

Attachment 5 – Proposed Delegation of Authority By-law Amendments

The following content represents the proposed changes to be adopted to the [Delegation of Authority By-law \(2024\) – 20994](#).

Delegation of Authority By-law (2024) – 20994

Administration

13. Document Execution Record shall be completed in respect of each document executed in accordance with this By-law with the following exceptions:

- a) Anything executed through a Purchase Order Agreement or through the Procurement By-law
- b) For documents that are routinely managed by departments, in high volumes, maintain a thorough tracking system and are therefore low risk
- c) For documents whose size or format are logistically best kept with the home department
- d) Any other documents that have been noted as exempt through the City Clerk’s Office in writing

14. Exemptions from the Document Execution Record process will be noted in the Additional Information section of “Schedule A – Delegation of Duties” of the By-law.

15. Reporting documents executed through this By-law will be required in the Delegation of Authority Annual Information Report, unless otherwise exempted in the Additional Information section of “Schedule A – Delegation of Duties.”

Other changes:

Section 14, will be replaced by the suggested content above as the former Section 14 will now be covered under Section 13 d.

All subsequent numbers 15 through 29 will be shifted, in sequential order, based on the new inclusion on Reporting clarification for Section 15.

Schedule “A” – Delegation of Powers and Duties

Corporate-Wide Delegations

Table 1: Corporate Wide Delegations

Number	Delegation	Signing Authority	Additional Information
1.1	<p>Authority to execute, amend or terminate 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.</p>	<p>CAO the Deputy CAOs General Manager of the relevant department.</p>	<p>Any expenditure that is funded through a current year's operating or capital budget, which has been approved by Council.</p> <p>The delegation applies to agreements that are not subject to the Procurement By-law.</p> <p>Applications, contracts, and agreements are less than five (5) years in length.</p> <p>Document Execution Record: Required</p> <p>(Note exemption of 13a, for documents through Purchase Order or Procurement By-law).</p> <p>Reporting: Annual Information Report to Council.</p>

Chief Administrative Office, General

Table 2.1: Chief Administrative Office

Number	Delegation	Signing Authority	Additional Information
2.2	<p>Authority to amend, execute, negotiate and terminate agreements for grants offered by federal or provincial governments and agencies, or other grantor organizations providing funding to municipalities that are in line with City initiatives. The delegation is inclusive of grants, investment plans, subsidies and other financial transfers.</p>	<p>CAO General Manager, Finance/City Treasurer</p>	<p>Limitation: Grant agreements must relate to a City activity, initiative, program or project funded through a current year’s operating or capital budget, which has been approved by Council.</p> <p>Document Execution Record: Required, for all legally binding agreements.</p> <p>Reporting: Reporting to Council through the Quarterly Budget Monitoring Report and Annual Information Report</p>
2.3	<p>Authority to apply for grants offered by federal or provincial governments and agencies, or other grantor organizations providing funding to municipalities that are in line with City initiatives, and which require authority from a person qualified to legally bind the corporation. The delegation is inclusive of grants, investment plans, subsidies and other financial transfers.</p>	<p>CAO General Manager, Finance/City Treasurer</p>	<p>Limitation: Grant applications are limited to a City activity, initiative, program or project identified in the 10-year capital budget and forecast.</p> <p>Applications may be made for grants not included in the 10-year capital budget and forecast provided the grant will not require additional expenses and is not already approved by Council.</p> <p>Document Execution Record: Exempt per Section 13b</p> <p>Reporting: Annual Information Report to Council</p>

Table 2.2: Chief Administrative Office Continued

Number	Delegation	Signing Authority	Additional Information
2.4	Authority to apply for grants offered by federal or provincial governments and agencies, or other grantor organizations providing funding to municipalities that are in line with City initiatives, and which do not require authority from a person qualified to legally bind the corporation. The delegation is inclusive of grants, investment plans, subsidies and other financial transfers.	Relevant DCAO or General Manager	<p>Limitation: Grant applications are limited to a City activity, initiative, program or project identified in the 10-year capital budget and forecast. Applications may be made for grants not included in the 10-year capital budget and forecast provided the grant will not require additional expenses and is not already approved by Council.</p> <p>Document Execution Record: Required</p> <p>Reporting: Annual Information Report to Council</p>

