



THE CORPORATION OF THE MUNICIPALITY OF RED LAKE

BY-LAW No. 94-2023

BEING A BY-LAW TO ESTABLISH A DELEGATION OF POWERS AND DUTIES POLICY FOR THE MUNICIPALITY OF RED LAKE

WHEREAS Section 41(13) of the Planning Act, R.S.O. 1990, provides that where the council of a municipality has designated a site plan control area, the council may by by-law delegate to either a committee or an appointed officer any of the council's powers or authority for Site Plan Control; and

WHEREAS Section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

WHEREAS Section 10(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

WHEREAS Section 23.2(4) and (5) of the Municipal Act, 2001, S.O. 2001, C.25, as amended, provides for Councils to delegate to an individual, if in the opinion of the council of the municipality, the power being delegated is of a minor nature; and

WHEREAS Section 270 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, requires that all municipalities adopt and maintain policies with respect to the delegation of its powers and duties; and

WHEREAS the efficient management of the 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 powers and duties;

NOW THEREFORE the Council of The Corporation of the Municipality of Red Lake **HEREBY ENACTS AS FOLLOWS:**

1. Administrative Powers and Duties

"Administrative Powers and Duties" shall mean to include all matters required for the management of the corporation which do not involve discretionary decision making.

1.1 Council may delegate any of its administrative powers and duties.

1.2 In order for Council to authorize the delegation of any of its administrative powers and duties, it shall first approve the conditions and limitations of the delegation by the approval of a By-Law.

1.3 Any delegation of administrative powers may be subject to any regulation made by the Minister.

2. Legislative and Quasi-Judicial Powers

"Legislative and Quasi-Judicial Powers" shall mean to include all matters where Council acts in a legislative or quasi-judicial function including enacting by-laws, setting policies and exercising decision-making authority.

2. Legislative and Quasi-Judicial Powers - Continued

- 2.1 Legislative and quasi-judicial powers can only be delegated to the following:
- One or more members of municipal council.
 - A body that has at least 2 members, of which 50% are council members, council appointees or combination.
 - An officer, employee or agent of the municipality (if the power delegated is of a "minor nature").
- 2.2 Council shall only delegate legislative and quasi-judicial powers to an officer, employee or agent of the Municipality which are minor in nature. Council, in determining whether or not a power is of a minor nature, should consider a number of factors as well as the number of people, the size of the geographic area and the time period affected by an exercise of the power.
- 2.3 The delegation of legislative and quasi-judicial powers of Council are restricted to powers found in the Municipal Act, the Planning Act, a private act relating to the Municipality and such other Acts as may be prescribed.
- 2.4 No delegation of legislative or quasi-judicial powers to a corporation is permitted.
- 2.5 Any delegation of legislation or quasi-judicial powers may be subject to any regulation made by the Minister.

3. Scope of Power

- 3.1 All delegations of Council powers, duties or functions shall be effected by by-law.
- 3.2 The delegation of powers and duties may be revoked at any time without notice, unless the delegation by-law specifically limits the Municipality's power to revoke such delegation.
- 3.3 The power and duties delegated to staff by by-law/policy will not limit Council's power to revoke the delegation, to ensure flexibility and the ability for Council to retain some accountability if required.
- 3.4 The delegation may provide that only the delegate or both council and the delegate may exercise the delegated power of duty.
- 3.5 A new Council may revoke the delegation made by a former Council despite any limitations described in the delegation by-law/policy.
- 3.6 The delegation may be subject to such conditions and limits as Council considers appropriate, including the requirement for procedures related to the delegated power of duty to be followed as well as other means of accountability and transparency.
- 3.7 Where a power is delegated, the power is deemed to be delegated subject to any limits on the power and to any procedural requirements, including conditions, approvals and appeals which apply to the power and any duties related to the power are deemed to be delegated.
- 3.8 When a municipality delegates a power to a municipal service board, existing municipal by-laws or resolutions are deemed to be by-law of the board.

4. Restrictions of Delegation of Legislative & Quasi-Judicial Powers

4.1 Council is not authorized to delegate any of the following powers and duties:

- To appoint or remove from office statutory officers of the Municipality;
- To pass a By-Law to deal with issues regarding taxes;
- To incorporate corporations;
- To adopt an official plan or an amendment to an official plan under the Planning Act;
- To pass a zoning by-law under the Planning Act;
- To pass a by-law related to small business counselling and municipal capital facilities;
- To adopt a community improvement plan;
- To approve or amend the municipal budget; and
- Any other powers that may be prescribed.

