contracts and Agreements; **[added by By-law (2013)-19618]**
 - AA. SCHEDULE "AA" - For Legal & Realty Services, Court Services, and Procurement and Risk Management **{added by By-law (2014) – 19749}**
 - BB. Schedule "BB" –For the Issuance of Lottery Licenses **(added by By-law (2014) – 19792]**
 - CC. Schedule "CC" – To Act as Head Pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*. **(added by By-law (2015) – 19979]**
 - DD. Schedule "DD" –For certain types of alterations to properties designated under *The Ontario Heritage Act* **[added by By-law (2016) – 20022]**
 - EE. Schedule "EE" – To Award Contracts (approving successful bids) **[added by By-law (2017) – 20150]**
 - FF. Schedule "FF" – To Appoint Risk Management Official (RMO) and Risk Management Inspector (RMI) **[added by By-law (2017) – 20150]**
 - GG. Schedule "GG" – To Approve Residential Demolition Permits **[added by By-law (2017) – 20150]**
3. That By-law Numbers (2010)-18935, (2010)-19066, (2011)-19204 and (2012)-19380 are hereby repealed.

PASSED this TWENTY-FIFTH day of FEBRUARY, 2013

Original Signed by:

KAREN FARBRIDGE - MAYOR

Original Signed by:

BLAIR LABELLE – CITY CLERK

Schedule "A"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION OF
GRANT AGREEMENTS**

Power to be Delegated	Authority to approve the execution of agreements by the Mayor and Clerk, with the Government of Ontario, the Government of Canada, or an agency of the Government of Ontario or the Government of Canada with respect to funding commitments for City initiatives. The delegation also applies equally to any amendment or termination of such agreements.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Community & Social Services○ Executive Director, Corporate & Human Resources○ Executive Director, Finance & Enterprise○ Executive Director, Operations, Transit & Emergency Services○ Executive Director, Planning, Building, Engineering and Environment or○ A person who is appointed by the CAO or selected from time to time by one of the above delegates to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ The grant must relate to a City activity, program or initiative, funded through a current year's operating or capital budget which has been approved by Council; or○ The grant was identified as a funding source at the time of approval by Council.○ Agreements are to be reviewed by Legal Services.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on agreements executed during the year pursuant to this delegation of authority.

Schedule "B"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION OF
SOFTWARE LICENSING AGREEMENTS**

Power to be Delegated	Authority to approve the execution of software licensing agreements by the Mayor and Clerk. The delegation also applies equally to any amendment or termination of such agreements.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Community & Social Services○ Executive Director, Corporate & Human Resources○ Executive Director, Finance & Enterprise○ Executive Director, Operations, Transit & Emergency Services○ Executive Director, Planning, Building, Engineering and Environment○ General Manager Information Technology or○ A person who is appointed by the CAO or selected from time to time by one of the above delegates to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ The software product to be licensed is funded through a current year's operating or capital budget which has been approved by Council.○ Agreements are to be reviewed by Legal Services.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on agreements executed during the year pursuant to this delegation of authority.

Schedule "C"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION OF
DATA ACQUISITION AGREEMENTS**

Power to be Delegated	Authority to approve the execution of data acquisition agreements by the Mayor and Clerk. The delegation also applies equally to any amendment or termination of such agreements.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Community & Social Services○ Executive Director, Corporate & Human Resources○ Executive Director, Finance & Enterprise○ Executive Director, Operations, Transit & Emergency Services○ Executive Director, Planning, Building, Engineering and Environment○ General Manager Information Technology <i>or</i>○ A person who is appointed by the CAO or selected from time to time by one of the above delegates to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ The data to be acquired is necessary to support a City program or initiative that is funded through a current year's operating or capital budget which has been approved by Council.○ Agreements are to be reviewed by Legal Services.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on agreements executed during the year pursuant to this delegation of authority.

Schedule "D"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION OF
CONFIDENTIALITY OF DATA AGREEMENTS**

Power to be Delegated	Authority to approve the execution of confidentiality of data agreements by the Mayor and Clerk. The delegation also applies equally to any amendment or termination of such agreements.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Community & Social Services○ Executive Director, Corporate & Human Resources○ Executive Director, Finance & Enterprise○ Executive Director, Operations, Transit & Emergency Services○ Executive Director, Planning, Building, Engineering and Environment○ General Manager Information Technology <i>or</i>○ A person who is appointed by the CAO or selected from time to time by one of the above delegates to act in their stead.
Council to Retain Power	No
Conditions and Limitations	Agreements are to be reviewed by Legal Services.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on agreements executed during the year pursuant to this delegation of authority.

Schedule "E"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION
OF AGREEMENTS PURSUANT TO AN APPROVAL UNDER THE PLANNING ACT**

Power to be Delegated	<p>Authority to approve the execution by the Mayor and Clerk of agreements pursuant to an approval by Council or the Committee of Adjustment under the Planning Act, including:</p> <ul style="list-style-type: none">○ S. 37 increased density○ S. 40 parking○ S. 41 site plan approvals○ S. 45 minor variances○ S. 51 subdivisions, including condominiums○ S. 53 consents <p>The delegation also applies equally to any amendment or termination of such agreements.</p>
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	<p>The following staff or their successors thereof:</p> <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Planning, Building, Engineering and Environment○ General Manager, Planning Services or○ A person who is appointed by the CAO or selected from time to time by the Executive Director, Planning, Building, Engineering and Environment to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Agreements are to impose conditions which formed part of the approval by City Council or the Committee of Adjustment under the Planning Act.○ Where applicable, timing of a development has been approved by Council in the Development Priorities Plan.○ Agreements are to be reviewed by Legal Services.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on agreements executed during the year pursuant to this delegation of authority.

