



**City of Kingston
Report to Council
Report Number 24-184**

To: Mayor and Members of Council
From: Lanie Hurdle, Chief Administrative Officer
Resource Staff: Janet Jaynes, City Clerk
Date of Meeting: July 9, 2024
Subject: Updates to Delegated Authority By-Law

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: See above

Executive Summary:

City of Kingston By-Law Number 2016-189, A By-Law to Consolidate the Delegation of Powers and Duties (the “Delegated Authority By-Law”), contains a consolidated list of powers and duties that have been delegated by Council to various City of Kingston and Utilities Kingston employees. The purpose of this report is to seek Council approval of certain administrative updates to the Delegated Authority By-Law, which are intended to reflect recent organizational changes within the City of Kingston and Utilities Kingston and to realign existing delegated authorities within proper departments. Staff are recommending that the amending by-law be given all three readings on July 9, 2024 to expedite the administrative amendments necessary to ensure that delegated authority is correctly reflected.

This report also seeks Council support for a comprehensive review of the City’s approach to delegated authorities, having regard to municipal best practices, the need to promote efficiency with respect to minor or time-sensitive matters, and the desire to maximize use of Council and committee time by removing routine items that unduly lengthen meeting agendas.

Recommendation:

That the by-law attached as Exhibit B to Report Number 24-184 (A By-Law to Amend By-Law Number 2016-189, A By-Law to Consolidate the Delegation of Powers and Duties) be given all

July 9, 2024

Page 2 of 7

three readings on July 9, 2024 in order to amend By-Law Number 2016-189, A By-Law to Consolidate the Delegation of Powers and Duties; and

That Council support, in principle, a comprehensive review of the City of Kingston's approach to the delegation of powers and duties pursuant to the *Municipal Act, 2001*, and direct the City Clerk to report back to Council in Q1 2025 regarding the outcome of the review and proposed next steps.

July 9, 2024

Page 3 of 7

Authorizing Signatures:

ORIGINAL SIGNED BY CITY CLERK

Janet Jaynes, City Clerk

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Growth & Development Services

Jennifer Campbell, Commissioner, Community Services

Neil Carbone, Commissioner, Corporate Services

David Fell, President & CEO, Utilities Kingston

Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives Not required

Brad Joyce, Commissioner, Infrastructure, Transportation
& Emergency Services

Desirée Kennedy, Chief Financial Officer & City Treasurer

July 9, 2024

Page 4 of 7

Options/Discussion:

Section 23.1 of the *Municipal Act, 2001* authorizes a municipality to delegate its powers and duties under the *Municipal Act, 2001* or any other Act to a person or body, subject to the rules and restrictions set out in the *Municipal Act, 2001*. In some cases, Council is obligated to delegate its powers and duties to another person or body. For example, recent changes to the *Planning Act* require Council to appoint an officer, employee or agent of the municipality as an authorized person to review and approve site plan control applications.

The *Municipal Act, 2001* also specifies a list of powers and duties that a municipality cannot delegate, such as the power to: enact by-laws related to property taxes; adopt an official plan or official plan amendment under the *Planning Act*; enact a zoning by-law (other than a minor zoning by-law amendment provided for under the *Planning Act*); adopt or amend the budget of the municipality; or pass by-laws related to municipal capital facilities.

Most often, a municipality will delegate to employees of the municipality or the local utility powers and duties that are considered to be minor, technical, operational or time sensitive. This may include the power to: conduct routine real estate transactions; carry out the City's statutory duties under various legislation; execute minor contracts or agreements; and fulfill the requirements of various Council-approved policies and programs.

Council's delegation of certain powers and duties is critical to the efficient and effective operation of City business. The delegation of powers and duties also ensures that, where necessary, decisions are made based on the professional training and accreditation of subject matter experts. In 2005, Madam Justice Bellamy released a report to Toronto City Council in relation to two judicial inquiries, which contained several recommendations related to good municipal governance that are still commonly cited today. In the report, Justice Bellamy advises that "Council should delegate the administrative, day-to-day operations of the City to staff and concentrate on matters of policy." She notes that while certain powers should be retained by Council for legal, financial, strategic or risk-related reasons, all other matters should be delegated to the lowest possible level according to risk.

City of Kingston By-Law Number 2016-189, A By-Law to Consolidate the Delegation of Powers and Duties (the "Delegated Authority By-Law"), contains a consolidated list of powers and duties that have been delegated by Council to various City of Kingston and Utilities Kingston employees over time, either through a Council resolution or by by-law. The Delegated Authority By-Law is guided by the City's Delegation of Powers and Duties Policy, which sets out the scope of the powers and duties that Council may delegate and establishes principles governing such delegation. A copy of the City's Delegation of Powers and Duties Policy is attached to this report as Exhibit A.

In this report, City staff are seeking Council approval of certain administrative updates to the Delegated Authority By-Law, in the form attached as Exhibit B. These updates are intended to reflect organizational changes at the City of Kingston and Utilities Kingston and to realign existing delegated authorities within proper departments. City staff are not recommending any

July 9, 2024

Page 5 of 7

substantive amendments to the Delegated Authority By-Law at this time. A summary of the administrative updates and the rationale for their inclusion is attached to this Report as Exhibit C.

However, in reviewing the Delegated Authority By-Law, City staff identified the need for a comprehensive review of the City's approach to the delegation of powers and duties generally. In particular, City staff noted the following concerns in respect of the existing Delegated Authority By-Law:

- **The Delegated Authority By-Law is overly specific in many cases.** For example, the Delegated Authority By-Law contains the following delegation of power to the City's Chief Information Officer: "Authority to enter into annual maintenance agreements with Synergy Data Centres, at a total yearly cost of \$15,850 plus HST." This delegation is overly specific in that it restricts the exercise of the power to maintenance agreements with one particular data centre at a specific yearly cost, necessitating Council approval for all other data centre maintenance agreements.
- **The Delegated Authority By-Law is not reflective of the current economic climate.** For example, under the Delegated Authority By-Law, Council approval is required for any property acquisition in excess of \$100,000. This is not a significant sum in the current real estate market and the need to obtain Council approval for low-value acquisitions inhibits the City's ability to respond quickly to real estate opportunities. The \$100,000 limit is also not reflective of the corresponding limits imposed in other municipalities, which generally provide for a range of financial approval amounts based on the applicable staff position.
- **The Delegated Authority By-Law contains outdated delegations of authority.** For example, the Delegated Authority By-Law provides delegated authority for the Director of Heritage Services to approve adjustments to the scope of work for the Tett Centre "for the remainder of the project". This delegated authority is outdated, as the renovation of the Tett Centre was completed in 2015.
- **The Delegated Authority By-Law does not conform to municipal best practices.** As indicated above, the Delegated Authority By-Law is a consolidation of specific powers and duties that have been delegated by Council to various City of Kingston and Utilities Kingston employees over time, either through a Council resolution or by by-law. In some cases, the Delegated Authority By-Law provides a link to a separate by-law containing the original delegation of authority. For example, Council's delegation of authority in respect of *Planning Act* matters is contained in four separate by-laws. In other cases, the delegation of authority is simply established through an amendment to the Delegated Authority By-Law. A review of municipal best practices has revealed that most municipalities have one delegation of authority by-law containing a chart that outlines each department's applicable spheres of authority, rather than having delegated authorities for specific matters dispersed among many by-laws.

July 9, 2024

Page 6 of 7

- **The Delegated Authority By-Law does not enable the City to respond in a timely manner to urgent or time sensitive transactions.** For example, there is currently no delegated authority for City staff to approve or execute non-disclosure agreements, which are commonly required by external parties to facilitate the reciprocal exchange of confidential information at the outset of a transaction. The need for Council approval for these standard agreements delays the City's response time and can hinder negotiations with third parties.

City staff are proposing to undertake a comprehensive review of the City's approach to the delegation of powers and duties, with the aim to streamline decision-making and improve service delivery, while ensuring that Council retains control over key policy, financial, strategic and risk-related matters. City staff will undertake the review having regard to municipal best practices, the need to promote efficiency with respect to minor or time-sensitive matters, and the desire to maximize use of Council and committee time by removing routine items that unduly lengthen meeting agendas. If Council approves the recommendations outlined in this report, City staff will report back to Council regarding the outcome of the review and proposed next steps.