Strategic Initiatives and Intergovernmental Services

Table 3.1: Strategic Initiatives and Intergovernmental Services

Number	Delegation	Signing Authority	Additional Information
3.4	Authority to approve the execution of Tourism Funding Program grant allocations.	General Manager, Strategic Initiatives, and Intergovernmental Services (SIIS)	<p>Limitation: The grant must be funded through a current year's operating or capital budget, which has been approved by Council.</p> <p>Reporting: Annual Information Report Council</p>

City Clerk's Office

Table 6.3: City Clerk's Office Continued

Number	Delegation	Signing Authority	Additional Information
6.6	Authority to approve routine amendments to the Records Retention By-law Schedule-1 to fulfill obligations under the Municipal Act, as amended. Pursuant to sections 254 and 255.	General Manager, City Clerk's Office/City Clerk	<p>Exercise of authority pursuant to the Municipal Act.</p> <p>Document Execution Record: Exempt per Section 13b)</p> <p>Reporting: Annual Information Report to Council.</p>

Human Resources

Table 7.2: Human Resources

Number	Delegation	Signing Authority	Additional Information
7.3	Execute, amend, or terminate letters of understanding, settlement memoranda, agreements, and any other documentation relating to proceedings before administrative tribunals, statutory authorities, mediators and arbitrators pertaining to the City's labour relations matters including but not limited to, grievances and arbitration proceedings and matters before the Ontario Human Rights Commission and Tribunal, the Ministry of Labour, the Ontario Labour Relations Board and the Pay Equity Commission.	General Manager, Human Resources	This delegation does not include collective agreements or amendments to collective agreements. Document Execution Record: Exempt per Section 13b Reporting: Annual Information Report

Legal and Court Services

The General Manager, Legal and Court Services/City Solicitor shall be responsible for providing legal advice to Council and for the legal affairs of the Corporation as conferred by By-law or as assigned by Council or the CAO, including representing the City in actions and other legal proceedings. This service shall be provided with meaningful consultation with the delegate responsible for the program, operation or project to which the matter relates.

Reporting:

Annual Information Report to Council on the exercise of authority by the General Manager Legal, and Court Services/City Solicitor. The General Manager, Legal and Court Services/City Solicitor shall also report to the Council on all outstanding actions or legal proceedings involving the City. This Litigation Status Report shall include a description of the settlement of any legal proceeding during the period following the last report.

Table 9.1: Legal and Court Services

Number	Delegation	Signing Authority	Additional Information
9.2	Authority to commence any legal proceeding on behalf of the City or step in a legal proceeding	General Manager, Legal and Court Services/City Solicitor	<p>Limitation: The Deputy CAO of Corporate Services determines, in consultation with the City Treasurer and City Solicitor, that the legal proceeding is in the City's best interest.</p> <p>The City Solicitor shall report to Council from time to time on actions or other legal proceedings involving the City, including a description of any settlement of any action or other legal proceeding.</p>

Table 9.1: Legal and Court Services

Number	Delegation	Signing Authority	Additional Information
9.4	Authority to take all necessary steps to defend any legal proceeding commenced against the City	General Manager, Legal and Court Services/City Solicitor	<p>Limitation: The Deputy CAO of Corporate Services determines, in consultation with the City Treasurer and City Solicitor, that the defence is in the City's best interest.</p> <p>The City Solicitor shall report to Council from time to time on actions or other legal proceedings involving the City, including a description of any settlement of any action or other legal proceeding.</p>
9.5	Authority to commence any counterclaim, crossclaim or third-party claim as part of the City's defense to any legal proceeding	General Manager, Legal and Court Services/City Solicitor	<p>Limitation: The Deputy CAO of Corporate Services determines, in consultation with the City Treasurer and City Solicitor, that the claim is in the City's best interest.</p> <p>The City Solicitor shall report to Council from time to time on actions or other legal proceedings involving the City, including a description of any settlement of any action or other legal proceeding.</p>