5. Schedules

5.1 The following Schedules, attached hereto and forming a part of this By-Law, setting out the delegation of powers are hereby approved:

- "A" Closing a Highway and Municipal Dock
- "B" Location of Infrastructure for Public Utility Services
- "C" Delegation of Power Tax Section
- "D" Planning Advisory Committee
- "E" Committee of Adjustment
- "F" Municipally Significant Events
- "G" Real Estate Transactions and Interests
- "H" Appoint or Remove from Office any Officer, hire or dismiss any employee, and Expenditures or Incur any other liability which exceeds \$50,000
- "I" Community Improvement Plan Implementation Committee
- "J" Marriage Commissioner
- "K" Recreation/Facilities – Simple Agreements
- "L" Signing Officers
- "M" Delegation of Power Tax Arrears Extension Agreements
- "N" Site Plan Control Applications
- "O" Airport Revenue Agreements
- "P" Contracts/Agreements (under \$5,000/\$50,000)

6. Appeals

- 6.1 Council may establish an appeal body to hear appeals or review decisions made under any delegated power, if it deems necessary.
- 6.2 Before an Appeal Body is established, Council shall determine procedures, powers and rules of those conducting the appeals to be approved in a By-law establishing the Appeal Body.

7. Short Title

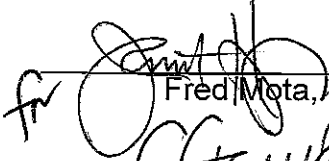

7.1 The short title of this By-Law shall be "Delegation of Powers & Duties By-Law".

8. Enactment

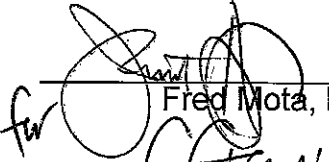
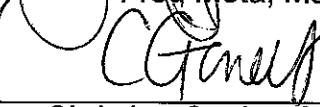
8.1 **THAT** By-Law Nos. 13-2018, 49-2018, 57-2022 are hereby repealed.

8.2 **THAT** this By-Law shall come into force and take effect on the final passing thereof.

READ a FIRST AND SECOND TIME this 18th day of December, 2023.


Fred Mota, Mayor

Christine Goulet, Clerk

READ a THIRD TIME and FINALLY PASSED this 18th day of December, 2023.


Fred Mota, Mayor

Christine Goulet, Clerk

Schedule "A"

of

By-Law No.94-2023

Closing of a Highway and Municipal Dock

Power to be Delegated	Authority to close a Municipal highway and/or dock temporarily. (Section 23.2 (4) & (5) of the Municipal Act)
Reasons in Support of Delegation	<ul style="list-style-type: none"> • Contributes to the efficient management of the Municipality of Red Lake. • Meets the need to respond to issues in a timely fashion. • Maintains accountability through conditions, limitations and reporting requirements. • Minor in nature. • Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none"> • Operations Supervisor; • Infrastructure Development Coordinator; • Chief Administrative Officer; or • Designate (in writing).
Council to Retain Power	Yes
Conditions and Limitations	<p>Authority to close a Municipal highway and/or dock temporarily for the following conditions:</p> <ul style="list-style-type: none"> a) Utility repairs or installations. b) Maintenance or construction. c) Unsafe conditions. d) Social, recreational, community or athletic event. e) *Emergency condition. <p>*Emergency condition shall mean work that must be performed in order to prevent personal injury or loss or damage to equipment.</p>
Review or Appeal	<p>Where the delegate has not approved a request to permit a temporary road closure for a Municipal highway and/or dock, the applicant may request that the decision be reviewed by Council of the Municipality of Red Lake.</p> <p>A person who has reason to believe that they will be negatively impacted by an approved temporary road/dock closure may request that the decision to approve be reviewed by the Council of the Municipality of Red Lake.</p>
Reporting Requirements	Not required.