Existing Policy/By-Law

City of Kingston By-Law Number 2016-189, A By-Law to Consolidate the Delegation of Powers and Duties

Delegation of Powers and Duties Policy

Financial Considerations

The proposed comprehensive review of delegated authorities will include appropriate financial considerations, including recommended approval limits and the exercise of powers and duties that have budgetary impacts.

Contacts:

Janet Jaynes, City Clerk, 613-546-4291 extension 1262

Other City of Kingston Staff Consulted:

Jenna Morley, Legal Counsel for the City of Kingston

Derek Ochej, Deputy City Clerk

Exhibits Attached:

Exhibit A – Delegation of Powers and Duties Policy

July 9, 2024

Page **7** of **7**

Exhibit B – A By-Law to Amend By-Law Number 2016-189, A By-Law to Consolidate the Delegation of Powers and Duties

Exhibit C – Summary of Recommended Amendments to the Delegated Authority By-Law.

Delegation of Powers and Duties Policy

Delegation of Powers and Duties Policy

I. Purpose

The Municipal Act, 2001 (the Act) requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. The purpose of this policy is to set out the scope of the powers and duties which Council may delegate its legislative and administrative authority and to establish principles governing such delegation. Unless a power, duty, or function of Council has been expressly delegated by Council pursuant to this policy, all of the powers, duties and functions of Council remain with Council. This policy has been developed in accordance with the Act in order to comply with its other applicable sections, including section 270. This policy applies to all committees of Council, departments and staff.

II. Definitions

1. **Legislative Powers** - Includes all matters where council acts in a legislative or quasi judicial function including enacting by-laws, setting policies, and exercising decision making authority.
2. **Administrative Powers** - Includes all matters required for the management of the corporation which do not involve discretionary decision making.

III. Policy Statement

The Council of the City of Kingston, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policies, and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context set out in the Act and will respect the applicable restrictions outlined in the Act.

IV. Policy Requirements

1. All delegations of Council powers, duties or functions shall be effected by bylaw.
2. Unless a power, duty, or function of Council has been expressly delegated by bylaw, all of the powers, duties and functions of Council remain with Council.
3. A delegation of a power, duty or function under any bylaw to any member of staff includes a delegation to a person who is appointed by the CAO or selected from time to time by the delegate to act in the capacity of the delegate in the delegate's absence.
4. Subject to section 3, a person to whom a power, duty or function has been delegated by bylaw has no authority to further delegate to another person any power, duty or function that has been delegated, unless such sub-delegation is expressly permitted.
5. Legislative matters may be delegated by Council where they are minor in name or where Council has explicitly provided for the terms and conditions under which the powers shall be exercised, and must take into account the limitations set out in the Act.

6. Administrative Matters may generally be delegated to staff subject to the conditions set out in the delegation and in this policy, and must take into account the limitations set out in the Act.

V. Obligations of Delegate

In exercising any delegated power, the delegate shall ensure the following:

1. That expenditures related to the matter shall have been provided for in approved budgets or shall otherwise receive specific authorization from Council.
2. That the scope of the delegated authority shall not be exceeded by the delegate.
3. That where required by the specific delegated authority, reports shall be submitted to Council advising of the exercise of a delegated power and confirming compliance with the delegated authority and this policy.
4. That all policies regarding insurance and risk management shall be honoured.
5. That regard shall be given to the consistent and equitable application of all council policies and guidelines.
6. That any undertaking or contract with a third party shall be subject to the approval of the Director of Legal Services or designate and shall in accordance with the Procurement Policy Bylaw 2022-154 as amended.

City of Kingston By-Law Number 2024–XXX

***By-Law to Amend City of Kingston By-Law Number 2016-189,
A By-Law to Consolidate the Delegation of Powers and Duties***

Whereas:

The Corporation of the City of Kingston (the “**City**”) is a single-tier municipality incorporated pursuant to an order made under section 25.2 of the *Municipal Act*, R.S.O. 1990, c. M.45.

The powers of a municipality must be exercised by its council (*Municipal Act*, 2001, S.O. 2001, c. 25 (the “**Municipal Act, 2001**”), s. 5 (1)).

A municipal power must be exercised by by-law unless the municipality is specifically authorized to do otherwise (*Municipal Act*, 2001, s. 5 (3)).

A single tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public (*Municipal Act*, 2001, s. 10 (1)).

On October 4, 2016, council for the City (“**council**”) enacted *City of Kingston By-Law Number 2016-189, A By-Law to Consolidate the Delegation of Powers and Duties*.

Council considers it necessary and desirable for the public to amend *City of Kingston By-Law Number 2016-189*.

Therefore, *council* enacts:

1. Amendment

- 1.1 *City of Kingston By-Law Number 2016-189, A By-Law to Consolidate the Delegation of Powers and Duties*, is amended by deleting Schedule “A” thereof and replacing it with Schedule “A” attached to this By-Law.

2. Coming into Force

- 2.1 This by-law will come into force and take effect on the day it is passed.

Exhibit B to Report Number 24-184

1 st Reading	date
2 nd Reading	date
3 rd Reading	date
Passed	date

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”

Consolidated List of Delegations of Authority

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
Airport Manager	Authority for the removal of trees on approach to the Kingston Airport.	Council Meeting Number 16 (minutes) 19 July 2011, Report Number 73, Clause (b)
Chief Administrative Officer	Delegate the power for processing and approval of sale of industrial lands.	By-Law Number 99-65
Chief Administrative Officer	Authority for the duties of the CAO. The By-law confirms the position and describes the authority held.	By-Law Number 2002-86. Amended by 2005-74; 2008-122; 2008-171; 2008-197; 2010-196
Chief Administrative Officer	Authority to delegate authority when positions identified in the By-law no longer exist.	By-Law Number 2014-141
Chief Administrative Officer	Authority to enter into agreements as necessary with the private sector organization to manage the day-to-day operations of the small business accelerator centre.	Council Meeting Number 17 (minutes) 16 June 2015, Report Number 61, Clause 2
Chief Administrative Officer	The Chief Administrative Officer and City Treasurer be granted delegated authority to enter into any agreements required, including transfer payment agreements, related to the Public Transit	Council Meeting Number 24 (minutes) 27 September 2016, Report Number 94, Clause 1b

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	Infrastructure Funding (PTIF) program.	
Chief Administrative Officer	Authority to sign grant applications related to assisting the implementation of the Workforce and In-Migration Strategy.	City Council Meeting Number 12 (minutes) 25 April 2017, Report Number 51, Clause 1b
Chief Administrative Officer	Authorize the Mayor and Clerk, or where required the Chief Administrative Officer and/or the Chief Financial Officer, to sign grant agreements that align with the criteria as outlined in Report Number 21-100 (City of Kingston Grant Strategy).	Council Meeting Number 9 (minutes) 23 March 2021 , Report 34, Clause 5
Chief Administrative Officer	Authority for the Chief Administrative Officer to represent the City, as owner, and the Director, Engineering Services or their designate, as the owner's authorized representative, for purpose of signing and submitting any application, including any future renewal, extension or amendment application, to the Ministry of the Environment, Conservation and Parks for a Consolidated Linear Infrastructure Environmental Compliance Approval for the City's Stormwater Management System.	By-Law Number 2022-22
Chief Building Official (CBO)	Authority to execute "Limiting distance Agreements" under the Building Code on behalf of the City in situations where the City's interests are not affected by such	See By-Law Number 2017-238

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	limiting distance agreements.	
Chief Information Officer	Granted delegated authority to enter into recurring annual agreements in a form satisfactory to the Director of Legal Services, with respect to the continuance of technical software and data licencing, maintenance and support services for City applications.	Council meeting Number 10-2021 (minutes) 6 April 2021 , Report 40, Clause 2
Chief Information Officer	<p>Authority to execute data license agreements on behalf of the City of Kingston, in a form satisfactory to the Director of Legal Services, delegate approval and signing authority to the Chief Information Officer, or his or her delegate, for the following types of agreements, provided that such agreements are reviewed and recommended by the City Solicitor, or his or her delegate, have a value of less than five thousand dollars (\$5,000.00), and are within Council-approved budgets:</p> <ul style="list-style-type: none"> a. agreements which license data owned by the City to a third party, and which may include the provision of services related to such data; b. agreements which sublicense data licensed or sublicensed to the City to a third party, and which may include the provision of services related to such data; 	By-Law Number 2022-1

