

CONSOLIDATED AS AMENDED BY BY-LAWS 46-2009, 135-2011, 121-2012, 98-2013, 34-2015, 64-2015, 80-2015, 18-2016, 46-2016, 117-2016, 24-2017, 57-2017, 29-2018, 83-2018



**By-Law 29-2009
of The Corporation of the City of Oshawa**

Being a By-law to delegate authority.

WHEREAS

1. On January 26, 2009, Oshawa Council approved in principle eighty-two delegations of authority outlined in Attachment 3 to Report CM-08-86 subject to amendments to items 44, 53 and 77 in the said Attachment and directed that a by-law be drafted to effect the delegations.

NOW THEREFORE the Council of The Corporation of the City of Oshawa ENACTS AS FOLLOWS:

Interpretation

1. In this By-law:
 - 1.1. "By-law" means this By-law and includes its Schedule "A";
 - 1.2. "Chief Building Official" means the City's Chief Building Official;
 - 1.3. "City" means The Corporation of the City of Oshawa;
 - 1.4. "City Manager" means the City's Chief Administrative Officer;
 - 1.5. "City Solicitor" means the City's City Solicitor;
 - 1.6. "Commissioner, Community Services", means the City's Commissioner, Community Services Department;
 - 1.7. "Commissioner, Corporate Services" means the City's Commissioner, Corporate Services Department;
 - 1.8. "Commissioner, Development Services" means the City's Commissioner, Development Services Department;

- 1.9. "Community Services Committee" means the City's Community Services Committee;
- 1.10. "Department Head" means any of the Commissioner, Community Services, Commissioner, Corporate Services and Commissioner, Development Services.
- 1.11. "[deleted]" (135-2011)
- 1.12. "Development Services Committee" means the City's Development Services Committee; and
- 1.13. "Hearings Officer" means the City's Hearings Officer from time to time appointed pursuant to the City's Hearings Officer By-law 26-2008.
- 1.14. "Third Party Advertising/Sponsorship Agreement" means an agreement pursuant to which a third party uses City property or services in consideration of the third party's payment of money or provision of things of value to the City. (121-2012)

Delegation

2. Within each row of each table in Schedule "A" to this By-law, the authority described in the column entitled, "Delegated Authority", is delegated to the person or persons identified in the column entitled, "Delegate", subject to the restrictions, if any, in the column entitled, "Delegation Restrictions".
- 2.1 Within each row of each table in Schedule "A" to this By-law, where more than one person is listed as a delegate, the delegated authority may be exercised by any of such persons provided that if any of such persons disagree as to whether or the manner in which to exercise the delegated authority or if any such person is unable to exercise the delegated authority by reason of the person's illness or absence, the determination of the earlier listed person shall prevail. (135-2011)
3. Within each row of each table in Schedule "A" to this By-law, each person identified in the column entitled, "Delegate", shall report or communicate in the manner, if any, specified in the column entitled, "Communication". The City Manager and Department Heads may, from time to time, advise Council or its Committees of the exercise of delegated authority pursuant to this By-law in such manner and in such circumstances as the City Manager or any Department Head considers appropriate. (135-2011)

Amendments to Licensing By-law

4. The City's Licensing By-law 120-2005, as amended, is further amended as follows:

- 4.1. By deleting in the last full paragraph of paragraph 4(d) the words, “the Committee” and “Council”, and by substituting the words, “the Hearings Officer”;
- 4.2. By deleting in paragraph 4(e) the word, “Council”, and by substituting the words, “the Hearings Officer”;
- 4.3. By deleting in paragraph 4(j) the word, “Council”, and each occurrence of the words, “the Committee” and by substituting the words, “the Hearings Officer”;
- 4.4. By deleting in paragraphs 14(a) and 14(b) the word, “Council”, and by substituting the words, “the Hearings Officer”;
- 4.5. By deleting the text of paragraph 14(c) and by substituting the following:

Hearing by Hearings Officer

- (1) The Hearings Officer shall not make a decision under paragraph 14(a) without first affording the person or applicant an opportunity to be heard.
- (2) After such opportunity to be heard is afforded the person or applicant, the Hearings Officer may make any decision in respect of which the hearing was held or the opportunity for hearing afforded without holding a further hearing or affording further opportunity for a hearing in such matter.
- (3) The *Statutory Powers Procedure Act* applies to any hearing conducted pursuant to this paragraph.

- 4.6. By deleting paragraph 14(d); and
- 4.7. By re-lettering paragraph 14(e) to paragraph 14(d) and by deleting within the paragraph the word, “Council”, and by substituting the words, “the Hearings Officer”.

