

THE CORPORATION OF THE TOWN OF MIDLAND

BY-LAW 2025-50

A By-law to provide for the Delegation of Administrative/Signing Authority by Council and to Repeal By-laws 2007-73 and 2022-29

WHEREAS Section 270 (1) 6 of *the Municipal Act, 2001*, S.O. 2001, Chapter, (the Act), requires that a municipality shall adopt a policy with respect to the delegation of its routine powers and duties; and

WHEREAS Council, adopted By-law 2022-29, delegating Administrative/Signing Authority to Staff; and

WHEREAS the *Municipal Act, 2001*, S.O 2001, Chapter 25, (the Act), section 8 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;

WHEREAS Section 9 of the Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other *Act*;

WHEREAS the Act provides that a By-law may be general or specific in its application and may differentiate in any way and on any basis a municipality considers appropriate; and;

WHEREAS it is deemed appropriate to delegate routine or minor powers and duties to employees to enhance the efficiency of the decision making and administrative processes;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MIDLAND HEREBY ENACTS AS FOLLOWS:

1. That the Staff of the Corporation the Town of Midland are hereby delegated the powers and duties in accordance with the "Delegation of Administrative/Signing Authority" as set out in Appendix A attached.
2. That the Council of the Corporation of the Town of Midland hereby has the sole discretion to request staff to report on specific matters prior to final approval.
3. That the delegated powers may be amended or revoked from time to time by the Council of the Corporation of the Town of Midland by resolution or By-law as required, to reflect Council's transparency and accountability requirements.

4. That By-laws 2007-73 and 2022-29 are hereby repealed.
5. That this By-law shall come into force and effect on the final passage thereof.

BY-LAW PASSED AND ENACTED THIS 24TH DAY OF SEPTEMBER, 2025

THE CORPORATION OF THE TOWN OF MIDLAND

BILL GORDON - MAYOR

SHERRI EDGAR - CLERK

Written approval of this By-law was given by Mayoral Decision MDE-2025-11 dated September 24, 2025.



Appendix "A" to By-law 2025-50
Delegation of Administrative/Signing Authority

Agreements – Signing Officers			
#	Delegate	Delegated Authority	Source of Power/Duty and/or Limitations/Restrictions
1	Mayor or designate and Director of Legislative Services/Town Clerk	<p>The Mayor or Delegate and Clerk are authorized to execute any <i>Planning Act</i> and related agreements without the requirement for a By-law including but not limited to the following:</p> <ul style="list-style-type: none">a) Site plan agreementsb) Subdivision agreementsc) Condominium agreements• Development agreements not listed here that implement various planning approvals and those of a general nature	
2	Executive Director/Director or designate responsible for the program and CFO	<p>Financial/Grant Applications to any government, agency or fund for receipt of:</p> <ul style="list-style-type: none">• Compensation;• Funding; or• any form of subsidy; related to any Town programs, operations or capital projects. <p>Includes subsequent submissions, declarations or representations required for processing the application or the receipt of funds or any Agreements required for the receipt of the funds.</p>	If there are no budget implications or if project has been approved during the budget process and pursuant to the Procurement By-law.
3	Director of Environmental Services or designate or CFO	Reduction of water or sewer charges, penalties or interest up to a limit of \$500	<p>Implemented to incentivize customers to bring accounts up to date or resolve customer service disputes.</p> <p>Only those debts for which all reasonable and appropriate collection action has been taken can be submitted for write-off.</p>



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4	Director of Environmental Services or designate	Documents required for the operation of water and wastewater services including documents prescribed by Regulation/Legislation.	<i>The Safety Drinking Water Act.</i>
5	Executive Director or designate of relevant department	Execute, amend or terminate agreements with third parties, that in effect bind the Town, for the provision or acquisition of goods and services or the day to day operation and business of Town operations and services but subject to any limitations as set out in Town policies adopted by Council	Subject to compliance with the Procurement By-law. Contracts, leases & agreements are limited to no more than five (5) years in length. Any expenditure that is funded through a current year's operating or capital budget, which has been approved by Council.
6	Executive Director or designate responsible for the program.	Agreements, including Cost Sharing Agreements with Simcoe area municipalities, regarding road construction and/or road maintenance pursuant to projects or programs considered or approved by Council.	Costs included in the annual budget.