Schedule "F"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION
OF AGREEMENTS FOR PARKING ENFORCEMENT ON PRIVATE PROPERTY**

Power to be Delegated	Authority to approve the execution by the Mayor and Clerk of agreements for parking enforcement on private property. The delegation also applies equally to any amendment or termination of such agreements.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO) Executive Director, Operations, Transit & Emergency Services or○ A person who is appointed by the CAO or selected from time to time by the Executive Director, Operations, Transit & Emergency Services to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Agreements are in response to a request by a private property owner for the owner's agent to enforce parking regulations on the property in accordance with the parking by-laws in effect in the City.○ Form of agreement has been reviewed by Legal Services.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on agreements executed during the year pursuant to this delegation of authority.

Schedule "G"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION
OF AGREEMENTS FOR FIRE DISPATCH SERVICES**

Power to be Delegated	Authority to approve the execution by the Mayor and Clerk of agreements for the provision of fire dispatch services by the City to municipalities within the County of Wellington. The delegation also applies equally to any amendment or termination of such agreements.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Operations, Transit & Emergency Services○ General Manager Emergency Services, Fire/Ambulance /Fire Chief or○ A person who is appointed by the CAO or selected from time to time by one of the above delegates to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Fees for such services are approved as part of the annual operating budget by Council.○ Form of agreement has been reviewed by Legal Services.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on agreements executed during the year pursuant to this delegation of authority.

Schedule "H"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION
OF AGREEMENTS WITH TELEPHONE SERVICE PROVIDERS
FOR 9-1-1 SERVICE**

Power to be Delegated	Authority to approve the execution by the Mayor and Clerk of agreements with telephone service providers for 9-1-1 service. The delegation also applies equally to any amendment or termination of such agreements.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Operations, Transit & Emergency Services○ General Manager Emergency Services Fire/Ambulance /Fire Chief or○ A person who is appointed by the CAO or selected from time to time by the Director of Emergency Services to act in their stead.
Council to Retain Power	No
Conditions and Limitations	Form of agreement has been reviewed by Legal Services.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on agreements executed during the year pursuant to this delegation of authority.

Schedule "I"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE TEMPORARY ROAD CLOSURES
NECESSITATED BY CONSTRUCTION, ROUTINE OPERATIONS,
REHABILITATION, MAINTENANCE AND REPAIRS**

Power to be Delegated	Authority to approve temporary road closures for construction, routine operations, rehabilitation, maintenance and repairs.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Operations, Transit & Emergency Services○ Executive Director, Planning, Building, Engineering and Environment○ General Manager, Engineering Services /City Engineer○ General Manager, Public Works or○ A person who is appointed by the CAO or selected from time to time by one of the above delegates to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ For scheduled temporary road closures, advance notice is to be given through appropriate signage, advertising, and/or City web site postings to provide reasonable advance notice of the temporary closure.○ For un-scheduled operations such as emergency repairs that require the temporary closure of a road, appropriate signage shall be posted.○ Delegates are to ensure that the closure has been coordinated with appropriate City Departments and outside agencies.○ Closures should be of a term to minimize impact on the community.○ Adequate steps are implemented to minimize impact on adjacent neighbourhoods.○ All temporary road closures are to be consistent with the requirements set out in Book 7 of the Ontario Traffic Manual.
Review of Decision	Not applicable.
Reporting Requirements	Annual information report for temporary road closures authorized pursuant to this delegation of authority.

Schedule "J"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE TEMPORARY ROAD CLOSURES
FOR SPECIAL EVENTS**

Power to be Delegated	Authority to approve temporary road closures for special events. Events are a one-time, annual or infrequently occurring activity, that utilize a road or street, thus requiring a temporary road closure and event approval.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Community & Social Services○ Executive Director, Operations, Transit & Emergency Services or○ A person who is appointed by the CAO or selected from time to time by one of the above delegates to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Where the delegate grants approval for the temporary closure of a road for a special event, the approval shall be subject to the applicants being responsible for:<ul style="list-style-type: none">a) Damage to City property however caused, arising out of or during the use of the roadway.b) Maintaining emergency access at all times to the satisfaction of the Executive Director, Operations, Transit & Emergency Services and/or General Manager Emergency Services Fire/Ambulance /Fire Chief.c) Maintaining public liability and property damage insurance in a form acceptable to the Executive Director, Operations, Transit & Emergency Services.d) All costs associated with set up and removal of signage, barricades, etc.e) Such other conditions as may be required by the Executive Director, Operations, Transit & Emergency Services.○ Delegate to ensure that the closure has been coordinated with appropriate City Departments and outside agencies.○ That the temporary traffic control measures will be designed to minimize the impact of the special event on the community and Municipal operations.
Review of Decision	<ul style="list-style-type: none">○ Where the delegate has not approved a request to permit a temporary road closure for a special event, the applicant may request that the decision be reviewed by Guelph City Council.○ A person who has reason to believe that they will be negatively impacted by an approved special event may request that the decision to approve be reviewed by Guelph City Council.
Reporting Requirements	Annual information report for each temporary road closure authorized pursuant to this delegation of authority.

Schedule "K"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE SPECIAL EVENTS
IN CITY PARKS**

Power to be Delegated	Authority to approve the holding of special events in City Parks.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Community & Social Services or○ A person who is appointed by the CAO or selected from time to time by the Executive Director, Community & Social Services to act in the capacity of the delegate in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Where the delegate grants approval for a special event in a City park, the approval shall be subject to the applicants being responsible for:<ul style="list-style-type: none">a) Any damage to City property however caused, arising out of or during the use of the park.b) Maintaining public liability and property damage insurance in a form acceptable to the Executive Director of Operations, Transit & Emergency Services.c) All costs associated with set up and removal of signage, barricades, etc.d) Such other conditions as may be required by the Executive Director of Operations, Transit & Emergency Services.○ Delegate to ensure that the closure has been coordinated with appropriate City Departments and outside agencies.
Review of Decision	<ul style="list-style-type: none">○ Where the delegate has not approved a request to permit a special event in a City park, the applicant may request that the decision be reviewed by Guelph City Council.○ A person who has reason to believe that they will be negatively impacted by an approved special event may request that the decision to approve be reviewed by Guelph City Council.
Reporting Requirements	Annual information report for events held in parks pursuant to this delegation of authority.

