

TORONTO MUNICIPAL CODE
CHAPTER 169, OFFICIALS, CITY

Chapter 169

OFFICIALS, CITY

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[History: Adopted by the Council of the City of Toronto December 13, 2018 by By-law 17-2019¹. Amendments noted where applicable.]

General References

Accountability officers - See Ch. 3.

Signing authority - See Ch. 257.

City of Toronto Act, 2006 - See S.O. 2006, c. 11, Sched. A

Municipal Freedom of Information and Protection of Privacy Act - See R.S.O. 1990, c. M.56.

Weed Control Act - See R.S.O. 1990, c. W.5.

**Article 1
City Manager**

§ 169-1.1. Senior official; deputy managers.

- A. The City Manager is the City's chief administrative officer under the City of Toronto Act, 2006.
- B. The City Manager provides organizational leadership to staff and is responsible for the efficient and effective delivery of services.
- C. The City Manager is assisted by three Deputy City Managers and a Chief Financial Officer and Treasurer.
- D. A Deputy City Manager reports to the City Manager and shall perform the duties and exercise the responsibilities that are assigned by the City Manager or Council.

§ 169-1.2. Administration and operation responsibilities.

The City Manager is the head of the administrative and operational aspects of the government of the City of Toronto and is responsible to the Council for the proper administration of the affairs of the City, including organizational restructuring, in accordance with the by-laws adopted by the Council.

§ 169-1.3. Development and implementation of policies, plans and programs.

The City Manager is responsible for providing effective advice and support to the Mayor and Council in developing and implementing the policies, plans and programs of Council.

§ 169-1.4. Management of resources.

The City Manager shall manage the human, fiscal and physical resources of the City.

¹ Editor's Note: By-law 17-2019 replaced Chapter 169, Officials, City, in its entirety. By-law 17-2019 is deemed to have come into force on October 23, 2018.

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§ 169-1.5. Power to appoint, promote, demote, suspend and dismiss.

The City Manager shall appoint, promote, demote, suspend and dismiss, subject to the provisions of any personnel regulations adopted by Council or collective agreements applicable to employees of the City, all employees of the City except the following:

- A. The first level of senior management;
- B. The Auditor General, Integrity Commissioner, Lobbyist Registrar and Ombudsman and the staff of their offices; and
- C. Other statutory officials.

§ 169-1.6. Recommendations concerning first level senior management and statutory officials.

The City Manager shall recommend to Council the appointment and dismissal of first level senior management and statutory officials of the City.

§ 169-1.7. Exception.

Despite § 169-1.6, the City Manager shall not recommend the appointment and dismissal of:

- A. The Auditor General.
- B. The Integrity Commissioner.
- C. The Lobbyist Registrar.
- D. The Ombudsman.

§ 169-1.8. Additional duties and responsibilities.

The City Manager shall carry out such additional duties and exercise such additional responsibilities as the Council may, from time to time, prescribe.

§ 169-1.9. Limitation of powers.

Nothing in this article shall be deemed to empower the City Manager to exercise or encroach upon the powers of Council or its committees or upon the statutory duties of its officers.

§ 169-1.10. Appointment of alternates.

As designated in writing from time to time by the City Manager, a Deputy City Manager or the Chief Financial Officer and Treasurer is authorized to act in the place of the City Manager when the City Manager is absent from the City Manager's duties due to travel, illness or otherwise.

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Article 2
City Clerk

§ 169-2.1. Responsibility.

In addition to all duties imposed upon the Clerk by the City of Toronto Act, 2006 and any other statutes and by any by-law of the Council, the Clerk shall have full charge and control of and be fully responsible for the conduct of the City Clerk's Office for the City of Toronto.

§ 169-2.2. Information and records management.

- A. The City Clerk shall set objectives for the management of information and records.
- B. The City Clerk shall consult with other City divisions and develop the framework of policies, standards, procedures, programs and systems needed for the effective and efficient fulfillment of objectives for the management of City information and records.

§ 169-2.3. Powers and duties under the Municipal Freedom of Information and Protection of Privacy Act.

- A. Subject to Subsection B, City Council delegates to the City Clerk the powers and duties of the head set out in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), and the City Clerk shall exercise all of the powers and duties granted or vested in the head of the City under MFIPPA for the City.
- B. Where the City Clerk is aware of a situation where the City Clerk is unable to exercise the powers or duties of the head, the City Manager, upon notification from the City Clerk, shall be empowered, as an alternate, to exercise those powers and perform those duties.

§ 169-2.4. Authority to process by-laws.