Table 9.2: Legal and Court Services Continued

Number	Delegation	Signing Authority	Additional Information
9.6	Authority to bring applications and post security for the removal of liens registered against City lands	General Manager, Legal and Court Services/City Solicitor	Limitation: With approval of the applicable Deputy CAO and City Treasurer.
9.7	Retain any expert or other person to assist in an actual or potential action or other legal proceeding	General Manager, Legal and Court Services/City Solicitor	Limitation: With approval of the applicable Deputy CAO, up to \$250,000 per retainer. In excess of \$250,000, with the approval of the applicable Deputy CAO and instructions of Council to be sought as soon as practicable.
9.10	Negotiate resolutions and execute the necessary documentation including consents, settlement agreements and releases in any existing anticipated claim, demand, action or other proceedings brought or made against the City, or those local boards or other persons for whom the City is responsible.	General Manager, Legal and Court Services/City Solicitor	Limitation: Where the value of the proceeds or settlement or the City's contribution to the settlement is \$250,000 or less, excluding interest and costs, with the approval of the applicable Deputy CAO. Where the value of the proceeds or settlement or the City's contribution to the settlement is more than \$250,000, with the approval of the applicable Deputy CAO and instructions of Council to be sought as soon as practicable.

Table 9.3: Legal and Court Services Continued

Number	Delegation	Signing Authority	Additional Information
9.11	Negotiate resolutions and execute the necessary documentation including consents, settlement agreements and releases in any existing or anticipated claim, demand, action or other proceedings brought or made against the City, or those local boards or other persons for whom the City is responsible, where the matter is covered by an insurance policy that indemnifies the City, its officers, employees, agents, contractors or volunteers.	General Manager, Legal and Court Services /City Solicitor	Limitation: Where the value of the City's contribution to the settlement is not greater than the deductible amount set out in the subject policy. Where the value of the City's contribution to the settlement exceeds the deductible amount set out in the subject policy, with the approval of Council.
9.12	Authority to manage all insured claims, both self- and third- party insured, except those which are the subject of litigation.	General Manager, Legal and Court Services/City Solicitor.	

Table 9.4: Legal and Court Services Continued

Number	Delegation	Signing Authority	Additional Information
9.13	Authority to settle all insured claims, both self- and third-party insured, where the value of the City's contribution to the settlement is not greater than the deductible amount set out in the subject policy.	General Manager, Legal and Court Services/City Solicitor.	Limitation: Where the value of the proceeds or settlement or the City's contribution to the settlement is \$250,000 or less, excluding interest and costs, with the approval of the applicable Deputy CAO. Where the value of the proceeds or settlement or the City's contribution to the settlement is more than \$250,000, with the approval of the applicable Deputy CAO and instructions of Council to be sought as soon as practicable.

Table 9.5: Legal and Court Service Continued

Number	Delegation	Signing Authority	Additional Information
9.20	Commence and take all necessary steps in any legal proceeding or enforcement process to protect or pursue the rights of the City in its capacity as landlord or tenant	General Manager, Legal and Court Services/City Solicitor	Limitation: Claims of \$200,000 or less with approval of the applicable Deputy CAO, and claims over \$200,000 with the approval of the applicable Deputy CAO and instructions of Council to be sought as soon as practicable.

