



Staff Report

Administration

Report To: Committee of The Whole
Meeting Date: December 1, 2020
Report Number: FAF.20.188
Subject: Revisions to Council Delegation of Powers and Duties Follow Up
Prepared by: Shawn Everitt, Chief Administrative Officer

A. Recommendations

THAT Council receive Staff Report FAF.20.188, entitled "Revisions to Council Delegation of Powers and Duties Follow Up";

AND THAT Council endorse the delegated authority revisions as presented;

AND THAT Council direct staff to schedule a public meeting on February 8, 2021 to review the proposed delegated authority revisions as presented in Attachment 3 of this report;

B. Overview

This report outlines the follow up to suggested revisions to the existing Corporate Policy POL.COR.07.04 "Delegation by Council of Powers and Duties" made in Staff Report FAF.20.113. This report will help Council and the public understand what decisions need to be made by Council and what decisions can be made by Town staff.

C. Background

Policy POL.COR.07.04 (Attachment 1) is a policy required by the Municipal Act, 2001 and previous revisions to the policy were made in 2008, 2009, 2013, 2015 and 2016. The Municipal Act, 2001 also requires the Town to consult with the public on any revisions being made to policy POL.COR.07.04 before the policy is approved by Council.

In September of 2020, staff provided Council with Staff Report FAF.20.113 (Attachment 2) and approved the following motion at the September 21, 2020 Council meeting:

THAT Council receive Staff Report FAF.20.113, entitled "Revisions to Council Delegation of Powers and Duties";

AND THAT Council receive the proposed revisions to the specific By-laws outlined in attachment 3 of this report for information purposes;

AND THAT Council direct the various Committee of the Whole Chairs to work with staff to develop recommendations to Council regarding the delegated authorities, CARRIED.

D. Analysis

During the months of October and November of this year, staff met with the various Committee of the Whole Chairs to review the proposed revisions to the existing Delegation of Powers and Duties.

The reviews required a total of 4.5 hours of staff time to coordinate and perform, with 2 of those hours being dedicated to the review of the 15 delegated authorities currently allotted to Planning and Development Services staff.

Staff suggest including the following new delegated authority, identified as 4.8 in the Administration section of Attachment 3, to the Director of Legal Services:

4.8 Approval of requests for relief from the Town's current Noise By-law that occur between the hours of 7:00 a.m. and 11:59 p.m.

This delegated authority, would allow the Director of Legal Services to approve applications for relief from the Town's Noise By-law (2002-9) much more quickly than the current process allows.

A complete list of the proposed revisions to the existing Delegation of Powers and Duties, including associated rationales, is outlined in Attachment 3 of this report.

During the public review process, staff will also be investigating opportunities to enhance the existing delegated authority by-laws to develop efficiencies and provide clarity for both staff and the public.

E. Strategic Priorities

1. Communications and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders.

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

The use of delegated authorities continues to require staff to consider sustainability and to ensure limited environmental impacts.

G. Financial Impact

None

H. In consultation with

Councillor Jim Uram, Planning and Development Services Chair

Councillor Rob Sampson, Finance, Administration, Enforcement and Fire Chair

Deputy Mayor Rob Potter, Community Services and Operations Chair

Nathan Westendorp, Director of Planning and Development Services

Ruth Prince, Director of Finance and IT Services

Ryan Gibbons, Director of Community Services

Shawn Carey, Director of Operations

I. Public Engagement

The topic of this Staff Report will be the subject of a Public Meeting and/or a Public Information Centre in accordance with the following proposed schedule:

- **December 1** Committee of the Whole – Initial staff report (FAF.20.188) with recommendation to proceed to public consultation;
- **December 14** Council – Recommendations from (December 1) Committee of the Whole confirmed;
- **January 4** Public Meeting Notice posted
- **January 7, 21 and February 4** Public Meeting advertised in Collingwood Connection;
- **February 8** Council – Public Meeting at 5:00 p.m.
- **March 23** Committee of the Whole – Follow-up report with Public Meeting feedback;
- **April 6** Council – Recommendations from (March 23) Committee of the Whole confirmed;
- **May 4** Committee of the Whole – report with proposed draft by-laws
- **May 17** Council – Recommendations from (May 4) Committee of the Whole confirmed;
- **May 31** Council – Enactment of approved by-laws

Any comments regarding this report should be submitted to Shawn Everitt, Chief Administrative Officer at cao@thebluemountains.ca.

J. Attached

1. Delegation by Council of Powers and Duties Policy (POL.COR.07.04)
2. FAF.20.113 Revisions to Council Delegation of Powers and Duties
3. Proposed Delegated Authority Revisions

Respectfully Submitted,

Shawn Everitt
Chief Administrative Officer

For more information, please contact:
Shawn Everitt, Chief Administrative Officer
cao@thebluemountains.ca
519-599-3131 extension 234

TOWN OF THE BLUE MOUNTAINS

POLICY & PROCEDURES

Delegation by Council of Powers and Duties

Subject Title:

Corporate Policy (Approved by Council)	<input checked="" type="checkbox"/>	Policy Ref. No.:	POL.COR.07.04
Administrative Policy (Approved by CAO)	<input type="checkbox"/>	By-law No.:	As noted in Schedule "A" to Policy
Department Policy: (Approved by Mgr.)	<input type="checkbox"/>	Name of Dept.:	Administration
Date Approved: January 28, 2008		Staff Report:	A.07.35

Policy Statement

Policy direction for Council procedure in the delegation of its powers and duties as described section 23.1 of the *Municipal Act, 2001*.

Purpose

Compliance with Section 270 of the *Municipal Act, 2001*.

Application

This Policy applies to the actions or decisions to be undertaken or made by the municipality, its Council, its Senior Management Team and Local Boards as defined in subsection 269.1 of the *Municipal Act, 2001*, all collectively called the "municipality", for the purpose of providing accountability and transparency in the municipal decision-making process and its actions.

Council will endeavour in its actions to ensure accountability for its decisions and the manner in which decisions are made will be transparent to the public.

The *Municipal Act, 2001* requires a municipality to adopt a Policy with respect to the delegation and the carrying out of delegated powers and duties of Council as described in the *Municipal Act, 2001*, the *Planning Act*, the *Building Code Act* and any other Act so as to increase the accountability and transparency of the municipal decision-making process.

In order to ensure the efficient management of the municipality and an ability to respond to issues in a timely manner, Council has the ability to delegate certain powers and duties to municipal officers, employees or agents, while maintaining accountability through this Policy document.

The powers and duties delegated by Council are not considered to be legislative or quasi-judicial and are considered to be administrative or minor in nature and may be subject to such conditions and limits as Council considers appropriate.

The persons to whom Council may delegate certain powers and duties shall be officers, employees or agents of the municipality.

All delegation of powers and duties by Council shall be confirmed by By-law and may be revoked by Council at any time.

Town Staff shall prepare regular reports for Council providing detail on any delegated approvals granted.

Council, at their sole discretion, retains the right to hear any appeal made by a person or body of a delegated approval decision and to determine the process by which an appeal hearing shall proceed. Council may delegate the right to hear any appeal in a manner to be determined by Council.

Definitions

Delegation: shall mean the transfer of approval authority of certain powers and duties from Council to designated Town officer, employee or agent positions under certain terms and conditions as identified by Policy and confirmed by By-law.

Procedures

The delegations previously delegated are hereby continued to be delegated by Council to the appointed Town Officer, Employee or Agent positions. Delegations are as noted on the attached Schedule "A".

Exclusions

Unless specifically delegated in this or any subsequent Policy, all the powers and duties of Council as described in the *Municipal Act, 2001* shall remain with Council.

The following powers and duties cannot be delegated by Council:

- a) The power to appoint or remove from office an officer of the municipality whose appointment is required by the *Municipal Act, 2001*.
- b) The power to pass By-laws for municipal taxation or tax collection.

- c) The power to incorporate corporations.
- d) The power to adopt an Official Plan or Official Plan Amendment or pass a Zoning By-law under the *Planning Act*.
- e) The power to pass a By-law for the establishment of a counselling service to small businesses operating in the municipality or for the provision of municipal capital facilities.
- f) The power to adopt a Community Improvement Plan.
- g) The power to adopt or amend the budget of the municipality.
- h) Any other power or duty that may be prescribed.

References and Related Policies

By-Laws referenced on Schedule “A”

Consequences of Non-Compliance

Non-compliance with the *Municipal Act, 2001* is subject to the remedies prescribed therein.

Review Cycle

This policy will be reviewed each term of Council by the Senior Management Team for report to Council in open session.

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
1. PLANNING & DEVELOPMENT SERVICES			
1.1 Review and comment on "red-line" revisions to Draft Plan of Subdivision/Condominium to the County of Grey	Director of Planning & Development Services, or designate		By-Law 2008-10 dated January 28, 2008
1.2 Minor Site Plan approvals that would otherwise be in compliance and would not generate extensive site works and where Staff would not ordinarily recommend a Site Plan Agreement as being required	Director of Planning & Development Services, or designate		By-Law 2008-10 dated January 28, 2008
1.3 Review and comment on Niagara Escarpment Development Permit Applications that would otherwise be in compliance with zoning regulations were they in effect. Any application that would not be in compliance shall be reviewed by Council	Director of Planning & Development Services, or designate		By-Law 2008-10 dated January 28, 2008
1.4 Model Home Agreements required for sales and display where permitted by zoning regulations and contemplated by development agreement	Director of Planning & Development Services, or designate		By-Law 2008-10 dated January 28, 2008

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

	Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
1.5	Tree Preservation Agreements, in a form approved by the Town's solicitor, required by a Subdivision Agreement	Director, Planning & Development Services, or designate		By-Law 2009-85 dated December 14, 2009
1.6	Municipal Clearances to the County of Grey with respect to Draft Plan Approval to facilitate registration upon fulfillment of conditions	Director, Planning & Development Services, or designate		By-Law 2009-85 dated December 14, 2009
1.7	The provision of consent to the County of Grey with respect to a Draft Plan extension be delegated to the Director of Planning and Development Services provided: a) municipal services continue to be available b) new legislation, regulations, policies and/or by-laws would not preclude the proposed development; and c) the request for Draft Plan extension does not apply to a Draft Plan Approval given prior to December 13, 2002.	Director, Planning & Development Services, or designate		By-Law 2009-85 dated December 14, 2009 Revised October 7, 2013
1.8	Site Plan Approval, with such delegation limited to those developments that are in conformity with the applicable Zoning By-Law. Where an owner or designated agent does not agree with the terms and/or conditions of a delegated Approval, the owner and/or agent may request that Council review and / or modify such terms and / or conditions of the Approval.	Director, Planning & Development Services, or designate		By-Law 2012-76 dated December 17, 2012

**SCHEDULE “A”
DELEGATION BY COUNCIL OF POWERS AND DUTIES**

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
1.9 Agreements with Registered Code Agencies to perform specified functions with regard to the <i>Building Code Act, S.O. 1992</i>	Chief Building Official	Building Code Act, S.O. 1992	By-Law 2008-10 dated January 28, 2008
1.10 Conditional Building Permit Agreements made under the <i>Building Code Act, S.O. 1992</i>	Chief Building Official	Building Code Act, S.O. 1992	By-Law 2008-10 dated January 28, 2008
1.11 Delayed Demolition Agreements, in a form approved by the Town’s Solicitor	Chief Building Official		By-Law 2009-85 dated December 14, 2009
1.12 Alteration of Grade / Fill Agreements in a form approved by the Town’s Solicitor required under the Town’s Alteration of Grade / Fill By-Law	Manager, Building and By-Law Services		By-Law 2009-85 dated December 14, 2009
1.13 Execution of Holding Tank Agreement	Chief Building Official	Ontario Building Code, Part 8	By-law 2014-18 dated March 31, 2014
1.14 Execution of subdivision and condominium agreements, in a form approved by the Town’s solicitor, that reflect the approved conditions of a plan of subdivision or a plan of condominium	Director, Planning and Development Services, or designate, being the Manager of Development Engineering		By-law 2015-63 dated December 21, 2015

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
1.15 Authority for determining and notifying if the information and material required to accompany Official Plan and Zoning By-law Amendment applications made under the Planning Act. R.S.O. 1990, c.P.13 has, or has not been provided, to the Director of Planning and Development Services, or in his absence to the Manager of Development Planning	Director, Planning and Development Services, or Manager of Development Planning	<i>Planning Act</i> , R.S.O. 1990 c.P.13	By-Law 2007-35 dated April 16, 2007
2. FINANCE AND IT SERVICES			
2.1 Authorization of reduction of Letters of Credit related to progress of development works subject to recommendation by Town Staff	Town Treasurer or designate (Deputy Treasurer) and Director of Planning and Development Services, or designate		By-law 2008-10 dated January 28, 2008
2.2 Delegation of authority to sign agreements to accept grants, or funding agreements where no municipal contribution is required or where the municipal contribution has been budgeted for and does not exceed the purchasing limits assigned to the Director of Finance, delegated to the Director of Finance, or designate and Appropriate Department Director, or designate	Director of Finance or designate, being the Manager of Accounting and Budgets, AND Appropriate Department Director, or designate		By-law 2015-63 dated December 21, 2015
2.3 Delegate the Powers and Duties of the Municipality in respect of filing complaints with the Assessment Review Board	Treasurer, Town of The Blue Mountains	Assessment Act, R.S.O. 1990 c.A.31	By-law 2003-29 dated March 31, 2003

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

	Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
2.4	Delegate the Execution of all Information Technology, Confidentiality, Non-Disclosure and Data Security Agreements shall be delegated to the Director of Finance and IT or designate, being the Manager of Accounting and Budgets	Director of Finance & IT or designate being the Manager of Accounting and Budgets		By-law 2016-5 dated January 25, 2016
3. INFRASTRUCTURE AND PUBLIC WORKS				
3.1	Municipal Consents under Franchise Agreements addressing use of public highway allowances by public corporations and utility and service providers	Director of Infrastructure and Public Works, or designate (Roads and Drainage Manager)		By-law 2008-10 dated January 28, 2008
3.2	Prepare, maintain, update and administer Town Engineering Standards. Modifications which may result in a significant increase in liability or long term costs be endorsed by Council. Each edition of the Engineering Standards should be provided as information to Council	Director of Infrastructure and Public Works		By-law 2008-47 dated May 26, 2008
3.3	Authority to temporarily close a highway under the jurisdiction of the Town for any period of time during the construction, repairing or improvement of such highway or any works under, over, along, across or upon such highways	Director of Infrastructure and Public Works, or designate		By-Law 2013-26 dated June 17, 2013

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

	Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
3.4	Preparation and execution of Municipal Land Use Permits and Agreements. With the exception of Building Permits, any permit that affects the Georgian Trail within the Town of The Blue Mountains jurisdiction shall be issued and approved by Council	Director of Infrastructure and Public Works, or designate		By-Law 2014-65 dated September 22, 2014 Revised June 20, 2016
3.5	Designate Reduced Load Periods	Manager of Roads and Drainage, or designate		By-Law 2010-54 dated August 9, 2010
3.6	Execution of various governmental forms and applications related to proposed Works on Town lands as applicable (Permit to Take Water, Environmental Compliance Approval, Applications.)	Director of Infrastructure and Public Works, or designate, being the Manager of Water and Wastewater Services		By-law 2015-63 dated December 21, 2015
3.7	Execution of Form 1 – Record of Watermains Authorized as a Future Alteration	Director of Infrastructure and Public Works, or designate, being the Manager of Water and Wastewater Services		By-law 2015-63 dated December 21, 2015
4. CHIEF ADMINISTRATIVE OFFICER and TOWN CLERK				
4.1	Certification of Title Applications noting no objection to land description for development lands, subject to review and recommendation by Town Staff	Town Clerk		By-law 2008-10 dated January 28, 2008