5. [deleted] (135-2011)

General

6. For the purpose of subsection 23.2(4) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, it is the opinion of Council that any legislative powers delegated pursuant to this By-law are of a minor nature having regard to the number of people, the size of geographic area and the time period affected by the exercise of each such power. (135-2011)

7. In the event of any inconsistency between this By-law and any other City by-law, the provision that more effectively delegates authority prevails to the extent of the inconsistency.
8. This By-law is effective on the date of its passing.
9. The short title of this By-law is the "Delegation By-law".

By-law passed this twenty-seventh day of April, 2009.

Mayor

City Clerk

Schedule "A"

Chief Building Official

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
1.	Appeal any decision resulting from an appeal of a decision of the Chief Building Official	City Manager or Commissioner, Development Services	S.26 Building Code Act	Appeal to be on a basis acceptable to the City Solicitor	Not applicable
2.	Authority to pass a by-law to appoint persons as Building Inspectors and Deputy Chief Building Officials Authority to pass a by-law to appoint persons authorized to enforce by-laws of the City	City Manager or Commissioner, Development Services or Chief Building Official	s. 3(2), Building Code Act s. 15, Police Services Act	None	Not applicable

Third Party Advertising Sponsorship Agreements

2.1	Negotiation and execution of Third Party Advertising/Sponsorship Agreements	<p>Negotiation: Community Partnerships Manager or Director, Recreation & Culture Services or Manager, Programs and Facilities</p> <p>Execution: City Manager or Commissioner, Community Services or Director, Recreation & Culture Services</p> <p>(121-2012) (117-2016)</p>	Municipal Act	<p>Finance Services confirms that the value of everything to be provided by the City does not exceed the lesser of \$175,000 and the value of everything received by the City</p> <p>Finance Services confirms that anything to be provided by the City that requires budget approval is in a budget approved by Council</p> <p>Term of agreement must not exceed five (5) years</p> <p>Agreement to be signed by City Manager or Commissioner, Community Services Department</p> <p>Nothing may be provided by the City except as expressed in the agreement</p> <p>Agreement in a form approved by the City Solicitor</p>	
-----	---	--	---------------	---	--

Parks Services (117-2016)

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
3.	Make application to the Registrar under the Cemeteries Act to own, establish, alter or increase the capacity of a cemetery, a declaration of the abandonment of interment rights, or a declaration of the abandonment of a cemetery	Commissioner, Community Services or Director, Operations Services or Manager, Parks Operation (117-2016)	S. 2, 15, 30, 60 Cemeteries Act	Business plan approved by Council calls for the establishment, alteration or increased capacity of a cemetery owned by the City	Not applicable
4.	Enter into agreements for the sale of interment rights	Commissioner, Community Services or Director, Operations Services (117-2016)	S. 25 Cemeteries Act	Delegation of the Director, Operations Services to be made in writing (117-2016)	Not applicable
5.	Order a cemetery owner who does not keep the cemetery in good order and repair to restore it to good order and repair	Commissioner, Community Services or Director, Operations Services (117-2016)	S. 59, Cemeteries Act	Delegation of the Director, Operations Services to be made in writing (117-2016)	Not applicable
6.	Enter into agreements with the Ministry of Natural Resources that provide for the management or improvement of forestry lands and provision of grants to the City	Commissioner, Community Services or Director, Operations Services (117-2016)	S. 2 Forestry Act	Agreement to be in a form as approved by the City Solicitor	Not applicable
7.	Enter into agreements with owners of lands for the reforestation of portions of the land, the entry and planting of trees, fencing and conservation of growing trees	Commissioner, Community Services or Director, Operations Services (117-2016)	S. 12 Forestry Act	Agreement to be in a form as approved by the City Solicitor	Not applicable
8.	Approve and execute special event related contracts, agreements and permits but not including authority delegated under item 2.1. (121-2012)	Commissioner, Community Services or Director, Recreation & Culture Services or Manager, Business Development or Supervisor, Events & Community Engagement	Municipal Act	Term not exceeding one (1) year City special event Sufficient funds have been included in an approved budget	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
9.	Approve and execute agreements to permit park access for short-term use and private gate access to parks	Commissioner, Community Services or Director, Operations Services or Manager, Parks Operations or Supervisor, Parks Development & Technical Support (117-2016)	Municipal Act	Term not exceeding one (1) year	Not applicable