- A. The City Clerk may process by-laws where an action is authorized by Council and if the recommendation to amend a by-law or introduce a bill has been omitted or if there is an error in the reference to the by-law that should be amended or if it is necessary to repeal a by-law.
- B. The City Clerk may process by-laws if the by-law is required as a result of the coming into force of Part VI.1 of the City of Toronto Act, 2006 or a decision made by the Mayor under Part VI.1 of the City of Toronto Act, 2006. **[Added 2022-12-15 by By-law 68-2023]**

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- C. The City Clerk may process by-laws if the Chief Planner and Executive Director, City Planning and their designate exercises delegated authority under § 415-18.2 of Chapter 415, Development of Land. [Added 2023-07-20 by By-law 701-2023²]

§ 169-2.5. Additional duties and responsibilities.

The Clerk shall carry out such additional duties and exercise such additional responsibilities as Council may from time to time prescribe.

Article 3

Deputy City Manager, Corporate Services, Chief Financial Officer and Treasurer and Controller

§ 169-3.1. Deputy City Manager, Corporate Services, responsibilities.

The Deputy City Manager, Corporate Services, is responsible for the internal corporate services at the City and shall perform the duties and exercise the responsibilities that are assigned to the Deputy City Manager, Corporate Services by the City Manager and Council.

§ 169-3.2. Chief Financial Officer and Treasurer, responsibilities.

In addition to the duties imposed on a treasurer under the City of Toronto Act, 2006, other legislation and City by-laws, the Chief Financial Officer and Treasurer is responsible for the financial management and affairs of the City and shall perform the duties and exercise the responsibilities that are assigned to the Chief Financial Officer and Treasurer by the City Manager and Council.

§ 169-3.3. Controller, responsibilities.

In order to permit the Chief Financial Officer and Treasurer to focus on corporate finance, financial planning and finance and administration, the person appointed to the City's management position of Controller:

- A. Is appointed as deputy treasurer under section 138 of the City of Toronto Act, 2006; and
- B. Reports to the Chief Financial Officer and Treasurer and shall perform the duties and exercise the responsibilities that are assigned to the Controller by the City Manager, the Chief Financial Officer and Treasurer and Council.

² Editor's Note: By-law 701-2023 came into force and effect on the day Amendment 660 to the Official Plan of the City of Toronto come in force and effect. Amendment 660 was adopted by By-law 700-2023, which came into force on August 24, 2023. Consequently, By-law 701-2023 came into force on August 24, 2023.

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- C. Is delegated the power and authority to hold hearings and make final decisions as required by Chapter 778, Taxation, Vacant Home Tax, in respect of appeals under that chapter. [Added 2022-02-03 by By-law 97-2022³]

§ 169-3.4. Additional duties and responsibilities.

The Deputy City Manager, Corporate Services, the Chief Financial Officer and the Treasurer, and the Controller shall carry out such additional duties and exercise such additional responsibilities as Council may from time to time prescribe.

**Article 4
Chief People Officer⁴**

§ 169-4.1. Responsibilities.

The Chief People Officer is responsible for human resources and labour relations services for the City.

§ 169-4.2. Additional duties and responsibilities.

The Chief People Officer shall carry out such additional duties and exercise such additional responsibilities as Council may from time to time prescribe.

**Article 5
City Solicitor**

§ 169-5.1. Responsibility.

In addition to all duties imposed upon the City Solicitor by the City of Toronto Act, 2006 and any other statutes, and by any by-law of the Council, the City Solicitor shall have full charge and control of and be fully responsible for the conduct of the Legal Services Division for the City.

§ 169-5.2. Authority to process by-laws.

- A. The City Solicitor may process by-laws where an action is authorized by Council and if the recommendation to amend a by-law or introduce a bill has been omitted or if there is an error in the reference to the by-law that should be amended or if it is necessary to repeal a by-law.
- B. The City Solicitor, in consultation with the City Clerk, may submit bills directly to Council to make technical amendments to the Municipal Code and other by-laws to correct technical errors, to update the by-laws to refer to the current statute, City official title, administrative unit and Municipal Code provision and to repeal by-laws of the

³ Editor's Note: By-law 97-2022 came into force on January 1, 2022.

⁴ Editor's Note: By-law 1397-2019 deleted all references to the title "Executive Director of People, Equity and Human Rights" in this chapter and replaced them with the title "Chief People Officer".

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former municipalities that have been superseded by provisions in the Municipal Code or as a result of an administrative reorganization.