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
4.2 Pre-Servicing Agreements authorizing developers to install certain works at their own risk, prior to finalization of Subdivision and Development Agreements, subject to recommendation of CAO, Director of Planning and Development Services and Town Solicitor	Mayor and Town Clerk		By-law 2008-10 dated January 28, 2008
4.3 Review and comment on Ministry of Natural Resources Work on Shoreland Permit Applications. Such applications to be presented to Council for review and consideration where concerns with the Application are noted by Staff	Town Clerk or designate		By-Law 2008-124 dated December 22, 2008
4.4 Execution of Site Plan Agreements, Plans of Subdivision and Consents (subject to appropriate internal controls including receiving advice from the CAO, Director of Planning and Development Services and other Town employees, officers and/or agents as are deemed necessary)	Mayor and Town Clerk	Planning Act, Section 41 Site Plan Approval, Section 51 Plans of Subdivision, Section 53 Consents	By-Law 2012-76 dated December 17, 2012
4.5 Execution of Expropriation Documents, with approval of CAO and Solicitor	Town Clerk, or designate, being the Deputy Clerk		By-law 2015-63 dated December 21, 2015

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
4.6 During the time that regular Council meetings are suspended (summer vacation or any other reason) delegation to approve tenders, and requests for proposals, award contracts and execute contracts provided that the total costs are within the approved budget contained in the relevant departmental budget and that a report regarding these matters be brought to Council at its next regular meeting	Chief Administrative Officer, or designated Department Director		By-law 2015-63 dated December 21, 2015
4.7 Delegation of "head" under the Municipal Freedom of Information and Protection of Privacy Act	Town Clerk	Municipal Freedom of Information and Protection of Privacy Act	By-law 2014-32 dated June 2, 2014
5. COMMUNITY SERVICES			
5.1 Designated authority to approve Special Events in accordance with the Special Events Policy	Director of Community Services, or designate		By-law 2013-39 To Regulate Special Events dated September 16, 2013
5.2 Designated authority to approve activities taking place within a park	Director of Community Services, or designate		By-Law 2015-10 Parks and Facilities By-law dated March 9, 2015

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
5.3 Preparation and execution of Municipal Land Use Permits and Agreements. With the exception of Building Permits, any permit that affects the Georgian Trail within the Town of The Blue Mountains jurisdiction shall be issued and approved by Council	Director of Community Services, or designate		By-Law 2014-65 dated September 22, 2014 Revised June 20, 2016

This document can be made available in other accessible formats as soon as practicable and upon request



Staff Report

Administration

Report To: Committee of The Whole
Meeting Date: September 8, 2020
Report Number: FAF.20.113
Subject: Revisions to Council Delegation of Powers and Duties
Prepared by: Shawn Everitt, Chief Administrative Officer

A. Recommendations

THAT Council receive Staff Report FAF.20.113, entitled "Revisions to Council Delegation of Powers and Duties";

AND THAT Council receive the proposed revisions to the specific By-laws outlined in attachment 3 of this report for information purposes;

AND THAT Council direct the various Committee of the Whole Chairs to work with staff to develop recommendations to Council regarding the delegated authorities;

B. Overview

This report outlines suggested revisions to the existing Corporate Policy POL.COR.07.04 "Delegation by Council of Powers and Duties". This report will help Council and the public understand what decisions need to be made by Council and what decisions can be made by Town staff.

C. Background

Policy POL.COR.07.04 (Attachment 1) is a policy required by the Municipal Act, 2001 and previous revisions to the policy were made in 2008, 2009, 2013, 2015 and 2016. The Municipal Act, 2001 also requires the Town to consult with the public on any revisions being made to policy POL.COR.07.04 before the policy is approved by Council.

In February of 2019, staff provided Council with staff report FAF.19.023 (Attachment 2) that outlined the current delegated authorities that were approved by the previous Council in June of 2016. As a follow up to that report, staff have provided Council with suggested revisions to the Town's existing Delegated Authority Policy for consideration.

On March 11, 2019, Council approved the following motion:

THAT Council receive Staff Report FAF.19.23, entitled “Review of Delegation by Council of Powers and Duties”;

AND THAT Council direct staff to provide a follow-up report on delegated authority, including a decision tree for each delegated authority, where appropriate.

D. Analysis

The Town’s recently approved Corporate Strategic Plan highlights and prioritizes the need to provide communication early and often, while also adopting the philosophy of a “Plan to Execute” process. The main purpose of having Council provide staff with Delegated Authority is to provide another tool to assist in the “Plan to Execute” process. In many cases, providing staff with delegated authority provides a level of efficiency to the process as staff are making decisions without having to get Council approval while using their professional skill sets to make decisions and provide approvals at the staff level.

Staff believe it is critically important to provide Council and the public with a better understanding of the Town’s decision-making and approval process. The overview of the delegated authorities, including the rationale for each are outlined for consideration in Attachment 3.

These existing delegated authorities have been implemented in order to ensure efficient management of the municipality. The Delegation of these Powers and Duties are supported by professional and accountable staff and each delegated authority is provided to specific positions within the organization. These decisions and approvals are supported by having strong Corporate and Administrative Policies and Procedures in place. However, staff must identify and, with complete disclosure, note that the provision of delegated authorities by Council results in specific processes not requiring Council approval. Also, approvals provided by staff, using delegated authorities, do not require staff reports to be brought to an open session of Council. Finding a balance while also providing consistency, effectiveness and efficiency in the decision making in the approval process is critical and will always be based on a level of Transparency, Trust and Accountability.

Delegated authority being provided to staff from Council instills a significant level of trust and accountability from Council to staff. However, the provision of delegated authority can also be viewed and has been viewed in the past in some cases as reducing transparency and communication with the public.

Some delegated authorities were granted to comply with applicable legislative requirements such as the delegated authority of establishing the “Head” for the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). More often, delegated authorities were granted to provide for more efficient municipal operations by having professional and competent staff provide approvals for operational and managerial aspects of municipal work.

To address concerns surrounding the of lack of transparency and communication, staff have developed a new staff report template for implementation this fall. The revised staff report

template was an action item identified in the Town's approved Corporate Strategic Plan. This revised template will help provide the transparency and information for the public and Council by highlighting the specific delegated authorities that are being used or will be used for the specific subject matter of the report. This delegated authority information would be identified early in processes and projects so Council can choose whether to keep the delegated authority in place or withdraw it for the specific process or project in question.

At this point, staff are presenting Council with the list of delegated authorities, the rationale for each delegated authority and recommendations for potential revisions. A follow up staff report will be presented to Council to outline the delegated authority revisions that staff suggest could be considered at a public meeting.

E. The Blue Mountains Strategic Plan

Goal #1: Create Opportunities for Sustainability

Objective #1 Retain Existing Business

Objective #2 Attract New Business

Objective #3 Promote a Diversified Economy

Objective #4 Support Value-Added Agriculture and Culinary Tourism

Goal #2: Engage Our Communities & Partners

Objective #1 Improve External Communication with our Constituents

Objective #3 Strengthen Partnerships

Goal #4: Promote a Culture of Organizational & Operational Excellence

Objective #1 To Be an Employer of Choice

Objective #2 Improve Internal Communications Across our Organization

Objective #3 To Consistently Deliver Excellent Customer Service

Objective #4 To Be a Financially Responsible Organization

Objective #5 Constantly Identify Opportunities to Improve Efficiencies and Effectiveness

Goal #5: Ensure Our Infrastructure is Sustainable

Objective #2 Avoid Unexpected Infrastructure Failure and Associated Costs and Liability

Objective #3 Implement Best Practices in Sustainable Infrastructure

Objective #4 Ensure that Infrastructure is Available to Support Development

F. Environmental Impacts

None

G. Financial Impact

Delegated authorities provide workflow and process efficiencies within the Town.

H. In consultation with

Senior Management Team

Town Clerk

I. Public Engagement

The topic of this Staff Report has not yet been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Shawn Everitt, Chief Administrative Officer at cao@thebluemountains.ca.

J. Attached

1. POL.COR.07.04 “Delegation by Council of Powers and Duties”
2. Staff Report FAF.19.023 Review of Delegation by Council of Powers and Duties
3. Delegated Authority Rationales and Processes

Respectfully Submitted,

Shawn Everitt
Chief Administrative Officer

For more information, please contact:
Shawn Everitt, Chief Administrative Officer
cao@thebluemountains.ca
519-599-3131 extension 234

TOWN OF THE BLUE MOUNTAINS

POLICY & PROCEDURES

Delegation by Council of Powers and Duties

Subject Title:

Corporate Policy (Approved by Council)	<input checked="" type="checkbox"/>	Policy Ref. No.:	POL.COR.07.04
Administrative Policy (Approved by CAO)	<input type="checkbox"/>	By-law No.:	As noted in Schedule "A" to Policy
Department Policy: (Approved by Mgr.)	<input type="checkbox"/>	Name of Dept.:	Administration
Date Approved: January 28, 2008		Staff Report:	A.07.35

Policy Statement

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Purpose

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Council will endeavour in its actions to ensure accountability for its decisions and the manner in which decisions are made will be transparent to the public.

The *Municipal Act, 2001* requires a municipality to adopt a Policy with respect to the delegation and the carrying out of delegated powers and duties of Council as described in the *Municipal Act, 2001*, the *Planning Act*, the *Building Code Act* and any other Act so as to increase the accountability and transparency of the municipal decision-making process.

In order to ensure the efficient management of the municipality and an ability to respond to issues in a timely manner, Council has the ability to delegate certain powers and duties to municipal officers, employees or agents, while maintaining accountability through this Policy document.

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Definitions

Delegation: shall mean the transfer of approval authority of certain powers and duties from Council to designated Town officer, employee or agent positions under certain terms and conditions as identified by Policy and confirmed by By-law.

Procedures

The delegations previously delegated are hereby continued to be delegated by Council to the appointed Town Officer, Employee or Agent positions. Delegations are as noted on the attached Schedule "A".

Exclusions

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The following powers and duties cannot be delegated by Council:

- a) The power to appoint or remove from office an officer of the municipality whose appointment is required by the *Municipal Act, 2001*.
- b) The power to pass By-laws for municipal taxation or tax collection.

- c) The power to incorporate corporations.
- d) The power to adopt an Official Plan or Official Plan Amendment or pass a Zoning By-law under the *Planning Act*.
- e) The power to pass a By-law for the establishment of a counselling service to small businesses operating in the municipality or for the provision of municipal capital facilities.
- f) The power to adopt a Community Improvement Plan.
- g) The power to adopt or amend the budget of the municipality.
- h) Any other power or duty that may be prescribed.

References and Related Policies

By-Laws referenced on Schedule “A”

Consequences of Non-Compliance

Non-compliance with the *Municipal Act, 2001* is subject to the remedies prescribed therein.

Review Cycle

This policy will be reviewed each term of Council by the Senior Management Team for report to Council in open session.

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
1. PLANNING & DEVELOPMENT SERVICES			
1.1 Review and comment on "red-line" revisions to Draft Plan of Subdivision/Condominium to the County of Grey	Director of Planning & Development Services, or designate		By-Law 2008-10 dated January 28, 2008
1.2 Minor Site Plan approvals that would otherwise be in compliance and would not generate extensive site works and where Staff would not ordinarily recommend a Site Plan Agreement as being required	Director of Planning & Development Services, or designate		By-Law 2008-10 dated January 28, 2008
1.3 Review and comment on Niagara Escarpment Development Permit Applications that would otherwise be in compliance with zoning regulations were they in effect. Any application that would not be in compliance shall be reviewed by Council	Director of Planning & Development Services, or designate		By-Law 2008-10 dated January 28, 2008
1.4 Model Home Agreements required for sales and display where permitted by zoning regulations and contemplated by development agreement	Director of Planning & Development Services, or designate		By-Law 2008-10 dated January 28, 2008

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

	Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
1.5	Tree Preservation Agreements, in a form approved by the Town's solicitor, required by a Subdivision Agreement	Director, Planning & Development Services, or designate		By-Law 2009-85 dated December 14, 2009
1.6	Municipal Clearances to the County of Grey with respect to Draft Plan Approval to facilitate registration upon fulfillment of conditions	Director, Planning & Development Services, or designate		By-Law 2009-85 dated December 14, 2009
1.7	The provision of consent to the County of Grey with respect to a Draft Plan extension be delegated to the Director of Planning and Development Services provided: a) municipal services continue to be available b) new legislation, regulations, policies and/or by-laws would not preclude the proposed development; and c) the request for Draft Plan extension does not apply to a Draft Plan Approval given prior to December 13, 2002.	Director, Planning & Development Services, or designate		By-Law 2009-85 dated December 14, 2009 Revised October 7, 2013
1.8	Site Plan Approval, with such delegation limited to those developments that are in conformity with the applicable Zoning By-Law. Where an owner or designated agent does not agree with the terms and/or conditions of a delegated Approval, the owner and/or agent may request that Council review and / or modify such terms and / or conditions of the Approval.	Director, Planning & Development Services, or designate		By-Law 2012-76 dated December 17, 2012

SCHEDULE “A”
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
1.9 Agreements with Registered Code Agencies to perform specified functions with regard to the <i>Building Code Act</i> , S.O. 1992	Chief Building Official	Building Code Act, S.O. 1992	By-Law 2008-10 dated January 28, 2008
1.10 Conditional Building Permit Agreements made under the <i>Building Code Act</i> , S.O. 1992	Chief Building Official	Building Code Act, S.O. 1992	By-Law 2008-10 dated January 28, 2008
1.11 Delayed Demolition Agreements, in a form approved by the Town’s Solicitor	Chief Building Official		By-Law 2009-85 dated December 14, 2009
1.12 Alteration of Grade / Fill Agreements in a form approved by the Town’s Solicitor required under the Town’s Alteration of Grade / Fill By-Law	Manager, Building and By-Law Services		By-Law 2009-85 dated December 14, 2009
1.13 Execution of Holding Tank Agreement	Chief Building Official	Ontario Building Code, Part 8	By-law 2014-18 dated March 31, 2014
1.14 Execution of subdivision and condominium agreements, in a form approved by the Town’s solicitor, that reflect the approved conditions of a plan of subdivision or a plan of condominium	Director, Planning and Development Services, or designate, being the Manager of Development Engineering		By-law 2015-63 dated December 21, 2015

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
1.15 Authority for determining and notifying if the information and material required to accompany Official Plan and Zoning By-law Amendment applications made under the Planning Act. R.S.O. 1990, c.P.13 has, or has not been provided, to the Director of Planning and Development Services, or in his absence to the Manager of Development Planning	Director, Planning and Development Services, or Manager of Development Planning	<i>Planning Act</i> , R.S.O. 1990 c.P.13	By-Law 2007-35 dated April 16, 2007
2. FINANCE AND IT SERVICES			
2.1 Authorization of reduction of Letters of Credit related to progress of development works subject to recommendation by Town Staff	Town Treasurer or designate (Deputy Treasurer) and Director of Planning and Development Services, or designate		By-law 2008-10 dated January 28, 2008
2.2 Delegation of authority to sign agreements to accept grants, or funding agreements where no municipal contribution is required or where the municipal contribution has been budgeted for and does not exceed the purchasing limits assigned to the Director of Finance, delegated to the Director of Finance, or designate and Appropriate Department Director, or designate	Director of Finance or designate, being the Manager of Accounting and Budgets, AND Appropriate Department Director, or designate		By-law 2015-63 dated December 21, 2015
2.3 Delegate the Powers and Duties of the Municipality in respect of filing complaints with the Assessment Review Board	Treasurer, Town of The Blue Mountains	Assessment Act, R.S.O. 1990 c.A.31	By-law 2003-29 dated March 31, 2003