Schedule "B"

of

By-Law No. 94-2023

Location of Infrastructure for Public Utility Services

Power to be Delegated	Authority to approve certificates and easements for location of public utility services. (Section 23.2 (4) & (5) of the Municipal Act)
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the Municipality of Red Lake.• Meets the need to respond to issues in a timely fashion.• Maintains accountability through conditions, limitations and reporting requirements.• Minor in nature.• Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none">• Infrastructure Development Coordinator; or• Designate (in writing).
Council to Retain Power	Yes
Conditions and Limitations	The power shall be for the following: <ul style="list-style-type: none">• Approve "Certificates Approving of Location" regarding aerial cable easement, poles, etc.• Approve "Officer(s) to Grant Easement Locations" regarding easements, poles, etc.• Approve location for all other infrastructure for public utility services.
Review or Appeal	Not applicable.
Reporting Requirements	The Infrastructure Development Coordinator or designate shall forward all approved certificates and easements to the Clerk's Office for processing.

Schedule "C"
of
By-Law No. 94-2023

Delegation of Power Tax Section

Power to be Delegated	<ul style="list-style-type: none">• Write off of taxes in accordance with the provisions of Section 354 of the Municipal Act. (Section 354(2)(a), Municipal Act)• Cancel, reduce, refund or restore all or part of taxes levied on land in the year which the application is made, including holding the required hearing under the Municipal Act. (Section 357, Municipal Act)• 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. (Section 358, Municipal Act)
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the Municipality of Red Lake.• Meets the need to respond to issues in a timely fashion.• Maintains accountability through conditions, limitations and reporting requirements.• Minor in nature.• Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none">• Treasurer; or• Designate (in writing).
Council to Retain Power	Yes
Conditions and Limitations	<ul style="list-style-type: none">• Fully responsible and accountable for the proper and efficient exercise of the powers so delegated.• Shall be in compliance with the limitations prescribed in the following:<ul style="list-style-type: none">a) Section 354, Municipal Act;b) Section 357, Municipal Act;c) Section 358, Municipal Act.
Review or Appeal	Applicants may appeal decisions through the Assessment Review Board, as per the Municipal Act.
Reporting Requirements	Report to Council on tax write-offs and increases pursuant to this delegation of authority.

Schedule "D"
of
By-Law No. 94-2023

Planning Advisory Committee

Power to be Delegated	<p>As per O. Reg. 513/98 the Minister of Municipal Affairs and Housing delegated authority to the Council of The Corporation of the Municipality of Red Lake with respect to certain planning applications made on or after September 30, 1998, for land in the Municipality.</p> <p>Council delegates to the Planning Advisory Committee the authority to process and make recommendation to Council with regards to approval of planning applications.</p>
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the Municipality of Red Lake.• Meets the need to respond to issues in a timely fashion.• Maintains accountability through conditions, limitations and reporting requirements.• Minor in nature.• Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none">• Planning Advisory Committee
Council to Retain Power	Yes
Conditions and Limitations	<ul style="list-style-type: none">• Terms of Reference;• Municipal By-Laws (ie. Official Plan and Zoning By-Law); and• Provincial Legislation (ie. Planning Act, Provincial Policy Statement, Municipal Act, Condominium Act, Municipal Conflict of Interest Act, Municipal Freedom of Information and Protection to Privacy Act, etc.).
Review or Appeal	Ontario Municipal Board
Reporting Requirements	As per Terms of Reference.

Schedule "E"
of
By-Law No. 94-2023

Committee of Adjustment

Power to be Delegated	<p>As per O. Reg. 513/98 the Minister of Municipal Affairs and Housing delegated authority to the Council of The Corporation of the Municipality of Red Lake with respect to certain planning applications made on or after September 30, 1998, for land in the Municipality.</p> <p>Council delegates to the Committee of Adjustment the authority to process and make decisions on applications with respect to certain planning applications.</p>
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the Municipality of Red Lake.• Meets the need to respond to issues in a timely fashion.• Maintains accountability through conditions, limitations and reporting requirements.• Minor in nature.• Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none">• Committee of Adjustment
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">• Terms of Reference;• Municipal By-Laws (ie. Official Plan and Zoning By-Law); and• Provincial Legislation (ie. Planning Act, Municipal Act, Statutory Powers Act, Provincial Policy Statement, Municipal Conflict of Interest Act, Municipal Freedom of Information and Protection to Privacy Act, etc.).
Review or Appeal	As per the Planning Act
Reporting Requirements	As per the Terms of Reference

