

DATE OF MEETING FEBRUARY 27, 2023

AUTHORED BY KAREN ROBERTSON, DEPUTY CITY CLERK

**SUBJECT OFFICER APPOINTMENT & DELEGATION OF AUTHORITY  
AMENDMENT BYLAW – HOUSEKEEPING AMENDMENTS**

## **OVERVIEW**

### **Purpose of Report**

To present Council with housekeeping amendments to the Officer Designation and Delegation of Authority Bylaw.

### **Recommendation**

That “Officer Designation and Delegation of Authority Bylaw, 2023 No. 7353.01” (housekeeping amendments) be given first reading.

That “Officer Designation and Delegation of Authority Bylaw, 2023 No. 7353.01” be given second reading.

That “Officer Designation and Delegation of Authority Bylaw, 2023 No. 7353.01” be given third reading.

## **BACKGROUND**

On 2022-OCT-03 Council adopted Officer Designation and Delegation of Authority Bylaw No. 7353. This bylaw replaced the outdated Officer Appointment and Delegation of Authority Bylaw No. 7031 which was 16 years old.

Having worked with the new bylaw for a period of time, Staff identified that some of the language in section 22.3(b), as it relates to development permits that may be delegated for approval, was unintentionally eliminated. The intention was for some minor variances to be approved by delegated authority, not all. The new language in that section clarifies the intent.

Another proposed amendment is to add the Director, Development Approvals as a staff person who has delegated authority for land use approvals in sections 16 and 21. Currently the GM, Development Services and the Corporate Officer have delegated authority to enter into, execute and register covenants, statutory rights of way, or easements in connection with the operation of a sewer, water, or drainage works but because the Director, Development Approvals is the primary staff person who works with documents, it would be efficient to also provide delegated authority to the person holding that position. The same rationale would apply to section 17.

Other housekeeping amendments relate to consistency with job titles and to add some delegated authorities that are currently outlined in other bylaws as the goal is to have, wherever

possible, a one stop bylaw, which outlines all delegated authorities. Details of the proposed amendments are outlined in the discussion section of the report below and a copy of the bylaw, with the amendments incorporated is outlined in Attachment 2.

## **DISCUSSION**

The rationale for the proposed amendments to the bylaw is as follows:

<b>Section</b>	<b>Rationale</b>
9.5, 9.6	Change the Director, Development Approvals title for consistency.
11.3	The word “will” should be changed to the word “may” to ensure there is no overlap/conflict with section 15.1
13.1	Capitalizing the word Financial Plan Bylaw for consistency as other bylaw references are capitalized.
16.1	Adding the words “and execute” provides clarification that the staff responsible for authorizing the registration of road dedication have the authority to also execute those documents. Also, one cannot delegate execution of road dedication plans. These must be approved by an Approving Officer as per section 91 of the <i>Land Title Act</i> , so section 16.1 was removed.
17.1	To provide delegated authority to the Director, Development Approvals to cover off the GM, Development Services in their absence.
19.2	Adding the word “execute” to clarify the staff delegated the authority to authorize the encroachments can also sign the associated documents.
21.1 and 21.2	Adding the Director, Development Services to the list of staff who have delegated authority to authorize and execute covenants, statutory rights of way or easements.
21.3	Section 21.3 is a duplication of the authority provided to the Approving Officer within the Subdivision Bylaw. In the not-too-distant future the Subdivision Bylaw will be repealed and rewritten so staff wanted to ensure that this delegated authority is transferred to the appropriate bylaw.
22.3(b)	This provision reinstates language that was in the older bylaw and clarifies that delegated authority for development permits is associated with minor variances only.
23.1	The delegated authority given to the Approving Officer through this provision was given by Council on 2003-APR-28. It makes more sense to have this authority outlined in the Delegation of Authority Bylaw.
25	This provision provides delegated authority to the Approving Officer and is currently outlined in the Zoning Bylaw. As with section 23.1 it makes sense to have it outlined in the Delegation of Authority Bylaw. The provision within the Zoning Bylaw can remain until the next round of Zoning Bylaw housekeeping amendments.
Schedule A	Providing consistency to job titles.

## **OPTIONS**

### **Option 1:**

That “Officer Designation and Delegation of Authority Bylaw, 2023 No. 7353.01” (housekeeping amendments) be given first reading.

That “Officer Designation and Delegation of Authority Bylaw, 2023 No. 7353.01” be given second reading.

That “Officer Designation and Delegation of Authority Bylaw, 2023 No. 7353.01” be given third reading.

- Once a new bylaw is introduced, often there are tweaks or minor amendments needed once staff have had the opportunity to work with the bylaw for a period of time. The proposed amendments are primarily housekeeping and nature.

### **Option 2:**

Council direction is sought.

- Should Council wish to recommend further amendments, other than those outlined in the bylaw amendment, direction would be sought.
- Depending on the direction, a further staff report may be required.

## **SUMMARY POINTS**

- Having worked with the new Officer Appointment and Delegation of Authority bylaw for period of time, staff identified some minor housekeeping amendments that are required to the bylaw for clarification and consistency purposes.

## **ATTACHMENTS:**

Attachment 1 – B7353.01 – Officer Designation & Delegation of Authority Amendment Bylaw

Attachment 2 – B7353 – Officer Appointment & Delegation of Authority Amendment – red line version

### **Submitted by:**

Karen Robertson, Deputy City Clerk

### **Concurrence by:**

Sheila Gurrie, Director, Legislative Services  
Jeremy Holm, Director, Development Approvals  
Dale Lindsay, GM, Development Services