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
2.4 Delegate the Execution of all Information Technology, Confidentiality, Non-Disclosure and Data Security Agreements shall be delegated to the Director of Finance and IT or designate, being the Manager of Accounting and Budgets	Director of Finance & IT or designate being the Manager of Accounting and Budgets		By-law 2016-5 dated January 25, 2016
3. INFRASTRUCTURE AND PUBLIC WORKS			
3.1 Municipal Consents under Franchise Agreements addressing use of public highway allowances by public corporations and utility and service providers	Director of Infrastructure and Public Works, or designate (Roads and Drainage Manager)		By-law 2008-10 dated January 28, 2008
3.2 Prepare, maintain, update and administer Town Engineering Standards. Modifications which may result in a significant increase in liability or long term costs be endorsed by Council. Each edition of the Engineering Standards should be provided as information to Council	Director of Infrastructure and Public Works		By-law 2008-47 dated May 26, 2008
3.3 Authority to temporarily close a highway under the jurisdiction of the Town for any period of time during the construction, repairing or improvement of such highway or any works under, over, along, across or upon such highways	Director of Infrastructure and Public Works, or designate		By-Law 2013-26 dated June 17, 2013

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
3.4 Preparation and execution of Municipal Land Use Permits and Agreements. With the exception of Building Permits, any permit that affects the Georgian Trail within the Town of The Blue Mountains jurisdiction shall be issued and approved by Council	Director of Infrastructure and Public Works, or designate		By-Law 2014-65 dated September 22, 2014 Revised June 20, 2016
3.5 Designate Reduced Load Periods	Manager of Roads and Drainage, or designate		By-Law 2010-54 dated August 9, 2010
3.6 Execution of various governmental forms and applications related to proposed Works on Town lands as applicable (Permit to Take Water, Environmental Compliance Approval, Applications.)	Director of Infrastructure and Public Works, or designate, being the Manager of Water and Wastewater Services		By-law 2015-63 dated December 21, 2015
3.7 Execution of Form 1 – Record of Watermains Authorized as a Future Alteration	Director of Infrastructure and Public Works, or designate, being the Manager of Water and Wastewater Services		By-law 2015-63 dated December 21, 2015
4. CHIEF ADMINISTRATIVE OFFICER and TOWN CLERK			
4.1 Certification of Title Applications noting no objection to land description for development lands, subject to review and recommendation by Town Staff	Town Clerk		By-law 2008-10 dated January 28, 2008

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
4.2 Pre-Servicing Agreements authorizing developers to install certain works at their own risk, prior to finalization of Subdivision and Development Agreements, subject to recommendation of CAO, Director of Planning and Development Services and Town Solicitor	Mayor and Town Clerk		By-law 2008-10 dated January 28, 2008
4.3 Review and comment on Ministry of Natural Resources Work on Shoreland Permit Applications. Such applications to be presented to Council for review and consideration where concerns with the Application are noted by Staff	Town Clerk or designate		By-Law 2008-124 dated December 22, 2008
4.4 Execution of Site Plan Agreements, Plans of Subdivision and Consents (subject to appropriate internal controls including receiving advice from the CAO, Director of Planning and Development Services and other Town employees, officers and/or agents as are deemed necessary)	Mayor and Town Clerk	Planning Act, Section 41 Site Plan Approval, Section 51 Plans of Subdivision, Section 53 Consents	By-Law 2012-76 dated December 17, 2012
4.5 Execution of Expropriation Documents, with approval of CAO and Solicitor	Town Clerk, or designate, being the Deputy Clerk		By-law 2015-63 dated December 21, 2015

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
4.6 During the time that regular Council meetings are suspended (summer vacation or any other reason) delegation to approve tenders, and requests for proposals, award contracts and execute contracts provided that the total costs are within the approved budget contained in the relevant departmental budget and that a report regarding these matters be brought to Council at its next regular meeting	Chief Administrative Officer, or designated Department Director		By-law 2015-63 dated December 21, 2015
4.7 Delegation of "head" under the Municipal Freedom of Information and Protection of Privacy Act	Town Clerk	Municipal Freedom of Information and Protection of Privacy Act	By-law 2014-32 dated June 2, 2014
5. COMMUNITY SERVICES			
5.1 Designated authority to approve Special Events in accordance with the Special Events Policy	Director of Community Services, or designate		By-law 2013-39 To Regulate Special Events dated September 16, 2013
5.2 Designated authority to approve activities taking place within a park	Director of Community Services, or designate		By-Law 2015-10 Parks and Facilities By-law dated March 9, 2015

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
5.3 Preparation and execution of Municipal Land Use Permits and Agreements. With the exception of Building Permits, any permit that affects the Georgian Trail within the Town of The Blue Mountains jurisdiction shall be issued and approved by Council	Director of Community Services, or designate		By-Law 2014-65 dated September 22, 2014 Revised June 20, 2016



Staff Report

Administration

Report To: Committee of The Whole
Meeting Date: February 27, 2019
Report Number: FAF.19.023
Subject: Review of Delegation by Council of Powers and Duties
Prepared by: Shawn Everitt, Interim CAO

A. Recommendations

THAT Council receive Staff Report FAF.19.23, entitled "Review of Delegation by Council of Powers and Duties" for information;

B. Overview

The purpose of this report is to provide clarity and transparency to Council and the Public of the specific delegated authorities provided to staff by Council as recent as June of 2016. This report will assist Council and the Public in understanding what decisions can be made by Town staff supported by the Town's Delegation by Council of Powers and Duties Policy & Procedure POL.COR.07.04.

C. Background

The Municipal Act, 2001 requires a municipality to adopt a Policy with respect to the delegation and carrying out of delegated powers and duties of Council. The Town's Policy & Procedure POL.COR.07.04 fulfills the requirement of the Municipal Act, 2001. The following points are taken directly from the Application Section of POL.COR.07.04 (Attachment 1).

- In order to ensure the efficient management of the municipality and an ability to respond to issues in a timely manner, Council has the ability to delegate certain powers and duties to municipal officers, employees or agents, while maintaining accountability through this Policy document.
- The powers and duties delegated by Council are not considered to be legislative or quasi-judicial and are considered to be administrative or minor in nature and may be subject to such conditions and limits as Council considers appropriate.
- The persons to whom Council may delegate certain powers and duties shall be officers, employees or agents of the municipality.
- All delegation of powers and duties by Council shall be confirmed by By-law and may be revoked by Council at any time.

- Town Staff shall prepare regular reports for Council providing detail on any delegated approvals granted.
- Council, at their sole discretion, retains the right to hear any appeal made by a person or body of a delegated approval decision and to determine the process by which an appeal hearing shall proceed. Council may delegate the right to hear any appeal in a manner to be determined by Council.

Revisions to the Policy POL.COR.07.04 were approved in 2008, 2009, 2013, 2015 and 2016. The complete listing of the Delegation by Council of Powers and Duties are included in (Attachment 1) of this report.

To note, any proposed Corporate Policy or revisions to a Corporate Policy require the approval of Council.

D. Analysis

Staff believe that this report is critically important to provide a better understanding for Council and the Public on how the Delegation by Council of Powers and Duties provides staff with the direction and guidance in decision making and the approval process as approved and supported by the Town's Policy & Procedure POL.COR.07.04.

As noted in the Background section of this report, the Delegation by Council of Powers and Duties provides tools in order to ensure the efficient management of the municipality and an ability to respond to issues in a timely manner.

These tools by way of the Delegation by Council of Powers and Duties allow certain municipal officer(s), employee(s) or agent(s), to make decisions and may also provide certain approvals based on appropriate Policy, Standards, legislation etc. The Policy also includes for the municipal officer(s), employee(s) or agent(s) to maintain accountability of those decisions and or approvals.

With the beginning of a new Term of Council and the priority to communicate and provide important information to the Public, the review of the Delegation by Council of Powers and Duties is very timely.

Council has the option to receive this review as information. Council also has the option to review the existing Delegation of Powers and Duties and further, Council may consider having staff provide additional information in modifying, removing, or adding Delegated Powers and Duties in a future report to Committee.

It is important to note that these tools have been implemented in order to ensure efficient management of the municipality. The Delegation of these Powers and Duties are supported by professional and accountable staff at the Town, and these decisions and approvals are supported by strong Policies and Procedures and always require the testing of upper tier policies, engineering standards, legislative requirements, etc. However, staff must identify that the provision of Powers and Duties by Council will result in a process that does not require

Council approval or decisions being made in an open session of Council. Finding a balance while also providing consistency, effectiveness and efficiency in the decision making and approval process is critical and will always be based on a level of Transparency, Trust and Accountability.

E. The Blue Mountains Strategic Plan

Goal #1: Create Opportunities for Sustainability

Objective #1 Retain Existing Business

Objective #2 Attract New Business

Objective #3 Promote a Diversified Economy

Objective #4 Support Value-Added Agriculture and Culinary Tourism

Goal #2: Engage Our Communities & Partners

Objective #1 Improve External Communication with our Constituents

Objective #3 Strengthen Partnerships

Goal #4: Promote a Culture of Organizational & Operational Excellence

Objective #1 To Be an Employer of Choice

Objective #2 Improve Internal Communications Across our Organization

Objective #3 To Consistently Deliver Excellent Customer Service

Objective #4 To Be a Financially Responsible Organization

Objective #5 Constantly Identify Opportunities to Improve Efficiencies and Effectiveness

Goal #5: Ensure Our Infrastructure is Sustainable

Objective #2 Avoid Unexpected Infrastructure Failure and Associated Costs and Liability

Objective #3 Implement Best Practices in Sustainable Infrastructure

Objective #4 Ensure that Infrastructure is Available to Support Development

F. Environmental Impacts

None at this time

G. Financial Impact

No impacts identified at this time, however revisions to the Delegation by Council of Powers and Duties would include the review of potential financial impacts.

H. In consultation with

Senior Management Team

I. Public Engagement

The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required.

However, any comments regarding this report should be submitted to Shawn Everitt,
CAO@thebluemountains.ca.

J. Attached

1. Delegation by Council of Powers and Duties (POL.COR.07.04)

Respectfully Submitted,

Shawn Everitt
Interim Chief Administrative Officer

For more information, please contact:

Name, Title

cao@thebluemountains.ca

519-599-3131 extension 234

TOWN OF THE BLUE MOUNTAINS

POLICY & PROCEDURES

Subject Title: Delegation by Council of Powers and Duties
**Rev. 12.22.2008, 12.14.2009, 01.04.2013, 12.21.2015,
 06.20.2016**

Corporate Policy (Approved by Council)	<input checked="checked" type="checkbox"/>	Policy Ref. No.:	POL.COR.07.04
Administrative Policy (Approved by CAO)	<input type="checkbox"/>	By-law No.:	As noted in Schedule "A" to Policy
Department Policy: (Approved by Mgr.)	<input type="checkbox"/>	Name of Dept.:	Administration
Date Approved: January 28, 2008		Staff Report:	A.07.35

Policy Statement

Policy direction for Council procedure in the delegation of its powers and duties as described section 23.1 of the *Municipal Act, 2001*.

Purpose

Compliance with Section 270 of the *Municipal Act, 2001*.

Application

This Policy applies to the actions or decisions to be undertaken or made by the municipality, its Council, its Senior Management Team and Local Boards as defined in subsection 269.1 of the *Municipal Act, 2001*, all collectively called the "municipality", for the purpose of providing accountability and transparency in the municipal decision-making process and its actions.

Council will endeavour in its actions to ensure accountability for its decisions and the manner in which decisions are made will be transparent to the public.

The *Municipal Act, 2001* requires a municipality to adopt a Policy with respect to the delegation and the carrying out of delegated powers and duties of Council as described in the *Municipal Act, 2001*, the *Planning Act*, the *Building Code Act* and any other Act so as to increase the accountability and transparency of the municipal decision-making process.

In order to ensure the efficient management of the municipality and an ability to respond to issues in a timely manner, Council has the ability to delegate certain powers and duties to municipal officers, employees or agents, while maintaining accountability through this Policy document.

The powers and duties delegated by Council are not considered to be legislative or quasi-judicial and are considered to be administrative or minor in nature and may be subject to such conditions and limits as Council considers appropriate.

The persons to whom Council may delegate certain powers and duties shall be officers, employees or agents of the municipality.

All delegation of powers and duties by Council shall be confirmed by By-law and may be revoked by Council at any time.

Town Staff shall prepare regular reports for Council providing detail on any delegated approvals granted.

Council, at their sole discretion, retains the right to hear any appeal made by a person or body of a delegated approval decision and to determine the process by which an appeal hearing shall proceed. Council may delegate the right to hear any appeal in a manner to be determined by Council.

Definitions

Delegation: shall mean the transfer of approval authority of certain powers and duties from Council to designated Town officer, employee or agent positions under certain terms and conditions as identified by Policy and confirmed by By-law.

Procedures

The delegations previously delegated are hereby continued to be delegated by Council to the appointed Town Officer, Employee or Agent positions. Delegations are as noted on the attached Schedule "A".

Exclusions

Unless specifically delegated in this or any subsequent Policy, all the powers and duties of Council as described in the *Municipal Act, 2001* shall remain with Council.

The following powers and duties cannot be delegated by Council:

- a) The power to appoint or remove from office an officer of the municipality whose appointment is required by the *Municipal Act, 2001*.
- b) The power to pass By-laws for municipal taxation or tax collection.

- c) The power to incorporate corporations.
- d) The power to adopt an Official Plan or Official Plan Amendment or pass a Zoning By-law under the *Planning Act*.
- e) The power to pass a By-law for the establishment of a counselling service to small businesses operating in the municipality or for the provision of municipal capital facilities.
- f) The power to adopt a Community Improvement Plan.
- g) The power to adopt or amend the budget of the municipality.
- h) Any other power or duty that may be prescribed.

References and Related Policies

By-Laws referenced on Schedule “A”

Consequences of Non-Compliance

Non-compliance with the *Municipal Act, 2001* is subject to the remedies prescribed therein.

Review Cycle

This policy will be reviewed each term of Council by the Senior Management Team for report to Council in open session.