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	<p>c. agreements which license data owned by a third party to the City, and which may include the provision of services related to such data;</p> <p>d. agreements which sublicense data licensed by a third party to the City, and which may include the provision of services related to such data.</p>	
Chief Information Officer	Authority to review, approve and release future software source code developed and owned by the City, to the Open Source community under appropriate licensing terms, where there is likely to be benefit to the corporation, partners and/or the community.	City Council Meeting Number 13 (minutes) 2 May 2017, Report Number 52, Clauses B, G
City Clerk	All powers and duties under the Municipal Freedom of Information and Protection of Privacy Act.	By-Law Number 98-2
City Clerk	Authority to issue letters of support for future requests of breweries and wineries located within the boundaries of the City of Kingston for “By the Glass” Manufacturer’s Limited Liquor Sales Licences to sell and serve their beer or their wine to patrons for consumption at their manufacturing site.	City Council Meeting Number 11 (minutes) 18 April 2017, Report Number 47, Clause G
City Clerk, or their Delegate	Authority to undertake amendments to By-Law Number 98-8, as amended, being “A By-Law to Appoint Statutory Officials of The Corporation of the City of Kingston” as a result of staffing changes, including placement of the amending by-law on the Council Agenda for three	By-Law Number 2021-178

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	readings.	
City Treasurer	Authority to review and recommend for execution by the Mayor and Clerk, service agreements, subject to the satisfaction of the Legal Services Department, with any board or agency of the City for which services are provided by city administrative departments, including accounting and financial reporting services, information technology support or other related support services; and authority to respond on behalf of the city administrative departments to appropriate competitive procurements of any boards or agencies of the City.	Council Meeting Number 3 (minutes) 20 December 2011, Report Number 9, Clause (11)
City Treasurer	City Treasurer is authorized to receive applications from owners of residential property and allow such owners a deferral of up to 50% of the owner's residential tax bill up to \$1,000 per year subject to conditions.	By-Law Number 98-87
City Treasurer	Authority to determine if a low-income senior or low income individual with disabilities qualifies for deferral of residential tax increases and to request any information or documentation that is required in order to make such a decision.	By-Law Number 98-216 Amended by 2002-79; 2017-152
City Treasurer	That the Chief Financial Officer/City Treasurer be delegated the authority to	By-law Number 2005-10; 2016-

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	waive fees for not-for-profit organizations requesting the use of municipal facilities as defined in the Waiver of Fees Policy.	108
City Treasurer	Where a surplus exists in any given year from net assessment growth, authority to consider transferring funds from the surplus to offset the Development Charges and Impost Fees exemptions for that year, thereby accelerating the allocation of the tax incremental financing program and bringing assessment growth to the operating fund sooner.	Council Meeting Number 24 (minutes) 15 November 2011, Report Number 11, Clause (1)
City Treasurer	Council waive the requirement under By-law No. 2010-1, requiring the Mayor and Clerk to sign all agreements binding the Corporation, and delegate authority to the City Treasurer to execute all related service agreements with Paymentus (Canada) Corporation, subject to the satisfaction of the Legal Services Department.	Council Meeting Number 22 (minutes) 15 October 2013, Report Number 116, Clause (g)
City Treasurer	Authority to approve agreements entered into pursuant to the provisions of the City of Kingston Development Charge By-Law and the City of Kingston Impost Fee By-Law.	By-Law Number 2014-179
City Treasurer	The Chief Administrative Officer and City Treasurer be granted delegated authority to enter into any agreements required, including transfer payment agreements, related to the Public Transit	Council Meeting Number 24 (minutes) 27 September 2016, Report Number 94, Clause 1b

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	Infrastructure Funding (PTIF) program.	
City Treasurer	The Chief Financial Officer and his/her delegate to submit grant applications that align with the criteria as outlined in Report Number 21-100 including alignment with Council's strategic priorities and capital and operating plans and approved budget where a municipal share is required.	Council Meeting Number 9 (minutes) 23 March 2021 , Report 34, Clause 5
City Treasurer	Authorize the Mayor and Clerk, or where required the Chief Administrative Officer and/or the Chief Financial Officer, to sign grant agreements that align with the criteria as outlined in Report Number 21-100.	Council Meeting Number 9 (minutes) 23 March 2021 , Report 34, Clause 5
Commissioner of Community Services	Authority to execute service agreements on behalf of the City of Kingston, in a form satisfactory to the Director of Legal Services, with providers of health care and health related services and programs not offered through the City of Kingston to the residents of Rideaucrest Home for services such as dental care and oral hygiene, physiotherapy, and pharmacy and prescription drug dispensing services that are made available on premises to the residents of Rideaucrest Home from time to time.	Council Meeting Number 22 (minutes) 17 November 2009, Report Number 116, Clause (f)
Commissioner of Community Services	Authority for discretionary fee adjustments due to service interruptions.	Council Meeting Number 19

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
		(minutes) 20 September 2011, Report Number 91, Clause (d)
Commissioner of Community Services	Authority to amend the Film Policy for procedural purposes.	City Council Meeting Number 1 (minutes) 6 December 2016, Report Number 4, Clause 3
Commissioner of Community Services	Authority for the Commissioner Community Services to apply for and execute all documentation required to obtain approval from the Alcohol and Gaming Commission of Ontario to transfer the existing liquor license from the Harbour Restaurant, 53 Yonge Street, Kingston, Ontario, to the Corporation of the City of Kingston.	By-law 2022-25
Commissioner of Community Services	Authority to execute contracts and agreements that are implemented to provide health care and support services to residents pursuant to regulatory requirement in a form satisfactory to the City Solicitor that do not exceed \$50,000 in expenditure out of the municipal budget.	Council Meeting Number 15 (minutes) 15 April 2014, Report Number 49, Clause f)
Commissioner of Community Services	Authority to: <ul style="list-style-type: none"> • Enter into service agreements with the Province or its agents for funding and cost shared programs and initiatives related to the delivery of 	Council meeting Number 2019-03 (minutes) 18 December 2018, Report Number 01, Clause 3. By-

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	<p>social assistance, social housing, homelessness, child care, EarlyON, homemaking, social services, health and long term care.</p> <ul style="list-style-type: none">• Enter into service agreements with service providers, related to social services programs and service delivery (including provincially selected/recognized technology, information services and data suppliers) and affiliation agreements with educational institutions and training agencies.• Enter into service agreements between the City and Service Providers, for the implementation of provincial programs, cost shared programs and initiatives, funding and other agreements related to provincial and municipal programs and other social services essential and or beneficial to the wellbeing of the community, including but not limited to funding for rent supplements, the seniors centre, eviction prevention, emergency shelter services, homeless services and residential housing supports.• Enter into service agreements with service providers associated with municipal emergency response and reception centre operations.	<p>Law Number 2019-3</p>

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	<ul style="list-style-type: none"> • Submit grant applications and agreements providing that they are time sensitive and they support and enhance an existing service and/or program and is within the approved operational budget. <p>Sign for budget schedules, contract addenda, service description documents, financing postponements, releases and assignments, contract amendments, amending agreements and any agreements containing personal information of individual recipients.</p>	
Commissioner of Community Services	Authority to execute all documents and agreements related to the Municipal Home Ownership Program and AHP Home Ownership Program as approved by the Commissioner, Community Services.	Council Meeting Number 12 (minutes) 3 April 2012, Report Number 46, Clause (b)
Commissioner of Corporate Services	Signing authority for grant applications and agreements for financial assistance related to the implementation of the Kingston Electric Vehicle Strategy in a form satisfactory to the Director of Legal Services, it being understood that any City contributions will be consistent with approved municipal budgets.	Council meeting Number 2017-22 (minutes) 3 October 2017, Report Number 98, Clause 2
Commissioner of Growth & Development Services	<p>Authority to approve agreements for the acquisition of real property...provided the value of the consideration does not exceed \$100,000;</p> <p>Authority to approve agreements for the disposal of real property...provided the value of the consideration does not</p>	By-Law Number 2014-141