- C. The City Solicitor, in consultation with the City Clerk, may submit bills directly to Council to update the Municipal Code to reflect organizational or governance changes, to refresh chapters for readability, accessible and clear language and to reflect current code style.
- D. The City Solicitor, in consultation with the City Clerk, may submit bills directly to Council for enactment where an action is required as a result of the coming into force of Part VI.1 of the City of Toronto Act, 2006 or a decision made by the Mayor under Part VI.1 of the City of Toronto Act, 2006. **[Added 2022-12-15 by By-law 68-2023]**
- E. If the Chief Planner and Executive Director, City Planning and their designate exercises delegated authority under § 415-18.2 of Chapter 415, Development of Land, the City Solicitor will submit the by-law to the City Clerk for processing under § 169-2.4C. **[Added 2023-07-20 by By-law 701-2023⁵]**

§ 169-5.3. Additional duties and responsibilities.

The City Solicitor shall carry out such additional duties and exercise such additional responsibilities as Council may from time to time prescribe.

Article 6
General Manager of Shelter, Support and Housing Administration

§ 169-6.1. Authority concerning funding agreements.

[Amended 2020-04-30 by By-law 327-2020⁶; 2022-03-09 by By-law 165-2022]

In accordance with a City Council approved Shelter, Support and Housing Administration Service Plan, the General Manager, Shelter, Support and Housing Administration, or the Acting General Manager, Shelter, Support and Housing Administration, as the case may be, is delegated authority to:

- A. submit applications, including all documents required for processing the application, to any government or agency, for funding related to any homelessness services;
- B. enter into contribution agreements, transfer payment agreements, or related agreements, including any amending agreements, with the federal or provincial governments, or a related federal or provincial agency or corporation, for the receipt and expenditure of

⁵ Editor's Note: By-law 701-2023 came into force and effect on the day Amendment 660 to the Official Plan of the City of Toronto come in force and effect. Amendment 660 was adopted by By-law 700-2023, which came into force on August 24, 2023. Consequently, By-law 701-2023 came into force on August 24, 2023.

⁶ Editor's Note: Previous § 169-6.1. Authority concerning supporting communities partnership initiative agreements was deleted in its entirety by By-law 327-2020.

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funds for provision of homelessness services in Toronto on such terms and conditions as are satisfactory to the General Manager, and in a form approved by the City Solicitor; and

- C. enter into agreements or arrangements with other City divisions, federal or provincial agencies, community organizations, private entities, or individuals to allocate and deliver the funding set out in Section 169-6.1B, provided that the funding is within the approved City Council budget and is allocated and delivered in accordance with the provisions of the contribution agreement, transfer payment agreement, or related agreement, and any applicable program guidelines and directives.

Article 7
General Manager of Economic Development and Culture

§ 169-7.1. Approval of commercial façade grants.

The General Manager of Economic Development and Culture or the General Manager's designate, or both, are authorized to approve commercial façade grants in accordance with the terms and conditions and criteria set out in the Clause 38 of Economic Development and Parks Committee Report 9, as adopted by the Council of the City of Toronto at its meeting held on October 3, 4 and 5, 2000.

Article 8
General Manager of Parks, Forestry and Recreation

§ 169-8.1. Area weed inspector appointments.

- A. The General Manager of Parks, Forestry and Recreation is responsible for monitoring the need for changes to the City's area weed inspector appointments made by by-law under the Weed Control Act.
- B. When the General Manager of Parks, Forestry and Recreation determines that it is necessary to appoint an employee as an area weed inspector under the Weed Control Act, to repeal the appointment of an area weed inspector as a result of changes in employment or duties, or to make technical amendments to current appointments (for example, to reflect a name change), the General Manager may request the City Solicitor to submit the necessary bill directly to Council.

Article 9
Chief Building Official

§ 169-9.1. Deputy Chief Building Officials.

- A. When the Chief Building Official and one or more Deputy Chief Building Officials are absent, each of the remaining Deputy Chief Building Officials may exercise any of the powers of the Chief Building Official in any absent Deputy's assigned area and shall do so in any order or according to any schedule established by the Chief Building Official from time to time.

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- B. For purposes of Subsection A, an official is absent when unavailable to act due to illness or any other cause or when the office is vacant.

Article 10
Executive Director, Municipal Licensing and Standards

§ 169-10.1. Authority concerning funding agreements.

The Executive Director, Municipal Licensing and Standards, is delegated authority to:

- A. Submit applications, including all documents required for processing the application, to any government, agency, community organization, private entity or individual for funding related to the provision of Council-approved programs and services provided by Toronto Animal Services; and
- B. Enter into contribution agreements, transfer payment agreements, grant agreements or other related agreements with any government, agency, community organization, private entity or individual for the purposes of receiving and using funds for the provision of Council-approved programs and services provided by Toronto Animal Services on such terms and conditions as are satisfactory to the Executive Director, and in a form approved by the City Solicitor, provided that the cumulative amount received from any individual order of government, agency, community organization, private entity or individual shall not exceed \$500,000 in any calendar year.