Schedule "L"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE SPECIAL EVENTS
IN CITY RECREATIONAL AND CULTURAL FACILITIES**

Power to be Delegated	Authority to approve the holding of special events in City recreational cultural facilities.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Community & Social Services or○ A person who is appointed by the CAO or selected from time to time by the Executive Director, Community & Social Services to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Where the delegate grants approval for a special event in a City recreational or cultural facility, the approval shall be subject to the applicants being responsible for:<ul style="list-style-type: none">a) Any damage to City property however caused, arising out of or during the use of the facility.b) Maintaining public liability and property damage insurance in a form acceptable to the Executive Director, Community & Social Services.c) All costs associated with set up and removal associated with the event.d) Such other conditions as may be required by the Executive Director, Community & Social Services.○ Delegate to ensure that the event has been coordinated with appropriate City Departments and outside agencies.
Review of Decision	<ul style="list-style-type: none">○ Where the delegate has not approved a request to permit a special event in a City recreational or cultural facility, the applicant may request that the decision be reviewed by Guelph City Council.
Reporting Requirements	Annual information report for special event authorized pursuant to this delegation of authority.

Schedule "M"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE COMMUNITY
FESTIVALS/SPECIAL OCCASION PERMITS**

Power to be Delegated	Authority to approve Community Festivals and Special Occasions as required by the Alcohol and Gaming Commission of Ontario to permit the sale and service of beverage alcohol at such events.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ City Clerk or○ A person who is appointed by the CAO or delegated by the City Clerk under Section 228(4) of the Municipal Act from time to time to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Applicants must be a registered charity or non-profit corporation, or association organized to promote charitable, educational, and religious or community objects as required by the AGCO; and/or <ul style="list-style-type: none">○ Applicants must adhere to the City's Alcohol Risk Management Policy and meet all insurance and risk management requirements requested by City Staff
Review of Decision	Not Applicable.
Reporting Requirements	Annual information report for community festivals and special occasion permits authorized pursuant to this delegation of authority.

Schedule "N"
By-law Number (2013)-19529

DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION OF AGREEMENTS FOR THE USE OF EMERGENCY SERVICES TRAINING FACILITIES

Power to be Delegated	Authority to approve the execution by the Mayor and Clerk, of agreements for the use of emergency services training facilities by the City. The delegation also applies equally to any amendment or termination of such agreements.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Operations, Transit & Emergency Services○ General Manager Emergency Services Fire/Ambulance /Fire Chief or○ A person who is appointed by one of the above delegates to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Fees for such services are approved as part of the annual operating budget by Council.○ Form of agreement has been reviewed by Legal Services.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on agreements executed during the year pursuant to this delegation of authority.

Schedule "O"
By-law Number (2013)-19529

DELEGATION OF AUTHORITY TO APPROVE EXEMPTIONS TO THE NOISE CONTROL BY-LAW FOR EVENTS THAT HAVE BEEN EXEMPTED IN THE PAST

Power to be Delegated	Authority to approve exemptions to the Noise Control By-law for events that have been exempted in the past. The delegation also applies equally to any minor amendment of such an exemption.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Operations, Transit & Emergency Services or○ A person who is appointed by the CAO or selected from time to time by the Executive Director, Operations, Transit & Emergency Services to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ This delegation does not extend to an event that has changed substantially in nature since the previous exemption was granted.○ Notice of all exemptions shall be published in a local newspaper, and on the City's web site.
Review or Appeal	<ul style="list-style-type: none">○ Where the delegate has not approved a request for an exemption, the applicant may request that a decision be reviewed by Guelph City Council.○ A person who has reason to believe that they will be negatively impacted by an approved exemption may request that the decision to approve be reviewed by Guelph City Council.
Reporting Requirements	Annual information report on exemptions granted during the year pursuant to this delegation of authority.

Schedule "P"
By-law Number (2013)-19529

DELEGATION OF AUTHORITY TO APPROVE TAX WRITE-OFFS AND INCREASES

Power to be Delegated	Authority to approve the tax write-offs and increases under Sections 357, 358 and 359 of the Municipal Act.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Section 357 applications allow for the Municipality and MPAC (Municipal Property Assessment Corporation) to quickly rectify assessment classification changes since the return of the year end assessment roll.○ Section 358 applications allow the taxpayer to rectify prior year's errors through the municipality and local assessment office.○ Section 359 applications allow for the City to increase taxes due to gross or manifest errors.○ All three processes allow errors to be quickly rectified without having to go through the formal assessment review process.○ Legislated process under the Municipal Act.○ These assessment changes can be considered "routine" in nature.○ These do not represent any unusual dollar amounts.○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Finance & Enterprise○ Manager of Taxation and Revenue or○ A person who is appointed by the CAO or selected from time to time by one of the above delegates to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ All write-offs have been reviewed by MPAC and have been approved by them.○ Allowances for write-offs are within the total amount approved for net supplementary and write-off taxation revenue as part of the annual operating budget.
Review of Decision	Applicants have thirty-five days to appeal any Section 357 decisions through the Assessment Review Board. Section 358 decisions are final.
Reporting Requirements	Annual information report on tax write-offs and increases pursuant to this delegation of authority.

Schedule "Q"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO AWARD DOWNTOWN GUELPH
COMMUNITY IMPROVEMENT PLAN (DGCIP) GRANTS**

Power to be Delegated	Authority to award Downtown Guelph Community Improvement Plan (CIP) grants including the Façade Improvement Grant, Feasibility Study Grant, and the Minor Downtown Activation Grant. The delegation applies to grant funding established through the yearly budget process, as approved by Council.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ The DGCIP Implementation Guidelines provides grant details required to administer the DGCIP programs.○ Administrative in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director Finance & Enterprise for the award of the Minor Downtown Activation Grant.○ Corporate Manager, Downtown Renewal or the Executive Director Finance & Enterprise for the award of the Façade Improvement Grant and Feasibility Study Grant or○ A person who is appointed by the CAO or selected from time to time by one of the above delegates to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Grant awards are necessary to support a City program that is funded through a current year's operating or capital budget which has been approved by Council.○ This delegation shall be subject to the financial signing authority of each delegate.○ Council sets maximum allowable budgets for CIP grant programs.○ This delegation does not supersede any approvals required under s.28 of the Planning Act, such as adoption of the CIP or major amendments to the CIP.
Review or Appeal	All grant applications are reviewed by the CIP Review Team, as outlined in the CIP Implementation Guidelines, who may consult with appropriate staff as the Team determines necessary.
Reporting Requirements	Annual information report on grant awards executed during the year pursuant to this delegation of authority.