Table 9.6: Legal and Court Services (Realty)

Number	Delegation	Signing Authority	Additional Information
9.24	Execute any document in accordance with the Land Registration Reform Act, as amended, as required to permit registration of such document under the Land Titles Act, as amended, or the Registry Act, as amended, as applicable, for any action otherwise approved.	General Manager, Legal and Court Services/City Solicitor	Document Execution Record: Exempt from the Document Execution Record Process (Section 13b)
9.25	Register any instrument on behalf of the City against the title to the lands in which the City has interest.	General Manager, Legal and Court Services/City Solicitor	Document Execution Record: Exempt from the Document Execution Record Process (Section 13b)
9.26	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.	General Manager, Legal and Court Services/City Solicitor	Document Execution Record: Exempt from the Document Execution Record Process (Section 13b)

Table 9.7: Legal and Court Services (Realty) Continued

Number	Delegation	Signing Authority	Additional Information
9.27	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.	General Manager, Legal and Court Services/City Solicitor	<p>Limitation: The estimate of the cost of the obligations to be incurred by the City is part of an approved budget or does not exceed \$200,000.</p> <p>Subject to the specific authority as set out in this By-law, to execute, amend or terminate agreements and other documents permitting underground pipe crossings of lands used for gas lines or railway purposes, limited access highways, or hydro corridors.</p> <p>Document Execution Record: Required</p>
9.28	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.	General Manager, Legal and Court Services/City Solicitor	<p>Document Execution Record: Exempt from Document Execution Record Process (Section 13b), except non-standard documents that require separate Legal Department review</p>
9.29	Approve and execute agreements to extend the closing date of purchase and sale transactions.	General Manager, Legal and Court Services/City Solicitor	<p>Document Execution Record: Required</p>

Table 9.8: Legal and Court Services (Realty) Continued

Number	Delegation	Signing Authority	Additional Information
9.30	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, as amended; provided that, in the case of an exchange of any interest in land, the transfer of the interest in land on the part of the City is completed in accordance with the Policy for the Sale and Disposition of Real Property Interests, as such policy may be amended, supplemented or replaced from time to time.	General Manager, Legal and Court Services/City Solicitor	In consultation with the City's Strategic Property Committee, as required Document Execution Record: Required
9.31	Approve and execute documents permitting encroachments onto easements and other City-owned land, including land that is a public highway, and including encroachment agreements.	General Manager, Legal and Court Services/City Solicitor	Document Execution Record: Exempt from the Document Execution Record Process (Section 13b)

Table 9.9: Legal and Court Services (Realty) Continued

Number	Delegation	Signing Authority	Additional Information
9.32	<p>Subject to compliance with the Policy for the Sale and Disposition of Real Property Interests, as such policy may be amended, supplemented or replaced from time to time, approve and execute agreements to lease/licence of City-owned land 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.</p>	<p>General Manager, Legal and Court Services/City Solicitor</p>	<p>Limitation: The total consideration or a reasonable estimate of the cost of the obligations to be incurred by the City does not exceed \$200,000; and the consideration or cost does not exceed the Council-approved budget for the affected department.</p> <p>In consultation with the City’s Strategic Property Committee, as required.</p> <p>Document Execution Record: Required</p>
9.33	<p>Subject to compliance with the Policy for the Sale and Disposition of Real Property Interests, as such policy may be amended, supplemented, or replaced from time to time, approve and execute agreements for the sale of City-owned land, easements over City-owned land, or the purchase of land for City purposes.</p>	<p>General Manager, Legal and Court Services/City Solicitor.</p>	<p>Limitation: Provided that total consideration or a reasonable estimate of the cost of the obligation is supported by an appraisal and does not exceed \$200,000.</p> <p>Document Execution Record: Required</p>