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7	Executive Director or designate responsible for the program and the Director of Legislative Service/ Town Clerk.	Contracts or agreements for the design, construction, contract administration or the installation of any works or buildings provided that the procurement of the goods and services in question has been approved in accordance with the Procurement By-law.	Subject to the Procurement By-law. Subject to budget approval
8	Executive Director or designate responsible for the program.	Permission to Enter Agreements and other documents permitting the Town or its contractors or agents to enter upon land for any of the purposes of the Town or agreements and other documents permitting others or their contractors or agents to enter upon lands of the Town.	



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#	Delegate	Delegated Authority	Source of Power/Duty and/or Limitations/Restrictions
9	Mayor and Director of Legislative Services/Town Clerk	<p>Agreements of purchase and sale and all deeds, transfers and other documents required to effect registration for the acquisition, purchase, sale or exchange of any interest in land including, without limitation, easements, rights of first refusal, that have been approved by Council.</p> <p>Execution of documents necessary to effect registration of Orders for enforcement purposes.</p> <p>Authority above includes supplemental forms under the Land Registration Reform Act for the registration of any documents that have already been executed on behalf of the Town.</p> <p>Applications on behalf of the Town for entry or removal of a notice or caution of any kind, an inhibiting order, depositing a reference plan or similar registration of any kind in the Land Registry Office.</p>	Subject to Council approval and internal Legal Review
10	Mayor and Director of Legislative Services/Town Clerk	Encroachment Agreements	<p>Subject to consultation with appropriate municipal departments and agencies.</p> <p>Subject to internal Legal Review</p> <p>Denied request may be appealed to Council</p>



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Administration			
#	Delegate	Delegated Authority	Source of Power/Duty and/or Limitations/Restrictions
11	Mayor or Director of Legislative Services/Town Clerk	Issue Proclamation Requests and Flag Raisings	
12	Director of Legislative Services/ Town Clerk or Deputy Clerk	<i>Administration of the Municipal Freedom of Information & Protection of Privacy Act</i> and for decision made thereunder.	By-law 90-69
13	Director of Legislative Services/Town Clerk or designate	Amend the records retention periods for the record of the Corporation including cause the destruction of corporate records which have been retained for the established retention period.	Pursuant to Records Retention Schedule and Policy in accordance with the Council approved records retention by-law. Subject to Town auditors
14	Director of Legislative Services/Town Clerk	Delegation to perform civil marriage ceremonies	<i>Marriage Act</i> - O.Reg. 738 s. 1.1 – with licence from the Minister
15	Director of Legislative Services/Town Clerk or designate	To act as the Division Registrar and Deputy Registrar	<i>Vital Statistics Act</i> – Registrar Generals Office requirement to be notified by the Clerk of appointment.
16	Executive Director and/or Manager of Culture and Tourism	Approve charity walks/rides that do not involve road closures	Notice of events to be included in CIP.
17	Executive Director or Manager of Culture and Tourism	Approve Special Events that are held annually in accordance with the Special Events Policy.	New events requiring a licence from the liquor licensing authority , or are of a significant size require Council approval.
18	Director of Legislative Services/ Town Clerk or designate	Issue letters designating events on municipal property as municipally significant.	Res. 2017-213 Event must meet the requirements of the Town's Special Events Policy.



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Administration			
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19	CAO	<p>Lame Duck Periods</p> <p>During a "lame duck" period, the CAO is delegated the authority to:</p> <p>Appointment of any officer of the municipality provided that the appointment is not required under the Act or removal of any officer required under the Act.</p> <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>Make any expenditures or incur any other liability which exceeds \$50,000 for which was not provided for in the annual budget approved by Council.</p> <p>The CAO and the Chief Financial Officer are authorized to approve capital projects that are underway that exceed the previous approved capital funding amounts.</p>	<i>Municipal Act Section 275</i> <i>Municipal Act s. 23.3 and</i> <i>Pursuant to the Procurement By-law</i>
20	CAO or Legal & Risk Program Manager	Documents required for the settlement or compromise of any claim, action, application or other proceeding brought or made by or against the Town subject to the parameters of the Town's insurance coverages.	Provided the matter and general outcome is consistent with corporate policy and insurer Subject to review, investigation and authorization of the Town's insurer as applicable.
21	CAO or Legal & Risk Program Manager	Retainer of external legal services to provide legal services for uninsured legal matters and provision of general legal services and opinions	Subject to annual budget and in accordance with the Town's Procurement By-Law
22	CAO or Legal & Risk Program Manager	Settlement of Insurance Claims and authority to execute necessary settlement documentation.	Authority to handle claims for amounts less than \$25,000 or within the Town's insurance deductibles.