Schedule "R"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO AMEND DOWNTOWN GUELPH COMMUNITY
IMPROVEMENT PLAN (DGCIP) IMPLEMENTATION GUIDELINES**

Power to be Delegated	Authority to amend Downtown Guelph Community Improvement Plan (CIP) Implementation Guidelines.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph○ Meets the need to respond to issues in a timely fashion○ Maintains accountability through conditions, limitations and reporting requirements.○ The DGCIP Implementation Guideline allows for program adjustments intended to improve the administration of the DGCIP programs.○ Administrative in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Corporate Manager, Downtown Renewal or○ A person who is appointed by the CAO or selected from time to time by the Corporate Manager, Downtown Renewal to act in the capacity of the delegate in their stead.
Council to Retain Power	No
Conditions and Limitations	This delegation does not supersede any approvals required under s.28 of the Planning Act, such as adoption of the CIP or major amendments to the CIP. The addition of new programs, changes to the DGCIP area, or any changes that result in a financial impact to the city (e.g. beyond Council approved budgets) is not delegated to staff.
Review or Appeal	This delegation allows for the periodic amendment of the CIP Implementation Guidelines.
Reporting Requirements	Any amendments will be summarized in the annual information report.

Schedule "S"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO AWARD ENVIRONMENTAL STUDY GRANTS
PURSUANT TO THE BROWNFIELD REDEVELOPMENT COMMUNITY
IMPROVEMENT PLAN**

Power to be Delegated	Authority to award Environmental Study Grants (ESGs) pursuant to the Brownfield Redevelopment Community improvement plan (CIP). The delegation applies to grant funding established through the yearly budget process, as approved by Council.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ The Brownfield Redevelopment CIP provides grant details required to administer the DGCIP programs.○ Administrative in nature○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO);○ General Manager of Planning Services,○ Executive Director of Planning & Building, Engineering & Environment○ A person who is appointed by the CAO or selected from time to time by one of the above delegates to act in their stead.
Council to Retain Power	Where an application is made by an applicant who is responsible for polluting the subject property, the authority rests with Council rather than City staff
Conditions and Limitations	<ul style="list-style-type: none">○ Grant awards are necessary to support a City program that is funded through a current year's operating or capital budget which has been approved by Council.○ This delegation shall be subject to the financial signing authority of each delegate.○ Council sets maximum allowable budgets for CIP grant programs.○ This delegation does not supersede any approvals required under s.28 of the Planning Act, such as adoption of the CIP or amendments to the CIP.○ All grant applications are reviewed by the Planning Services and Engineering Services staff who may consult with other appropriate staff as necessary.○ Agreements are to be reviewed by Legal Services.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on grant awards executed during the year pursuant to this delegation of authority

Schedule "T"
By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO APPROVE
TEMPORARY EXEMPTIONS TO EXOTIC ANIMAL CONTROL BY-LAWS**

Power to be Delegated	Authority to approve temporary exemptions to the Exotic Animal Control Bylaws (1988)-12960 and (1978)-9876 .
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director of Operations, Transit and Emergency Services or○ A person who is appointed by the CAO or selected from time to time by the Executive Director of Operations, Transit and Emergency Services to act in their stead.
Council to Retain Power	Any exemption request for the keeping of an exotic animal that exceeds a consecutive two week period will be brought to Council for consideration and approval.
Conditions and Limitations	The authority for temporary exemptions does not extend beyond 14 consecutive days.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on number of exemptions granted during the year pursuant to this delegation of authority.

Schedule "U"
By-law Number (2012)-19529
[amended by By-law (2013)-19559]

**DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION OF
COMMUNITY WELLBEING GRANT ALLOCATIONS**

Power to be Delegated	Authority to approve the execution of Community Wellbeing Grant allocations.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph○ Increases the participation of residents in municipal decision making.○ Meets the need to respond to issues in a timely fashion.○ Supports the City's Corporate Strategic Plan
Delegate(s)	<ul style="list-style-type: none">○ The Wellbeing Grants Allocation Panel
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Grants must be funded through a current year's operating or capital budget which has been approved by Council
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on agreements executed during the year pursuant to this delegation of authority.

Schedule "V"
By-law Number (2012)-19529

**DELEGATION OF AUTHORITY TO NEGOTIATE THE PURCHASE PRICE FOR
THE SALE OF CITY-OWNED LAND IN THE HANLON CREEK BUSINESS PARK**

Power to be Delegated	Authority to negotiate the purchase price for the sale of city-owned lands with prospective land purchasers in the Hanlon Creek Business Park.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the need to respond in a positive manner to potential business investment opportunities.○ Provides for greater flexibility to negotiate the sale price with prospective purchasers where appropriate and required to secure a business investment.○ Contributes to making Guelph competitive in the local, provincial, national and international business markets.○ Contributes to making city-owned land competitive with existing local employment land owners/developers.○ Supports Strategic Direction 1.2 in Prosperity 2020 to re-position Guelph as a premier business investment location.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO);○ General Manager of Economic Development○ A person who is selected from time to time by the one of the above delegates to act in their stead.
Council to Retain Power	Yes, for deviations outside of policy.
Conditions and Limitations	<ul style="list-style-type: none">○ Delegation of authority is limited to the sale of city-owned land in the Hanlon Creek Business Park.○ Delegation of authority is to be within established guidelines and parameters as approved by Council.
Review or Appeal	Not applicable.
Reporting Requirements	Information reports to be prepared and circulated to Council providing details of the sale and the purchaser, and any subsequent amendment to, or termination of, an Offer to Purchase/Agreement of Purchase and Sale.