Municipal Law Enforcement & Licensing Services

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
10.	Authority to appeal any decision of the Property Standards Committee to the Superior Court of Justice	Commissioner, Corporate Services or Director, Municipal Law Enforcement and Licensing Services	Section 15.3(4) Building Code Act	Appeal to be on a basis acceptable to the City Solicitor	Not applicable
11.	Authority to cause a property to be repaired or demolished in accordance with a confirmed Property Standards Order	Commissioner, Corporate Services or Director, Municipal Law Enforcement and Licensing Services	S.15.4(1) Building Code Act	Costs for enforcement are within the budget envelope for this purpose	Not applicable
12.	Issue an order requiring the owner of a pollutant or the person having control of a pollutant to pay to the municipality any reasonable costs or expenses incurred by the municipality to prevent, eliminate or ameliorate any adverse effects or to restore the natural environment	Commissioner, Corporate Services or Director, Municipal Law Enforcement and Licensing Services	s.100.1 Environmental Protection Act	None	Not applicable
13.	For the time and on such conditions as it considers appropriate, without a hearing, suspend a licence	Commissioner, Corporate Services or Director, Municipal Law Enforcement and Licensing Services	S. 151(2), Municipal Act	S. 151(2), Municipal Act	Not applicable
14.	Without a hearing, suspend a licence authorizing a business to operate on a highway or other property of the City or any of its local boards for: <ol style="list-style-type: none"> 1. The holding of a special event 2. The construction, maintenance or repair of the property 3. The installation, maintenance or report of a public utility or service 4. Pedestrian, vehicular or public safety or public health 	Commissioner, Corporate Services or Director, Municipal Law Enforcement and Licensing Services	S. 151(3), Municipal Act	S. 151(3), Municipal Act	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
15.	Pass by-laws to appoint persons to enforce the by-laws of the City	Commissioner, Corporate Services or Director, Municipal Law Enforcement and Licensing Services	S. 15, Police Services Act S. 49, Planning Act S. 1(1) Building Code Act, 1992 (117-2016)	None	Not applicable
16.	Approve variances to the Sign By-law respecting Mobile Signs	Commissioner, Development Services (117-2016)	Municipal Act	Commissioner may forward controversial or applications proposed to be denied for Council's consideration at his or her discretion	Not applicable
16.1	Designate an event as municipally significant in relation to an application to Alcohol and Gaming Commission of Ontario for a Public Event Sale Permit	City Manager or Commissioner, Community Services or Commissioner, Corporate Services or Director, Municipal Law Enforcement and Licensing Services (117-2016)	Municipal Act	None	Council informed by memorandum (written or electronic correspondence)

Legal Services

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
17.	Bring claims, applications, motions and undertake execution procedures for the collection of all debts, accounts and judgments owed to the City	City Manager or City Solicitor	Courts of Justice Act (Regulation – Rules of Civil Procedure; Small Claims Court Rules); Various Acts	None	Not applicable
18.	Execution of receipts, releases, indemnities, minutes of settlement and other documents required for the settlement or compromise of any claim, demand, action or other proceeding brought or made by or against the City	City Manager or Treasurer (117-2016)	Courts of Justice Act (Regulation – Rules of Civil Procedure; Small Claims Court Rules) Municipal Act	Settlement must not exceed \$100,000, inclusive of costs, recommended by the City Solicitor and sufficient funds exist within a reserve For claims of wrongful dismissal or for notice of termination of employment, up to 2 years' salary and benefits in lieu of notice supported by advice from the City's legal counsel (117-2016)	Council informed by memorandum (written or electronic correspondence)
19.	Bring applications, motions and appeals for relief before any court or administrative tribunal	City Manager or City Solicitor	Ontario Municipal Board Act; Building Code Act, Fire Prevention and Protection Act, Courts of Justice Act, Farming and Food Production Protection Act and various other Acts	In the opinion of the City Solicitor, the facts and law support the City's position (117-2016)	Not applicable
19.1	Bring applications, motions and appeals for relief to the Assessment Review Board	Treasurer (117-2016)	Assessment Act and Municipal Act	Does not limit authority delegated under Item 19 In the opinion of the City Solicitor, the facts and laws support the City's position	Not applicable
20.	Bring applications and post security for the removal of liens registered against municipal property	City Manager or City Solicitor	Construction Lien Act	Security posted to be in a form approved by the City Treasurer	Not applicable
21.	Execute agreements for the exchange or release of information which comply with the requirements of the Municipal Freedom of Information and Protection of Privacy Act	City Manager or Commissioner, Corporate Services or City Clerk	Municipal Act	None	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
21.1	Execute agreements with Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation for the exchange or release of information respecting ownership of vehicles	City Manager or Commissioner, Corporate Services or Director, Municipal Law Enforcement and Licensing Services (24-2017)	Municipal Act	None	Not applicable
22.	Remit plate denial and collection costs to Ministry of Transportation for fines collected under Part II, Provincial Offences Act	City Manager or City Solicitor	Provincial Offences Act, Highway Traffic Act	None	Not applicable
23.	Accept filing of a notice of intention to appear under Part II, Provincial Offences Act (First Attendance Facility)	Commissioner, Corporate Services or Director, Municipal Law Enforcement and Licensing Services	s. 17.1, Provincial Offences Act; s.14, O.Reg. 949	None	Not applicable