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	<p>exceed \$100,000;</p> <p>Authority to approve leases, licenses and other forms of temporary access agreements for real property.</p>	
Commissioner of Growth & Development Services	Authority to enter into any renewals with Docupet Inc. after the initial five year contract.	Council Meeting Number 13 (minutes) 21 April 2015, Report Number 37, Clause b)
Commissioner of Growth & Development Services	Authority to redistribute the Council approved yearly funding between the Spay/Neuter voucher program and the Trap, Neuter, Vaccinate, Release/Return program, depending on demand and need.	City Council Meeting Number 21 (minutes) 9 August 2016, Report Number 82, Clause I
Commissioner of Growth & Development Services	The authority to use all or a portion of the annual funding for the Trap, Neuter, Vaccinate, Return component of the Responsible Pet Ownership Program to enter into service level agreements with animal welfare stakeholders for Trap, Neuter, Vaccinate, Return services.	Council meeting Number 2019-14 (minutes) 8 May 2019, Report Number 35, Clause 2
Commissioner of Growth & Development Services	<p>The authority to review and approve the Development Charges Rebate project commitments and report to Council annually on program uptake and funding contributions</p> <p>The authority to review and approve all documents and agreements, including the implementation procedure, related to the Development Charges Rebate</p>	Council meeting Number 2018-08 (minutes) 20 February 2018, Report Number 24, Clause 1

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	Program which are in a form satisfactory to the Director of Legal Services.	
Commissioner of Growth & Development Services	Council's power and authority with respect to all matters provided for by 51. (58) of the <i>Planning Act, 1990</i> , As Amended, is hereby delegated to the Director of Planning and Development; Mayor and Clerk are authorized to sign and seal all model home agreements and pre-servicing agreements which have been approved by staff in order to permit model home construction prior to final subdivision approval.	By-Law Number 2006-75. [Consolidation of prior Planning Act delegations of authority] Amended by 2006-209; 2009-179; 2012-104
Commissioner of Growth & Development Services	Authority to execute service agreements on behalf of the City of Kingston, in a form satisfactory to the Director of Legal Services, with any animal welfare stakeholders for Trap, Neuter, Vaccinate, Release (TNVR) services.	B-Law Number 2020-72
Commissioner of Growth & Development Services	Authority, in consultation with the Director of Legal Services, to list Special Charge By-Laws for improvements completed under the Better Homes Kingston Program on future Council agendas.	City Council Meeting Number 22-2022. Report 88, Clause 2.
Commissioner of Infrastructure, Transportation & Emergency Services	Authority to negotiate and enter into agreements with third parties for the provision of alternate locations for the municipal Emergency Operations Centre.	Council Meeting Number 24 (minutes) 15 November 2011, Committee of the

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
		Whole
Committee of Adjustment	Empowered to grant minor variances from By-laws implementing official plan.	By-Law Number 83-142
Committee of Adjustment	Empowered to grant minor variances from any By-law of the Corporation of the 'New' City of Kingston that Implements the Official Plan for the City of Kingston Planning Area.	By-Law Number 98-3
Director of Arts & Culture Services	Authority to apply for and execute all documentation required to obtain approval from the Alcohol and Gaming Commission of Ontario for a liquor license application to the Grand Theatre.	Council Meeting Number 2 (minutes) 17 December 2013, Report Number 9, Clause (d)
Director of Arts & Culture Services	Authority to administer the Public Art Policy to allow staff to initiate the implementation of the Public Art Master Plan previously approved by Council in 2014 and to revise and update the Public Art Policy as needed.	City Council Meeting Number 25 (minutes) 3 November 2015, Report Number 102, Clause 2
Director of Arts & Culture Services	Authorized to execute any legal agreements as needed, to the satisfaction of the Director of Legal Services, to enable the City of Kingston to work with local artists to support YGK Music as proposed in Report Number ARCP-20-003 (Report on the Pilot Project to Promote Local Music and Musicians and Terms of Reference for the Next Iteration of YGK Music in Support of Sector Development).	Council meeting Number 2020-28 (minutes), 3 November 2020 , Report 90, Clause 1

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/Resolution
Director of Business, Real Estate & Environment	Authority to approve subsequent renewals of the agreement with Hydro One for trail lands, satisfactory to the Director of Recreation and Leisure and the Director of Legal Services.	Council Meeting Number 2 (minutes) 18 December 2013, Report Number 10, Clause c)
Director of Business, Real Estate & Environment	Authority to approve the execution of license agreements for all existing Partner Groups – Sports and Recreation as outlined in Report 13-228 and who are eligible under Section 15 of the Revenue Leasing and Licensing Policy.	Council Meeting Number 16 (minutes) 18 June 2013, Report Number 86, Clause (a)
Director of Business, Real Estate & Environment	Authority to enhance the administration of the Brownfield Community Improvement Plan Program using a sliding scale approach to each eligible application so that benefits are proportional to: (1) the degree of environmental encumbrance relative to the value of the proposed redevelopment project; and (2) to the area of land as a percentage that requires remediation in order that the goal of creating a “level playing field” for brownfield development through the CIP is maintained.	Council Meeting Number 20 (minutes) 3 June 2014, Report Number 68, Clause b)
Director of Business, Real Estate & Environment	Authority to enter into amending agreements with neighbouring land owners of the Grand Theatre to add encroachments, to extend parking agreements and to provide for any other matters into existing or new legal	Council Meeting Number 22 (minutes) 24 October 2006, Report Number 114, Clause 1

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	arrangements.	
Director of Community Development and Wellbeing - IIDEA	Authority to waive park booking fees as outlined in By-Law Number 2005-10, "A By-Law to Establish Fees and Charges to be Collected by The Corporation of the City of Kingston" to accommodate requests from Indigenous community organizers to access park spaces for the purposes of ceremony and cultural gathering, this authority does not apply to special event bookings or large gathering requests (over 99 people).	By Law Number 2021-152
Director of Corporate Asset and Fleet Management	<p>Authority to continue working with third parties to enable the City of Kingston's inclusion in funding requests to the Government of Ontario's Electric Vehicle Chargers Ontario (EVCO) incentive Program; and</p> <p>Authority to enter into any application or other documentation required to commit participation, on terms reasonable to the Commission of Community Services (formerly Commissioner of Corporate & Strategic Initiatives), in both or either the consortium bid to the EVCO program by Plug N Drive and/or by ChargePoint.</p>	City Council Meeting Number 5 (minutes) 2 February 2016, Report Number 25, Clause I

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
Director of Corporate Asset Management and Fleet	Authority to enter into fuel hedging contracts, as provided for in the Fuel Price Hedging Policy, in a form satisfactory to the City Solicitor and the Chief Financial Officer & City Treasurer, to help mitigate risk associated with fuel price fluctuations.	By-Law Number 2023-107
Director of Engineering Services	Authority to sign agreements with CN for cost sharing of warning systems at level rail crossings.	By-Law Number 2002-173
Director of Engineering Services	Authority to approve the installation of all service providers that wish to install infrastructure in the City right-of-way on behalf of the City of Kingston.	By-Law Number 2002-176
Director of Engineering Services	Approval authority for the erection or installation of any new traffic control signal systems or traffic control signal used in conjunction with traffic control signal system that has been authorized.	By-Law Number 2003-209
Director of Engineering Services	Authority to apply to the Ministry of the Environment, Conservation and Parks for an initial Consolidated Linear Infrastructure Environmental Compliance Approval for the City's Stormwater Management System, and any future renewal, extension or amendment application, and to approve execution of any documents and agreements in connection therewith, on terms and conditions satisfactory to the Director of Legal Services.	By-Law Number 2022-22
Director of	1. May temporarily close any highway or portion of a highway in accordance	By-Law Number

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
Engineering Services	<p>with the “Policy Framework – Delegated Authority for Road Closures” for the following purposes:</p> <ul style="list-style-type: none"> (a) The construction, repair or improvement of the highway or portion of the highway or the construction or repair of any works, under, over, along, across, or upon the highway or portion of highway; (b) Any social, recreational, community, athletic, or cinematographic purpose, or a combination of such purposes. <p>2. Notwithstanding the provision of section 1 of this By-law, Council shall retain all powers and authority under Section 42 of the <i>Ontario Municipal Act, 2001</i> where:</p> <ul style="list-style-type: none"> (a) The Manager or his/her designate, or in the absence of a designate the Commissioner of Infrastructure, Transportation & Emergency Services, at his/her sole discretion refers to the matter to Council; (b) The applicant requests in writing that the matter be referred to Council; or (c) Any member of City Council requests, in writing to the Manager, that the request for the temporary road closure approval be referred to Council. Upon receipt of such request, the Manager shall refer the matter to Council. <p>Notwithstanding the provisions of section 1 of this By-law, prior to approving any temporary road closure, the Manager</p>	<p>2005-255. Amended by 2015-119</p>