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23	Executive Director Digital Government & Recreation Services or Legal & Risk Program Manager	Accept service of any legal document on behalf of the Town.	
24	CAO or Legal & Risk Program Manager	Authority to pursue and settle with third parties for the recovery of Town property damage claims for amounts less than \$50,000	By-law 2024-51
25	CAO or Legal & Risk Program Manager	Retain or contract with any prosecutor or hearing officer or other person to provide prosecutions or adjudications services pursuant to Town By-laws	As approved through the budget process

Administration			
#	Delegate	Delegated Authority	Source of Power/Duty and/or Limitations/Restrictions
26	Applicable Executive Director, or Director	Bring by-laws on the following matters to Council for approval without the submission of a corresponding staff report: 1. staff appointments 2. records management and retention 3. fire routes 4. dedication of roads as part of a public highway system 5. assumption of services and works within approved subdivisions 6. traffic matters minor in nature and relative to internal approval processes 7. grant applications	



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Finance			
#	Delegate	Delegated Authority	Source of Power/Duty and/or Limitations/Restrictions
27	CFO, CAO or designate	Sign development charges late payment agreements	In accordance with the Town's Development Charges By-law 2014-79 and <i>the Development Charges Act</i> Subject to internal legal review.
28	CFO or designate	Sign Minutes of Settlement and represent the Town regarding property assessment appeals to the Assessment Review Board.	<i>The Assessment Act</i>
29	CFO or designate	Enter into and execute data sharing agreements for the use of MPAC assessment information	<i>The Municipal Act</i> Must comply with terms and conditions of Municipal Connect Product Use Sheet Documented consultation with appropriate Director and subject to internal legal review.
30	CFO and Mayor	Signing authority for banking services	<i>The Municipal Act</i>
31	CFO or designate	To enter into Charity Tax rebate Agreements	<i>The Municipal Act</i> , s. 361 County of Simcoe By-law 2024-083
32	CFO or designate	Signing authority for all financial reporting to the MTO and MAG relating to the Automated Speed or Administrative Penalties program	
33	CFO or designate	Authority to write-off general/trade accounts receivable	Council approval required for all amounts over \$1,500.00.
34	CFO or designate	Authority to enter into extension agreements for tax arrears	Pursuant to the terms of s. 378 of the Municipal Act



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Fire Services			
#	Delegate	Delegated Authority	Source of Power/Duty and/or Limitations/Restrictions
35	Director of Emergency Services/Fire Chief or designate	Amendments to the Emergency Response Plan and Emergency Management Program Authority to: <ul style="list-style-type: none">make revisions and amendments to the Emergency Response Plan and Emergency Management Program as requiredto negotiate and execute agreements between the municipality and other municipalities, agencies, or organizations to supplement specialized emergency planning, response or recovery services.	<i>Emergency Management and Civil Protection Act</i>
36	Director of Emergency Services/Fire Chief or designate	Authority to take all proper measures for the prevention, control and extinguishment of fires and protection of life and property and shall exercise all powers mandated by the Fire Protection and Prevention Act	<i>Fire Protection and Prevention Act</i>
37	Director of Emergency Services/Fire Chief, CFO or designate	Write off charges imposed relating to False Alarms	Council approval required for all amounts over \$1,000.00.
38	Director of Emergency Services/Fire Chief or designate	Authority to issue and revoke permits for the sale and discharge of fireworks.	By-law 2024-33



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Human Resources			
#	Delegate	Delegated Authority	Source of Power/Duty and/or Limitations/Restrictions
39	Director or Designate	By way of any form of communication but not including: - Collective agreements and amendments thereto and - Contract of employment for any statutory positions as well as the position of Chief Administrative Officer and or senior management team.	Consent of the Director of Human Resources, in consultation with the CAO. Pursuant to approved budget and/or subject to Council approval
40	Director of Human Resources or Designate	Execute, amend or terminate contracts of employment, personnel and student placement agreements, secondment agreements and other documents in respect of persons being placed with the Town or Town employees being placed with other organizations	In consultation with the CAO Does not include collective agreements or amendments thereto. Pursuant to budget approvals.
41	Director of Human Resources	Minutes of settlement and other documents required for the settlement of any labour relations matters.	Director of Human Resources - Up to \$100,000 The Chief Administrative Officer (for proceeds for settlement up to \$1,000,000)
42	Director of Human Resources	Memoranda of agreement pertaining to collective bargaining negotiations provided that such memoranda are conditional upon Council approval.	in consultation with the CAO.