Real Estate

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
24.	Exercise all voting rights of a unit owner or execute and provide proxies for such voting rights for condominium units owned by the City	Commissioner, Development Services or Director, Planning Services (117-2016)	Condominium Act	Delegation of authority of the Commissioner, Development Services or of the Director, Economic Development must be in writing	Council informed by memorandum (written or electronic correspondence)
25.	Execute forms under the Land Registration Reform Act for the registration of any documents that have already been executed on behalf of the City	City Manager or City Solicitor	Land Registration Reform Act	None	Not applicable
26.	Make applications for first registration or consent or waive notice to such applications made by others	City Manager or City Solicitor	Land Titles Act	<p>The City Manager or the City Solicitor may sign applications for first registration where it is desirable, in his or her opinion, that a parcel of City owned lands be either brought into the Land Titles system, or that qualifications to title be removed</p> <p>The City Manager or the City Solicitor may consent to applications for first registration made by others and served on the City where he or she is satisfied that the rights of the City will not be prejudiced by the application</p>	Not applicable
27.	Register any instrument on behalf of the City against the title to lands in which the City has an interest	City Manager or City Solicitor	Land Titles Act / Registry Act	None	Not applicable
28.	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	City Manager or City Solicitor	Land Titles Act Registry Act	None	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
29.	Approve and Execute Facility licence or rental agreements for occupancy of space on a short term basis in recreational facilities or on City owned lands but not including authority delegated under item 2.1. (121-2012)	Commissioner, Community Services or Director, Recreation & Culture Services or Manager, Business Development or Supervisor, Customer Service or Program Supervisor or Program Coordinator or Facility Booking Clerk C	Municipal Act	Term is less than 1 year	Not applicable
30.	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 lands for municipal or utility purposes	City Manager or any Department Head	Municipal Act	Provided that the total consideration, including applicable taxes and fees of an administrative nature to be paid or a reasonable estimate of cost of the obligations to be incurred by the City does not exceed \$10,000 Agreement to be in a form approved by City Solicitor	Not applicable
31.	Undertakings, certificates, declarations and similar documents required for the completion of any transaction involving the purchase, sale or exchange of any interest in land other than agreements of purchase and sale, deeds and transfers, leases and agreements to lease	City Manager or City Solicitor	Municipal Act	None	Not applicable
32.	Approve and Execute agreements to extend the closing date of purchase and sale transactions	City Manager or City Solicitor	Municipal Act	As considered in the opinion of the City Manager or the City Solicitor to be in the best interests of the City	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
33.	Approval and execution of Agreements of purchase and sale and all deeds and transfers for the purchase or exchange of any interest in land, including easements	Commissioner, Development Services or Director, Planning Services (117-2016)	Municipal Act Planning Act	For any approved capital project with a Council approved location or required as a condition of approval imposed in connection with any application under the Planning Act Consideration, including taxes and fees of an administrative nature to be paid, or a reasonable estimate of cost supported by an appraisal, and does not exceed the Council approved budget for the project. Provided that Council has first declared the City lands disposed of as surplus Agreement to be in a form approved by City Solicitor	Not applicable
33.1	Approve requests from the Region of Durham for access or servicing easements over City lands for Regional services/equipment	Commissioner, Development Services or Director, Planning Services (18-2016)	Municipal Act	Controversial requests proposed to be denied to be reported to Council	Not applicable
