



Report to Council

To: Mayor and Council Members
From: Connie Parent, Clerk
Date: February 6, 2026
Subject: Delegation of Powers and Duties Policy

Recommendation:

1. That Council adopt a by-law at the end of the meeting to adopt a policy to delegate municipal powers and duties and to set out the powers and duties that are delegated by Council.
2. That Council defer the draft by-law to adopt a policy to delegate municipal powers and duties and to set out the powers and duties that are delegated by Council; to allow staff time to address any revisions as recommended by Council.

Background:

North Kawartha By-Law 2020-0004 adopts a policy to delegate municipal powers and duties and sets out the powers and duties that are delegated by Council. The following by-laws were adopted from time to time to further set out additional delegations and are noted in Schedule A to the Delegation By-Law for reference purposes.

- 2024-0018 – Amend By-Law 2020-0004 to delegate to Clerk and Director of Parks and Recreation regarding use of municipal facilities and resources for a reduced rate or free of charge
- 2022-0073 – Delegate to Clerk authority for Site Plan Control Agreements
- 2020-0028 - Delegation to CAO during the COVID-19 pandemic (90 days)
- 2018-0020 – Delegation to CAO during Lane Duck
- 2017-0081 – Delegation to Treasurer to file complaints to Assessment Review Board
- 2017-0059 – Delegation to Clerk regarding Election Agreements
- 2015-0142 – Delegate to the Clerk the duties of the Head for purposes of the Municipal Freedom of Information and Protection of Privacy Act
- 2015-0012 – Delegate authority to determine complete applications under the Planning Act



Township of North Kawartha

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The [Municipal Act](#), 2001 S.O.2001, Section 23.1 provides the authority for Council to delegate routine powers and duties with some restrictions as set out in [Section 23.3](#). The Municipal Act, 2001 S.O.2001, [Section 270 Subsection 6](#) states “that a municipality shall adopt and maintain policies with respect to the following matters”, one of those matters being ‘The delegation of its powers and duties.’ This policy is to set out the parameters by which Council will consider the delegation of routine powers and duties.

Analysis:

Delegation of certain Council powers and duties is considered where there is an opportunity to streamline the decision-making process which serves to simplify processes, improves responsiveness and improves efficiencies in operations. Delegation of routine and other matters allows Council, as a collective, to focus their time on more complex and strategic initiatives. It is timely to review and update all existing by-laws that delegate council authority as may be appropriate and to combine existing by-laws together into one by-law for ease of reference for council and staff.

Except for the restrictions noted in the Municipal Act, 2001, Council may delegate its powers and duties under the Municipal Act, 2001 and other legislation to:

- One or more Councillors or a Council Committee;
- A body having at least two Councillors of whom at least 50 per cent are:
 - members of its council,
 - individuals appointed by its council,
 - or a combination of the above,
- or an individual who is an officer, employee or agent of the municipality.

Council may include in the delegation by-law or policy:

- Any procedures staff with delegated authority are required to follow to complete the powers and duties assigned.
- That the delegation of power may only be exercised to the staff member appointed in the by-law or policy or that both the municipality and the delegate can exercise the power.
- Conditions and limits to the delegation power and duties.
- Council shall require staff to report quarterly and/or annually, statistical information on the number of times the delegated authority was exercised to ensure accountability of the delegation. Exceptions to reporting are identified in Schedule A to this report and are considered operational in nature.

Any issues that arise with respect to the delegation of powers and duties and/or any new powers or duties which are proposed to be delegated shall be addressed to Council through separate report(s).



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Council may revoke any delegation of powers and duties at any time by repeal of the delegation by-law or policy providing there are no contracts and/or other legal documents which may need to be considered in the revocation.

No delegation by-law or policy shall restrict a future Council from the ability to revoke the delegation powers and duties unless provided for in a contract and/or by legislation.

Council shall not delegate legislative and quasi-judicial powers as noted in [Section 23.2 \(1\)](#) of the Municipal Act, 2001, as amended, with the exception of those noted in Section 23.2 (2) dealing with Planning Act issues.

As noted in the Municipal Act, [Section 23.2 \(4\)](#), Council shall not delegate legislative power to an individual who is an officer, employee or agent of the municipality unless, in the opinion of the Council, the power being delegated is of a minor nature. In determining if a power is of a minor nature, the Council, in addition to any other factors it wishes to consider, shall have regard to the number of people, the size of geographic area and the time period affected by an exercise of the power.

Council recognizes that restrictions of powers and duties do not apply to delegation of administrative and operational matters which are identified to be within staff's realm as defined by [Sections 227, 228 and 229 of the Municipal Act](#).

Financial Implications:

As may be approved in the annual budget and in compliance with requirements of procurement policy.

Strategic and/or Other Plans:

Governance – 1. Maintain policies and processes that enable effective governance.

Consultant(s) Sourced:

Alana Solman, Chief Administrative Officer

Department Managers

Attachment:

Draft By-Law Delegation By-Law and Schedule

Current By-Laws available upon request