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority		Delegated To	Relevant Legislated Authority	Date Delegation Authorized
1. PLANNING & DEVELOPMENT SERVICES				
1.1	Review and comment on "red-line" revisions to Draft Plan of Subdivision/Condominium to the County of Grey	Director of Planning & Development Services, or designate		By-Law 2008-10 dated January 28, 2008
1.2	Minor Site Plan approvals that would otherwise be in compliance and would not generate extensive site works and where Staff would not ordinarily recommend a Site Plan Agreement as being required	Director of Planning & Development Services, or designate		By-Law 2008-10 dated January 28, 2008
1.3	Review and comment on Niagara Escarpment Development Permit Applications that would otherwise be in compliance with zoning regulations were they in effect. Any application that would not be in compliance shall be reviewed by Council	Director of Planning & Development Services, or designate		By-Law 2008-10 dated January 28, 2008
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1.8	Site Plan Approval, with such delegation limited to those developments that are in conformity with the applicable Zoning By-Law. Where an owner or designated agent does not agree with the terms and/or conditions of a delegated Approval, the owner and/or agent may request that Council review and / or modify such terms and / or conditions of the Approval.	Director, Planning & Development Services, or designate		By-Law 2012-76 dated December 17, 2012

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1.11	Delayed Demolition Agreements, in a form approved by the Town’s Solicitor	Chief Building Official		By-Law 2009-85 dated December 14, 2009
1.12	Alteration of Grade / Fill Agreements in a form approved by the Town’s Solicitor required under the Town’s Alteration of Grade / Fill By-Law	Manager, Building and By-Law Services		By-Law 2009-85 dated December 14, 2009
1.13	Execution of Holding Tank Agreement	Chief Building Official	Ontario Building Code, Part 8	By-law 2014-18 dated March 31, 2014
1.14	Execution of subdivision and condominium agreements, in a form approved by the Town’s solicitor, that reflect the approved conditions of a plan of subdivision or a plan of condominium	Director, Planning and Development Services, or designate, being the Manager of Development Engineering		By-law 2015-63 dated December 21, 2015

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DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
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2.1 Authorization of reduction of Letters of Credit related to progress of development works subject to recommendation by Town Staff	Town Treasurer or designate (Deputy Treasurer) and Director of Planning and Development Services, or designate		By-law 2008-10 dated January 28, 2008
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3.1	Municipal Consents under Franchise Agreements addressing use of public highway allowances by public corporations and utility and service providers	Director of Infrastructure and Public Works, or designate (Roads and Drainage Manager)		By-law 2008-10 dated January 28, 2008
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4.6	During the time that regular Council meetings are suspended (summer vacation or any other reason) delegation to approve tenders, and requests for proposals, award contracts and execute contracts provided that the total costs are within the approved budget contained in the relevant departmental budget and that a report regarding these matters be brought to Council at its next regular meeting	Chief Administrative Officer, or designated Department Director		By-law 2015-63 dated December 21, 2015
4.7	Delegation of "head" under the Municipal Freedom of Information and Protection of Privacy Act	Town Clerk	Municipal Freedom of Information and Protection of Privacy Act	By-law 2014-32 dated June 2, 2014
5. COMMUNITY SERVICES				
5.1	Designated authority to approve Special Events in accordance with the Special Events Policy	Director of Community Services, or designate		By-law 2013-39 To Regulate Special Events dated September 16, 2013
5.2	Designated authority to approve activities taking place within a park	Director of Community Services, or designate		By-Law 2015-10 Parks and Facilities By-law dated March 9, 2015

SCHEDULE "A"
DELEGATION BY COUNCIL OF POWERS AND DUTIES

Delegated Authority	Delegated To	Relevant Legislated Authority	Date Delegation Authorized
5.3 Preparation and execution of Municipal Land Use Permits and Agreements. With the exception of Building Permits, any permit that affects the Georgian Trail within the Town of The Blue Mountains jurisdiction shall be issued and approved by Council	Director of Community Services, or designate		By-Law 2014-65 dated September 22, 2014 Revised June 20, 2016

Delegated Authority List

Delegated Authority Execution: means the point at which the delegated authority issues a permit, executes a contract/agreement, submits an application to an outside agency or upper tier government for approval, or finalizes a given process.

1.0 PLANNING AND DEVELOPMENT SERVICES

1.1 Review and comment on “red-line” revisions to Draft Plan of Subdivision/Condominium to the County of Grey.

Delegated To: Director of Planning and Development Services, or designate

Staff Recommendation: Keep the delegated authority status quo

Rationale: Red line revisions to draft plans of subdivisions/condominiums are extremely minor in nature and do not significantly impact or change the general intent of the plan. An example would include items such as re-aligning the exact locations of the proposed lot lines, or removing a single lot from the plan, etc. The red line revisions are reviewed by technical Town staff with planning/development expertise. If, in the professional judgment of Town staff, the requested changes are outside of the scope of “red line” revisions and more substantial in nature, Town staff would recommend to Grey County staff that the revisions not be approved unless approved by Council.

Process:

1. Developer provides the “red line” revisions application to Grey County and Town Staff
2. Revisions are reviewed by Town staff
3. Delegated Authority is exercised by providing recommendations to accept or not accept the revisions and decision is provided to Grey County
4. Grey County approves or denies the request for the red line revisions

1.2 Minor Site Plan approvals that would otherwise be in compliance and would not generate extensive site works and where Staff would not ordinarily recommend a Site Plan Agreement as being required.

Delegated To: Director of Planning and Development Services, or designate

Staff Recommendation: Keep the delegated authority status quo

Rationale: These types of approvals are very rare, and thus generally require no agreement or no collection of securities. Often the development permission hinges on Council’s prior approval of a zoning change of use prior to reaching the Minor Site Plan approval stage.

Process:

1. Minor Site Plan application received by staff
 2. Plan is reviewed for compliance with the Town's Zoning By-law; if external and/or internal departmental comments are deemed necessary, plan is circulated through the Development Review Committee process
 3. If the plan conforms to the Zoning by-law, Delegated Authority is exercised by providing site plan approval
-

1.3 Review and comment on Niagara Escarpment Development Permit Applications that would otherwise be in compliance with zoning regulations were they in effect. Any application that would not be in compliance shall be reviewed by Council.

Delegated To: Director of Planning and Development Services, or designate

Staff Recommendation: Keep the delegated authority status quo

Rationale: The Town is a commenting agency in this scenario. All development permit applications are reviewed for conformity with the Town's Official Plan and Zoning By-law (if it were in effect), as well as other technical matters (i.e. servicing connections, etc.). Following review of the application, staff provide comments to the Niagara Escarpment Commission (NEC) for consideration. If the application does not conform to the Official Plan or is not in keeping with the general intent of the Official Plan, staff would advise Council before providing formal comments to the NEC.

Process:

1. Development Permit Application is received by Town staff from the NEC
 2. Staff review the application for conformity to the Official Plan
 3. If the application conforms or is in general keeping with the Official Plan, Delegated Authority is exercised by providing a favourable recommendation to the NEC for consideration
 4. If the application generates technical comments that need to be addressed, Delegated Authority is exercised by providing those comments to the NEC for consideration
 5. If the application does not conform to the Official Plan in substantial ways, staff advise Council of the application before providing formal recommendations to the NEC
 6. NEC approves or denies the Development Permit Application
-

1.4 Model Home Agreement required for sales and display where permitted by zoning requirements and contemplated by development agreement.

Model Home and/or Temporary Sales Office Agreement required for sales and display where permitted by zoning requirements and contemplated by development agreement

Delegated To: Director of Planning and Development Services, or designate

Staff Recommendation: Keep the delegated authority but revise it to include the term “Temporary Sales Office”

Rationale: Staff are recommending that the term “Temporary Sales Office” be added to this delegated authority to reflect the current industry conditions. Many developments are incorporating the use of sales offices in mobile trailers, not only model homes. These agreements are minor in nature and depend upon provisions and performance standards that are already stipulated in Section 4.20 of the Town’s Zoning By-law. Such uses normally require no special amendments and must conform with clearly defined, stipulated minimum standards. The approval process also requires a technical review by Development Engineering, Building Division, Planning and Legal Services staff.

Process:

1. Application for a model home/temporary sales office is received by staff
2. Application is circulated internally to staff for review
3. If no issues are identified by staff and the application meets the zoning requirements Delegated Authority is exercised by drafting an agreement for execution
4. Director of Legal Services reviews the draft agreement
5. Final agreement is executed by the Director and Town Clerk

1.5 Tree Preservation Agreements, in a form approved by the Town’s solicitor, required by a Subdivision Agreement.

Tree Preservation Agreements, in a form approved by the ~~Town’s Solicitor~~ Director of Legal Services, required by a Subdivision Agreement

Delegated To: Director of Planning and Development Services, or designate being the Manager of Development Engineering

Staff Recommendation: Keep the delegated authority status quo but specify the delegated staff member and updating the reference to the Town’s Solicitor to the Director of Legal Services.

Rationale: While tree removals, preservation, and planning matters are typically dealt with in a Development Agreement, a separate Tree Preservation Agreement may be necessary to outline

the specifics pertaining to tree preservation within the subdivision/development area. The condition for the tree preservation agreement has already been stipulated through the subdivision agreement and/or master development agreement which has been pre-approved by Council and Grey County.

Process:

1. Area of trees to be preserved is identified through prior planning processes, including the applicable conservation authority or other related environmental professionals.
 2. Delegated Authority is exercised by drafting a Tree Preservation Agreement based on the conditions set out in the subdivision agreement
 3. Director of Legal Services reviews the draft agreement
 4. Final agreement is executed by the Director and Town Clerk
-

1.6 Municipal Clearances to the County of Grey with respect to Draft Plan Approval to facilitate registration upon fulfillment of conditions.

Delegated To: Director of Planning and Development Services, or designate

Staff Recommendation: Keep the delegated authority status quo

Rationale: Grey County will not provide developers with final plan registration approval without a clearance letter from the Town indicating that all conditions of the draft plan have been satisfied. Town staff review the final application to ensure that all the conditions have been met to the Town's satisfaction before providing the requisite clearance letter.

Process:

1. Town receives a request from developer to provide a clearance letter, including supporting documentation showing how conditions have been addressed.
 2. Town staff review information to confirm if all conditions have been satisfactorily met.
 3. Once confirmed, Delegated Authority is exercised by providing a clearance letter to Grey County
-

1.7 The provision of consent to the County of Grey with respect to a Draft Plan extension be delegated to the Director of Planning and Development Services provided:

a) municipal services continue to be available

b) new legislation, regulations, policies and/or by-laws would not preclude the proposed development; and

c) the request for Draft Plan extension does not apply to a Draft Plan Approval given prior to December 13, 2002

Delegated To: Director of Planning and Development Services, or designate being the Manager of Community Planning

Staff Recommendation: Keep the delegated authority status quo but specify the delegated staff member.

Rationale: Draft plan approvals are provided by Grey County and generally are approved for a minimum 3 year term. Sometimes these approvals need to be extended so that the developer can meet all the required conditions. Before Grey County approves an extension to a draft plan approval they request a clearance letter from the Town. Town staff review the request and, unless the project is no longer in conformity with the Town's planning documents or meets the criteria outlined in the delegation, the clearance letter is typically provided to grant the extension. Extensions are typically supported for periods of one (1) year. If the project is potentially contrary to current good planning principals, staff would request direction from Council. It is important to note that these requests usually involve extending only the timeline and not changing the conditions of the draft plan approval.

Process:

1. Town receives a request from Grey County to provide a clearance letter
2. Town staff confirm that adequate municipal servicing will be available, that the project still conforms with existing legislation, Town regulations, policies and by-laws and that the extension request does not apply to a draft plan approval given prior to December 13, 2020
3. If the project has potential developmental challenges, staff would request direction from Council
4. Delegated Authority is exercised by providing a clearance letter to Grey County

1.8 Site Plan Approval, with such delegation limited to those developments that are in conformity with the applicable Zoning By-law. Where an owner or designated agent does not agree with the terms and/or conditions of a delegated Approval, the owner and/or agent may request that Council review and /or modify such terms and/or conditions of the Approval.

Delegated To: Director of Planning and Development Services, or designate being the Manager of Community Planning

Staff Recommendation: Keep the delegated authority status quo, but specify the delegated staff member.

Rationale: This process is performed by Town staff and involves a technical review by the Town's Development Review Committee, the collection of securities, circulation to a variety of external agencies and bodies for comment, conformity check with the Town's Zoning By-law, Engineering Standards and Community Design Guidelines, review of required municipal

servicing and need for any additional supporting studies. This approval is delegated to staff because of their specific expertise in determining if site plans meet the applicable requirements as outlined in the Council approved policy documents, etc.

Process:

1. Site Plan Application is received from the developer
 2. Technical review is performed by Town staff
 3. Conformity to the Zoning By-law and other relevant documents is confirmed
 4. Servicing and need for additional studies as required
 5. Application is circulated to appropriate external agencies (MTO, NEC, Conservation Authorities, Enbridge, etc.)
 6. Application is formally reviewed at a Town DRC meeting
 7. Applicant addresses any outstanding comments and revises the drawings accordingly
 8. Site Plan Approval issued by Director of Planning and Development Services (Delegated Authority is exercised), the Agreement is prepared and reviewed by the Director of Legal Services
 9. Site Plan Agreement is executed by Mayor and Clerk
-

1.9 Agreements with Registered Code Agencies to perform specified functions with regard to the Building Code Act, S.O. 1992

Agreements with **Contract Code Consultants and Registered Code Agencies to perform specified functions with regard to the Building Code Act, S.O. 1992**

Delegated To: Chief Building Official

Staff Recommendation: Keep the delegated authority status quo but add “Contract Code Consultants” to the designation.

Rationale: This delegated authority allows the Chief Building Official (CBO) the flexibility to recruit during unexpected staff shortages or when required by large, or multiple development projects. The Building Division Operating Budget generally includes a provision for the hiring of contract services. If this budget item is approved by Council, the CBO is able to reach out to other municipalities, independent consultants or registered code agencies to contract certified staff to assist with building inspections and site plan review services.

Process:

1. Council approves the operating budget to be spent on this (exceeding this would require Council approval)
 2. Need proper insurance requirements from contractors or agencies
 3. Delegated Authority is exercised by developing a contract with the contractors
-

1.10 Conditional Building Permit Agreements made under the Building Code Act, S.O. 1992

Delegated To: Chief Building Official

Staff Recommendation: Keep the delegated authority status quo

Rationale: This is used for subdivisions where basic services have not been completed, but the developer would like to enter into a conditional agreement in order to put in building foundations. This allows the subdivision development to proceed up to an agreed upon point in the construction process without municipal services being in place. The CBO is capable of ensuring that construction conforms to the Building Code Act.

Process:

1. Developer or the Property Owner would make a request for a conditional permit
 2. Required to complete a form provided by the Building Division
 3. CBO reviews the request for compliance with the Building Code Act
 4. Draft Permit Agreement with specific conditions, deadlines and a fee as well as the building permit fee
 5. When conditions have been met, this is verified by Building Staff and Delegated Authority is exercised by providing authorization to move forward with the rest of the building
-

1.11 Delayed Demolition Agreements, in a form approved by the Town's Solicitor.

Delayed Demolition Agreements, in a form approved by the ~~Town's Solicitor~~ Director of Legal Services.

Delegated To: Chief Building Official

Staff Recommendation: Keep the delegated authority status quo but update from reference to the Town Solicitor to the Director of Legal Services

Rationale: This delegated authority is only used in instances where a property is building a new home on a property where a dwelling already exists. This situation does not happen very often and is very straight forward and is not controversial enough for Council to be concerned with overseeing.

Process:

1. Request received from the property owner
 2. Director of Legal Services drafts the agreement
 3. Agreement contains specific timelines for when the demolition must take place
 4. Delegated Authority is exercised by executing the agreement
-

1.12 Alteration of Grade/Fill Agreements in a form approved by the Town's Solicitor required under the Town's Alteration of Grade/Fill By-law.

Alteration of Grade/Fill Permits and associated Agreements in a form approved by the Director of Legal Services required under the Town's Alteration of Grade/Fill By-law.

Delegated To: ~~Manager, Building and By Law Services~~ Chief Building Official or Manager of Development Engineering

Staff Recommendation: Keep the delegated authority status quo, add "Permits" to the delegated authority and update the reference to the Town's Solicitor to the Director of Legal Services. Add the Chief Building Official and Manager of Development Engineering as some permits relate to development projects, not Building projects.

Rationale: Staff are recommending that "Fill Permits" be added to this delegated authority. Staff are already reviewing grading plans when houses are being built or renovated. Anything not covered under a building permit would be reviewed by Development Engineering Staff. Our highly skilled Development Engineering staff have the expertise to review and approve fill permits.

Process:

1. Complete the required form for alteration of grade
2. Review by CBO or Development Engineering
3. Fees and deposits are collected
4. Site visit
5. Delegated Authority is exercised by issuing the applicable permit
6. Certification from the engineer or surveyor is sent to the Building Division advising that the work complies with the permit

1.13 Execution of Holding Tank Agreement.

Delegated To: Chief Building Official

Staff Recommendation: Keep the delegated authority status quo

Rationale: Under the building code the installation of permanent holding tanks is not permitted, however, they can be installed on an interim basis in place of a septic system when municipal services are in the process of being installed or in very specific circumstances. Holding tanks are already regulated under the Building Code Act and it is more efficient to have staff take care of this expediently to assist residents when required.