34.	Approve and Execute documents permitting encroachment on easements and other lands vested in the City, including lands which are a public highway, and including encroachment agreements	Commissioner, Development Services or Director, Planning Services or Director, Engineering Services (117-2016)	Municipal Act	Provided that the total consideration, including applicable taxes and fees of an administrative nature paid to the City does not exceed \$75,000 or where a leasehold is involved, \$75,000 per annum Agreement to be in a form approved by City Solicitor	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
35.	Approve and Execute agreements to lease/licence and leases/licences of premises required for City purposes and agreements to lease and leases of premises to be temporarily disposed and any notice of lease, including leases exceeding 21 years including the assignment and sub-leasing / sub-licensing of existing agreements.	Approval: Development Services Committee Execution: Commissioner, Development Services or Director, Planning Services (117-2016)	Municipal Act	Provided that the total consideration, or a reasonable estimate of cost of the obligations to be incurred by the City, does not exceed \$75,000 or, where a leasehold is involved, \$75,000 per annum For leases exceeding 21 years, provided Council has first declared lands to be leased from the City as surplus Agreement to be in a form approved by City Solicitor	Not applicable
36.	Approve and Execute agreements pertaining to the sale of land or grant by deed, quit claim or transfer including easements	Approval: Development Services Committee Execution: Commissioner, Development Services or Director, Planning Services (117-2016)	Municipal Act	Provided that total consideration, or a reasonable estimate of cost of the obligations is supported by an appraisal and does not exceed \$75,000 or where a leasehold is involved \$75,000 per annum Conveyance is supported by an executed Agreement of Purchase and Sale, Option Agreement, Land Exchange Agreement or other agreement Agreement to be in a form approved by City Solicitor	Not applicable
37.	Approval of Quit Claims and the abandonment of easements no longer required for municipal purposes	Commissioner, Development Services or Director, Planning Services (117-2016)	Municipal Act	Provided that total consideration, or a reasonable estimate of cost of the obligations does not exceed \$75,000 or where a leasehold is involved \$75,000 per annum Documents to be in a form approved by City Solicitor	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
38.	Approval and execution of facility licence or rental agreements for occupancy of space on a short term basis for the purposes of the City, such as staff meetings, public meetings and open houses.	Commissioner, Community Services or Director, Recreation & Culture Services or Manager, Business Development or Supervisor, Customer Service or Program Supervisor or Program Coordinator or Facility Booking Office Clerk F or Recreation Clerk C	Municipal Act	<p>Provided that the total consideration, or a reasonable estimate of cost of the obligations to be incurred by the City does not exceed \$5,000</p> <p>Agreement to be in a form approved by City Solicitor</p> <p>Sufficient funds have been included in an approved budget</p>	Not applicable
39.	Approval and execution of licence agreements for the occupancy of City lands or premises on a short term basis by others, but not including facility permits for recreational facilities or authority delegated under items 2.1 and 60.3. (121-2012) (34-2015)	City Manager or Each Department Head	Municipal Act	Agreement to be in a form approved by City Solicitor	Not applicable
40.	Approval and execution of licence agreements for the occupancy of lands or premises by the City on a short term for municipal purposes	City Manager or Each Department Head	Municipal Act	<p>Provided that the total consideration, or a reasonable estimate of cost of the obligations to be incurred by the City does not exceed \$10,000</p> <p>Agreement to be in a form approved by City Solicitor</p> <p>Sufficient funds have been included in an approved budget</p>	Not applicable
41.	Execute acknowledgements of the status, term and conditions of any lease under which the City is either a tenant or a landlord and issue notices thereunder	Commissioner, Development Services or Director, Planning Services (117-2016)	<p>Municipal Act</p> <p>Commercial Tenancies Act</p> <p>Residential Tenancies Act</p>	None	Not applicable
42.	Issue notices prohibiting entry onto municipal property	Deleted By-by-law 98-2013 (98-2013)	Deleted By-by-law 98-2013	Deleted By-by-law 98-2013	Deleted By-by-law 98-2013