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	shall notify the Mayor and Council of the pending closure.	
Director of Engineering Services	Authorized to designate a lower rate of speed for vehicles traveling in construction zones.	By-Law Number 2009-80
Director of Engineering Services	Authority over various routine processes related to tile drainage loan applications under the tile drainage act.	By-Law Number 2010-195
Director of Financial Services	Authority of the Treasurer under the Alternative Instalments (Pre-Authorized) Tax Payment Program.	By-Law Number 2003-368 Amended by 2017-153
Director of Financial Services	Authority over various routine processes related to tile drainage loan applications under the tile drainage act.	By-Law Number 2010-195
Director of Heritage Services	<p>All the authority that Council has respecting the granting of permits to approve minor alterations to designated properties.</p> <p>Authority under the Ontario Heritage Act, to request, receive, review and accept or reject plans, information, reports and any other documentation required to make a decision, when an application is made under the Act .</p> <p>Authority to process permits in accordance with the terms of By-Law 2013-141.</p>	By-Law Number 2013-141
Director of Heritage Services	Authority for approval of any further adjustments required to the Scope of Work for alterations under the Ontario Heritage Act to 370 King Street West	Council Meeting Number 32 (minutes) 18 November 2014,

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	(J.K. Tett Centre) under the Ontario Heritage Act for the remainder of the project, including the issuance of heritage permits, as required.	Report Number 11, Clause i)
Director of Heritage Services	Authority to execute contracts and agreements related to the work of the Heritage Services Department in a form satisfactory to the City Solicitor and consistent within the approved municipal budget.	Council Meeting Number 19 (minutes) 11 August 2015, Report Number 75, Clause d
Director of Heritage Services	Delegated Authority for Customer Service Purposes – Fee Adjustments Related to Service Interruptions, Special Events and the Removal of Economic Barriers at the MacLachlan Woodworking Museum and the pump House Steam Museum.	City Council Meeting 2017-15 (minutes) 6 June 2017, Report Number 62, Clause 7
Director of Heritage Services	Authorized to execute any legal agreements as needed related to Engage for Change, under delegated authority, to the satisfaction of the Director of Legal Services, to enable the City of Kingston to work with community organizations to support the initiatives as proposed in Report Number 20-060 (Update Report, Engage for Change: #YGK Reconciliation Journey, Phase II Review and Phase III Proposals).	Council meeting Number 2020-10 (minutes) 3 March 2020 , Report 27, Clause 2
Director of Heritage Services	Authority to amend these (museum) policies for minor issues of clarification, formatting and updating when corporate policies are approved to ensure legislative changes are reflected in the	Council Meeting Number 22 (minutes) 15 October 2013, Report Number 118, Clause (1)

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	policies.	
Director of Heritage Service	Authority to amend the Kingston Civic Collections Management Policy, from time to time, as required to reflect changing collection management practices, legislation, City policy and for minor housekeeping updates.	By-Law Number 2020-51
Director of Housing & Social Services	Authority to approve the allocation of funding for the creation of affordable housing secondary residential units.	By-Law Number 2013-180
Director of Housing & Social Services	Authority to execute service agreements on behalf of the City of Kingston, in a form satisfactory to the Director of Legal Services, with Nimble Information Strategies Inc. for the provision of document scanning and imaging services related to the implementation of Electronic Document Management.	By-Law Number 2021-45
Director of Human Resources and Organization Development	<p>Authority to approve staff positions from time to time provided that:</p> <ul style="list-style-type: none"> a) Funds are available within current budgetary allocations b) All expenditures are deemed essential for the purpose of achieving the objectives of the City, and <p>Alternate methods of achieving the</p>	Council Meeting Number 6 (minutes) 3 March 1998, Committee of the Whole, Clause 4

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	objectives have been evaluated and proven more costly or less effective than staffing a position.	
Director of Legal Services and City Solicitor	Authority over a variety of administrative matters.	By-Law Number 2010-179
Director of Legal Services and City Solicitor	Authority to approve future requests from the Confederation Place Hotel for the City to enter into Consents and Acknowledgements arising from new mortgages or increases of existing mortgages placed on the Confederation Place Hotel.	Council Meeting Number 6 (minutes) 15 February 2011, Report Number 20, Clause 4
Director of Legal Services and City Solicitor	Authority to approve agreements entered into pursuant to the provisions of the City of Kingston Development Charge By-Law and the City of Kingston Impost Fee By-Law.	By-Law Number 2014-179
Director of Licensing and Enforcement Services	Authority to appoint municipal law enforcement officers as peace officers for the purpose of enforcing city by-laws.	By-Law Number 2021-084
Director of Licensing and Enforcement Services or their designate	Authority to approve noise exemptions for amplified sound.	By-Law 2024-143
Director of Licensing and Enforcement Services	Authority to sign the “Authorized Requester Agreement” and enter into future agreements with the Ministry of Transportation, to enable the City to	City Council Meeting Number 18 (minutes) 11 July 2017,

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	<p>continue to obtain vehicle owner information to assist in investigations into violations of specific city by-laws.</p> <p>Authority to be the “Authorized Signatory” for the purposes associated with the “Authorized Requester Agreement”.</p>	<p>Report Number 75, Clause 7, By-Law Number 2017-133</p>
Director of Licensing and Enforcement Services or their Designate	<p>Authority to appoint persons for the purpose of issuing parking infraction notices under the provisions of By-Law Number 99-166 on designated properties, and to revoke the authorization of any person as deemed necessary.</p>	<p>City Council Meeting Number 2 (minutes) 20 December 2016, Report Number 12, Clause (a)</p>
Director of Planning Services or their Designate	<p>Authority to issue a site alteration permit.</p>	<p>By-Law Number 2008-128</p>
Director of Planning Services or their Designate	<p>Authority to approve encroachment over easement agreements with private property owners, in a form satisfactory to the Legal Services Division.</p>	<p>Council Meeting Number 20 (minutes) 13&14 July 2004, Report Number 66, Clause (b)</p>
Director of Planning Services or their Designate	<p>1. Be authorized to approve the dedication of the following city-owned lands for public highway, lane or walkway purposes, in the absence of explicit council authority where:</p> <p>(a) The lands have been acquired or accepted for a public highway, lane or walkway purposes pursuant to a development review, council approval or delegated authority;</p>	<p>By-Law Number 2006-116</p>

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	<p>(b) The reserves on registered plans or lands used as reserved are no longer needed to control access to an abutting property;</p> <p>(c) Council's intent to open a road can be implied from one or more documents such as Official Plan, Kingston Transportation Master Plan, or other written documentation with specific reference to the road; or</p> <p>(d) The lands are used by the public as public highway, lane or walkway</p> <p>2. Be authorized to approve the issuance of the "Preliminary Certificate of Approval of the Works" (PCAW) to accept the public works within the subdivision;</p> <p>3. Be authorized to release easements, blocks, and/or lots taken in favour of the City for the purpose of temporary turning circles or temporary access roads, as well as temporary storm water management facilities within subdivisions;</p> <p>4. Be authorized to take all steps necessary to implement the proposed dedication, approval or release referred to in recommendations 1,2 and 3, including ensuring that the relevant by-law is placed on the Council agenda and that payment of any costs related to the dedication, approval or release are made, to register the resultant by-law, release or other documentation in the Land Registry Office;</p>	

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	5. That prior to the approval of any proposed dedication of land or release of easement, the Director of Planning Services inform the affected district councilor, who will have the option of referring the proposed dedication of land or release of easement to Council.	
Director of Planning Services	Authority to enforce the By-Law, to issue Tree Permits under the By-Law and to impose terms and conditions to such permits.	By-Law Number 2018-15
Director of Public Works and Solid Waste	Authorized to make payments and reimbursements from the Trees for Kingston Fund.	Council Meeting Number 12 (minutes) 28 April 1998, Report Number 32, Clause 4
Director of Recreation and Leisure Services	Authority to enter into license agreements with community groups, for the purpose of granting permission to use City-owned lands for the purpose of growing and harvesting of fruit trees, nut trees and/or shrubs, as outlined in the Community Orchard & Edible Forest Policy.	City Council Meeting Number 1 (minutes) 6 December 2016, Report Number 5, Clause 1
Director of Recreation and Leisure Services	Authority for discretionary fee adjustments due to service interruptions.	Council Meeting Number 19 (minutes) 20 September 2011, Report Number 91, Clause (d)
Director, Strategy, Innovation and	Authority with regard to airport operations including agreements,	By-Law Number 2008-98

