

THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS

BY-LAW NO. 2025-19XX

BEING A BY-LAW TO DELEGATE AUTHORITY TO STAFF

WHEREAS Section 5 (3) of the *Municipal Act 2001 S.O. c. 25 as amended* states that the powers of a municipality shall be exercised by by-law;

AND WHEREAS Section 23.1 of the *Municipal Act 2001 S.O. c. 25 as amended* provides that sections 9, 10 and 11 authorize a municipality to delegate its powers and duties under any Act to a person or body subject to listed restrictions;

AND WHEREAS Section 11(1) of the *Municipal Act, 2001 S.O. 2001, c.25 as amended* authorizes a municipality to provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS Section 275 of the *Municipal Act, 2001, c.25 as amended* restricts acts that Council can take after nomination Day and after Voting Day if the Council is a lame duck position; and

AND WHEREAS section 5 of the *Planning Act, R.S.O. 1990, c.P13 as amended*, authorizes a municipal council to delegate authority, by by-law, except for the authority to approve official plans or the authority to exempt from approval plans as official plans or amendments to official plans;

AND WHEREAS section 39.2 of the *Planning Act, R.S.O. 1990, c.P13 as amended* provides that the council of a local municipality may, by by-law, delegate authority to pass by-laws under section 34 that are minor in nature to: (a) a committee of council; or (b) an individual who is an officer, employee, or agent of the municipality; and

AND WHEREAS it is deemed expedient to delegate certain authority to senior staff;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

1. GENERAL REGULATIONS

1.1 **THAT** Council delegates its authority to staff in accordance with Schedule A.

2. BY-LAWS TO BE REPEALED

2.1 **THAT** By-law No. 2002-377 and 2023-1843 shall be and are hereby repealed.

2.2 THAT, all by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

3. EFFECTIVE DATE

3.1 This by-law shall come into force and effect on the day of its passing.

3.2 ENACTED AND PASSED this xxth day of XXX, 2025

Peter McLaren, Reeve

Nicole Guthrie, Clerk

SCHEDULE "A" TO BY-LAW 2025-XXXX

Chief Administrative Officer		
Delegated Authority	Delegate	Delegation and Legislative Limits
Exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality.	CAO	
Establish the structure of the municipality, including the establishment, merger and elimination of divisions and departments and establishing a managerial hierarchy.	CAO	
Approve and amend Policies and Procedures related to the administration of employees.	CAO	
<p>Dispose of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal;</p> <p>Hire or dismiss any employee of the municipality; and</p> <p>Make any expenditure or incur any other liability which exceeds \$50,000.</p>	CAO	<p>Delegation only applies if Council is restricted from taking action after nomination day under section 275 of the Municipal Act, during "lame duck".</p> <p>The CAO will consult with legal counsel and/or Treasurer, where appropriate, prior to exercising the delegated authority.</p> <p>The CAO shall report action taken or decisions made in accordance with the delegated authority given during periods outlined in this by-law to Council, at its next regularly scheduled meeting or at an additional meeting convened by Council.</p>

Tender/quote awards – within budget, less than \$100,000 and offered to the lowest bidder.	CAO	<p>Tenders that will be awarded prior to the finalization of the budget will require pre-budget approval.</p> <p>All tenders above \$100,000</p>
Award Requests for Proposals that are within budget up to \$100,000 in value.	CAO	
Hire Full-Time Employees within budget.	CAO	
Allow spending of up to the prior year's approved operating budget until such time as Council has passed its budget for the year.	CAO	
Approve and enact by-laws to remove holding ("H") provisions from zoning by-laws, where the prescribed conditions for lifting the holding symbol have been satisfied and no public meeting is required.	CAO with input and advice of Manager of Planning, Planning Consultant or Township delegate	<p>The removal shall be deemed a minor and routine planning matter.</p> <p>The delegated authority applies only where no outstanding objections have been received from the public or agencies.</p> <p>A record of the CAO's decision shall be maintained, and Council shall be notified of all such approvals through an information item in the next regular Council meeting agenda.</p>
Approve and enact temporary use by-laws for a period not exceeding three (3) years, to permit the temporary use of land, buildings, or structures for any purpose otherwise prohibited by the zoning by-law. (e.g. plowing match, festival)	CAO with input and advice of Manager of Planning, Planning Consultant or Township delegate	<p>The authority applies only to applications deemed minor in nature by the Planning Department and where no public meeting is required under the Planning Act.</p> <p>Temporary use by-laws must conform to the Official Plan and not conflict with any applicable Provincial Policy Statements or regulations.</p> <p>The CAO may impose conditions as necessary to</p>

		<p>ensure the orderly development of the land.</p> <p>A record of the CAO's decision shall be maintained, and Council shall be notified of all such approvals through an information item in the next regular Council meeting agenda.</p>
Approve site plans, drawings, and related submissions and to enter into site plan agreements under the By-law 2012-1181 Site Plan Control.	CAO	<p>The authority includes the approval of minor amendments to site plans and associated agreements.</p> <p>The delegated authority shall be exercised in consultation with the Manager of Planning & Building Services, Planning Consultant or Township delegate, as appropriate.</p> <p>Agreements may include conditions required for the development or redevelopment of the subject lands in accordance with applicable Township standards, by-laws, and policies.</p> <p>The CAO is authorized to execute all necessary documents to implement approved site plans and agreements.</p> <p>Council shall be notified of all site plan approvals through an information item on the next regular Council meeting agenda.</p>
Waive notice requirements	CAO	<p>For specific matters as set out in By-law 2007-820 (Public Notice Policy). Matters that are urgent, time sensitive or impact health and well-being.</p>