Schedule "F"
of
By-Law No. 94-2023

Municipally Significant Events

Power to be Delegated	Approve Public Events as "Municipally Significant" and issue the necessary approval letter for the Alcohol and Gaming Commission of Ontario to issue Special Occasions Permits to various persons or organizations as required for events taking place on municipal property in accordance with the Municipal Alcohol Policy. (By-Law No. 1694-12 – Municipal Alcohol Policy) (By-Law No. 44-2016 – Municipal Significant Event Policy)
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the Municipality of Red Lake.• Meets the need to respond to issues in a timely fashion.• Maintains accountability through conditions, limitations and reporting requirements.• Minor in nature.• Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none">• Clerk; or• Designate (in writing).
Council to Retain Power	Yes
Conditions and Limitations	<ul style="list-style-type: none">• Municipal Alcohol Policy and related provincial legislation; and• Municipal Significant Event Policy.
Review or Appeal	Council
Reporting Requirements	Not applicable.

Schedule "G"
of
By-Law No. 94-2023
Real Estate Transactions and Interests

Power to be Delegated	<p>Authority to execute, under the Municipal Seal where applicable, the following:</p> <ul style="list-style-type: none">• Agreements for the sale of land for residential purposes consistent with the terms and conditions of sale fixed under the Disposition of Land By-Law and after giving notice as provided in such By-Law where the sale price is not greater than One Hundred and Twenty-Five Thousand (\$125,000.00) Dollars.• Agreements required as a condition of consents under Section 53 of the Planning Act;• Consents and Agreements permitting entry on property of the Municipality for specific purposes and for a term not exceeding four (4) weeks;• Cautions, liens and restrictive covenants;• Documents required to correct title errors when recommended by the Municipal Solicitor;• Documents required to register or discharge Land Title documents relating to approved or authorized transactions hereunder;• First registration Applications under the Land Titles Act; and• Releases, discharges and surrenders of liens or other securities or encumbrances against real property where the obligations to the Municipality have been fully satisfied.
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the Municipality of Red Lake.• Meets the need to respond to issues in a timely fashion.• Maintains accountability through conditions, limitations and reporting requirements.• Minor in nature.• Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none">• CAO; or• Designate (in writing).
Council to Retain Power	Yes with the exception of lame duck periods during an election year.
Conditions and Limitations	<p>Where the Chief Administrative Officer is granted authority under this By-Law, such authority extends to executing such further documents and taking or causing to be taken such additional measures as may be necessary to complete the transactions, applications or other matters in question.</p> <p>Nothing in this By-Law restricts:</p> <ul style="list-style-type: none">a) The right and authority of the Council to itself exercise any power or authority referred to herein; andb) The authority of the Municipal Solicitor to execute documents in the ordinary course under the Land Titles Act or otherwise in respect of real property matters.
Review or Appeal	Not applicable.
Reporting Requirements	Not applicable.

Schedule "H"

of

By-Law No. 94-2023

Appoint or Remove from Office any Officer,
Hire or Dismiss any Employee and
Make Expenditures or Incur any other liability which exceeds \$50,000

Power to be Delegated	<p>When Council's powers are restricted by Section 275 of the Municipal Act, S.O. 2001, c. 25, as amended, the following powers and authority are to be delegated:</p> <ul style="list-style-type: none">• To appoint or remove from office any officer of the Municipality of Red Lake;• To hire or dismiss any employee of the Municipality of Red Lake; and• Make expenditures or incur any other liability which exceeds Fifty Thousand (\$50,000.00) Dollars.
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the Municipality of Red Lake.• Meets the need to respond to issues in a timely fashion.• Maintains accountability through conditions, limitations and reporting requirements.• Minor in nature.• Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none">• CAO;• Treasurer (in the absence of the CAO).
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">• As per Section 275 of the Municipal Act, S.O. 2001, c. 25, as amended.• This authority only applies during a "Lame Duck" period during an election year.
Review or Appeal	Not applicable.
Reporting Requirements	Not applicable.

Schedule "I"

of

By-Law No. 94-2023

Community Improvement Plan Implementation Committee

Power to be Delegated	<p>Delegate the following authority and responsibilities:</p> <ul style="list-style-type: none"> • Reviewing and evaluating applications for Financial Incentives; • Approving or refusing application for Financial Incentive Programs; • Marketing the Community Improvement Plan; • Monitoring the Community Improvement Plan; and • Making recommendations to Council with respect to: <ul style="list-style-type: none"> i) Financial Incentive Programs to be put into effect in any given year; and ii) Identifying an annual community improvement budget for Financial Incentives.
Reasons in Support of Delegation	<ul style="list-style-type: none"> • Contributes to the efficient management of the Municipality of Red Lake. • Meets the need to respond to issues in a timely fashion. • Maintains accountability through conditions, limitations and reporting requirements. • Minor in nature. • Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none"> • Community Improvement Plan Implementation Committee.
Council to Retain Power	Yes
Conditions and Limitations	<ul style="list-style-type: none"> • Community Improvement Plan. • Planning Act
Review or Appeal	Not applicable.
Reporting Requirements	Annual Report to Council