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
Partnerships or his/her delegates	licences, and contracts and powers and responsibilities as Airport Accountable Executive.	Amended By: 2019-41
Director of Transportation Services	Authorized to develop agreements with sales agencies for the sales of transit smart cards.	By-Law Number 2009-109
Director of Transportation Services	Authority to approve extensions to an agreement with the Kingston Tennis Club Inc., under the same terms and conditions.	City Council Meeting Number 11 (minutes) 22 March 2016, Report Number 35, Clause (f)
Director of Transportation Services, or their delegate	Authority to undertake amendments to By-Law Number 2003-209, as amended, being "A By-Law to Regulate Traffic", to designate a highway or portions of a highway under the jurisdiction of the City of Kingston as Community Safety Zones, including placement of the amending by-laws on the Council Agenda without requiring in each instance an accompanying Report to Council.	By-Law Number 2022-123
Director of Transportation Services or their delegate	Authority to modify or suspend any aspect of a School Street and a Play Street Road Closure if there are issues with safety, operations, maintenance, or capital projects.	By-Law Number 2022-124
Director of Transportation Services or their delegate	Authority to apply reduced load limits, as prescribed in Section 122 of the Highway Traffic Act, R.S.O. 1990, c. H.8, to highways described in Schedule F-2 to City of Kingston By-Law 2003- 209, "A By-Law to Regulate Traffic", commencing on a date prior to March 1	By-Law Number 2023-78

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	of any year, and/or to end reduced load restrictions on a date either prior to or after April 30 of any year, as weather and road conditions may require.	
Director of Transportation Services or their Designate	Authorized to administer the City's Street Patio Program in accordance with the Street Patio Standards and Application Guide, including the right to: make amendments to the Street Patio Standards and Application Guide to reflect updated standards, from time to time; approve and decline applications for patios; impose conditions with respect to permits and licence agreements for the operation of patios; issue, renew, administer, amend, extend, suspend and revoke permits and licence agreements for the operation of patios; approve patio licence agreements, amendments and other agreements required pursuant to the Street Patio Program for execution by the Mayor and City Clerk; modify the patio season operating dates subject to weather conditions and City operational requirements; temporarily close any patio for the purpose of maintenance, operational or other municipal needs, including special events; and refer a decision to Council where an application	By-Law Number 2023-54

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	is refused.	
Director of Transportation and Transit, or their delegate	Authority to submit, for all three readings, such by-laws necessary to amend By-law Number 2003-209, A By-Law To Regulate Traffic, to establish Designated Areas, prescribe Area Speed Limits and any necessary changes related to prescribing Area Speed Limits, and to establish Designated Areas, prescribe Area Speed Limits and any necessary changes related to prescribing Area Speed Limits, and to prescribe lower rates of maximum speed that apply to highways or parts of highways under the jurisdiction of the City of Kingston, including placement on the Council Agenda without requiring in each instance an accompanying Report to Council.	By-Law Number 2024-186
Fire Chief	Authority to take all proper measures for the prevention, control and extinguishment of fires and protection of life and property and shall exercise all powers mandated by the Fire Protection and Prevention Act.	By-Law Number 2007-193
Fire Chief	Approval and signing authority to	City Council

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	execute agreements and any other documents to provide fire and public safety training, facility and equipment rentals, and other related fee for services to external clients.	Meeting Number 9 (minutes) 21 March 2017, Report Number 38, Clause A
Manager of Climate Leadership	Authority to execute Funding Agreements with participating Neighbourhood Climate Action Champions to provide project funding of up to \$2,000 per project, in a form satisfactory to the Director of Legal Services.	City Council Meeting Number 21-2022 (minutes) 20 September 2022 . Report 82, Clause 4.
Manager of Licensing & Enforcement	Authority over future actions taken concerning the dispute involving the cutting of grass on the boulevard in front of 5 Gibson Avenue.	Community Development Committee Meeting Number 9-98
Manager of Licensing, Parking Operations & Policy	Authorized to appoint livestock valuers and fence viewers.	By-Law Number 2010-194
Manager of Taxation and Revenue	Authority of the Treasurer under the Alternative Instalments (Pre-Authorized) Tax Payment Program.	By-Law Number 2003-368 Amended by 2017-153
Manager of Taxation and Revenue	The City's responsibility relating to assessment and taxation appeal	By-Law Number 2005-58

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	matters.	Amended by 2017-154
Manager of Taxation and Revenue	Authority to enter into agreements, in a form satisfactory to the Director of Legal Services, with the Municipal Property Assessment Corporation (MPAC) for the electronic download of property assessment information from the Municipal Property Assessment Corporation's Municipal Connect website.	Council Meeting Number 12 (minutes) 15 May 2007, Report Number 51, Clause E
Mayor	Authority to approve and sign Grant Applications that enable [the Arts & Culture Services Department and Heritage Services Department] to access funding from higher levels of government and private foundations to build partnerships, secure alternative sources of revenue and raise Kingston's profile at a regional, provincial and national level.	City Council Meeting Number 19 (minutes) 11 August 2015, Report Number 75, Clause d
Mayor and City Clerk	Authorized to enter into a demand response agreement with EnerShift for a term of three years ending May 31, 2013, in a form satisfactory to the Director of Legal Services- and further – That Council give staff delegated authority to extend, amend or add other facilities to the agreement as required and as opportunities arise.	Council Meeting Number 12 (minutes) 20 April 2010, Report Number 55, Clause (f)
Mayor and City Clerk	Authority to enter into an agreement with The Boiler Room Climbing Gym, for the coordinated program deliver of the Walls and Waves summer camp program, in a form satisfactory to the Director of Legal	Council Meeting Number 12 (minutes) 17 May 2011, Report Number 52,

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
	Services, and further, authority to enter into such agreement annually.	Clause (j)
Mayor and City Clerk	Authority to enter into agreements with the Community Foundation for Kingston and Area on an annual basis.	Council Meeting Number 19 (minutes) 10 September 2013, Report Number 108, Clause (d)
Mayor and City Clerk	Authority to enter into annual agreements with the Ministry of Tourism, Culture and Sport for Celebrate Ontario project funding in support of the sheep dog trials event.	Council Meeting Number 23 (minutes) 5 November 2013, Report Number 119, Clause I
Mayor and City Clerk	Authorize the Mayor and Clerk, or where required the Chief Administrative Officer and/or the Chief Financial Officer, to sign grant agreements that align with the criteria as outlined in Report Number 21-100.	Council Meeting Number 9 (minutes) 23 March 2021, Report 34, Clause 5
Mayor and Clerk	Authority to execute Property Owner Agreements with participating homeowners, and all other documents or agreements required to give effect to the Better Homes Kingston Program approved by Council, in a form satisfactory to the Director of Legal Services.	City Council Meeting Number 15-2022 (minutes) 7 June 2022 . Report 54, Clause 2.

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
President and CEO, Utilities Kingston	<p>Authority for President and Chief Executive Officer of Utilities Kingston, to represent the City, as owner, and the Director, Utilities Engineering of Utilities Kingston or their designate, as the owner's authorized representative, for purpose of signing and submitting any application, including any future renewal, extension or amendment application, to the Ministry of the Environment, Conservation and Parks:</p> <ul style="list-style-type: none"> a. for a Consolidated Linear Infrastructure Environmental Compliance Approval for the City's Sewage Collection System; and b. under the <i>Safe Drinking Water Act</i> and associated regulations. 	By-law 2022-22
President and CEO, Utilities Kingston	Signing authority for water compliance reports.	Council Meeting Number 8 (minutes) 18 February 2003, Report Number 24, Clause 1(n)
President and CEO, Utilities Kingston	Signing authority for water compliance reports.	Council Meeting Number 8 (minutes) 18 February 2003, Report Number 24, Clause 1(n)