Process:

1. Property owner would make a request for a temporary holding tank installation to Building staff
 2. Property owner completes an application complete with site plan, septic tank information and haulage agreement with a certified septic hauler
 3. Staff confirm that municipal services are going to be constructed
 4. Delegated Authority is exercised by issuing the permit
 5. Inspection is performed
 6. Another inspection performed when connection is made to municipal services
 7. Holding tank is removed
-

1.14 Execution of subdivision and condominium agreements, in a form approved by the Town's Solicitor, that reflect the approved conditions of a plan of subdivision or a plan of condominium.

Delegated To: Director of Planning and Development Services/Manager of Development Engineering (recommend switching to Mayor and Clerk)

Staff Recommendation: Switch the delegated authority to the Mayor and Clerk and combine into Item 4.2

Rationale: Staff would prefer for the delegated authority for this section be taken from the Director of Planning and Development Services/Manager of Development Engineering and given to the Mayor and Clerk. This switch would better represent the current practice for executing these types of agreements. Staff do not wish to have delegated authority for agreements of this magnitude.

Process:

1. See General Process in Item 4.2
-

1.15 Authority for determining and notifying if the information and material required to accompany Official Plan and Zoning By-law Amendment applications made under the Planning Act. R.S.O. 1990, c.P.13 has, or has not been provided, to the Director of Planning and Development Services, or in his absence to the Manager of Development Planning.

Authority for determining and notifying if the information and material required to accompany Official Plan and Zoning By-law Amendment applications made under the Planning Act. R.S.O. 1990, c.P.13 has, or has not been provided, to the Director of Planning and Development Services, or in his absence to the Manager of Development Planning.

Delegated To: Director of Planning and Development Services, or designate being the Manager of **Development Planning Community Planning**

Staff Recommendation: Keep the delegated authority status quo but revising the reference to current staff position title and remove the staff position reference from the original wording.

Rationale: The Planning Act stipulated that notification of a complete or incomplete application be made within 30 days to the applicant after receiving their application. The Planning Act further stipulates that the public must be notified of the receipt of a completed application within 15 days of deeming the application complete. Due to the timelines associated with this particular delegation, staff recommend that it would be more efficient that the delegated authority remain with Town staff.

Process:

1. Application is received by Town staff
 2. Application is reviewed internally for completeness
 3. Notice is provided to the applicant within 30 days of receiving the application
 4. Notice that a complete application has been received is provided to Council and the public in accordance with the Planning Act (15 days of notification to the applicant)
 5. Delegated Authority is exercised by completing the notification process
-

2.0 FINANCE AND IT SERVICES

2.1 Authorization of reduction of Letters of Credit related to progress of development works subject to recommendations by Town Staff.

Delegated To: Town Treasurer or designate (Deputy Treasurer) and Director of Planning and Development Services, **or designate (Manager of Development Engineering)**

Staff Recommendation: Keep the delegated authority status quo but specify the Planning and Development Services delegate as the Manager of Development Engineering

Rationale: Security funds and/or Letters of Credit are provided to the Town when an agreement executed. These are retained to cover costs associated with the repair, rehabilitation, and/or replacement of works and landscaping in the event obligations under the agreement are not fulfilled.

Process:

1. Security Reduction from Development Engineering given to Budget Analyst
2. Budget Analyst drafts letter for Reduction or Draw Down
3. Delegated Authority is exercised by Treasurer signing the letter
4. Letter is couriered to bank by Finance Admin Assistant

5. Budget Analyst updates all files and sends reduction package to Development Engineering for their records
-

2.2 Delegation of authority to sign agreements to accept grant, or funding agreements where no municipal contribution is required or where the municipal contribution has been budgeted for and does not exceed the purchasing limits assigned to the Director of Finance, delegated to the Director of Finance, or designate and Appropriate Department Director, or designate.

Delegated To: Director of Finance or designate, being the Manager of Accounting and Budgets, AND Appropriate Department Director, or designate

Staff Recommendation: Keep the delegated authority status quo

Rationale: This delegated authority ensures the efficient processing of grant and funding agreements that are often time sensitive.

Process:

1. Agreement received by Town to accept grant or funding that is time sensitive in nature
 2. Agreement is reviewed and confirms there is no municipal contribution required or if any, it is within budget
 3. Delegated Authority is exercised by the Director of Finance or designate AND Appropriate Department Director, or designate signing the agreement
 4. Agreement is submitted and grant or funding is received
-

2.3 Delegate the Powers and Duties of the Municipality in respect of filing complaints with the Assessment Review Board.

Delegated To: Treasurer, Town of The Blue Mountains

Staff Recommendation: Keep the delegated authority status quo

Rationale: The Director of Finance and IT Services (Treasurer) has the expertise to effectively handle filing complaints with the Assessment Review Board.

Process:

1. Notice of appeal or complaint from the Assessment Review Board (ARB) is received
2. The appeal or complaint is reviewed
3. A response is sent to the ARB as required
4. Staff consider potential Minutes of Settlement, Delegated Authority is exercised by Director of Finance and IT Services by signing settlements
5. Participation in ARB hearings as required

6. ARB decisions are reviewed by staff
-

2.4 Delegate the Execution of all Information Technology, Confidentiality, Non-Disclosure and Data Security Agreements shall be delegated to the Director of Finance and IT or designate, being the Manager of Accounting and Budgets.

Delegated To: Director of Finance and IT or designate being the Manager of Accounting and Budgets

Staff Recommendation: Keep the delegated authority status quo

Rationale: This delegated authority ensures the efficient execution of Information Technology, Confidentiality, Non-Disclosure and Data Security Agreements. These agreements are with third parties who require access to Town data and systems.

Process:

1. Staff engage vendor/contractor when vendor requires Town data sent to them
 2. Staff work with vendor to get Non-Disclosure Agreement signed
 3. Delegated Authority is exercised by Director of Finance and IT Service signing Non-Disclosure Agreement
 4. Copy is emailed to originator and original is filed in Finance and IT electronic filing system and tracked on a spreadsheet
-

3.0 OPERATIONS

3.1 Municipal Consents under Franchise Agreements addressing use of public highway allowances by public corporations and utility and service providers.

Delegated To: Director of Infrastructure and Public Works Operations, or designate (Roads and Drainage Manager)

Staff Recommendation: Keep the delegated authority status quo but revise the staff title

Rationale: Provides for efficiency in responding to requests with the benefit of consideration by appropriate technical staff. Franchise Agreements are in place where the service or works are consistent and take place throughout the term of the Agreement. All Insurance and Health and Safety measures are still required.

Process:

1. Formal Agreement Submitted by Utility
2. Agreement for them to place their infrastructure on our lands is reviewed for Completeness

3. Agreement circulated to Director of Legal Services, Manager of Purchasing and Risk Management, CAO
 4. Ensure adequate Insurance coverage annually
 5. Delegated Authority is exercised by signing the Agreement and issuing Municipal Consent
-

3.2 Prepare, maintain, update and administer Town Engineering Standards. Modifications which may result in a significant increase in liability or long term costs be endorsed by Council. Each edition of the Engineering Standards should be provided as information to Council.

Prepare, maintain, update and administer Town Engineering Standards. Modifications which may will not result in a significant increase in liability or long term costs shall be endorsed by Council Senior Management Team. Modifications which may result in a significant increase in liability or long term costs are endorsed by Council. Each edition of the Engineering Standards should be provided as information to Council.

Delegated To: Director of Infrastructure and Public Works Operations and the Director of Planning and Development Services

Staff Recommendation: Keep the delegated authority status quo but add the Director of Planning and Development Services and allow staff to approve modifications that will not result in significant increase in liability or long term costs.

Rationale: Both the Operations Department and the Planning and Development Services Department have continuous interaction with the Town Engineering Standards. Joint responsibility for the preparation, maintenance, update and administration is intended to ensure the Town Engineering Standards reflect the operational needs of the Town while also reflecting the role the Development Engineering Division has in implementing the Standards through the development process. This delegated authority reflects the Town internal structure and provides delegated authority to the appropriate staff to make amendments to the Town's Engineering Standards. Significant amendments or updates will be provided to Council for consideration and approval.

Process:

1. Where modifications to the Town's Engineering Standards may be requested or necessary, such proposed modifications will be reviewed by relevant staff
2. Staff will prepare a written memorandum outlining the modification, the rationale, and any potential impacts to liability or long term costs that may be incurred by the Town
3. The memorandum will be jointly reviewed by the Director of Operations and the Director of Planning and Development Services

4. Minor site specific modification that are support by both Directors and recommended by Professional Engineer employed by the Town and will not result in a significant increase in liability or long term costs to the Town may be approved by both Directors
 5. Major modifications that are supported by both Directors and will not result in a significant increase in liability or long term costs to the Town will be brought to the Town's Senior Management Team for endorsement prior to Delegated Authority being exercised through a final written approval by both Directors.
 6. If supported by both Directors, modifications which may result in a significant increase in liability or long term costs will be brought to Council for consideration and a decision
-

3.3 Authority to temporarily close a highway under the jurisdiction of the Town for any period of time during the construction, repairing or improvement of such highway or any works under, over, along, across or upon such highways.

Delegated To: Director of Director of Infrastructure and Public Works Operations, or designate

Staff Recommendation: Keep the delegated authority status quo but update the staff title

Rationale: Provides for efficiency with the benefit of consideration by appropriate staff. To note, this Delegated Authority does not permit the Director of Operations the ability to close a highway for special events or projects.

Process:

1. Manager of Roads and Drainage receives request
 2. Notice is posted on the Town's website and 511; emailed to key staff; faxed to EMS
 3. Delegated Authority is exercised through the closure for infrastructure repair or emergency circumstances
 4. Internal tracking form completed and filed
-

3.4 Preparation and execution of Municipal Land Use Permits and Agreements. With the exception of Building Permits, any permit that affects the Georgian Trail within the Town of The Blue Mountains jurisdiction shall be issued and approved by Council.

Delegated: Director of Infrastructure and Public Works Operations, or designate

Staff Recommendation: Keep the delegated authority status quo but update the staff title

Rationale: High volume of permit applications which are generally low risk. This Delegation of Authority requires Town staff to ensure all appropriate pre-approval site visits and work is being completed and a final post completion of works site visit is completed and documented.

Process:

1. Formal Application Submitted
 2. Application reviewed for Completeness
 3. Technical review by Staff, fee and deposit calculated and paid
 4. Site Inspection
 5. Delegated Authority is exercised by issuing the permit
 6. Start up Meeting for hazard awareness
 7. Periodic inspection
 8. Final inspection for site restoration
 9. After one year period site inspected
 10. Securities / deposit returned if pass inspection
-

3.5 Designate Reduced Load periods.

Delegated To: Manager of Roads and Drainage, or designate

Staff Recommendation: Keep the delegated authority status quo

Rationale: Requires efficient and timely approval as approvals are linked to seasonal events or structural deficiencies. This Delegated Authority is relevant to the hauling of water for household consumption that the Town has continued to work with a water haulage company to develop an efficient process that provides measures to protect Town infrastructure.

Process:

1. As per Section 122(7) of Highway Traffic Act and By-law 2010-054
 2. Staff install signage
 3. Exemption may be granted for a vehicle in excess of limits only where deemed necessary
 4. Staff review exemption and Delegated Authority is exercised through approval of the exemption
 5. Copy of approval to applicant and file
-

3.6 Execution of various governmental forms and applications related to proposed Works on Town lands as applicable (Permit to Take Water, Environmental Compliance Approval, Applications).

Delegated To: Director of Infrastructure and Public Works Operations, or designate, being the Manager of Water and Wastewater

Staff Recommendation: Keep the delegated authority status quo but update the staff title

Rationale: Provides efficiency and ensures development related infrastructure aligns with water and wastewater standards and operating requirements.

Process:

1. Application for Permit to take Water, Environmental Compliance Approval received
 2. Application reviewed for Compliance
 3. Complies with Town Engineering Standards; MECP – OPSS Design Guidelines for Sewage work
 4. Confer with any Town or Provincial policy
 5. Delegated Authority is exercised by signing the completed application
-

3.7 Execution of Form 1 – Record of Watermains Authorized as a Future Alteration

Delegated To: Director of Infrastructure and Public Works Operations, or designate, being the Manager of Water and Wastewater

Staff Recommendation: Keep the delegated authority status quo but update the staff title

Rationale: Provides efficiency and ensures development related infrastructure aligns with water and wastewater standards and operating requirements.

Process:

1. Record of Watermains Authorized as a future alteration
 2. Information reviewed for Compliance
 3. Adhere to OPSS Standards; Design Guidelines for Drinking Water Systems 2008
 4. MECP; Town Engineering Standards; Commissioning Protocols
 5. Confer with any Town policy or Engineering Standards
 6. Information complete and filed where applicable
 7. Delegated Authority is exercised by signing the Form 1 before sending to the Ministry of Environment, Conservation and Parks
-

4.0 ADMINISTRATION

4.1 Certification of Title Applications noting no objection to land description for development lands, subject to review and recommendation by Town Staff

Delegated To: Town Clerk (recommend switching to Director of Legal Services)

Staff Recommendation: Keep the delegated authority status quo but switch to the Director of Legal Services.

Rationale: Legal services has resources to investigate title documentation. Can canvass other departments as necessary. Law clerk will have real estate and title experience.

Process:

1. Title Application received by the Clerks Division
 2. Application is sent to Legal Services
 3. Legal Services does title research, consults with Planning staff or other Town staff as necessary to confirm application reflects understanding and reality on ground
 4. Delegated Authority is exercised by the Director of Legal Services providing approval
-

4.2 Pre-Servicing Agreements authorizing developers to install certain works at their own risk, prior to finalization of Subdivision and Development Agreements, subject to recommendation to CAO, Director of Planning and Development Services and Town Solicitor.

Remove and replace with:

Execution of Site Plan Agreements, Subdivision/Condominium Agreement, Pre-Servicing Subdivision Agreements and Consent Agreements (subject to appropriate internal controls including receiving advice from the CAO, Director of Planning and Development Services and other Town employees, officers and/or agreements as are deemed necessary).

Delegated To: Mayor and Clerk

Staff Recommendation: Assign all delegated authority for execution of such agreements to the Mayor and Clerk, which reflects current practice.

Rationale: The Clerk and Mayor are traditionally the municipal officers who have executed these Agreements to bind the corporation. A review of the Agreement by the Clerk and Mayor adds a further level of review and an additional check-and-balance step to an otherwise autonomous internal review process.

Process:

1. Upon approval of a development, the applicant has conditions to fulfill. Site Plan approvals are issued by Director of Planning and Development Services with an approval condition that the agreement be entered into within a specified period of time (i.e. 60 or 90 days)
2. Town staff prepare the draft Agreement based on a consistent agreement template
3. Draft agreement is reviewed by the Director of Legal Services
4. Draft Agreement is circulated internally for review, comments incorporated as appropriate.

5. Draft Agreement provided to applicant for their review, including list of documentation required by the Town
 6. Additional documentation is returned to Town
 7. Final agreement is circulated to the applicant for execution
 8. Executed Agreement returned to the Town
 9. Executed Agreement circulated internally for Department Head sign-off
 10. Once Department Heads sign-off, Delegated Authority is exercised by the Agreement being executed by Clerk and Mayor
 11. Executed Agreement is distributed and registered on title
-

4.3 Review and comment on Ministry of Natural Resources Work on Shoreline Permit Applications. Such applications to be presented to Council for review and consideration where concerns with the Application are noted by Staff.

Delegated To: Town Clerk or designate

Staff Recommendation: Keep the delegated authority status quo

Rationale: Requests for comments from the municipality in response to Shoreline Permit Applications are submitted to the Town Clerk.

