

## Delegated Authorities and Decision Flow Diagrams

The Town of The Blue Mountains Corporate Policy POL.COR.07.04 “Delegation by Council of Powers and Duties” lists the various powers and duties that have been delegated to staff by Council.

This document includes the following information for each of the delegated authorities staff have been provided by Council:

- The action that staff have been provided delegated authority to perform
- The staff members the authority has been delegated to
- The by-laws and legislation providing the authority to delegate the power or duty
- Decision flow diagrams outlining the process for each of the delegated authorities

### By-laws and Applicable Legislation

Many of the delegated authorities that have been provided to staff by Council have been provided through the development of by-laws. The [Municipal Act](#), 2021, S.O. 2001, c. 25, allows Council to delegate powers and duties to municipal staff through the enactment of by-laws. The Act also specifies powers and duties that cannot be delegated in Section 23.3 (1).

The delegated authorities provided to the **Planning and Development Department staff** have been delegated through by-laws and some are also authorized to be delegated through the [Planning Act](#), R.S.O. 1990, c. P.13 and/or the [Building Code Act](#), 1992, S.O. 1992, c. 23.

The delegated authorities provided to the **Finance and IT Services staff** have been delegated through by-laws and some are also authorized to be delegated through the [Assessment Act](#), R.S.O. 1990 c. A.31.

The delegated authorities provided to the **Operations Department staff** have been delegated through by-laws and some are also authorized to be delegated through the [Highway Traffic Act](#), R.S.O. 1990, c. H.8, and/or the [Safe Drinking Water Act](#), 2002, S.O. 2002, c. 32, and/or the [Clean Water Act](#), 2006, S.O.2006, c. 22.

The delegated authorities provided to the **Administration Department staff** have been delegated through by-laws and some are also authorized to be delegated through the [Municipal Freedom of Information and Protection of Privacy Act](#), R.S.O. 1990, c. M.56, the [Public Lands Act](#), R.S.O. 1990, c. P.43, and/or the [Planning Act](#), R.S.O. 1990, c. P.13.

The delegated authorities provided to the **Community Services staff** have been delegated through by-laws.

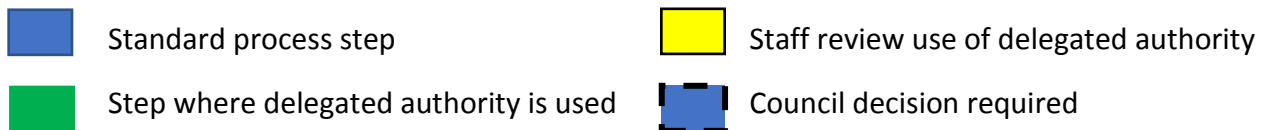
The following statements shall be added to the Corporate Policy POL.COR.07.04 “Delegation by Council of Powers and Duties”:

Whereas the Authorities and Responsibilities of Municipalities are granted to Municipal Councils under provincial legislation such as the Municipal Act, Planning Act and other Provincial legislation, and, by provincial guidelines such as the Provincial Policy Statement; and,

Whereas The town of the Blue Mountains has assumed this Authority and Responsibility as described in its duly approved Official Plan and By-Laws;

The Council of Town of the Blue Mountains herein delegates portions of these Authorities and Responsibilities to qualified “others” as specified in this policy.