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
Utilities Kingston	Authority to make automatic adjustments to the natural gas commodity rate for any review that indicates that the price is above or below the current rate by 5% or more.	October 5, 1999. City Council Meeting 29-1999, Report 107, Clause 1, Report.
An authorized signing officer of Utilities Kingston	Procurement of Natural Gas	October 20, 2009. City Council Meeting Number 20-2009, Report 109, Clause 1.
Representatives of Utilities Kingston	Authority to amend the Appliance Rental Rates, to competitive rates, provided customers are given a minimum of 30 days' notice of the change, and any changes do not occur prior to January 1, 2024.	<u>March 21, 2023.</u> City Council Meeting Number 11-2023, Report 34, Clause 1D.
Representatives of Utilities Kingston	Authority to comply with the legislated requirements of the Greenhouse Gas Pollution Pricing Act and Federal Carbon Pricing Backstop as it relates to the natural gas utility, and to execute any required operational documents that fall within the provisions of the Greenhouse Gas Pollution Pricing Act and Federal Carbon Pricing Backstop.	February 19, 2019. City Council Meeting Number 2019-18, Report 19, Clause 3.
Representatives of Utilities Kingston	Authority to act, on behalf of the Corporation of the City of Kingston, in order to comply with the legislated requirements of the Ontario Cap and Trade Program	City Council Meeting Number 2 (minutes) 20 December 2016, Report Number 13, Clause 3

Exhibit B to Report Number 24-184

Delegate	Delegated Authority Description	Enabling By-Law or Council Motion/ Resolution
Representatives of Utilities Kingston	Authority to execute any required operational documents that falls within the provisions of the Ontario Cap and Trade Program	City Council Meeting Number 2 (minutes) 20 December 2016, Report Number 13, Clause 3
Representatives of Utilities Kingston	Authority for requesting multiple draws on the revolving letter of credit for the Ontario Cap and Trade Program	City Council Meeting Number 6 (minutes) 21 February 2017, Report Number 26, Clause 2
Director, Utilities Engineering	Authority to apply to the Ministry of the Environment, Conservation and Parks for an initial Consolidated Linear Infrastructure Environmental Compliance Approval for the City's Municipal Sewage Collection System, and any future renewal, extension or amendment application, and to approve execution of any documents and agreements in connection therewith, on terms and conditions satisfactory to the Director of Legal Services	By-Law Number 2022-22

Summary of Recommended Amendments to the Delegated Authority By-Law

The following is a list of all recommended amendments to By-Law Number 2016-189, A By-Law to Consolidate the Delegation of Powers and Duties. The list is organized by position and contains details on the amendment and the rationale for its deletion or alteration.

Commissioner of Community Services

Authority: Move authority to amend the Film Policy for procedural purposes.

Rationale: Moved from Commissioner of Business, Environment & Projects.

Authority: Move authority for the Commissioner Community Services to apply for and execute all documentation required to obtain approval from the Alcohol and Gaming Commission of Ontario to transfer the existing liquor license from the Harbour Restaurant, 53 Yonge Street, Kingston, Ontario, to the Corporation of the City of Kingston.

Rationale: Moved from Commissioner of Business, Environment & Projects.

Authority: Delete authority to execute contracts and agreements related to the work of the [Heritage] Services Department in a form satisfactory to the City Solicitor and consistent within the approved municipal budget.

Rationale: Redundant.

Authority: Delete delegated authority for Customer Service Purposes – Fee Adjustments Related to Service Interruptions, Special Events and the Removal of Economic Barriers at the MacLachlan Woodworking Museum and the pump House Steam Museum.

Rationale: Redundant.

Authority: Move authority to execute all documents and agreements related to the Municipal Home Ownership Program and AHP Home Ownership Program as approved by the Commissioner, Community Services.

Rationale: Move from Mayor and City Clerk.

Commissioner of Business, Environment & Projects

Authority: Delete authority to execute any legal agreements as needed, to the satisfaction of the Director of Legal Services, to enable the City of Kingston to work with local artists to support YGK Music as proposed in Report Number ARCP-20-003 (Report on the Pilot Project to Promote Local Music and Musicians and Terms of Reference for the Next Iteration of YGK Music in Support of Sector Development).

Rationale: No longer required.

Commissioner of Growth & Development Services

Authority: Move authority to execute service agreements on behalf of the City of Kingston, in a form satisfactory to the Director of Legal Services, with any animal welfare stakeholders for Trap, Neuter, Vaccinate, Release (TNVR) services.

Rationale: Moved from Chief Administrative Officer.

Authority: Move authority to approve agreements for the acquisition of real property...provided the value of the consideration does not exceed \$100,000;

Authority to approve agreements for the disposal of real property...provided the value of the consideration does not exceed \$100,000;

Authority to approve leases, licenses and other forms of temporary access agreements for real property.

Rationale: Moved from Commissioner of Community Services.

Authority: Move authority to enter into any renewals with Docupet Inc. after the initial five-year contract.

Rationale: Moved from Commissioner of Community Services.

Authority: Move authority to redistribute the Council approved yearly funding between the Spay/Neuter voucher program and the Trap, Neuter, Vaccinate, Release/Return program, depending on demand and need.

Rationale: Moved from Commissioner of Community Services.

Authority: Move authority to use all or a portion of the annual funding for the Trap, Neuter, Vaccinate, Return component of the Responsible Pet Ownership Program to enter into service level agreements with animal welfare stakeholders for Trap, Neuter, Vaccinate, Return services.

Rationale: Moved from Commissioner of Community Services.

Authority: Council's power and authority with respect to all matters provided for by 51. (58) of the *Planning Act, 1990*, As Amended, is hereby delegated to the Director of Planning and Development;

Mayor and Clerk are authorized to sign and seal all model home agreements and pre-servicing agreements which have been approved by staff in order to permit model home construction prior to final subdivision approval.

Rationale: Move from Director of Planning Services.

Authority: Add authority, in consultation with the Director of Legal Services, to list Special Charge By-Laws for improvements completed under the Better Homes Kingston Program on future Council agendas.

Rationale: Authority granted by Council via Clause 2 of Report Number 88 from October 4, 2022, City Council meeting. This was not included in the Delegated Authority By-Law.

Commissioner of Corporate Services

Authority: Move signing authority for grant applications and agreements for financial assistance related to the implementation of the Kingston Electric Vehicle Strategy in a form satisfactory to the Director of Legal Services, it being understood that any City contributions will be consistent with approved municipal budgets.

Rationale: Move from Commissioner of Community Services.

Commissioner of Infrastructure, Transportation & Emergency Services

Authority: Move authority to negotiate and enter into agreements with third parties for the provision of alternate locations for the municipal Emergency Operations Centre.

Rationale: Move from Commissioner of Corporate Services.

Administrator of Rideaucrest Home

Authority: Delete authority to enter into Silver Group Purchasing Partner Network supplier agreements for the purchase of goods and/or services for Rideaucrest Home valued between \$5,000 to \$50,000 per purchase, on an as required basis subject to staff's review of the requirements, budget availability, and competitiveness for each purchase.

Rationale: Authority now included in Procurement By-Law.

Chief Information Officer

Authority: Delete authority to enter into recurring annual agreements with respect to the continuance of technical software support services with Intellware Development Inc. for LifeRay Enterprise Portal software, subject to annual review.

Rationale: Redundant.

Authority: Delete authority to enter into recurring maintenance and support agreements with Accela Inc., subject to annual review and in a form satisfactory to the Director of Legal Services.

Rationale: Redundant.

Authority: Delete authority to enter into annual maintenance agreements with Synergy Data Centres, at a total yearly cost of \$15,850 plus HST.

Rationale: Redundant.

Authority: Delete authority to further renew or amend the General Municipal Licence Agreement with Teranet.

Rationale: Redundant.

Authority: Delete authority to enter into recurring annual agreements with respect to the continuance of technical software support services with Oracle Corporation, subject to annual review.

Rationale: Redundant.

Authority: Authority to renew subsequent data license agreements with Teranet Enterprises Inc., subject to review by and in a form satisfactory to the Director of Legal Services.

Rationale: Redundant.

Authority: Delete authority to enter into OECM Client/Supplier agreements for IT professional services/IT technical support services, as required, subject to project requirements, budget availability and review by and in a form satisfactory to the Director of Legal Services.

Delete authority to review, approve and release future software source code developed and owned by the City, to the Open Source community under appropriate licensing terms, where there is likely to be benefit to the corporation, partners and/or the community.

Rationale: Authority now included in Procurement By-Law.

Authority: Delete authority to enter into recurring maintenance and support agreements with Perfect Mind Inc., subject to annual review and in a form satisfactory to the Director of Legal Services.

Rationale: Redundant.

Authority: Delete authority to enter into OECM Client/Supplier agreements for OECM Marketplace IS&T related products and services, on an as required basis, subject to requirements, budget availability and review by and in a form satisfactory to the Director of Legal Services.