Schedule "J"

of

By-Law No. 94-2023

Marriage Commissioner

Power to be Delegated	Authority to perform Civil Marriage Ceremonies on behalf of The Corporation of the Municipality of Red Lake with the geographical boundaries of the Municipality of Red Lake, and any unincorporated areas as approved by the Clerk.
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the Municipality of Red Lake.• Meets the need to respond to issues in a timely fashion.• Maintains accountability through conditions, limitations and reporting requirements.• Minor in nature.• Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none">• Delegated by the Clerk (in writing) to any person, other than a member of Council. (Section 228(4) of the Municipal Act)
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">• Follow guidelines established for the provision of Civil Marriage Ceremonies; and• Marriage Act.
Review or Appeal	Not applicable.
Reporting Requirements	Reports to the Clerk.

Schedule "K"

of

By-Law No. 94-2023

Recreation/Facilities – Simple Agreements

Power to be Delegated	Authority to sign the following agreements/contracts: <ul style="list-style-type: none">• Arena Board Advertising;• Wall Advertising;• Arena Storage;• Memorial Tree Program; and• Facilities Rentals.
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the Municipality of Red Lake.• Meets the need to respond to issues in a timely fashion.• Maintains accountability through conditions, limitations and reporting requirements.• Minor in nature.• Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none">• Facilities, Parks & Recreation Supervisor; or• CAO
Council to Retain Power	Yes
Conditions and Limitations	<ul style="list-style-type: none">• Municipal By-Laws• Municipal Policies
Review or Appeal	Not applicable.
Reporting Requirements	Not applicable.

Schedule "L"

of

By-Law No. 94-2023

Signing Officers

Power to be Delegated	<ul style="list-style-type: none"> • Authority to act as signing officers for all cheques issued by the Treasurer to such persons and in such manner as the laws of Ontario or the By-Laws or Resolutions of the Municipality of Red Lake are enacted, from time to time, and until further notice to the Canadian Imperial Bank of Commerce (Red Lake, Ontario), Bank of Nova Scotia (Red Lake, Ontario), and Copperfin Credit Union Limited (Ear Falls, Ontario); • Authority to negotiate with or transfer to the Bank for deposit with or collection by the Bank (but for credit of the Municipality's account only) cheques, promissory notes, bills of exchange, drafts, orders for the payment of money and other instruments, whether negotiable or not, purporting to be signed or endorsed on behalf of the Municipality impressed thereon by rubber stamp or other device without signature; and • Authority to arrange, settle, balance and certify all books and accounts between the Municipality and the Bank and to receive all paid cheques and other vouchers, unpaid and unaccepted bills of exchange and other negotiable instruments and to sign the Bank's form of settlement of balances and release; and • Authority to execute the required documents, and any amendments thereto, regarding signing officers.
Reasons in Support of Delegation	<ul style="list-style-type: none"> • Contributes to the efficient management of the Municipality of Red Lake. • Meets the need to respond to issues in a timely fashion. • Maintains accountability through conditions, limitations and reporting requirements. • Minor in nature. • Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none"> • Mayor; • Alternate to Mayor is Acting Mayor or Designated Councillor(s) as appointed by Resolution. • Treasurer; • Alternate to Treasurer is Chief Administrative Officer, Clerk or Deputy Treasurer.
Council to Retain Power	Yes
Conditions and Limitations	<ul style="list-style-type: none"> • Cheques require two signatures; and • Any two may sign except the Mayor, Acting Mayor and Councillor(s) cannot sign together and the Treasurer, Chief Administrative Officer, Clerk or Deputy Treasurer cannot sign together.
Review or Appeal	Not applicable.
Reporting Requirements	Not applicable.