#### Flow Diagram Legend

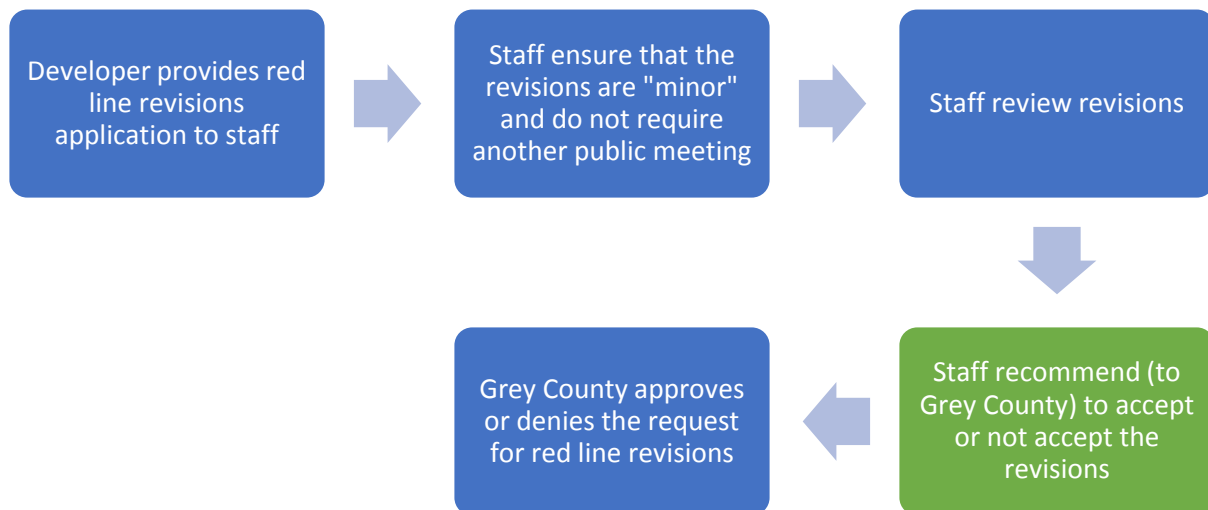


#### List of Applicable By-laws

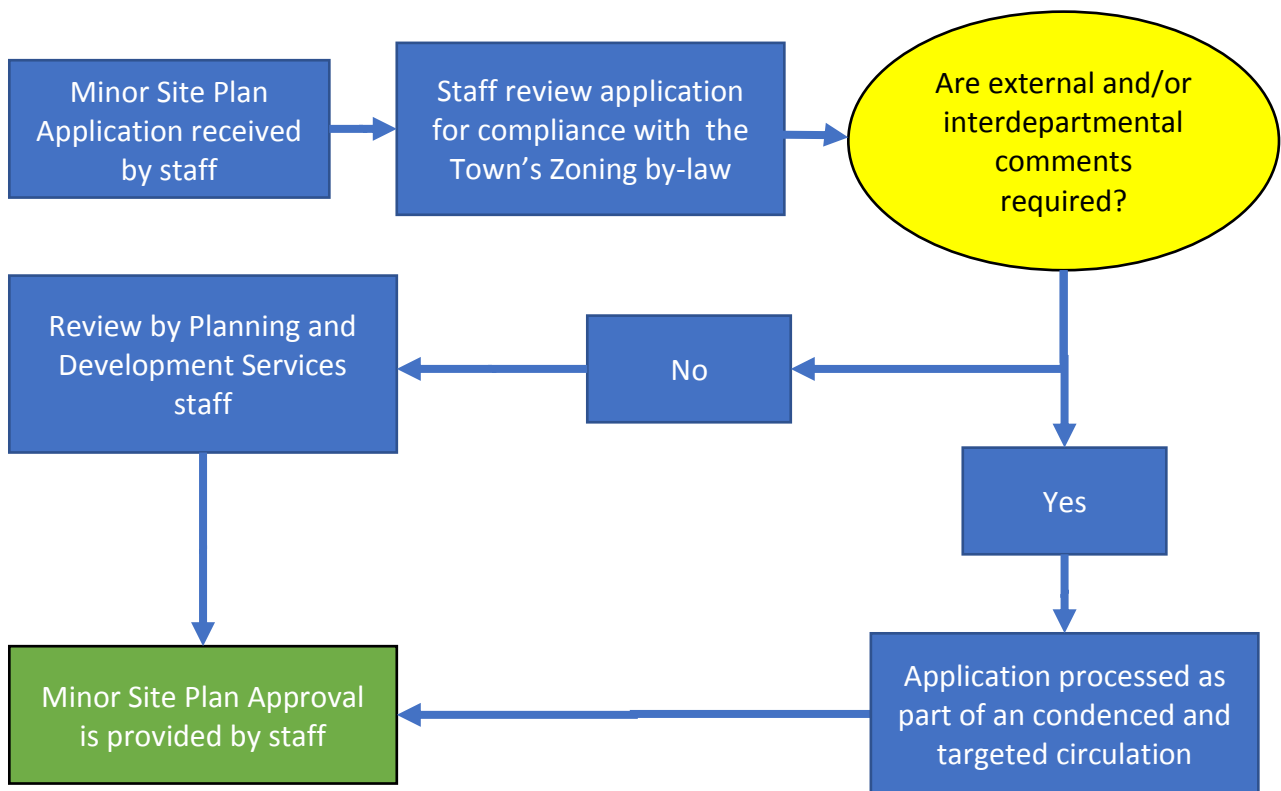
By-law No.	By-law Title	Delegated Authority No.
By-law 2004-35 (amended by-law 2003-29)	Being a By-law to Delegate the Powers and Duties of the Municipality in Respect of Filing Complaints with the Assessment Review Board	2.3
By-law 2007-35	Being a By-law to delegate certain power or authority	1.14 (formerly 1.15)
By-law 2008-10	Being a By-law to adopt a policy of the Town detailing delegation of powers and duties by the municipality	1.1, 1.2, 1.3, 1.4, 1.9, 1.10, 2.1, 3.1, 4.1, 4.2,
By-law 2008-47	Being a By-law to delegate certain power or authority	3.2
By-law 2008-124	Being a By-law to amend a policy of the Town detailing the procedure for delegation by Council of powers and duties	4.3
By-law 2009-85	Being a By-law to amend a policy of the Town detailing the procedure for delegation by Council of powers and duties	1.5, 1.6, 1.7, 1.11, 1.12,