Schedule "W"
By-law Number (2013)-19529

DELEGATION OF AUTHORITY TO APPROVE TRAFFIC SIGNAL DRAWINGS

Power to be Delegated	Authority to approve Traffic Signal drawings.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer○ Executive Director of Operations, Transit and Emergency Services or○ A person who is appointed by the CAO or selected from time to time by one of the above delegates to act in their stead.
Council to Retain Power	No
Conditions and Limitations	Not applicable.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on approval of traffic signal drawings pursuant to this delegation of authority.

Schedule "X"
By-law Number (2013)-19529
[added by bylaw (2013)-19586]

**DELEGATION OF AUTHORITY TO APPROVE EXECUTION OF
COMMUNITY BENEFIT AGREEMENT FOR THE GUELPH NEIGHBOURHOOD
SUPPORT COALITION**

Power to be Delegated	Authority to approve the execution of Community Benefit Agreement for the Guelph Neighborhood Support Coalition.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph○ Increases the participation of residents in municipal decision making○ Meets the need to respond to issues in a timely fashion○ Maintains accountability through conditions, limitations and reporting requirements○ Minor in nature○ Supports the City's Corporate Strategic Plan
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Community and Social Services○ A person who is appointed by the CAO or selected from time to time by the Executive Director, Community and Social Services to act in their stead
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Community Benefit Agreement must be funded through a current year's operating budget which has been approved by Council
Review or Appeal	Not Applicable
Reporting Requirements	Annual information report on agreements executed during the year pursuant to this delegation of authority

Schedule "Y"
By-law Number (2013)-19529
[added by By-law (2013)-19596]

**DELEGATION OF AUTHORITY TO MAKE FUNDING DECISIONS
AS PART OF THE COMMUNITY INNOVATION CONNECTION**

Power to be Delegated	Authority to approve the Executive Director of Community and Social Services to make funding decisions and allocate City funds as part of the Community Innovation Connection collaboration
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph○ Meets the need to respond to issues in a timely fashion○ Maintains accountability through conditions, limitations and reporting requirements○ Minor in nature○ Supports the City's Corporate Strategic Plan
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Community and Social Services○ A person who is appointed by the CAO or selected from time to time by the Executive Director, Community and Social Services to act in their stead
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ City funding to the Community Innovation Connection must be funded through a current year's operating budget which has been approved by Council
Review or Appeal	Not Applicable
Reporting Requirements	Annual information update stating how the funding was allocated.

Schedule "Z"
By-law Number (2013)-19529
[added by By-law (2013)-19618]

**DELEGATION OF AUTHORITY TO ENTER INTO CONTRACTS
AND AAGREEMENTS**

Power to be Delegated	Authority to enter into applications, contracts and agreements with third parties, that in effect bind the City, for the provision or acquisition of goods and services or other City activities, works or services that are ordinary to the business of all City's service areas but subject to any limitations as set out in City policies established by Council. The delegation also applies equally to any amendment or termination of such applications, contracts and agreements.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph○ Meets the need to respond to issues in a timely manner○ Maintains accountability through conditions, limitations and reporting requirements○ Minor in nature○ Supports the Corporate Strategic Plan
Delegates	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Operations, Transit & Emergency Services○ Executive Director, Community & Social Services○ Executive Director, Corporate & Human Resources○ Executive Director, Planning, Building, Engineering & Environment○ Executive Director, Finance & Enterprise○ A person who is appointed as Acting Executive Director by the CAO or by an Executive Director from time to time to act in their stead.
Council to Retain Power	Yes at the discretion of the delegate
Conditions and Limitations	<ul style="list-style-type: none">○ The application, contract and agreement is funded through a current year's operating or capital budget which has been approved by Council and;○ The application, contract and agreement is within the limits set forth in the Purchasing By-law (2009)-18777 and;○ Applications, contracts and agreements are less than five (5) years in length and;○ Agreements are to be reviewed by Legal Services
Review or Appeal	Not applicable
Reporting Requirements	Annual information report on contracts and agreements executed during any given year pursuant to this delegation of authority.

Schedule "AA"
By-law Number (2013)-19529
[added by By-law (2014)-19749]

**DELEGATION OF AUTHORITY FOR LEGAL & REALTY SERVICES,
COURT SERVICES, AND PROCUREMENT AND RISK MANAGEMENT**

1. Definitions

- (a) "action or other legal proceeding" includes, but is not limited to, any claim, action, application, arbitration, mediation, appeal, hearing, trial, inquest, enquiry, prosecution or complaint before a court of law, arbitration panel or an administrative tribunal;
- (b) "Chief Administrative Officer" means the Chief Administrative Officer for the City;
- (c) "City Solicitor" means the person appointed by the Chief Administrative Officer to be the City Solicitor for the City;
- (d) "Executive Director" means the head of a service area of the City;
- (e) "Manager of Court Services" means the department head responsible for the operation of the POA Court and includes any employee to whom the Manager reports;
- (f) "POA Court means the Provincial Offences Act Court operated by the City of Guelph pursuant to a Memorandum of Understanding with the Province of Ontario;
- (g) "prosecute" includes, but is not limited to, the trial, plea agreement and appeal of a charge, or other motion, application or action associated with the prosecutorial function pertaining to such charge pursuant to the Provincial Offences Act or other statute that contains charging provisions in favour of the City; and,
- (h) "Surplus Lands Policy" means the Policy for the Sale and Disposition of Real Property Interests approved by the Council of the City of Guelph on February 25, 2008, as amended from time to time, or any successor policy thereto;

2. General Responsibilities

The City Solicitor shall be responsible for providing legal advice to City Council and for the legal affairs of the Corporation as conferred by by-law or as assigned by City Council or the Chief Administrative Officer, including representing the City in actions and other legal proceedings.