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Human Resources			
#	Delegate	Delegated Authority	Source of Power/Duty and/or Limitations/Restrictions
43	Director of Human Resources or designate	Negotiate and administration of benefits program including: Health, Dental, STD, LTD, WSIB and OMERS	in consultation with the CAO.



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Municipal Law Enforcement			
#	Delegate	Delegated Authority	Limitations/Restrictions and/or Source of Power or Duty
44	Manager of Municipal Law Enforcement	Approve exemptions to the Noise Control By-law	For events that have been exempt in the past. By-law 2009-104
45	Manager of Municipal Law Enforcement	Issue licences pursuant to the By-law to license and regulate Auctioneers, Hawkers and Peddlers, Farmers' Markets and Refreshment Vehicles	By-law 2010-28
46	Manager of Municipal Law Enforcement and Chief Building Official	Administration and Enforcement of Sign By-law Chief Building Official responsible for the issuing of Sign Permits	By-law 2011-79 and amendment including 2013-72, 2014-13, 2014-95, 2015-65 and 2016-43
47	Manager of Municipal Law Enforcement	Issue licences pursuant to the Taxi By-law	By-law 2017-87
48	Manager of Municipal Law Enforcement	Temporarily designate additional accessible parking spaces during special events.	
49	Manager of Municipal Law Enforcement	Authorize Annual Permit Free Garage Sale Weekends	By-law 2012-52
50	Manager of Municipal Law Enforcement	Grant approval or impose conditions for operation of a permanent or temporary patio and/or use of municipal sidewalks	By-law 2024-23



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Operations and Engineering			
#	Delegate	Delegated Authority	Source of Power/Duty and/or Limitations/Restrictions
51	Executive Director responsible designate	Approve temporary road closures on streets and laneways: <ul style="list-style-type: none">• For construction and maintenance work• Lowering posted speed limits within a construction zone• Detour routes• Sidewalk and trail closures• Temporary road crossings• Temporary intersections• Special Events	Municipal Act s. 23.2(5) Subject to consultation with appropriate municipal departments and agencies Notice to be given to the public and Council
52	Executive Director or designate	Approve the temporary removal of parking restrictions during construction activities.	
53	Executive Director or Designate	Approve temporary weight and speed restrictions on roads	
54	Executive Director or Designate	Documents required for the operation of the fleet including ownership and renewals and filings required by federal and provincial legislation.	
55	Executive Director or Designate	Authority to enter into and execute site alteration, pre-servicing,	



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Planning Services			
#	Delegate	Delegated Authority	Source of Power/Duty and/or Limitations/Restrictions
56	Executive Director of Community & Growth or designate	Authority to execute development agreements not addressed in the Planning Act including but not limited to model home agreements and tree cutting agreements	
57	Executive Director of Community & Growth or Delegate	Planning Act Agreements Authority to prepare all applicable agreements related directly and indirectly (as appropriate to the satisfaction of the Executive Director of Community & Growth) to <i>Planning Act</i> applications without requirement for Council approval for execution by Mayor or Designate and Clerk	<i>Planning Act</i> as applicable
58	Executive Director of Community & Growth or Designate	Authority to approve applications for Part Lot Control and Deeming By-laws that are located within a registered Plan of Subdivision. Bylaw would go to Council for approval.	<i>Planning Act</i> as applicable
59	Executive Director of Community & Growth or Designate	Authority to determine and distinguish between different categories of <i>Planning Act</i> applications (i.e. minor/major or as appropriate) and assign associated fees approved in the fees & charges by-law.	By-law 2007-24 and amended by 2009-81
60	Executive Director of Community & Growth or Designate	Authority to: <ul style="list-style-type: none">make amendments to Municipal Heritage Registerapprove permit applications for alterations to heritage designated properties	By-law 2007-73, Ontario Heritage Act, s. 33 & 42
61	Executive Director of Community & Growth or Designate	Maintain a system for the assigning of Municipal Addresses to Buildings or Lots and Street Names to public and private Streets within the Town as set out in the Municipal Addressing Manual.	By-law 2024-61
62	Executive Director of Community & Growth or Designate	Authority to schedule public meetings, public information sessions and open houses regarding and related to Planning Act applications and community planning initiatives.	<i>Planning Act</i> as applicable By-law 2023-61 By-law 2019-59
63	Executive Director of Community & Growth	Authority with respect to all matters provided for by Plans of Subdivision 51(1) 51. (2) and 51 ((58) of the Planning Act,	<i>Planning Act</i> as applicable 51(1) 51(2) 51(47) 51(58)