Infrastructure, Development and Environment/Economic Development and Tourism

Table 10.2: Infrastructure, Development and Environment, General Cont'd

Number	Delegation	Signing Authority	Additional Information
10.2	Amend to say "Authority to award grants associated with any active Community Improvement Plan (CIP) as approved by Council"	Deputy CAO, Infrastructure, Development and Environment General Manager, Planning and Building Services; General Manager of Economic Development and Tourism; General Manager of Finance/City Treasurer	All grant applications related to CIPs are reviewed by Planning Services and Economic Development staff, who may consult with other appropriate City staff as necessary. CIP grants shall be awarded to support City programs funded through a current year's approved Budget. Limitation: The associated expenditure is in compliance with the Procurement By-law. Some grants may require Council approval, as indicated in the corresponding CIP program documentation. This delegation does not supersede any approvals required under section 28 of the Planning Act, as amended, such as adoption of the CIP or major amendments to the CIP. Document Execution Record: Required Reporting: Annual Information Report to Council.

Proposed Removal (Due to Proposed Change Above, 10.2)

Table 15.2: Economic Development and Tourism Continued

Number	Delegation	Signing Authority	Additional Information
15.3	Authority to award Downtown Guelph all gran ("CIP") grants, particularly the Façade Improvement Grant and Feasibility Study Grant.	Deputy CAO, Infrastructure, Development and Enterprise Services; General Manager, Economic Development and Tourism.	<p>Grants shall be awarded to support City programs funded through a current year's budget, where the maximum budget for CIP grant will also be set.</p> <p>The associated expenditure is in compliance with the Procurement By-law.</p> <p>This delegation does not supersede any approvals required under section 28 of the Planning Act, as amended, such as adoption of the CIP or major amendments to the CIP.</p> <p>Review:</p> <p>All grant applications are reviewed by the CIP Review Team, as outlined in the CIP Implementation Guidelines, which may consult with appropriate City staff as the Team determines necessary.</p> <p>Document Execution Record: Required</p> <p>Reporting:</p> <p>Annual Information Report.</p>

Proposed Replacement for above Removal of 15.3

Table 15.2: Economic Development and Tourism Continued

Number	Delegation	Signing Authority	Additional Information
15.3	Authority to amend the Seasonal Patio Program guidelines to comply with provincial and Council-approved City policies	General Manager, Economic Development and Tourism	Guidelines for the Seasonal Patio Program may need to be adjusted to comply with the Ontario Building Code, the Facility Accessibility Design Manual, the Zoning By-law, AODA legislation, Fire Code and the Alcohol and Gaming Commission of Ontario (AGCO) Document Execution Record: Required Reporting: Annual Information Report

Planning and Building Services

Table 14.5: Planning and Building Services Continued

Number	Delegation	Signing Authority	Additional Information
14.6	<p>Authority to approve temporary patios on private property up to eight months as required by the Alcohol and Gaming Commission (AGCO) to permit the sale and service of beverage alcohol as an extension to current liquor license.</p> <p>These changes impact liquor sales licence holders and manufacturer by-the-glass endorsement holders.</p>	General Manager, Planning and Building Services	<p>Limitation: Applicants must adhere to relevant City policies and meet all insurance and risk management requirements requested by City staff.</p> <p>Applicants must submit a drawing clearly indicating the proposed permit area.</p> <p>Review:</p> <p>Where an application has been denied, the applicant may request that the decision be reviewed by Council.</p> <p>Document Execution Record: Required</p> <p>Reporting:</p> <p>Annual Information Report to Council and through Seasonal Patio Program report.</p>

Operations

Table 16.2: Public Services, General

Number	Delegation	Signing Authority	Additional Information
16.1	Authority to approve or make minor amendments to exemptions to the Noise Control By- law, as amended from time to time, for events.	Deputy CAO, Public Services	<p>Notice of all exemptions shall be published in the local newspaper and/or the City’s Web site.</p> <p>All existing annual blanket exemptions previously approved by Council are cancelled and must follow the process under 16.1.</p> <p>Review: Where an application has been denied, the applicant may request that the decision be reviewed by Council.</p> <p>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 Council.</p> <p>Document Execution Record: Exempt per section 13b</p> <p>Reporting: Annual Information report to Council.</p>