Schedule "M"

of

By-Law No. 94-2023

Delegation of Power Tax Arrears Extension Agreements

Power to be Delegated	<ul style="list-style-type: none"> To enter into an extension agreement with the provisions of Section 378 of the Municipal Act. Section 378(1), (1.1), (1.2) Municipal Act. Municipality may, after the registration of the tax arrears certificate and before the one-year period mentioned subsection 379(1), Public Sale, enter into an extension agreement, extending the period of time in which the cancellation price is to be paid, with any of the following persons: <ol style="list-style-type: none"> Any owner of land The spouse of any owner Any Mortgagee Any tenant in occupation of the land Any person the treasurer is satisfied has an interest in the land 2017, c. 10, Sched. 1,s.
Reasons in Support of Delegation	<ul style="list-style-type: none"> Contributes to the efficient management of the Municipality of Red Lake. Meets the need to respond to issues in a timely fashion. Maintains accountability through conditions, limitations and reporting requirements. Minor in nature. Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none"> Treasurer/Designate; CAO
Council to Retain Power	Yes
Conditions and Limitations	<ul style="list-style-type: none"> Fully responsible and accountable for the proper and efficient exercise of the powers so delegated. Shall be in compliance with the limitations prescribed in the following: <ol style="list-style-type: none"> Section 378(1) through (6) of the Municipal Act.
Review or Appeal	If breach of extension agreement takes place, tax sale proceedings will continue where they were left off prior to the extension agreement, until the time of public sale – Section 379(1), Municipal Act.
Reporting Requirements	Not applicable.

Schedule "N"

of

By-Law No. 94-2023

Site Plan Control Applications

Power to be Delegated	Decisions on Site Plan Control Applications in accordance to Section 41 of the Planning Act.
Reasons in Support of Delegation	Legislative changes to the Planning Act (Schedule 5 of Bill 109) require that Site Plan Control Application decisions be delegated to Staff (rather than Municipal Councils or Committees of Council) on or after July 1, 2022.
Delegate(s)	<ul style="list-style-type: none">• CAO;• Designate (in writing)
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">• Site Plan Control Applications must be consistent with the Provincial Policy Statement and conform or not conflict with provincial plans.• Site Plan Control Applications must be approved within 30 days of receipt of the Site Plan Control Application.
Review or Appeal	Applicants may appeal failure to approve a Site Plan Control Application within 30 days or may appeal conditions attached to the Site Plan Control Application, to the Ontario Land Tribunal.
Reporting Requirements	Not applicable.

Schedule "O"

of

By-Law No. 94-2023

Airport Revenue Agreements

Power to be Delegated	Authority to execute the following Airport revenue agreements: <ul style="list-style-type: none">• Supplemental (Amending) Agreements• Airport Advertising Licenses
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the Municipality of Red Lake.• Meets the need to respond to issues in a timely fashion.• Maintains accountability through conditions, limitations and reporting requirements.• Minor in nature.• Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none">• CAO• Designate (in writing)
Council to Retain Power	Yes
Conditions and Limitations	<ul style="list-style-type: none">• One (1) signature required by the CAO• Copy of all signed supplemental/airport advertising agreements to be kept on file, either in paper and/or electronic format.
Review or Appeal	Not applicable.
Reporting Requirements	Not applicable.

Schedule "P"

of

By-Law No. 94-2023

Contracts and Agreements

Power to be Delegated	Authority to execute contracts and agreements, and any amendments thereto, within the following thresholds: <ul style="list-style-type: none">• For the purchase of goods and services under \$5,000 excludes HST (<i>budgeted</i>) to Department Head Staff• For the purchase of goods and services under \$50,000 excludes HST (<i>budgeted</i>) to the CAO and Clerk
Reasons in Support of Delegation	<ul style="list-style-type: none">• Contributes to the efficient management of the Municipality of Red Lake.• Meets the need to respond to issues in a timely fashion.• Maintains accountability through conditions, limitations and reporting requirements.• Minor in nature.• Supports the Strategic Plan.
Delegate(s)	<ul style="list-style-type: none">• Requisitioning Department Head• CAO and Clerk• Designate (in writing)
Council to Retain Power	Yes
Conditions and Limitations	<ul style="list-style-type: none">• One (1) signature required by the requisitioning Department Head for purchases of goods and services under \$5,000 (shall be within approved budget for the given year) (excludes HST)• Two (2) signatures required by the CAO and Clerk for purchases of goods and services under \$50,000 (shall be within approved budget for the given year) (excludes HST)• Copy of all signed contracts/agreements to be kept on file, either in paper and/or electronic format.
Review or Appeal	Not applicable.
Reporting Requirements	Not applicable.