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
43.	Execute and file Records of Site Condition and supporting or supplementary documentation as may be required by the Ministry of the Environment	Commissioner, Development Services or Director, Planning Services (117-2016)	Environmental Protection Act	None	Not applicable
44.	Execute and register release or transfer of an interest in land where City appears to have to no supportable title or interest	City Manager or Commissioner, Development Services or Director, Planning Services (117-2016)	Registry Act / Land Titles Act	City Solicitor opines that City appears to have no supportable title or interest in the subject land	Not applicable

Development Services

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
45.	Enter into front-ending agreements	Approval: Development Services Committee Execution: Commissioner, Development Services or Director, Engineering Services	S. 44 Development Charges Act	Agreement to be in a form as approved by the City Solicitor Agreement is required as a condition of development approval	Not applicable
46.	Execute contracts or agreements for the construction or the installation of any works in the nature of road/bridge works, water and waste water works, including Regional Servicing Agreements, and works related to the collection, disposal, reuse or recycling of waste	City Manager or Each Department Head	Municipal Act	Agreement to be in a form approved by City Solicitor Sufficient funds have been included in an approved budget or the agreement is in response to an emergency, in the opinion of the City Manager The procurement of the goods and services in question has been approved in accordance with the Purchasing By-law or is included in an executed agreement	Not applicable
46.1	Execute agreements and other documents to effect cost sharing arrangement for erosion or bank stabilization works	Commissioner, Development Services or Director, Engineering Services (117-2016)	Municipal Act	Subject to Council policy respecting erosion and bank stabilization works Sufficient funds have been included in an approved budget Agreements and other documents in a form acceptable to City Solicitor	Not applicable
46.2	Approve subdivision servicing prior to execution of a subdivision or development agreement Execute agreement and other documents to effect pre-servicing approval	Commissioner, Development Services or Director, Engineering Services (117-2016)	Municipal Act	Approval subject to such conditions as Commissioner, Development Services or Director, Engineering Services considers appropriate Agreement and other documents in a form acceptable to City Solicitor	Not applicable
47.	Approve engineering criteria and design specification standards	Commissioner, Development Services or Director, Engineering Services	Municipal Act	None	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
48.	Execute agreements imposed or required in satisfaction of any condition of approval under the Planning Act in connection with the development of land such as subdivisions, plans of condominium, land divisions, part lot control removal, site plans and rezonings	Commissioner, Development Services or Director, Planning Services	Planning Act Condominium Act	Agreements to be in a form as approved by the City Solicitor	Not applicable
48.1	Approve and execute agreement to amend site plan agreement	Commissioner, Development Services (117-2016)	Municipal Act	Subject of amendment does not constitute "development" Agreement in a form acceptable to City Solicitor	Not applicable
48.2	Sign statement on behalf of the City in relation to a condominium declaration	Commissioner, Development Services (117-2016)	Condominium Act, 1998 and O.Reg. 48/01	Commissioner, Development Services is satisfied that the statutory or regulatory conditions for the statement have been satisfied	Not applicable
49.	Releases of agreements where development has not proceeded or if imposed or required in satisfaction of any condition of approval under the Planning Act or Condominium Act, in connection with the development of land	Commissioner, Development Services or Director, Planning Services	Planning Act Condominium Act	None	Not applicable
50.	Provide notice that the information and material required under any application under the Planning Act has either been provided or not provided and that the application is deemed to be complete or incomplete, as the case may be	Commissioner, Development Services or Director, Planning Services	ss. 22(6.1), 34(10.4) and 51(19.1), Planning Act	None	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
51.	Give notice of complete applications to the prescribed persons and public bodies, in the prescribed manner and accompanied by the prescribed information, and (b) make the prescribed information and material available to the public	Commissioner, Development Services or Director, Planning Services	ss. 22(6.4), 34(10.7) and 51(19.4), Planning Act	None	Not applicable
52.	Before Council passes an official plan amendment or approves a subdivision, zoning by-law implementing an application proposal, forward to such public bodies as may have an interest in the zoning proposal, sufficient information to enable them to generally understand the proposal	Commissioner, Development Services or Director, Planning Services	Planning Act	None	Not applicable
53.	Approve applications to remove part lot control, pass by-laws to designate lands not subject to part-lot control	Commissioner, Development Services or Director, Planning Services	s.50(7), Planning Act	Controversial applications proposed to be denied to be reported to Council	Not applicable
54.	Approve applications to remove holding symbol	Commissioner, Development Services (117-2016)	5.36, Planning Act	Conditions for lifting of holding symbol have been satisfied to satisfaction of Commissioner	Not applicable
55.	Execute agreements under the Community Improvement Programs	Commissioner, Development Services or Director, Economic Development Services or Director, Planning Services	Planning Act	Implements Council approval or CIP program requirements	Not applicable
55.1	Extend timing conditions in the approval of an application under a Community Improvement Plan	City Manager or Commissioner, Development Services (64-2015) (117-2016)	Municipal Act and Planning Act	Any request for a time extension that is proposed to be denied will be reported to the Development Services Committee and Council	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
56.	Approve condominium applications that do not require a public meeting under Condominium Act or under Council policy	Commissioner, Development Services or Director, Planning Services	Planning Act and Condominium Act	Consistent with approved site plan and zoning	Not applicable
57.	Permit variances to car wash queuing standards	Commissioner, Development Services or Director, Planning Services	Municipal Act Business Licensing By-law, Schedule "P"	New standards are consistent with an approved Site Plan	Not applicable
58.	Approve variances to the Sign By-law except with respect to Mobile Signs	Commissioner, Development Services or Director, Planning Services	Municipal Act	Commissioner may forward controversial or applications proposed to be denied for Council's consideration at his or her discretion	Not applicable
59.	Close inactive development applications	Commissioner, Development Services or Director, Planning Services	Municipal Act and Planning Act	Commissioner, Development Services or Director, Planning Services to establish policy that prescribes minimum periods of inactivity to which delegated authority applies. Policy to be published on City's website	Not applicable
60.	Execute Heritage Easement Agreements and cause such agreements to be registered on title to the subject property	Commissioner, Development Services	Municipal Act and Ontario Heritage Act	Provided that the property has been designated by Council as eligible for a Heritage Property Tax Reduction. Agreement to be in a form approved by City Solicitor	Not applicable
60.1	Approve annual implementing by-laws under the Downtown Oshawa Outdoor Café Program	Commissioner, Development Services or Director, Economic Development Services	Municipal Act (34-2015)	By-law to be in a form approved by City Solicitor	Not applicable
60.2	Repeal annual implementing by-laws approved the previous year under the Downtown Oshawa Outdoor Café Program	Commissioner, Development Services or Director, Economic Development Services	Municipal Act (34-2015)	By-law to be in a form approved by City Solicitor	Not applicable
60.3	Approval and execution of licence agreements for participating restaurants in the Downtown Oshawa Outdoor Café Program	Commissioner, Development Services or Director, Economic Development Services	Municipal Act (34-2015)	Agreement to be in a form approved by City Solicitor	Not applicable