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Treasurer		
Delegated Authority	Delegate	Delegation and Legislative Limits
Adjust mileage rates for Council and staff upon an annual review of the Canada Revenue Agency's lower mileage amount (rate over 5,000 km).	Treasurer	
Adjust tax accounts including interest, and write-off other receivables as uncollectible up to \$3,000.	Treasurer	
Make all allowable tax adjustments under the Municipal Act including Section 354 after an unsuccessful tax sale.	Treasurer	
Authorize and execute minutes of settlement between the Municipality and the Municipal Property Assessment Corporation and/or the Assessment Review Board.	Treasurer	
Transfer funds between Town accounts to maximize interest earned.	Treasurer	
Make any proposed tax adjustments arising from applications under Sections 354, 357, 358, and 359 of the Municipal Act, 2001 and the apportionment of unpaid taxes in accordance with Section 356 of the Municipal Act, 2001 except for applications made under 357(1).	Treasurer or designate	

Managers		
Delegated Authority	Delegate	Delegation and Legislative Limits
Close municipal highways temporarily for emergencies or for the purpose of construction.	Fire Chief, Manager of Public Works	
Hiring Part-time Employees <ul style="list-style-type: none"> • within budget • approve step commencement 	Senior Management Team	
Hiring Summer Students <ul style="list-style-type: none"> • within budget • approve step commencement 	Senior Management Team	
Release final securities for development agreements based on recommendations from the respective Senior Managers.	Senior Management Team	
Tenders/quote awards within budget, less than \$30,000 and offered to the lowest bidder.	Senior Management Team	Tenders that will be awarded prior to the finalization of the budget will require pre-budget approval.
Installation of municipal signage – non-legal e.g. “No Loitering” and temporary signs for festivals and events.	Senior Management Team	
Designation of Community Festivals and for events required to be deemed “municipally significant” e.g. Canada Day.	Manager of Facilities and Community Affairs	Designations for new events will require Council approval and once approved by Council, authority is delegated to the Department Head for ongoing annual events.
Authorize temporary road closures and road uses for festivals and events.	Manager of Facilities and Community Affairs	
Issue excavation permits.	Manager of Public Works	
Issue blasting permits.	Manager of Public Works	
Approve or refuse applications for development permits, issue development permits, attach conditions to the approval of development permits or enter into	Manager of Planning, Planning Consultant, Chief Building Official,	

agreements with respect to development permits.	or Township delegate	
Approve the clearance of subdivision conditions.	Manager of Planning, Planning Consultant, Chief Building Official, or Township delegate	Upon input from Chief Building Official and Public Works Manager or designate.
<p>Submit comments to the County of Lanark on behalf of the Township for consent applications that meet the intent and policies of the Town's Official Plan and Zoning By-law except for those that need special consideration by the Committee of the Whole and Council.</p> <p>Consent applications that involve any of the following conditions, as identified during the pre-consultation or application review process, be brought forward to Council for consideration:</p> <ul style="list-style-type: none"> • A zoning by-law amendment or minor variance is required to implement one or more proposed conditions of consent. • That the consent involves the utilization of a Township asset through agreement (i.e. road use). • That the consent is in an area where there are known pre-application concerns or issues with neighboring properties. • That the consent application resulted in pre-application concerns or objections by commenting agencies. 	Manager of Planning, Planning Consultant, Chief Building Official, or Township delegate	<p>*Notice of consent applications and respective comments provided to the County of Lanark Land Division Committee shall be posted on the Township's website until it is heard by the Land Division Committee.</p> <p>*Comments provided to the County of Lanark Land Division Committee shall also be provided to the applicant/agent indicated on the consent application.</p>
Exercise the powers and duties as head under the <i>Municipal Freedom of Information and Protection of Privacy Act</i> (section 3, subsection 49(1)).	Clerk	

Execute agreements required as a condition of approval for consent (Section 53) or minor variance (Section 45) applications, where such agreements have been approved by designated approval authority.	Clerk and Reeve	<p>Applies only to agreements that are standard in form and substance, such as those related to servicing, access, drainage, road widening, or notice on title.</p> <p>Agreements must be prepared or reviewed by Manager of Planning & Building Services, Planning Consultant or Township delegate or legal counsel.</p> <p>Execution shall occur only after all necessary approvals have been granted and any preconditions have been met.</p> <p>A copy of the executed agreement shall be retained in the municipal records and made available to Council for review upon request.</p>
Authority to make minor corrections to By-laws. Limited to non-material matters such as numbering of By-laws, spelling, etc.	Clerk	
Enter into encroachment agreements on behalf of the Township.	Mayor and Clerk	
Enter into contracts with various Federal, Provincial or other agencies i.e. Trillium Foundation for grant purposes.	Mayor and Clerk	