3. General Delegation

The City Solicitor shall have all powers necessary to carry out the City's Solicitor's responsibilities, duties and obligations. Without limiting the foregoing, the City Solicitor, when in the professional opinion of the City Solicitor it is in the best interests of the City, may:

- (a) Commence any action or other legal proceeding on behalf of the City where the monetary value of the claim is below \$100,000, excluding interest and costs;
- (b) Where the monetary value of a claim is \$100,000 or more, excluding interest and costs, commence any action or other legal proceeding on behalf of the City to ensure that no limitation period or other time restriction expires before instructions of Council can be obtained, provided that the City Solicitor obtains instructions of Council as soon as is practicable thereafter;
- (c) Take all necessary steps to defend any action or other legal proceeding commenced against the City;

- (d) Commence any counterclaim, crossclaim or third party claim as part of the City's defence to any action or other legal proceeding;
- (e) Bring applications and post security for the removal of liens registered against City land;
- (e) Commence or defend any motion or other interim step as part of an action or other legal proceeding involving the City;
- (f) Retain any expert or other person to assist in an actual or potential action or other legal proceeding or the acquisition or disposition of any City land or other City property, provided that the cost of the retainer is approved by the Executive Director of the service area involved in the proceeding or transaction;
- (g) Accept service of any legal document on behalf of the City;
- (h) Obtain standing or participate in any administrative proceeding on behalf of the City provided that the City Solicitor seeks instructions of Council as soon as is practicable thereafter;
- (i) Take all necessary steps to protect or pursue the rights of the City in its capacity as a landlord or tenant; and,
- (j) Enter into a settlement with any person on behalf of the City where the monetary amount of the claim against or for the City is below \$100,000, exclusive of interest and costs.

4. Instructions

The City Solicitor shall receive instructions from the Executive Director or the Executive Director's designate who is responsible for the program, operation or capital project to which the matter relates in regard to any act or step taken by the City Solicitor pursuant to section 3.

5. Execution of Documents

The City Solicitor is authorized to execute any agreement or other legal document on behalf of the City that is necessary to carry out the City's Solicitor's powers under sections 3 and 6, and the Manager of Court Services is authorized to execute any agreement or other legal document on behalf of the City that is necessary to carry out the Manager's authority under section 9.

6. Committee of Adjustment

With respect to decisions of the Committee of Adjustment and without limiting the generality of section 3, the City Solicitor may:

- (a) Where an appeal from a decision of the Committee of Adjustment has been filed with the Ontario Municipal Board ("OMB"), determine in consultation with the General Manager of Planning Services if the City will attend the hearing of the appeal, and the City's position in any such hearing;
- (b) Where a decision of the Committee of Adjustment is, in the professional opinion of the City Solicitor in consultation with the with the General Manager of Planning Services, contrary to the best interests of the City and it is desired to appeal the decision to the OMB, the City Solicitor shall obtain instructions from Council to proceed with an appeal. If a time restriction would expire before instructions of Council can be obtained regarding

- the appeal, the City Solicitor may file a notice of appeal provided the City Solicitor obtains instructions from Council as soon as is practicable thereafter; and
- (c) Where an appeal from a decision of the Committee of Adjustment has been filed with the OMB, enter into a settlement agreement with a party to that appeal that is in the professional opinion of the City Solicitor in consultation with the General Manager of Planning Services in the best interests of the City.

7. Realty Services

Without limiting the generality of section 3, the City Solicitor, or staff appointed by the City Solicitor from time to time to act in their stead, may:

- (a) Execute any document in accordance with the *Land Registration Reform Act* (Ontario) as required to permit registration of such document under the *Land Titles Act* (Ontario) or *Registry Act* (Ontario), as applicable, for any action otherwise approved;
- (b) Register any instrument on behalf of the City against the title to the lands in which the City has interest;
- (c) Execute and register all applications on behalf of the City for entry or removal of a notice or caution of any kind, an inhibiting order, reference plan or similar registration of any kind in the Land Registry Office;
- (d) Approve and execute agreements permitting the City or its contractors to enter upon land for any of the purposes of the City or permitting others to enter onto City-owned lands for municipal, utility or other purposes, provided that the estimate of the cost of the obligations to be incurred by the City is part of an approved budget or does not exceed \$50,000;
- (e) Approve and execute undertakings, certificates, declarations and any other documents required for the completion of any transaction involving the purchase, sale or exchange of any interest in land including any documents required to be delivered under the applicable agreement of purchase and sale;
- (f) Approve and execute agreements to extend the closing date of purchase and sale transactions;
- (g) Approve and execute agreements of purchase and sale and all transfers for the purchase or exchange of any interest in land, including easements, for:
- A. Any approved capital project; or
 - B. Any requirement under a condition of approval imposed in connection with any application under the Planning Act;
 - C. Provided that in the case of an exchange of any interest in land, that the transfer of the interest in land on the part of the City is completed in accordance with the Surplus Lands Policy.
- (h) Approve and execute documents permitting encroachments onto easements and other City-owned land, including land which is a public highway, and including encroachment agreements;
- (i) Subject to compliance with the Surplus Lands Policy, approve and execute agreements to lease/licence and leases/licences of land required for City purposes and any related notice of lease, including leases having a term in excess of 21 years and including the assignment and sub-

leasing/sub-licensing of existing agreements, provided that:

- A. The total consideration or a reasonable estimate of the cost of the obligations to be incurred by the City does not exceed \$100,000; and,
 - B. The consideration or cost does not exceed the Council approved budget for the affected department; and,
- (j) Subject to compliance with the Surplus Lands Policy, approve and execute agreements for the sale of City-owned land or easements over City-owned Land, provided that total consideration or a reasonable estimate of the cost of the obligations is supported by an appraisal and does not exceed \$100,000.

8. Risk Management

Despite any other provision in this By-law the Manager of Procurement and Risk Management, shall have the authority to manage all insured claims, both self and third party insured, except those which are the subject of litigation, and is authorized to settle on terms satisfactory to the Manager all insured claims which are not the subject of litigation which do not exceed \$100,000, including costs and interest.