Facilities Management Services (117-2016)

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
61.	Make application to the Minister of the Environment for approval for undertakings	City Manager or Commissioner, Development Services	S. 5 Environmental Assessment Act	Undertaking is approved in current budget, a multi-year budget, the Strategic Financial Plan or is included in draft budget for following year	Not applicable
62.	Make applications for Certificates of Approval for Permits to Take Water	Commissioner, Development Services or Director, Engineering Services	Environmental Protection Act	None	Not applicable
62.1	Make applications for approvals and permits related to City projects	Commissioner, Corporate Services or Director, Facilities Management Services (117-2016)	Municipal Act	Project is approved in current budget or a multi-year budget	Not applicable

Fire Services

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
63.	Enter into agreements for the provision of fire protection services to lands located outside Oshawa or to receive fire protection services from a fire department located outside of Oshawa	City Manager or Fire Chief (117-2016)	Fire Protection and Prevention Act	Agreement to be in a form as approved by the City Solicitor	Not applicable
64.	Enter into an automatic aid agreement to provide or receive the initial or supplemental response to fires, rescues and emergencies	City Manager or Fire Chief	Fire Protection and Prevention Act	Agreement to be in a form as approved by the City Solicitor	Not applicable
65.	Authority to pass by-laws to appoint persons as officers to enter upon land and into structures at any reasonable time to inspect the land and structures to determine whether by-laws enacted in accordance with the Fire Protection and Prevention Act are being complied with Authority to pass by-laws to appoint persons to enforce by-laws of the City	City Manager or Fire Chief	s.7.1(4), Fire Protection and Prevention Act s. 15, Police Services Act	None	Not applicable

City Clerk Services

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
66.	Approve payments to owners of livestock which has been injured or killed by a wolf or dog	Commissioner, Corporate Services or City Clerk	s. 3 Livestock, Poultry and Honeybee Protection Act	Finding of liability shall be supported by the report of the City's Livestock Valuator	Not applicable
67.	Conduct an inquiry in order to ascertain the owner of a dog that has killed or injured livestock or poultry within Oshawa	Commissioner, Corporate Services or Director, Municipal Law Enforcement and Licensing Services	s. 6 Livestock, Poultry and Honeybee Protection Act	None	Not applicable

Finance

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
68.	Execute applications for compensation, funding or other forms of subsidy related to any City programs, operations or approved capital project, and subsequent submissions, agreements, declarations or representations required for processing the application or the receipt of funds (29-2018)	City Manager or City Treasurer or any Commissioner or any Director (117-2016) (29-2018)	Municipal Act	Funding relates to a program, operation or project where funding is available in an approved operating or capital budget, in an uncommitted reserve or another funding source identified by the Treasurer; City Manager, Treasurer or Commissioner executes applications and agreements for funding >=\$100,000; Director executes applications and agreements for funding <\$100,000; Agreements for funding >=\$100,000 in a form acceptable to the City Solicitor (29-2018)	Not applicable
69.	Write off of taxes in accordance with the provisions of section 354 of the Municipal Act	City Treasurer or Director, Finance Services	S.354 (2)(a), Municipal Act	Within the limitation prescribed by s.356 provided that where the write off of taxes is pursuant to subsection 354(4), the Treasurer shall report to the Finance and Administration Committee, which is delegated authority to make the final decision	Not applicable
70.	Divide land which is assessed in one block into two or more parcels or apportion unpaid taxes on land among parcels, including holding the required hearing under the Municipal Act	City Treasurer or Director, Finance Services	S.356, Municipal Act	Within the limitations prescribed by s.356, Municipal Act	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
71.	Cancel, reduce, refund or restore all or part of taxes levied on land in the year in which the application is made, including holding the required hearing under the Municipal Act	City Treasurer or Director, Finance Services	S. 357 Municipal Act	Within the limitations prescribed in s.357, Municipal Act save for where applicant is unable to pay taxes because of sickness or extreme poverty (s.357(1)(d.1)), in which case the application will be referred to the Finance and Administration Committee, which is delegated authority to make the final decision	Not applicable
72.	Cancel, reduce or refund all or part of the taxes levied on land caused by a gross or manifest error, including holding the required hearing under the Municipal Act	City Treasurer or Director, Finance Services	S.358, Municipal Act	Within the limitations prescribed in s.358, Municipal Act	Not applicable
73.	Increase the taxes levied on land to the extent of any undercharge caused by a gross or manifest error, including holding the required hearing under the Municipal Act	City Treasurer or Director, Finance Services	S.359, Municipal Act	Within the limitations prescribed in s.359, Municipal Act	Not applicable
74.	Execute extension agreement extending the period of time in which the cancellation price is to be paid after registration of a tax arrears certificate (29-2018)	City Treasurer or Director, Finance Services	S.378, Municipal Act	Within the limitations prescribed in s.378, Municipal Act. Where the cancellation price is in excess of \$25,000, the application will be referred to the Finance and Administration Committee, which is delegated authority approve the execution of an extension agreement, in which case the Treasurer may execute the agreement on behalf of the City (29-2018)	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
75.	Reduce, waive or cancel late payment charges, penalties and interest on overdue tax accounts	City Treasurer or Director, Finance Services	S.345, Municipal Act	Up to \$500.00 may be waived in the discretion of the Treasurer in support of customer service Where interest, penalties or charges result from inadvertent late payment for a period less than 14 days, the Treasurer may waive, reduce or cancel charges without limitation In all other cases, the Treasurer shall report to the Finance and Administration Committee, which is delegated authority to make the final decision	Not applicable
76.	Prepare feasibility studies and make application for funding for eligible projects	City Treasurer or Director, Finance Services	S. 2 Tax Increment Financing Act	None	Not applicable
77.	Enter into agreements for funding of eligible project	City Treasurer or Director, Finance Services	S.3 Tax Increment Financing Act	Project is approved in current budget, a multi-year budget, the Strategic Financial Plan or is included in draft budget for following year Agreement to be in a form as approved by the City Solicitor	Not applicable
77.1 (83-2018)	Waive fees in extreme weather circumstances	Commissioner, Finance Services or Designate	Municipal Act	Up to \$6,000	Not applicable

