

The Corporation of the Town of The Blue Mountains

By-Law Number 2024 – XX

Being a By-law to amend By-law 2021-61, detailing certain Delegation of Powers and Duties by the Municipality

Whereas subsection 5(3) of the *Municipal Act 2001*, chapter 25, S.O. 2001, (“the Act”), as amended, states that a municipal power, including a municipality’s capacities, rights, powers and privileges under section 9, shall be exercised by by-law;

And Whereas subsection 23.1 of the Act states that Council is authorized to delegate certain powers and duties;

And Whereas section 270 of the Act states that a municipality shall adopt and maintain a policy with respect to the delegation of its powers and duties;

And Whereas, Council of the Town of The Blue Mountains enacted the “Delegation by Council of Powers and Duties” Policy, being Policy No. POL.COR.07.04 on January 28, 2008, by By-law 2008-10”;

And Whereas, Council of the Town of The Blue Mountains held a Public Meeting on August 29, 2023 to receive comments regarding “Proposed Amendments to Bylaws Impacted by Bill 109 and Bill 23”;

And Whereas Council of the Town of the Blue Mountains deems it appropriate to update the delegation of powers and duties and herein delegates portions of these authorities and responsibilities to qualified “others” as specified below.

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts the following paragraphs to form part of By-law 2021-61:

1. That Council delegate to the Director of Planning and Development Services, or designate, the approval authority for uncontested Consent applications, pursuant to Section 53 of the Planning Act, with such delegation limited to those developments that are in conformity with the applicable Zoning By-law and Official Plan.
2. For the purposes of this By-law, an uncontested consent shall mean a consent application for which all information and material required by Section 53(2) and (3) of the Planning Act has been received together with any required application fee and the application has been duly circulated and satisfies the following criteria:
 - a. No concerns or objections have been received by the Town, public agency, company or member of the public that have not been resolved between the objector and the applicant or cannot be addressed or satisfied by a condition of provisional consent
 - b. An application for Minor Variance has not been made concurrently with the submission

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this 11th day of March, 2024

Andrea Matrosovs, Mayor

Corrina Giles, Town Clerk