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	or Designate	1990, as amended and as otherwise may be applicable to: <ul style="list-style-type: none">• approve plans of subdivision and condominiums and/or revisions including to the draft plan and/or conditions of draft approved plans of subdivision and plans of condominium if reviewed by Council during the development approval process;• approve changes to draft plans of subdivision and condominium and changes to conditions without Council review or the requirement for notice where in the opinion of the Executive Director of Community & Growth or Designate, those changes are determined to be minor and do not alter the intent of Council's draft plan approval;• determine if a plan of condominium may be exempt from a formal plan of condominium process• issue draft plan extensions totalling no more than four (4) years to an existing Council approved draft plan• prepare subdivision and condominium agreements for execution by Mayor or Delegate and Clerk	By-law 2019-59
64	Executive Director of Community &Growth or Designate	Authority to determine whether or not applications under the Planning Act or related applications are deemed complete or incomplete and/or sufficient for receipt and processing as may be applicable.	<i>Planning Act</i> as applicable, s. 22(6.1), 34(10.4), 51(19.1) 53(3), 45(4) By-law 2023-61 By-law 2019-59 By-law 2002-88
65	Executive Director of Community &Growth or Designate	Authority to: <ul style="list-style-type: none">• establish application requirements including but not limited to any drawings, studies, reports and their respective contents;• require that reports and studies be structured by way of a terms of reference that may be prepared by the applicant and be approved to the satisfaction of the Executive Director of Community & Growth or Delegate as part of the pre-submission prior to filing a formal application for consideration as a complete application in accordance with the Planning Act;	<i>Planning Act</i> as applicable s. 22(6.1), 34(10.4), 51(19.1) 53(3) By-law 2023-61 By-law 2019-59



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		<ul style="list-style-type: none">• prepare and update any terms of reference for issuance as necessary as requirements for the preparation of drawings, studies and reports.	
66	Executive Director of Community &Growth or Designate	Authority to: <ul style="list-style-type: none">• approve site plan applications & amendments to site plan applications and conditions of approval• remove site plan agreements from title prior to and/or in conjunction with approval and/or registration of updated site plan agreement on a property• prepare site plan agreements without Council approval for execution by Mayor or Delegate and Clerk.	<i>Planning Act, s. 41</i> By-law 2013-13 By-law 2023-6184 By-law 2019-59
67	Executive Director of Community &Growth or Designate	Authority to calculate and determine the lands or dollar amount required to be conveyed to the Town as parkland or cash-in-lieu of parkland, as it relates to an application made under the Planning Act.	<i>Planning Act, s.51.1, 51.2, 53</i> By-law 90-64 By-law 2023-61 By-law 2019-59
68	Executive Director of Community &Growth or Designate	Authority to determine whether to employ dispute resolution techniques for appeals to applications for applicable Planning Act applications.	<i>Planning Act s. 51(49.1), 34, 53, 41, 45,</i>
69	Executive Director responsible or designate	Authority to provide comments for new Telecommunication Towers and Antenna Facilities in accordance with appropriate legislation (Industry Canada)	CPC-2-0-03 Radiocommunication and Broadcasting Antenna Systems; Other policies as applicable.
70	Executive Director of Community &Growth or Designate	Authority to approve minor variances and amendments to the Town's Sign by-law.	
71	Executive Director of Community &Growth or Designate	Authority to prepare and execute agreements that fulfill conditions imposed by the Committee of Adjustment in relation to an approved Minor Variance and/or Consent applications	<i>Planning Act s.45 (9.1)</i>
72	Executive Director of Community & Growth or Designate	Authority to pass by-laws to approve applications for lifting Holding Symbol.	<i>Planning Act s.34</i>



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Building Services			
#	Delegate	Delegated Authority	Source of Power/Duty and/or Limitations/Restrictions
73	Chief Building Official	Authority to issue Conditional Building Permits and enter into Conditional Permit Agreements	<i>Building Code Act s. 8(3), 8(3.1)</i>
74	Executive Director of Community & Growth or designate	Authority to execute agreements exempting affordable and attainable residential units from development charges	<i>Development Charges Act s. 4.1</i>