Information Technology

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
78.	Approve and execute agreements for the exchange or release of electronic data or electronic software	Commissioner, Corporate Services or Director, Information Technology Services	Municipal Act	Agreement to be in a form approved by City Solicitor	Not applicable

Communications

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
79.	Approve and execute sponsorship and advertising contracts or agreements	City Manager or Director, Corporate Communications & Marketing	Municipal Act	Agreement to be in a form approved by City Solicitor Agreement is consistent with the Council approved Corporate Advertising Policy	Not applicable
80.	Approve and execute agreements for the use of the City's Logo	City Manager or Director, Corporate Communications & Marketing	Municipal Act	Agreement to be in a form approved by the City Solicitor	Not applicable

Roads

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
81.	Approve and enact by-laws for temporary road closures for road work, street parties and festivals	City Manager or Commissioner, Community Services or Commissioner, Development Services or Director, Operations Services or Director, Engineering Services (117-2016)	Municipal Act	Requests proposed to be denied to be reported to the Community Services Committee	Not applicable
81.1	Pass a by-law to close a road allowance, highway, street or lane as a highway	Commissioner, Development Services Department or Director, Engineering Services (46-2016)	Municipal Act, 2001	Council has authorized the closure. Commissioner, Development Services Department or Director, Engineering Services, is satisfied that Council's conditions to its authorization, if any, have been satisfied.	Not applicable
82.	Enter into boundary road agreements	City Manager or Commissioner, Development Services	S. 29.1, Municipal Act	Agreement to be in a form as approved by the City Solicitor and Council	Not applicable
83.	Enter into Municipal Road Access agreements	Commissioner, Development Services or Director, Engineering Services	Municipal Act	Agreement to be in a form as approved by the City Solicitor	Not applicable
84.	Pass by-laws to dedicate or to assume a road allowance, highway, street or lane as a public highway required for City purposes	Commissioner, Development Services or Director, Engineering Services (80-2015)	s.31(4), Municipal Act	By-law is in a form as approved by the City Solicitor Maintenance/assumption period established by a development agreement has lapsed and there are no outstanding deficiencies	Not applicable
85.	Agreements providing for the control of access, ingress and egress to and from City roads	Commissioner, Community Services or Director, Operations (117-2016)	Municipal Act	None	Not applicable
86.	Declare surplus 1 foot reserves, roads, road widenings, and landscape strips.	Commissioner, Development Services or Director, Planning Services (117-2016)	Municipal Act	For lands required by Durham Region for the widening of Regional Roads. In those instances where the roads are already within Regional jurisdiction and the lands have yet to be transferred. Notice of Declaration as Surplus and Notice of Disposition is waived.	Not applicable

	DELEGATED AUTHORITY	DELEGATE	SOURCE OF POWER OR DUTY	DELEGATION RESTRICTIONS	COMMUNICATION
87.	Pass by-law to name or to rename a private road	Commissioner, Development Services or Director, Planning Services (57-2017)	Municipal Act	Public notice of intention to pass by-law is given by such means considered to be appropriate by the Commissioner Development Services or the Director, Planning Services, each in consultation with the City Clerk. Subject to Council policy respecting the naming or renaming of private roads	Not applicable