

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, June 21, 2024 Meeting

FROM: Kathryn Lockyer, Director, Legislative and Property
Services

RE: UPDATES TO TRCA’S SIGNING OFFICERS POLICY

KEY ISSUE

Approval of updates to Toronto and Region Conservation Authority’s (TRCA) Signing Officers Policy.

RECOMMENDATION:

THAT Updates to TRCA’s Signing Officers Policy and Attachment 1: TRCA Approved Assignment of Authorized Signing Officers, be approved.

BACKGROUND

The last update to the Signing Officers Policy was made on October 25, 2019 and approved through RES.#A 185/19. Following the Corporate Services Division realignment announced on January 30, 2024, changes to the Signing Officers Policy are required to align with the assignments of responsibilities to the Director, Corporate Services and Director, Legislative and Property Services. The policy and attachments were further updated following consultation with TRCA Legal Counsel and Divisional Directors for the purpose of streamlining approvals and, creating further efficiencies to processes and workflows, as well as for alignment with the updated organizational structure to take effect in June 2024.

RATIONALE

The revised policy makes minor amendments to the existing Signing Officers Policy to reflect TRCA’s Corporate Services Division realignment and new organizational structure to take effect June 2024. The revised policy also helps to ensure accountability and streamlining of approvals so as to create efficiencies. The proposed changes to the policy carries forward the requirement for documents to be signed by the Chair or Vice-Chair, together with the Chief Executive Officer or Director, Corporate Services and/or Director, Legislative and Property Services.

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Additional changes were made to include Divisional Directors as Authorized Signing Officers across multiple categories and types of agreements.

The policy clarifies that documents related to the acquisition of land or interests in land, in addition to those related to the sale or disposal of interests in land, be signed by the Chair or Vice-Chair, together with the Chief Executive Officer or Director, Legislative and Property Services.

The policy updates the signing officer for agreements relating to banking and financial services which are required to be signed by the Chair or Vice Chair, together with the Chief Executive Officer or Director, Corporate Services, and documents for the purposes of banking and financial services operations that must be signed by the Chair, Vice-Chair, Chief Executive Officer or Director, Corporate Services.

The policy requires that all other agreements, contracts, and legally binding documents be signed by an Authorized Signing Officer in consultation with the Director, Legislative and Property Services and Legal Counsel (internal and/or external, if required).

The proposed changes to the categories are as follows:

Property

Residential Rental Agreements:

- Residential leases are now mostly following the standardized provincial form and are re-signed every year with the rent increase notice. Now that the provincial form of lease is being used consistently, and the additional conditions revised and reformatted, those can be processed as “templates”.

Consent to release document from title:

- To be changed to “Routine registrations” to better reflect the existing practice regarding the types of documents. Generally, these documents are initiated and prepared by the Law Clerk and approved by Legal Counsel prior to signature. Only one signature is required (unlike the land transfer or permanent easement registrations) since these

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are routine, low risk and administrative in nature.

Land Titles Office Registration:

- Included to acknowledge that the registration of deeds, easements, etc. which are pre-approved by Legal Counsel, can be signed by Legal Counsel.

Planning Act Declaration:

- Documents are sworn/affirmed outside the database and the Law Clerk adds them to the applicable “Transfer of Land or Easement” database item. This information is included on the chart for the purpose of assigning signing authority. The Clerk and Manager, Policy will now be responsible for commissioning sworn statements including Planning Act declarations, Canadian Construction Documents Committee (CCDC) payment declarations, and other sworn statements or affidavits as required.

Lease (1 year or less):

- Addition of leases for farmland property which are low risk and routine in nature to be signed off by the CEO or Director, Legislative and Property Services. These types of leases no longer require Board approval.

Minister’s Approval:

- Changed to “Ministers Notification or Information Letter”. This minor revision is proposed to reflect updated requirements under the Act, and to reflect the disposition context. This type of document is included on the chart for the purpose of assigning signing authority. The letters do not need to be processed separately through the database and should instead be included with the transfer documents processed for signature under “Transfer of Land or Easement”. Board approval is still required for dispositions.

Revenue

Ministry of Transportation (MTO):

- Agreements with MTO for the Authorized Requester Information Services (ARIS) was added as MTO requires an Authorized Signatory (AS) to be assigned to the account

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who has legally binding signing authority for TRCA. The AS is responsible for the requirements to complete semi-annual re-verification, complete an annual declaration to verify that the organization is in compliance with agreement terms, and is ultimately responsible to ensure authorized agreement contacts are maintained, order processers (authorized TRCA staff) are modified (added/ removed), to ensure the organization's compliance with the Agreements security and confidentiality provision.

Enforcement and Compliance:

- Inclusion of Trespass to Property Act for the purposes of the enforcement provisions. The Senior Manager, Enforcement and Compliance is authorized to enforce TPA to partnering enforcement agencies.

Other Agreements

Data Sharing Agreements:

- This section was revised to include Internal TRCA data and/or External Agency data, requiring agreements to be reviewed for acquiring data for TRCA use as well as on-request for specific usage/projects. The Director, Corporate Services or Chief Information Office (CIO) becomes the signing officer for non-standard agreements and the Divisional Director for standard agreements.

Other minor housekeeping amendments were made to remove references to the former position of the Chief Financial and Operating Officer which has been replaced with Divisional Director(s) and/or Director, Legislative and Property Services or Director, Corporate Services.

Relationship to TRCA's 2023-2034 Strategic Plan

This report supports the following Pillar and Outcome set forth in TRCA's 2023-2034 Strategic Plan:

Pillar 4 Service Excellence:

4.4 Transparent decision making and accountable results

FINANCIAL DETAILS

There are no financial implications related to this report.

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DETAILS OF WORK TO BE DONE

Policy to be posted for TRCA staff and applicable updates to procurement and agreement database to be made to reflect the resulting updated workflow and approvals framework.

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Date: April 16, 2024

Attachments: 2

Attachment 1: LPS-2.11-P Signing Officers Policy

Attachment 2: LPS-2.11-P Attachment 1: TRCA Approved Assignment of Authorized Signing Officers