Process:

1. Application for Shoreline Permit is submitted to the Town Clerk for comment
 2. Town Clerk circulates the request to the Operations Department for review and comment.
 4. Town Clerk compiles the comments and Delegated Authority is exercised by providing the Town's comments in response to the request
 5. Town Clerk collects the fees charged by the Town, in accordance with the Fees and Charges By-law
-

4.4 Execution of Site Plan Agreements, Plans of Subdivision and Consents (subject to appropriate internal controls including receiving advice from the CAO, Director of Planning and Development Services and other Town employees, officers and/or agreements as are deemed necessary)

Delegated To: Mayor and Clerk

Staff Recommendation: Incorporate this delegated authority into 4.2

Rationale: Combining delegated authority 4.2 and 4.4 will provide more clarity to the delegated authority policy

Process: See General Process in Item 4.2

4.5 Execution of Expropriation Documents, with approval of CAO and Solicitor.

Execution of Expropriation Documents, with approval of CAO and ~~Solicitor~~ the Director of Legal Services.

Delegated To: Town Clerk, or designate being the Deputy Clerk (recommend switching to Mayor and Town Clerk)

Staff Recommendation: Staff recommend that this delegated authority be modified to include the Mayor

Rationale: The expropriation process would not be conducted without first notifying Council and obtaining the necessary endorsement. As such, adding the Mayor as signatory to expropriation documents would more accurately reflect current practice.

Process:

1. Staff notify Council of the expropriation need and seek endorsement
2. If Council endorsement is received, staff move forward with expropriation
3. Delegated Authority is exercised when the necessary expropriation documents are executed by the Mayor and Town Clerk

4.6 During the time that regular Council meetings are suspended (summer vacation or any other reason) delegation to approve tenders, and requests for proposals, award contracts and execute contracts provided that the total costs are within the approved budget contained in the relevant departmental budget and that report regarding these matters be brought to Council at its next regular meeting.

Delegated To: Chief Administrative Officer, or designated Department Director

Staff Recommendation: Keep the delegated authority status quo

Rationale: This delegated authority allows for the continuation of municipal purchasing during periods that regular Council meetings are suspended. Only purchases that are within the Council approved budget are permitted and reporting to Council will follow each purchase approved by the CAO.

Process:

1. Tender/RFP award report is generated by the department purchasing the good or service
2. CAO reviews the report and confirms that the purchase is within the approved budget

3. Delegated Authority is exercised when the CAO approves the purchase/executes the contract
 4. Report is prepared and received by Council at the next regular meeting of Council
-

4.7 Delegation of “head” under the Municipal Freedom of Information and protection of Privacy Act.

Delegated To: Town Clerk (switched to Director of Legal Services)

Staff Recommendation: Keep the delegated authority status quo as revised by by-law 2020-29

Rationale: Council has delegated the Director of Legal Services as the “head” of the organization for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

Process:

1. Request comes in and is directed to Legal Services
 2. Legal Services seeks input from appropriate department/request from IT for digital documents
 3. Delegated Authority is exercised when Legal Services prepares response to requestor
-

5.0 COMMUNITY SERVICES

5.1 Designated authority to approve Special Events in accordance with the Special Events By-law.

Designated authority to approve and revoke Special Events permits in accordance with the Special Events By-law.

Delegated To: Director of Community Services, or designate

Staff Recommendation: Keep the delegated authority status quo but add reference to permits and the ability to revoke those permits

Rationale: The permitting of Special Events by the Director of Community Services is outlined in the Town’s 2019-27 Special Events on Municipal Property and Highways by-law. Staff suggest that this delegated authority remain status quo in order to ensure efficient processing of special event requests.

Process:

1. Special Event application is received and reviewed by Town staff
2. The scale of the event determines the amount of logistical consultation required

3. The application is circulated to Fire Services, Grey County EMS and OPP for approval
 4. If amplified sound will be used during the event the applicant must obtain an exemption from the Town's Noise By-law before application approval
 5. All necessary permits (tent permits, Grey County permits, etc.) and qualifications (food handling certificates, security credentials, etc.) must be received before the application is approved
 6. All events require proof of adequate insurance coverage
 7. Delegated Authority is exercised by issuing a Special Event Permit
 8. If any of the permit conditions are not met before or during the event, the Director notifies the permit holder that the permit has been revoked
-

5.2 Designated authority to approve activities taking place within a park.

Delegated To: Director of Community Services, or designate

Staff Recommendation: Keep the delegated authority status quo

Rationale: The regulation of Parks and Facilities are outlined in the 2015-10 Parks and Facilities Regulations By-law. Staff suggest that this delegated authority remain status quo in order to maintain the flexibility to respond quickly to unexpected situations, such as COVID-19, and close or restrict the activities permitted within Town parks and facilities.

Process:

1. If a request is made to permit an activity within a Town park or facility, the Director of Community Services would review the request
 2. If the request is minor in nature, of short duration and does not significantly impact the surrounding residents, Delegated Authority is exercised by the Director through approval of the activity
 3. If the request requires a longer duration or more significant impact to the park, facility or the surrounding residents, the Director will seek direction from Council to approve the request
-

5.3 Preparation and execution of Municipal Land Use Permits and Agreements. With the exception of Building Permits, any permit, including entrance permits, that affects the Georgian Trail within the Town of The Blue Mountains jurisdiction shall be issued and approved by Council.

Delegated To: Director of Community Services, or designate

Staff Recommendation: Keep the delegated authority status quo

Rationale: This delegated authority allows staff to quickly and efficiently work with residents to facilitate low-risk access to portions of their properties that they would not be able to access without crossing Town property.

Process:

1. Town receive a request to access private property via Town owned land
 2. Staff review the application
 3. All necessary insurance and WSIB paperwork is received, a security deposit is collected and Delegated Authority is exercised by issuing the permit
 4. A pre-site visit is performed to document the current condition of the Town owned land
 5. After the work is performed a final site visit is conducted to ensure that no damage has occurred
 6. If no damage is reported, the security deposit is returned
-

Delegated Authority List

Delegated Authority Execution: means the point at which the delegated authority issues a permit, executes a contract/agreement, submits an application to an outside agency or upper tier government for approval, or finalizes a given process.

1.1 PLANNING AND DEVELOPMENT SERVICES		By-law 2008-10	
Delegated Authority - Existing		Delegated Authority - Revised	
Review and comment on “red line” revisions to Draft Plan of Subdivision/Condominium to the County of Grey.		Review and comment on “red-line” (i.e. minor changes that would not require another public meeting) revisions to Draft Plan of Subdivision/Condominium to the County of Grey.	
Delegated To - Existing		Delegated To - Revised	
Director of Planning and Development Services, or designate		Director of Planning and Development Services, or designate (Manager of Community Planning)	

Rationale: Red line revisions to draft plans of subdivisions/condominiums are extremely minor in nature and do not significantly impact or change the general intent of the plan. An example would include items such as re-aligning the exact locations of the proposed lot lines, or removing a single lot from the plan, etc. The red line revisions are reviewed by technical Town staff with planning/development expertise. If, in the professional judgment of Town staff, the requested changes are outside of the scope of “red line” revisions and more substantial in nature, Town staff would recommend to Grey County staff that the revisions not be approved unless approved by Council.

Process:

1. Developer provides the “red line” revisions application to Grey County and Town Staff
2. Revisions are reviewed by Town and County staff
3. Delegated Authority is exercised by providing recommendations to accept or not accept the revisions and decision is provided to Grey County
4. Grey County approves or denies the request for the red line revisions

1.2 PLANNING AND DEVELOPMENT SERVICES		By-law 2008-10	
Delegated Authority - Existing		Delegated Authority - Revised	
Minor Site Plan approvals that would otherwise be in compliance and would not generate extensive site works and where Staff would not ordinarily recommend a Site Plan Agreement as being required.		Minor Site Plan approvals that would otherwise be in compliance with the applicable Zoning By-law and would not generate extensive site works and where Staff would not ordinarily recommend a Site Plan Agreement as being required.	

1.2 PLANNING AND DEVELOPMENT SERVICES		By-law 2008-10
Delegated To - Existing	Delegated To - Revised	
Director of Planning and Development Services, or designate	Director of Planning and Development Services, or designate (Manager of Community Planning)	

Rationale: These types of approvals typically relate to individual or small scale development (i.e. detached Accessory Dwelling Units, Short Term Accommodation, etc.), and thus generally require no agreement or no collection of securities. Often the development permission hinges on Council's prior approval of a zoning change of use prior to reaching the Minor Site Plan approval stage.

Process:

1. Minor Site Plan application received by staff
2. Plan is reviewed for compliance with the Town's Zoning By-law; if external and/or internal departmental comments are deemed necessary, plan is circulated through the Development Review Committee process
3. If the plan conforms to the Zoning by-law, Delegated Authority is exercised by providing site plan approval

1.3 PLANNING AND DEVELOPMENT SERVICES		By-law 2008-10
Delegated Authority - Existing	Delegated Authority - Revised	
Review and comment on Niagara Escarpment Development Permit Applications that would otherwise be in compliance with zoning regulations were they in effect. Any application that would not be in compliance shall be reviewed by Council.	No Revisions	
Delegated To - Existing	Delegated To - Revised	
Director of Planning and Development Services, or designate	Director of Planning and Development Services, or designate (Manager of Community Planning)	

Rationale: The Town is a commenting agency in this scenario. All development permit applications are reviewed for conformity with the Town's Official Plan and Zoning By-law (if it were in effect), as well as other technical matters (i.e. servicing connections, etc.). Following review of the application, staff provide comments to the Niagara Escarpment Commission (NEC) for consideration. If the application does not conform to the Official Plan or is not in keeping with the general intent of the Official Plan, staff would advise Council before providing formal comments to the NEC.

Process:

1. Development Permit Application is received by Town staff from the NEC
2. Staff review the application for conformity to the Official Plan
3. If the application conforms or is in general keeping with the Official Plan, Delegated Authority is exercised by providing a favourable recommendation to the NEC for consideration

4. If the application generates technical comments that need to be addressed, Delegated Authority is exercised by providing those comments to the NEC for consideration
5. If the application does not conform to the Official Plan in substantial ways, staff advise Council of the application before providing formal recommendations to the NEC
6. NEC approves or denies the Development Permit Application

1.4 PLANNING AND DEVELOPMENT SERVICES		By-law 2008-10	
Delegated Authority - Existing		Delegated Authority - Revised	
Model Home Agreements required for sales and display where permitted by zoning regulations and contemplated by development agreement.		Model Home and/or Temporary Sales Office Agreements required for sales and display where permitted by zoning regulations and contemplated by development agreement	
Delegated To - Existing		Delegated To - Revised	
Director of Planning and Development Services, or designate		No Revisions	

Rationale: Staff are recommending that the term “Temporary Sales Office” be added to this delegated authority to reflect the current industry conditions. Many developments are incorporating the use of sales offices in mobile trailers with enhanced fronts, not only model homes. These agreements are minor in nature and depend upon provisions and performance standards that are already stipulated in Section 4.20 of the Town’s Zoning By-law. Such uses normally require no special amendments and must conform with clearly defined, stipulated minimum standards. The approval process also requires a technical review by Development Engineering, Building Division, Planning and Legal Services staff.

Process:

1. Application for a model home/temporary sales office is received by staff
2. Application is circulated internally to staff for review
3. If no issues are identified by staff and the application meets the zoning requirements Delegated Authority is exercised by drafting an agreement for execution
4. Director of Legal Services reviews the draft agreement
5. Final agreement is executed by the Director and Town Clerk

1.5 PLANNING AND DEVELOPMENT SERVICES		By-law 2009-85	
Delegated Authority - Existing		Delegated Authority - Revised	
Tree Preservation Agreements, in a form approved by the Town’s solicitor, required by a Subdivision Agreement.		Tree Preservation Agreements, in a form approved by the Director of Legal Services, required by a Subdivision Agreement and Tree Preservation By-law as approved by the Town.	
Delegated To - Existing		Delegated To - Revised	
Director of Planning and Development Services, or designate		Director of Planning and Development Services, or designate (Manager of Development Engineering)	

Rationale: While tree removals, preservation, and planning matters are typically dealt with in a Development Agreement, a separate Tree Preservation Agreement may be necessary to outline the specifics pertaining to tree preservation within the subdivision/development area. The condition for the tree preservation agreement has already been stipulated through the subdivision agreement and/or master development agreement which has been pre-approved by Council and Grey County.

Process:

1. Area of trees to be preserved is identified through prior planning processes, including the applicable conservation authority or other related environmental professionals.
2. Delegated Authority is exercised by drafting a Tree Preservation Agreement based on the conditions set out in the subdivision agreement
3. Director of Legal Services reviews the draft agreement
4. Final agreement is executed by the Director and Town Clerk

1.6 PLANNING AND DEVELOPMENT SERVICES		By-law 2009-85	
Delegated Authority - Existing		Delegated Authority - Revised	
Municipal Clearances to the County of Grey with respect to Draft Plan Approval to facilitate registration upon fulfillment of conditions.		Municipal Clearances to the County of Grey with respect to Draft Plan Approval to facilitate registration upon fulfillment of conditions and supported by appropriate documentation.	
Delegated To - Existing		Delegated To - Revised	
Director of Planning and Development Services, or designate		Director of Planning and Development Services, or designate (Manager of Community Planning)	

Rationale: Grey County will not provide developers with final plan registration approval without a clearance letter from the Town indicating that all conditions of the draft plan have been satisfied. Town staff review the final application to ensure that all the conditions have been met to the Town's satisfaction before providing the requisite clearance letter.

Process:

1. Town receives a request from developer to provide a clearance letter, including supporting documentation showing how conditions have been addressed.
2. Town staff review information to confirm if all conditions have been satisfactorily met.
3. Once confirmed, Delegated Authority is exercised by providing a clearance letter to Grey County

1.7 PLANNING AND DEVELOPMENT SERVICES		By-law 2009-85	
Delegated Authority - Existing		Delegated Authority - Revised	
The provision of consent to the County of Grey with respect to a Draft Plan extension be delegated to the Director of Planning and Development Services provided: a) municipal services continue to be available b) new legislation, regulations, policies and/or by-laws would not preclude the proposed development; and c) the request for Draft Plan extension does not apply to a Draft Plan Approval given prior to December 13, 2002.		The provision of consent to the County of Grey with respect to a Draft Plan extension be delegated to the Director of Planning and Development Services provided: a) municipal services continue to be available b) new legislation, regulations, policies and/or by-laws would not preclude the proposed development; and c) the request for Draft Plan extension does not apply to a Draft Plan where approval has been granted for more than 10 years.	
Delegated To - Existing		Delegated To - Revised	
Director of Planning and Development Services, or designate		Director of Planning and Development Services, or designate (Manager of Community Planning)	

Rationale: Draft plan approvals are provided by Grey County and generally are approved for a minimum 3 year term. Sometimes these approvals need to be extended so that the developer can meet all the required conditions. Before Grey County approves an extension to a draft plan approval they request a clearance letter from the Town. Town staff review the request and, unless the project is no longer in conformity with the Town's planning documents or meets the criteria outlined in the delegation, the clearance letter is typically provided to grant the extension. Extensions are typically supported for periods of one (1) year. If the project is potentially contrary to current good planning principles and policies, or has been draft approved for longer than 10 years, staff would request direction from Council. It is important to note that these requests usually involve extending only the timeline and not changing the conditions of the draft plan approval.