9. Provincial Offences Court

Despite any other provision in this By-law, the Manager of Court Services may:

- (a) Commence any prosecution with respect to POA Court matters in order to carry out the City's function as the prosecutorial authority;
- (b) Commence any action or legal proceedings in order to carry out the City's function to enforce court-ordered sentences of POA Court matters;
- (c) Retain or contract with any prosecutor or other person or organization to assist in carrying out the functions in this section provided that the cost of the retainer or contract is accommodated within the Court Services approved City budget;
- (d) Accept service of any legal document associated with POA Court operations on behalf of the City; and
- (e) Enter into joint procurement initiatives with other municipalities operating courts in Ontario for goods and services with respect to POA Court operations.

10. Reporting

Reports regarding the exercise of the delegations of authority shall be made in the Delegation of Authority By-law annual report.

11. Miscellaneous

- (a) Any specific direction of Council that is made from time to time shall prevail over the provisions of this By-law.
- (b) The City Solicitor shall report to Council from time to time on all outstanding actions or other legal proceedings involving the City. Such report shall include a description of any settlement of any action or other legal proceeding entered into by the City Solicitor pursuant to paragraph 3(k) of this By-law during the period since the last report.

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By-law Number (2013)-19529
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- (c) The City Solicitor may designate any solicitor employed by the City to act on the City Solicitor's behalf. In the absence of the City Solicitor, the City Solicitor may designate any other solicitor employed by the City as the Acting City Solicitor and such person shall have all of the authority and power of the City Solicitor under this By-law for the duration of such designation.

- (d) The Manager of Court Services may designate any supervisor or prosecutor with the Court Services Department to act on the Manager's behalf to carry out the actions in Section 9 of this By-law.

Schedule "BB"
By-law Number (2013)-19529
[added by By-law (2014) – 19792]

**DELEGATION OF AUTHORITY TO DELEGATE THE AUTHORITY FOR THE
ISSUANCE OF LOTTERY LICENSES**

Power to be Delegated	Authority to Issue Lottery Licences.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Provides comprehensive customer service to Licensees.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ Minor in nature.○ Supports the City's Corporate Strategic Plan.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ Chief Administrative Officer (CAO)○ Executive Director, Operations, Transit and Emergency Services,○ Manager, Bylaw Compliance, Security and Licensing○ A person who is appointed by the CAO or selected from time to time by the Executive Director, Operations, Transit and Emergency Services to act in their stead.
Council to Retain Power Conditions and Limitations	Not Applicable
Review or Appeal Reporting Requirements	Annual information report to Council on Lottery licences issued.

Schedule "CC"
By-law Number (2013)-19529
[added by By-law (2015) – 19879]

**DELEGATION OF AUTHORITY TO ACT AS HEAD PURSUANT TO THE
MUNICIPAL FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY ACT**

Power to be Delegated	To delegate the City Clerk as the "Head" for the purposes of the <i>Municipal Freedom of Information and Protection of Privacy Act</i> , (MFIPPA) as per section 3(1) of the Act.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ MFIPPA allows Council to delegate their authority as "Head" to administer the provisions of the MFIPPA○ Contributes to the efficient management of the City of Guelph○ Enables the City of Guelph to meet the legislated timelines for compliance with MFIPPA○ Maintains accountability through conditions, limitations and reporting requirements. Staff report to City Council and the Information and Privacy Commissioner of Ontario via an annual report○ Supports the Strategic Plan
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">○ The City Clerkor○ A person who is appointed by the City Clerk or selected from time to time by one to act in their stead.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ Exercise of authority will be pursuant to the provisions of the MFIPPA, as amended.
Review or Appeal	The decision of the "Head" is appealable to the Information and Privacy Commissioner of Ontario
Reporting Requirements	Annual information report on the <i>Municipal Freedom of Information and Protection of Privacy Act</i> pursuant to this delegation is made to the Information and Privacy Commissioner annually and, through the City Clerk's Department annual report, to Council.

SCHEDULE "DD"
By-law Number (2013)-19529
[added by By-law (2016) – 20022]

**DELEGATION OF AUTHORITY FOR CERTAIN TYPES OF ALTERATIONS TO
PROPERTIES DESIGNATED UNDER THE ONTARIO HERITAGE ACT**

Power to be Delegated To delegate approval authority to the General Manager of Planning, Urban Design and Building Services for certain types of alterations through heritage permit applications, other than applications for demolitions and new buildings or structures which must be considered by City Council. The General Manager does not have the authority to refuse heritage permit applications.

Reasons in Support of Delegation

- Sections 33 (15) and 42 (16) of the Ontario Heritage Act allow municipal councils to delegate the power to consent to alterations to property designated under Part IV and V of the Act.
- Council resolution passed September 8, 2014: That Council enact a by-law to amend By-law (2013)-19529 "By-law to Delegate Authority" to delegate approval authority to the General Manager of Planning, Urban Design and Building Services for certain types of alterations to properties designated under the Ontario Heritage Act.
- Maximizes the efficiency of the heritage permit review process, particularly with respect to relatively straightforward and non-controversial applications.
- Contributes to the efficient management of the City of Guelph.
- Meets the need to respond to issues in a timely fashion.
- Maintains accountability through conditions, limitations and reporting requirements.
- Supports the Strategic Plan.

Delegate(s) The following staff or their successors thereof:

- General Manager of Planning, Urban Design and Building Services or
- A person who is appointed or selected from time to time by the General Manager of Planning, Urban Design and Building Services to act in their stead.

Council to Retain Power Council retains power to approve applications for demolitions and new buildings or structures.

Conditions and Limitations The General Manager of Planning, Urban Design and Building Services does not have the authority to refuse heritage permit applications. If the General Manager of Planning, Urban Design and Building Services is unable to support approval of an application, it is referred to Council for consideration and a decision.