Rationale: Redundant.

Director of Arts & Culture Services

Authority: Delete authority to execute contractors and agreements related to the work of Cultural Services Department, in a form satisfactory to the City Solicitor and consistent within the approved municipal budget.

Rationale: Redundant

Director of Licensing & Enforcement Services

Authority: Move authority to appoint municipal law enforcement officers as peace officers for the purpose of enforcing city by-laws.

Rationale: Move to align with changed position title.

Authority: Authority for the Director of Building & Enforcement Services or their designate to administer the Safe Surrender Program until December 31, 2022, upon the terms and conditions specified in Report Number ARCP-21-009 and in accordance with the terms of the Municipal Fee Assistance Program, and to approve any documents and/or agreements required in connection with the Safe Surrender Program.

Rationale: Authority no longer required as program has ended.

Authority: Move authority to sign the “Authorized Requester Agreement” and enter into future agreements with the Ministry of Transportation, to enable the City to continue to obtain vehicle owner information to assist in investigations into violations of specific city by-laws

Move authority to be the “Authorized Signatory” for the purposes associated with the “Authorized Requester Agreement”.

Rationale: Move from Director of Planning Services.

Authority: Move authority to appoint persons for the purpose of issuing parking infraction notices under the provisions of By-Law Number 99-166 on designated properties, and to revoke the authorization of any person as deemed necessary.

Rationale: Move from Director of Transportation Services.

Director of Business, Real Estate & Environment

Authority: Delete authority to expedite the procurement of all necessary professional services to complete the CAF Intake 2 employment land projects within the timelines mandated by Industry Canada through the use of section 4.6(i) of the Purchasing By-Law which delegates the authority to issue contracts on a Time Sensitive basis where the time available to follow normal procedures is insufficient, including to ensure a sequence of contracts meets an overall timetable

Rationale: Redundant.

Authority: Move authority to enter into amending agreements with neighbouring landowners of the Grand Theatre to add encroachments, to extend parking agreements and to provide for any other matters into existing or new legal arrangements.

Rationale: Move from Director of Facility Management & Construction Services.

Director of Heritage Services

Authority: Move authority to execute any legal agreements as needed related to Engage for Change, under delegated authority, to the satisfaction of the Director of Legal Services, to enable the City of Kingston to work with community organizations to support the initiatives as proposed in Report Number 20-060 (Update Report, Engage for Change: #YGK Reconciliation Journey, Phase II Review and Phase III Proposals).

Rationale: Move from Commissioner of Community Services.

Authority: Move authority to amend these (museum) policies for minor issues of clarification, formatting and updating when corporate policies are approved to ensure legislative changes are reflected in the policies.

Rationale: Move from Commissioner of Community Services.

Director of Corporate Asset Management and Fleet

Authority: Delete authority to enter into Local Authority Services (LAS) supplier agreements for Capital Equipment acquisition, in a form satisfactory to the Director of Legal Services, on an as required basis and subject to a review of the requirements, budget availability, and competitiveness for each acquisition.

Rationale: Redundant.

Authority: Move authority to continue working with third parties to enable the City of Kingston's inclusion in funding requests to the Government of Ontario's Electric Vehicle Chargers Ontario (EVCO) incentive Program and authority to enter into any application or other documentation required to commit participation, on terms reasonable to the Commission of Community Services (formerly Commissioner of Corporate & Strategic Initiatives), in both or either the consortium bid to the EVCO program by Plug N Drive and/or by ChargePoint.

Rationale: Move from Director of Business, Real Estate & Environment.

Director of Planning Services

Authority: Add authority to issue a site alteration permit.

Rationale: Authority granted by Council via New Motion 7 from the June 17, 2008, City Council meeting. This was not included in the Delegated Authority By-Law.

Authority: Move authority to approve encroachment over easement agreements with private property owners, in a form satisfactory to the Legal Services Division.

Rationale: Move from Director of Engineering Services.

Authority:

1. Move authority to approve the dedication of the following city-owned lands for public highway, lane or walkway purposes, in the absence of explicit council authority where:
 - a) The lands have been acquired or accepted for a public highway, lane or walkway purposes pursuant to a development review, council approval or delegated authority;
 - b) The reserves on registered plans or lands used as reserved are no longer needed to control access to an abutting property;
 - c) Council's intent to open a road can be implied from one or more documents such as Official Plan, Kingston Transportation Master Plan, or other written documentation with specific reference to the road; or
 - d) The lands are used by the public as public highway, lane or walkway
2. Be authorized to approve the issuance of the "Preliminary Certificate of Approval of the Works" (PCAW) to accept the public works within the subdivision;
3. Be authorized to release easements, blocks, and/or lots taken in favour of the City for the purpose of temporary turning circles or temporary access roads, as well as temporary storm water management facilities within subdivisions;
4. Be authorized to take all steps necessary to implement the proposed dedication, approval or release referred to in recommendations 1,2 and 3, including ensuring that the relevant by-law is placed on the Council agenda and that payment of any costs related to the dedication, approval or release are made, to register the resultant by-law, release or other documentation in the Land Registry Office;
5. That prior to the approval of any proposed dedication of land or release of easement, the Director of Planning Services inform the affected district councilor, who will have the option of referring the proposed dedication of land or release of easement to Council.

Rationale: Move from Director of Engineering Services.

Authority: Delete authority for the Director of Planning Services or their designate to temporarily suspend or revoke the temporary patio permit for 285 Queen Street, as deemed reasonably necessary, if the terms and conditions set out in Report Number 22-009 are not complied with.

Rationale: Redundant.

Director of Community Development and Wellbeing – IIDEA

Authority: Move authority to waive park booking fees as outlined in By-Law Number 2005-10, “A By-Law to Establish Fees and Charges to be Collected by The Corporation of the City of Kingston” to accommodate requests from Indigenous community organizers to access park spaces for the purposes of ceremony and cultural gathering, this authority does not apply to special event bookings or large gathering requests (over 99 people).

Rationale: Moved from Director of Heritage Services.

Director of Public Works & Solid Waste

Authority: Move authority to make payments and reimbursements from the Trees for Kingston Fund.

Rationale: Move from Director of Planning Services.

Manager of Licensing, Parking Operations & Policy

Authority: Move authority to appoint livestock valuers and fence viewers.

Rationale: Move to align with changed position title.

Manager of Climate Leadership

Authority: Add authority to execute Funding Agreements with participating Neighbourhood Climate Action Champions to provide project funding of up to \$2,000 per project, in a form satisfactory to the Director of Legal Services.

Rationale: Authority granted by Council via Clause 4 of Report Number 82 from September 21, 2022, City Council meeting. This was not included in the Delegated Authority By-Law.

Utilities Kingston Representatives

Authority: Add authority to make automatic adjustments to the natural gas commodity rate for any review that indicates that the price is above or below the current rate by 5% or more.

Rationale: Authority granted by Council via Clause 1 of Report Number 107 from October 20, 1999, City Council meeting. This was not included in the Delegated Authority By-Law.

Authority: Add authority of procurement of natural gas.

Rationale: Authority granted by Council via Clause 1 of Report Number 109 from March 21, 2023, City Council meeting. This was not included in the Delegated Authority By-Law.

Authority: Add authority to amend the Appliance Rental Rates, to competitive rates, provided customers are given a minimum of 30 days' notice of the change, and any changes do not occur prior to January 1, 2024.

Rationale: Authority granted by Council via Clause 1D of Report Number 34 from March 21, 2023, City Council meeting. This was not included in the Delegated Authority By-Law.

Authority: Add authority to comply with the legislated requirements of the Greenhouse Gas Pollution Pricing Act and Federal Carbon Pricing Backstop as it relates to the natural gas utility, and to execute any required operational documents that fall within the provisions of the Greenhouse Gas Pollution Pricing Act and Federal Carbon Pricing Backstop.

Rationale: Authority granted by Council via Clause 3 of Report Number 18 from February 19, 2019, City Council meeting. This was not included in the Delegated Authority By-Law.

Mayor and City Clerk

Authority: Add authority to execute Property Owner Agreements with participating homeowners, and all other documents or agreements required to give effect to the Better Homes Kingston Program approved by Council, in a form satisfactory to the Director of Legal Services.

Rationale: Authority granted by Council via Clause 2 of Report Number 54 from June 7, 2022, City Council meeting. This was not included in the Delegated Authority By-Law.