Process:

1. Town receives a request from Grey County to provide a clearance letter
2. Town staff confirm that adequate municipal servicing will be available, that the project still conforms with existing legislation, Town regulations, policies and by-laws and that the extension request does not apply to a draft plan approval that has been draft approved for more than 10 years
3. If the project has potential developmental challenges, staff would request direction from Council
4. Delegated Authority is exercised by providing a clearance letter to Grey County

1.8 PLANNING AND DEVELOPMENT SERVICES		By-law 2012-76	
Delegated Authority - Existing		Delegated Authority - Revised	
Site Plan Approval, with such delegation limited to those developments that are in conformity with the applicable Zoning By-law. Where an owner or designated agent does not agree with the terms and/or conditions of a delegated Approval, the owner and/or agent may request that Council review and /or modify such terms and/or conditions of the Approval.		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Director of Planning and Development Services, or designate		Director of Planning and Development Services, or designate (Manager of Community Planning)	

Rationale: This process is performed by Town staff and involves a technical review by the Town's Development Review Committee, the collection of securities, circulation to a variety of external agencies and bodies for comment, conformity check with the Town's Zoning By-law, Engineering Standards and Community Design Guidelines, review of required municipal servicing and need for any additional supporting studies. This approval is delegated to staff because of their specific expertise in determining if site plans meet the applicable requirements as outlined in the Council approved policy documents, etc.

Process:

1. Site Plan Application is received from the developer
2. Technical review is performed by Town staff and external agencies/stakeholders as applicable
3. Conformity to the Zoning By-law and other relevant documents is confirmed
4. Servicing and need for additional studies as required
5. Application is circulated to appropriate external agencies (MTO, NEC, Conservation Authorities, Enbridge, etc.)
6. Application is formally reviewed at a Town DRC meeting
7. Applicant addresses any outstanding comments and revises the drawings accordingly
8. Site Plan Approval issued by Director of Planning and Development Services (Delegated Authority is exercised), the Agreement is prepared and reviewed by the Director of Legal Services, in consultation with the Senior Management Team
9. Site Plan Agreement is executed by Mayor and Clerk after it has been executed by the applicant and appropriate securities and insurance information has been received

1.9 PLANNING AND DEVELOPMENT SERVICES		By-law 2008-10	
Delegated Authority - Existing		Delegated Authority - Revised	
Agreements with Registered Code Agencies to perform specified functions with regard to the Building Code Act, S.O. 1992		Agreements with Contract Code Consultants and Registered Code Agencies to perform specified functions with regard to the Building Code Act, S.O. 1992	
Delegated To - Existing		Delegated To - Revised	
Chief Building Official		Chief Building Official, or designate (Deputy Chief Building Official in consultation with the Director of Planning and Development Services)	

Rationale: This delegated authority allows the Chief Building Official (CBO) the flexibility to recruit during unexpected staff shortages or when required by large, or multiple development projects. The Building Division Operating Budget generally includes a provision for the hiring of contract services. If this budget item is approved by Council, the CBO is able to reach out to other municipalities, independent consultants or registered code agencies to contract certified staff to assist with building inspections and site plan review services.

Process:

1. Council approves the operating budget to be spent on this (exceeding this would require Council approval)
2. Obtain proper insurance requirements from contractors or agencies
3. Delegated Authority is exercised by developing a contract with the contractor or agency to be retained by the Town

1.10 PLANNING AND DEVELOPMENT SERVICES		By-law 2008-10	
Delegated Authority - Existing		Delegated Authority - Revised	
Conditional Building Permit Agreements made under the Building Code Act, S.O. 1992		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Chief Building Official		Chief Building Official, or designate (Deputy Chief Building Official in consultation with the Director of Planning and Development Services)	

Rationale: This is used for subdivisions where basic infrastructure services have not been completed, but the developer would like to enter into a conditional agreement in order to put in building foundations. This allows the subdivision development to proceed up to an agreed upon point in the construction process without municipal services being in place. The CBO is capable of ensuring that construction conforms to the Building Code Act.

Process:

1. Developer or the Property Owner would make a request for a conditional permit
2. Required to complete a form provided by the Building Division
3. CBO reviews the request for compliance with the Building Code Act
4. Draft Permit Agreement with specific conditions, deadlines and a fee as well as the building permit fee
5. When conditions have been met, this is verified by Building Staff and Delegated Authority is exercised by providing authorization to move forward with the rest of the building

1.11 PLANNING AND DEVELOPMENT SERVICES		By-law 2009-85	
Delegated Authority - Existing		Delegated Authority - Revised	
Delayed Demolition Agreements, in a form approved by the Town's Solicitor.		Delayed Demolition Agreements, in a form approved by the Director of Legal Services .	
Delegated To - Existing		Delegated To - Revised	
Chief Building Official		Chief Building Official, or designate (Deputy Chief Building Official in consultation with the Director of Planning and Development Services)	

Rationale: This delegated authority is only used in instances where a property is building a new home on a property where a dwelling already exists. This situation does not happen very often and is very straight forward and is not controversial enough for Council to be concerned with overseeing.

Process:

1. Request received from the property owner
2. Director of Legal Services drafts the agreement
3. Agreement contains specific timelines for when the demolition must take place
4. Delegated Authority is exercised by executing the agreement

1.12 PLANNING AND DEVELOPMENT SERVICES		By-law 2009-85	
Delegated Authority - Existing		Delegated Authority - Revised	
Alteration of Grade/Fill Agreements in a form approved by the Town's Solicitor required under the Town's Alteration of Grade/Fill By-law.		Alteration of Grade/Fill Permits and associated Agreements in a form approved by the Director of Legal Services required under the Town's Alteration of Grade/Fill By-law.	
Delegated To - Existing		Delegated To - Revised	
Manager, Building and By-law Services		Chief Building Official, or Manager of Development Engineering	

Staff Recommendation: Keep the delegated authority status quo, add "Permits" to the delegated authority and update the reference to the Town's Solicitor to the Director of Legal Services. Add the Chief Building

Official and Manager of Development Engineering as some permits relate to development projects, not Building projects.

Rationale: Staff are recommending that “Fill Permits” be added to this delegated authority. Staff are already reviewing grading plans when houses are being built or renovated. Anything not covered under a building permit would be reviewed by Development Engineering Staff. Our highly skilled Development Engineering staff have the expertise to review and approve fill permits.

Process:

1. Complete the required form for alteration of grade
2. Review by CBO or Development Engineering
3. Fees and deposits are collected
4. Site visit
5. Delegated Authority is exercised by issuing the applicable permit
6. Certification from the engineer or surveyor is sent to the Building Division advising that the work complies with the permit

1.13 PLANNING AND DEVELOPMENT SERVICES		By-law 2014-18	
Delegated Authority - Existing		Delegated Authority - Revised	
Execution of Holding Tank Agreement.		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Chief Building Official		Chief Building Official or designate (Deputy Chief Building Official in consultation with the Director of Planning and Development Services)	

Rationale: Under the building code the installation of permanent holding tanks is not permitted, however, they can be installed on an interim basis in place of a septic system when municipal services are in the process of being installed or in very specific circumstances. Holding tanks are already regulated under the Building Code Act and it is more efficient to have staff take care of this expediently to assist residents when required.

Process:

1. Property owner would make a request for a temporary holding tank installation to Building staff
2. Property owner completes an application complete with site plan, septic tank information and haulage agreement with a certified septic hauler
3. Staff confirm that municipal services are going to be constructed
4. Delegated Authority is exercised by issuing the permit
5. Inspection is performed
6. Another inspection performed when connection is made to municipal services
7. Holding tank is removed

1.14 PLANNING AND DEVELOPMENT SERVICES		By-law 2015-63
Delegated Authority - Existing	Delegated Authority - Revised	
Execution of subdivision and condominium agreements, in a form approved by the Town's solicitor, that reflect the approved conditions of a plan of subdivision or a plan of condominium.	Combine with delegation 4.2	
Delegated To - Existing	Delegated To - Revised	
Director of Planning and Development Services/Manager of Development Engineering	Mayor and Clerk	

Rationale: Staff would prefer for the delegated authority for this section be taken from the Director of Planning and Development Services/Manager of Development Engineering and given to the Mayor and Clerk. This switch would better represent the current practice for executing these types of agreements. Staff do not wish to have delegated authority for agreements of this magnitude.

Process:

See Process in Item 4.2

1.15 PLANNING AND DEVELOPMENT SERVICES		By-law 2007-35
Delegated Authority - Existing	Delegated Authority - Revised	
Authority for determining and notifying if the information and material required to accompany Official Plan and Zoning By-law Amendment applications made under the Planning Act. R.S.O. 1990, c.P.13 has, or has not been provided, to the Director of Planning and Development Services, or in his absence to the Manager of Development Planning.	Authority for determining and notifying if the information and material required to accompany complete Official Plan, Zoning By-law Amendment, or Consent applications made under the Planning Act. R.S.O. 1990, c.P.13 has, or has not been provided and in accordance with the Town of The Blue Mountains Official Plan Complete Application Requirements policies.	
Delegated To - Existing	Delegated To - Revised	
Director of Planning and Development Services, or designate being the Manager of Development Planning	Director of Planning and Development Services, or designate being the Manager of Community Planning	

Rationale: The Planning Act stipulated that notification of a complete or incomplete application be made within 30 days to the applicant after receiving their application. The Planning Act further stipulates that the public must be notified of the receipt of a completed application within 15 days of deeming the application complete. Due to the timelines associated with this particular delegation, staff recommend that it would be more efficient that the delegated authority remain with Town staff.

Process:

1. Pre-Consultation Application is received by the Town
2. Pre-Consultation information is reviewed by Development Review Committee
3. Pre-Consultation requirements are provided to the applicant, as per delegated authority
4. If the proponent, chooses to pursue a formal Planning Act application, the reports, plans, and materials required through Pre-Consultation are prepared
5. Application is received by Town staff
6. Formal Planning Act application(s) is reviewed by Town staff to determine if the Pre-Consultation requirements have been met and whether the application(s) is complete.
7. Applicant is advised of the Complete/Incomplete status of the application(s) within 30 days of receiving the application (as required by the Planning Act).
8. Once all Pre-Consultation requirements have been received by the Town, Notice of Complete Application is provided to Council and the public in accordance with the Planning Act (15 days of notification to the applicant)
9. Delegated Authority is exercised by completing the notification process

2.1 FINANCE AND IT SERVICES		By-law 2008-10	
Delegated Authority - Existing		Delegated Authority - Revised	
Authorization of reduction of Letters of Credit related to progress of development works subject to recommendations by Town Staff.		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Town Treasurer or designate (Deputy Treasurer), and Director of Planning and Development Services, or designate		Town Treasurer or designate (Deputy Treasurer), Director of Legal Services , and Director of Planning and Development Services, or designate (Manager of Development Engineering)	

Rationale: Security funds and/or Letters of Credit are provided to the Town when an agreement executed. These are retained to cover costs associated with the repair, rehabilitation, and/or replacement of works and landscaping in the event obligations under the agreement are not fulfilled.

Process:

1. Security Reduction from Development Engineering given to Budget Analyst
2. Security Reduction is reviewed by Director of Legal Services
3. Budget Analyst drafts letter for Reduction or Draw Down
4. Delegated Authority is exercised by Treasurer signing the letter
5. Letter is couriered to bank by Finance Admin Assistant
6. Budget Analyst updates all files and sends reduction package to Development Engineering for their records

2.2 FINANCE AND IT SERVICES		By-law 2015-63
Delegated Authority - Existing	Delegated Authority - Revised	
Delegation of authority to sign agreements to accept grant, or funding agreements where no municipal contribution is required or where the municipal contribution has been budgeted for and does not exceed the purchasing limits assigned to the Director of Finance, delegated to the Director of Finance, or designate and Appropriate Department Director, or designate.	No Revisions	
Delegated To - Existing	Delegated To - Revised	
Director of Finance or designate, being the Manager of Accounting and Budgets, AND Appropriate Department Director, or designate	No Revisions	

Rationale: This delegated authority ensures the efficient processing of grant and funding agreements that are often time sensitive.

Process:

1. Agreement received by Town to accept grant or funding that is time sensitive in nature
2. Agreement is reviewed and confirms there is no municipal contribution required or if any, it is within budget
3. Delegated Authority is exercised by the Director of Finance or designate AND Appropriate Department Director, or designate signing the agreement
4. Agreement is submitted and grant or funding is received

2.3 FINANCE AND IT SERVICES		By-law 2003-29
Delegated Authority - Existing	Delegated Authority - Revised	
Delegate the Powers and Duties of the Municipality in respect of filing complaints with the Assessment Review Board.	No Revisions	
Delegated To - Existing	Delegated To - Revised	
Treasurer, Town of The Blue Mountains	No Revisions	

Rationale: The Director of Finance and IT Services (Treasurer) has the expertise to effectively handle filing complaints with the Assessment Review Board.

Process:

1. Notice of appeal or complaint from the Assessment Review Board (ARB) is received
2. The appeal or complaint is reviewed
3. A response is sent to the ARB as required
4. Staff consider potential Minutes of Settlement, Delegated Authority is exercised by Director of Finance and IT Services by signing settlements
5. Participation in ARB hearings as required
6. ARB decisions are reviewed by staff

2.4 FINANCE AND IT SERVICES		By-law 2016-5	
Delegated Authority - Existing		Delegated Authority - Revised	
Delegate the Execution of all Information Technology, Confidentiality, Non-Disclosure and Data Security Agreements shall be delegated to the Director of Finance and IT or designate, being the Manager of Accounting and Budgets.		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Director of Finance and IT or designate being the Manager of Accounting and Budgets		No Revisions	

Rationale: This delegated authority ensures the efficient execution of Information Technology, Confidentiality, Non-Disclosure and Date Security Agreements. These agreements are with third parties who require access to Town data and systems.

Process:

1. Staff engage vendor/contractor when vendor requires Town data sent to them
2. Staff work with vendor to get Non-Disclosure Agreement signed
3. Delegated Authority is exercised by Director of Finance and IT Service signing Non-Disclosure Agreement
4. Copy is emailed to originator and original is filed in Finance and IT electronic filing system and tracked on a spreadsheet

3.1 OPERATIONS		By-law 2008-10	
Delegated Authority - Existing		Delegated Authority - Revised	
Municipal Consents under Franchise Agreements addressing use of public highway allowances by public corporations and utility and service providers.		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Director of Infrastructure and Public Works, or designate (Roads and Drainage Manager)		Director of Operations , or designate (Manager of Roads and Drainage)	

Rationale: Provides for efficiency in responding to requests with the benefit of consideration by appropriate technical staff. Franchise Agreements are in place where the service or works are consistent and take place throughout the term of the Agreement. All Insurance and Health and Safety measures are still required.

Process:

1. Formal Agreement Submitted by Utility
2. Agreement for them to place their infrastructure on our lands is reviewed for Completeness
3. Agreement circulated to Director of Legal Services, Manager of Purchasing and Risk Management, CAO
4. Ensure adequate Insurance coverage annually
5. Delegated Authority is exercised by signing the Agreement and issuing Municipal Consent

3.2 OPERATIONS		By-law 2008-47	
Delegated Authority - Existing		Delegated Authority - Revised	
Prepare, maintain, update and administer Town Engineering Standards. Modifications which may result in a significant increase in liability or long term costs be endorsed by Council. Each edition of the Engineering Standards should be provided as information to Council.		Prepare, maintain, update and administer Town Engineering Standards. Modifications which will not result in a significant increase in liability or long term costs shall be endorsed by Senior Management Team . Major modifications which may result in a significant increase in liability or long term costs shall be endorsed by Council . Each edition of the Engineering Standards should be provided as information to Council.	
Delegated To - Existing		Delegated To - Revised	
Director of Infrastructure and Public Works		Director of Operations and Director of Planning and Development Services	

Rationale: Both the Operations Department and the Planning and Development Services Department have continuous interaction with the Town Engineering Standards. Joint responsibility for the preparation, maintenance, update and administration is intended to ensure the Town Engineering Standards reflect the operational needs of the Town while also reflecting the role the Development Engineering Division has in implementing the Standards through the development process. This delegated authority reflects the Town

internal structure and provides delegated authority to the appropriate staff to make amendments to the Town's Engineering Standards. Significant amendments or updates will be provided to Council for consideration and approval.