The following provides an overview of the key steps in the heritage permit process, assuming delegated approval authority as described above:

Pre-consultation and Submission of Application
Property owners who plan to modify or alter designated heritage properties, are encouraged to first consult the property's designation by-law and/or the applicable heritage district plan and guidelines and then make contact with Heritage Planning staff. Pre-consultation is

SCHEDULE "DD" - Page 2
By-law Number (2013)-19529
[added by By-law (2016) – 20022]

an important preliminary step that provides the opportunity for staff to assist the applicant in understanding the heritage permit application requirements and how to submit a complete application.

Applications that are subject to delegated approval authority will be processed under one of two streams.

Stream 1: Minor Application

Heritage permits that are considered minor are defined as cosmetic, surficial alterations, cladding, and other alterations not requiring a building permit. Minor heritage permit applications will be reviewed solely by the City's Heritage Planning staff who would then provide recommendations to the General Manager of Planning, Urban Design and Building Services. If recommended for approval, the General Manager will then approve the heritage permit, with or without conditions. Applications processed under this stream will normally be completed within 10-15 business days.

Stream 2: Major Application

Heritage permits that are considered major are defined as larger scale exterior alterations, and other works requiring a building permit or approval under the Planning Act. Major applications will be reviewed by Heritage Planning staff and also referred to Heritage Guelph. Heritage Planning staff and Heritage Guelph will review the application and provide advice and recommendations to the General Manager of Planning, Urban Design and Building Services. If recommended for approval, the General Manager will then approve the heritage permit, with or without conditions. Applications processed under this stream will normally be completed within 45 – 90 calendar days, depending on the timing of submission of the application in relation to the established Heritage Guelph meeting schedule.

As noted earlier, under both streams, if, after receiving the advice and recommendations of Heritage Planning staff and Heritage Guelph as applicable, the General Manager of Planning, Urban Design and Building Services is unable to recommend approval, the permit application will be referred to Council for consideration and a decision.

Review or Appeal

- Under the Ontario Heritage Act, applicants may appeal to the Ontario Municipal Board a refusal of a heritage permit application and also a condition or conditions imposed.
- Heritage permit applications that cannot be resolved between the applicant and staff will be forwarded to Council for consideration and a decision. Although this is not an alternate appeal process, it does allow Council to consider the applicant's proposal in light of staff and Heritage Guelph's advice and balance the different factors in coming to a decision.

Reporting Requirements

Annual information report on heritage permits approved during the year pursuant to this delegation of authority.

SCHEDULE "EE"
By-law Number (2013)-19529
[added by By-law (2017) – 20150]

**Delegation of Authority to Award Contracts
(Approving Successful Bids)**

Power to be Delegated	Authority to approve successful bids where the procurement is budgeted but does not have specific approval.
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the City of Guelph.• Meets the need to implement work in a timely fashion.• Maintains accountability through conditions, limitations and reporting requirements.
Delegate(s)	The following staff or their successors thereof; <ul style="list-style-type: none">• City Treasurer and DCAO for relevant service area• Persons who are appointed by the City Treasurer and DCAO or selected from time to time by the City Treasurer and DCAO to act in the capacity of the delegates in the delegate's absence
Council to Retain Power	No
Conditions and Limitations	Successful bids approved must meet all conditions of Purchasing Bylaw (2014) - 17791
Review of Decision	N/A
Reporting Requirements	Annual information report for successful bid approval authorized pursuant to this delegation of authority

SCHEDULE "FF"
By-law Number (2013)-19529
[added by By-law (2017) – 20150]

**Delegation of Authority to Appoint Risk Management Official and
Risk Management Inspector (RMO and RMI)**

Power to be Delegated	Authority to approve appointments of RMOs and RMIs by the Deputy CAO for relevant service area.
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the City of Guelph;• Less items on Council agendas and reduced workload for the Clerk's office;• More efficient use of staff time as less time is spent in preparing detailed Council reports and circulating through the IDE reporting structure and attending Council meetings;• Meets the need to implement work in a timely fashion;• Maintains accountability through conditions, limitations and reporting requirements.
Delegate(s)	The following staff or their successors thereof: <ul style="list-style-type: none">• The DCAO, Infrastructure, Development and Enterprise; their designate or their successor thereto.• A person who is appointed by the DCAO to act in the capacity of the delegate in the delegate's absence.
Council to Retain Power	No
Conditions and Limitations	Must conform to the Clean Water Act, 2006 and associated Regulations as amended.
Review of Decision	N/A
Reporting Requirements	Annual information report for number of appointments authorized pursuant to this delegation of authority.

SCHEDULE "GG"
By-law Number (2013)-19529
[added by By-law (2017) – 20150]

Delegation of Authority to Approve Residential Demolition Permits

Power to be Delegated	Authority to approve residential demolition permits
Reasons in Support of Delegation	<ul style="list-style-type: none">• Improved customer service as response times for decisions would be made in two weeks (or less in the case of an unsafe building) versus the current eight to ten week process;• Less items on Council agendas and reduced workload for the Clerk's office;• More efficient use of staff time as less time is spent in preparing detailed Council reports and circulating through the IDE reporting structure and attending Council meetings;• More timely response to unsafe situations where a fire or other unforeseen event has caused a building to become a hazard;• Less cost to the property owner to erect interim protection while awaiting the Council decision in the case of an unsafe building.
Delegate(s)	<p>The following staff or their successors thereof:</p> <ul style="list-style-type: none">• General Manager of Planning, Urban Design and Building Services, their designate or their successor thereto.• A person who is appointed by the General Manager of Planning, Urban Design and Building Services, or selected from time to time by the General Manager of Planning, Urban Design and Building Services, to act in the capacity of the delegate in the delegate's absence.
Council to Retain Power	Council is to retain the power to refuse or approve applications if not approved by the General Manager. In addition, Council is to retain approval authority with respect to buildings listed (non-designated) on the Municipal Register of Cultural Heritage Properties or designated under Part IV or V of the Ontario Heritage Act.
Conditions and Limitations	Demolition permit fee has been paid with the required information submitted for review.
Review of Decision	If the General Manager of Planning, Urban Design and Building Services does not support the demolition, the applicant may request the matter be brought to Council for a decision.
Reporting Requirements	Annual information report for number of residential demolition permits pursuant to this delegation of authority.