<b>By-law No.</b>	<b>By-law Title</b>	<b>Delegated Authority No.</b>
By-law 2010-54	Being a By-law to designate reduced load periods and the highways or portions thereof which the desungation applies and to issue over-dimensional permits	3.5
By-law 2012-76	Being a By-law to delegate certain power or authority	1.8, 4.4
By-law 2013-26	Being a By-law to delegate powers and duties of Council	3.3
By-law 2014-18	A By-law under the Building Code Act, S.O. 1992, c.23, respecting Permits and Related Matters	1.13
By-law 2014-65	Being a By-law to regulate the installation of works on town land and establish a process to issue Land Use Permits	3.4, 5.3
By-law 2015-43 (amedned 2015-10)	Being a By-law to Provide for the Management, Control, Regulation Maintenance and Useage of All Parks, Including the Harbour, Trails, Open Space Properties and Other public Facilities Owned and or Leased by the Town of The Blue Mountains	5.2
By-law 2015-63	Being a By-law to delegate certain power or authority	2.2, 3.6, 3.7, 4.2 (formerly 1.14), 4.5, 4.6
By-law 2016-5	Being a By-law to delegate certain power or authority	2.4
By-law 2020-29 (recind 2014-32)	Being a By-law to designate a head of the municipal corporation for the purposes of the Municipal Freedom of Information and Protection of Privacy Act	4.7
By-law 2019-27 (rescind 2013-39)	Being a By-law to Regulate Special Events on Municipal Property and Highways	5.1

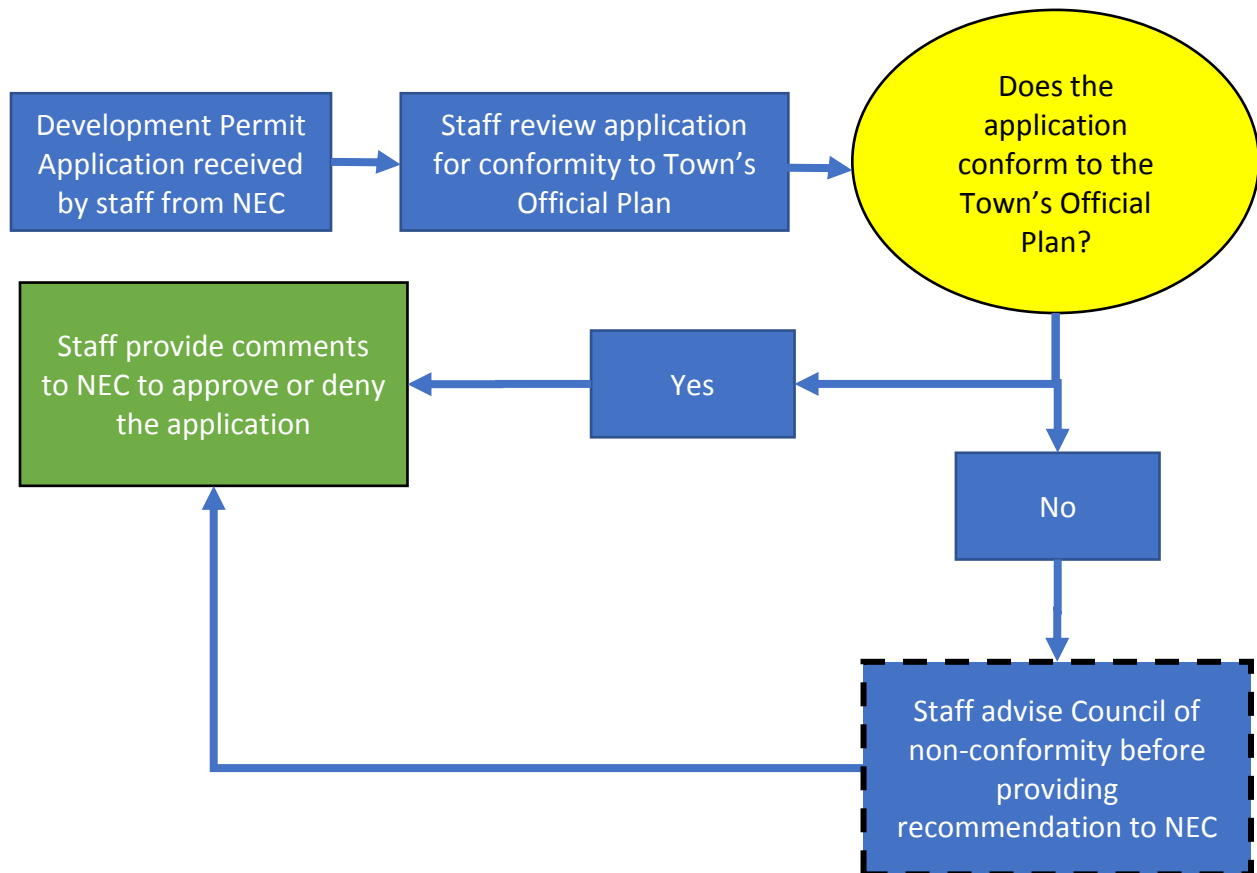
<b>1.1 Planning and Development Services</b>
<b>Delegated Authority</b>
Review and comment on “red-line” (i.e. minor changes that would not require another public meeting) revisions to Draft Plan of Subdivision/Condominium to the County of Grey.
<b>Delegated To</b>
Director of Planning and Development Services, or designate
<b>Authority Provided By</b>
By-law 2008-10 and <a href="#">Planning Act</a> Section 51 (Plans of Subdivision)