Process:

1. Where modifications to the Town's Engineering Standards may be requested or necessary, such proposed modifications will be reviewed by relevant staff
2. Staff will prepare a written memorandum outlining the modification, the rationale, and any potential impacts to liability or long term costs that may be incurred by the Town
3. The memorandum will be jointly reviewed by the Director of Operations and the Director of Planning and Development Services
4. Minor site specific modification that are supported by both Directors and recommended by staff employed by the Town and will not result in a significant increase in liability or long term costs to the Town may be approved by both Directors
5. Major modifications that are supported by both Directors and will not result in a significant increase in liability or long term costs to the Town will be brought to the Town's Senior Management Team for endorsement prior to Delegated Authority being exercised through a final written approval by both Directors.
6. If supported by both Directors, modifications which may result in a significant increase in liability or long term costs will be brought to Council for consideration and a decision

3.3 OPERATIONS		By-law 2013-26	
Delegated Authority - Existing		Delegated Authority - Revised	
Authority to temporarily close a highway under the jurisdiction of the Town for any period of time during the construction, repairing or improvement of such highway or any works under, over, along, across or upon such highways.		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Director of Infrastructure and Public Works, or designate		Director of Operations , or designate	

Rationale: Provides for efficiency with the benefit of consideration by appropriate staff. To note, this Delegated Authority does not permit the Director of Operations the ability to close a highway for special events or projects.

Process:

1. Manager of Roads and Drainage receives request
2. Notice is posted on the Town's website and 511; emailed to key staff; faxed to EMS
3. Delegated Authority is exercised through the closure for infrastructure repair or emergency circumstances
4. Internal tracking form completed and filed

3.4 OPERATIONS		By-law 2014-65	
Delegated Authority - Existing		Delegated Authority - Revised	
Preparation and execution of Municipal Land Use Permits and Agreements. With the exception of Building Permits, any permit that affects the Georgian Trail within the Town of The Blue Mountains jurisdiction shall be issued and approved by Council.		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Director of Infrastructure and Public Works, or designate		Director of Operations , or designate	

Rationale: High volume of permit applications which are generally low risk. This Delegation of Authority requires Town staff to ensure all appropriate pre-approval site visits and work is being completed and a final post completion of works site visit is completed and documented.

Process:

1. Formal Application Submitted
2. Application reviewed for Completeness
3. Technical review by Staff, fee and deposit calculated and paid
4. Site Inspection
5. Delegated Authority is exercised by issuing the permit
6. Start up Meeting for hazard awareness
7. Periodic inspection
8. Final inspection for site restoration
9. After one year period site inspected
10. Securities / deposit returned if pass inspection

3.5 OPERATIONS		By-law 2010-54	
Delegated Authority - Existing		Delegated Authority - Revised	
Designate Reduced Load periods.		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Manager of Roads and Drainage, or designate		No Revisions	

Rationale: Requires efficient and timely approval as approvals are linked to seasonal events or structural deficiencies. This Delegated Authority is relevant to the hauling of water for household consumption that the Town has continued to work with a water haulage company to develop an efficient process that provides measures to protect Town infrastructure.

Process:

1. As per Section 122(7) of Highway Traffic Act and By-law 2010-054
2. Staff install signage
3. Exemption may be granted for a vehicle in excess of limits only where deemed necessary
4. Staff review exemption and Delegated Authority is exercised through approval of the exemption
5. Copy of approval to applicant and file

3.6 OPERATIONS		By-law 2015-63	
Delegated Authority - Existing		Delegated Authority - Revised	
Execution of various governmental forms and applications related to proposed Works on Town lands as applicable (Permit to Take Water, Environmental Compliance Approval, Applications).		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Director of Infrastructure and Public Works, or designate being the Manager of Water and Wastewater		Director of Operations , or the Manager of Water and Wastewater	

Rationale: Provides efficiency and ensures development related infrastructure aligns with water and wastewater standards and operating requirements.

Process:

1. Application for Permit to take Water, Environmental Compliance Approval received
2. Application reviewed for Compliance
3. Complies with Town Engineering Standards; MECP – OPSS Design Guidelines for Sewage work
4. Confer with any Town or Provincial policy
5. Delegated Authority is exercised by signing the completed application

3.7 OPERATIONS		By-law 2015-63	
Delegated Authority - Existing		Delegated Authority - Revised	
Execution of Form 1 – Record of Watermains Authorized as a Future Alteration		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Director of Infrastructure and Public Works, or designate being the Manager of Water and Wastewater		Director of Operations , or the Manager of Water and Wastewater	

Rationale: Provides efficiency and ensures development related infrastructure aligns with water and wastewater standards and operating requirements.

Process:

1. Record of Watermains Authorized as a future alteration
2. Information reviewed for Compliance
3. Adhere to OPSS Standards; Design Guidelines for Drinking Water Systems 2008
4. MECP; Town Engineering Standards; Commissioning Protocols
5. Confer with any Town policy or Engineering Standards
6. Information complete and filed where applicable
7. Delegated Authority is exercised by signing the Form 1 before sending to the Ministry of Environment, Conservation and Parks

4.1 ADMINISTRATION		By-law 2008-10	
Delegated Authority - Existing		Delegated Authority - Revised	
Certification of Title Applications noting no objection to land description for development lands, subject to review and recommendation by Town Staff		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Town Clerk		Director of Legal Services	

Rationale: Legal services has resources to investigate title documentation. Can canvass other departments as necessary. Law clerk will have real estate and title experience.

Process:

1. Title Application received by the Clerks Division
2. Application is sent to Legal Services
3. Legal Services does title research, consults with Planning staff or other Town staff as necessary to confirm application reflects understanding and reality on ground
4. Delegated Authority is exercised by the Director of Legal Services providing approval

4.2 ADMINISTRATION		By-law 2008-10	
Delegated Authority - Existing		Delegated Authority - Revised	
Pre-Servicing Agreements authorizing developers to install certain works at their own risk, prior to finalization of Subdivision and Development Agreements, subject to recommendation to CAO, Director of Planning and Development Services and Town Solicitor.		Execution of Site Plan Agreements, Subdivision/Condominium Agreement, Pre-Servicing Subdivision Agreements and Consent Agreements (subject to appropriate internal controls including receiving advice from the CAO, Director of Planning and Development Services and other Town employees, officers and/or agreements as are deemed necessary).	
Delegated To - Existing		Delegated To - Revised	
Mayor and Town Clerk		No Revisions	

Rationale: The Clerk and Mayor are traditionally the municipal officers who have executed these Agreements to bind the corporation. A review of the Agreement by the Clerk and Mayor adds a further level of review and an additional check-and-balance step to an otherwise autonomous internal review process.

Process:

1. Upon approval of a development, the applicant has conditions to fulfill. Site Plan approvals are issued by Director of Planning and Development Services typically with an approval condition that the agreement be entered into within a specified period of time (i.e. 60 or 90 days)
2. Town staff prepare the draft Agreement based on a consistent agreement template
3. Draft agreement is reviewed by the Director of Legal Services
4. Draft Agreement is circulated internally for review, comments incorporated as appropriate.
5. Draft Agreement provided to applicant for their review, including list of documentation required by the Town
6. Additional documentation is returned to Town
7. Final agreement is circulated to the applicant for execution
8. Executed Agreement returned to the Town
9. Executed Agreement circulated internally for Department Head sign-off
10. Once Department Heads sign-off, Delegated Authority is exercised by the Agreement being executed by Clerk and Mayor
11. Executed Agreement is distributed and registered on title

4.3 ADMINISTRATION		By-law 2008-124	
Delegated Authority - Existing		Delegated Authority - Revised	
Review and comment on Ministry of Natural Resources Work on Shoreland Permit Applications. Such applications to be presented to Council for review and consideration where concerns with the Application are noted by Staff.		No Revisions	

4.3 ADMINISTRATION		By-law 2008-124
Delegated To - Existing		Delegated To - Revised
Town Clerk or designate		No Revisions

Rationale: Requests for comments from the municipality in response to Shoreland Permit Applications are submitted to the Town Clerk.

Process:

1. Application for Shoreland Permit is submitted to the Town Clerk for comment
2. Town Clerk circulates the request to the Operations Department for review and comment.
4. Town Clerk compiles the comments and Delegated Authority is exercised by providing the Town's comments in response to the request
5. Town Clerk collects the fees charged by the Town, in accordance with the Fees and Charges By-law

4.4 ADMINISTRATION		By-law 2012-76
Delegated Authority - Existing		Delegated Authority - Revised
Execution of Site Plan Agreements, Plans of Subdivision and Consents (subject to appropriate internal controls including receiving advice from the CAO, Director of Planning and Development Services and other Town employees, officers and/or agreements as are deemed necessary)		Incorporate into delegation 4.2
Delegated To - Existing		Delegated To - Revised
Mayor and Town Clerk		No Revisions

Rationale: Combining delegated authority 4.2 and 4.4 will provide more clarity to the delegated authority policy

Process: See Process in Item 4.2

4.5 ADMINISTRATION		By-law 2015-63
Delegated Authority - Existing		Delegated Authority - Revised
Execution of Expropriation Documents, with approval of CAO and Solicitor.		Execution of Expropriation Documents, with approval of CAO and the Director of Legal Services.
Delegated To - Existing		Delegated To - Revised
Town Clerk or designate, being the Deputy Clerk		Mayor and Town Clerk

Rationale: The expropriation process would not be conducted without first notifying Council and obtaining the necessary endorsement. As such, adding the Mayor as signatory to expropriation documents would more accurately reflect current practice.

Process:

1. Staff notify Council of the expropriation need and seek endorsement
2. If Council endorsement is received, staff move forward with expropriation
3. Delegated Authority is exercised when the necessary expropriation documents are executed by the Mayor and Town Clerk

4.6 ADMINISTRATION		By-law 2015-63	
Delegated Authority - Existing		Delegated Authority - Revised	
During the time that regular Council meetings are suspended (summer vacation or any other reason) delegation to approve tenders, and requests for proposals, award contracts and execute contracts provided that the total costs are within the approved budget contained in the relevant departmental budget and that report regarding these matters be brought to Council at its next regular meeting.		No Revisions	
Delegated To - Existing		Delegated To - Revised	
Chief Administrative Officer, or designated Department Director		No Revisions	

Rationale: This delegated authority allows for the continuation of municipal purchasing during periods that regular Council meetings are suspended. Only purchases that are within the Council approved budget are permitted and reporting to Council will follow each purchase approved by the CAO.

Process:

1. Tender/RFP award report is generated by the department purchasing the good or service
2. CAO reviews the report and confirms that the purchase is within the approved budget
3. Delegated Authority is exercised when the CAO approves the purchase/executes the contract
4. Report is prepared and received by Council at the next regular meeting of Council

4.7 ADMINISTRATION		By-law 2020-29
Delegated Authority - Existing		Delegated Authority - Revised
Delegation of “head” under the Municipal Freedom of Information and protection of Privacy Act.		No Revisions
Delegated To - Existing		Delegated To - Revised
Director of Legal Services		No Revisions

Rationale: Council has delegated the Director of Legal Services as the “head” of the organization for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

Process:

1. Request comes in and is directed to Legal Services
2. Legal Services seeks input from appropriate department/request from IT for digital documents
3. Delegated Authority is exercised when Legal Services prepares response to requestor

4.8 ADMINISTRATION (NEW DELEGATED AUTHORITY) – New By-law Required
Delegated Authority
Approval of requests for relief from the Town’s current Noise By-law that occur between the hours of 7:00 a.m. and 11:59 p.m.
Delegated To
Director of Legal Services, or designate

Rationale: Currently, all requests for relief from the Town’s Noise By-law (2002-9) are approved by Council. The current process ideally requires 8 weeks to complete, which can be problematic for many members of the public planning events. Often, event planners are unaware of this relief requirement which results in requests being received late. Delegating the authority to approve these relief requests to the Director of Legal Services would reduce the processing time from 8 weeks to 3 weeks because the request would not need to be received by Council through scheduled meetings.

Process:

1. Application for relief from the Town’s Noise By-law is received by the By-law Services Division
2. The application is reviewed and circulated via regular mail to all residents and businesses located within a 120 meters radius of the event location
3. Public comments are requested through the mail circulation for a period of 2 weeks
4. Staff compile all comments received from the public and include them, along with the relief request application, to Council in the form of a staff report
5. The staff report is reviewed at Committee of the Whole
6. The request is approved or denied at the subsequent Council meeting

5.1 COMMUNITY SERVICES		By-law 2019-27	
Delegated Authority - Existing		Delegated Authority - Revised	
Designated authority to approve Special Events in accordance with the Special Events Policy.		Designated authority to approve and revoke Special Events permits in accordance with the Special Events By-law .	
Delegated To - Existing		Delegated To - Revised	
Director of Community Services, or designate		No Revisions	

Rationale: The permitting of Special Events by the Director of Community Services is outlined in the Town's 2019-27 Special Events on Municipal Property and Highways by-law. Staff suggest that this delegated authority remain status quo in order to ensure efficient processing of special event requests.

Process:

1. Special Event application is received and reviewed by Town staff
2. The scale of the event determines the amount of logistical consultation required
3. The application is circulated to Fire Services, Grey County EMS and OPP for approval
4. If amplified sound will be used during the event the applicant must obtain an exemption from the Town's Noise By-law before application approval
5. All necessary permits (tent permits, Grey County permits, etc.) and qualifications (food handling certificates, security credentials, etc.) must be received before the application is approved
6. All events require proof of adequate insurance coverage
7. Delegated Authority is exercised by issuing a Special Event Permit
8. If any of the permit conditions are not met before or during the event, the Director notifies the permit holder that the permit has been revoked

5.2 COMMUNITY SERVICES		By-law 2015-10	
Delegated Authority - Existing		Delegated Authority - Revised	
Designated authority to approve activities taking place within a park.		Designated authority to temporarily close a park and authorize or restrict activities taking place within a park.	
Delegated To - Existing		Delegated To - Revised	
Director of Community Services, or designate		No Revisions	

Rationale: The regulation of Parks and Facilities are outlined in the 2015-10 Parks and Facilities Regulations By-law. Staff suggest that this delegated authority remain status quo in order to maintain the flexibility to respond quickly to unexpected situations, such as COVID-19, and close or restrict the activities permitted within Town parks and facilities.

Process:

1. If a request is made to permit an activity within a Town park or facility, the Director of Community Services would review the request
2. If the request is minor in nature, of short duration and does not significantly impact the surrounding residents, Delegated Authority is exercised by the Director through approval of the activity
3. If the request requires a longer duration or more significant impact to the park, facility or the surrounding residents, the Director will seek direction from Council to approve the request

5.3 COMMUNITY SERVICES		By-law 2014-65	
Delegated Authority - Existing		Delegated Authority - Revised	
Preparation and execution of Municipal Land Use Permits and Agreements. With the exception of Building Permits, any permit, that affects the Georgian Trail within the Town of The Blue Mountains jurisdiction shall be issued and approved by Council.		Preparation and execution of Municipal Land Use Permits and Agreements. With the exception of Building Permits, entrance permits and any permit that affects the Georgian Trail within the Town of The Blue Mountains jurisdiction shall be issued and approved by Council.	
Delegated To - Existing		Delegated To - Revised	
Director of Community Services, or designate		No Revisions	

Rationale: This delegated authority allows staff to quickly and efficiently work with residents to facilitate low-risk access to portions of their properties that they would not be able to access without crossing Town property.

Process:

1. Town receive a request to access private property via Town owned land
2. Staff review the application
3. All necessary insurance and WSIB paperwork is received, a security deposit is collected and Delegated Authority is exercised by issuing the permit
4. A pre-site visit is performed to document the current condition of the Town owned land
5. After the work is performed a final site visit is conducted to ensure that no damage has occurred
6. If no damage is reported, the security deposit is returned