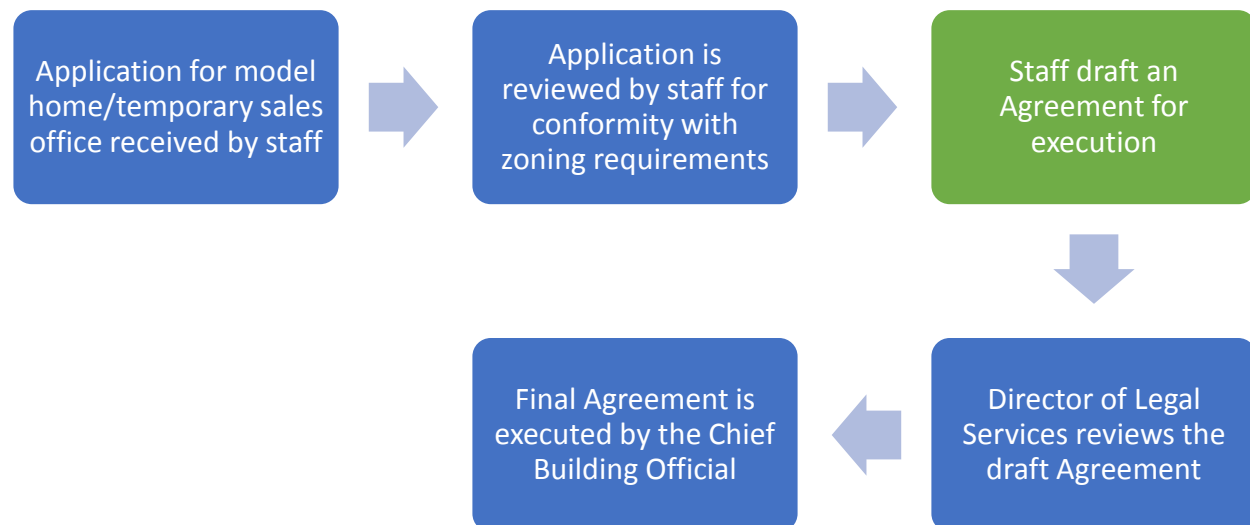
<b>1.2 Planning and Development Services</b>
<b>Delegated Authority</b>
Minor Site Plan approvals that would otherwise be in compliance with the applicable Zoning By-law and would not generate extensive site works and where Staff would not ordinarily recommend a Site Plan Agreement as being required.
<b>Delegated To</b>
Director of Planning and Development Services, or designate
<b>Authority Provided By</b>
By-law 2008-10 and <a href="#">Planning Act</a> Section 41 (Site Plans)



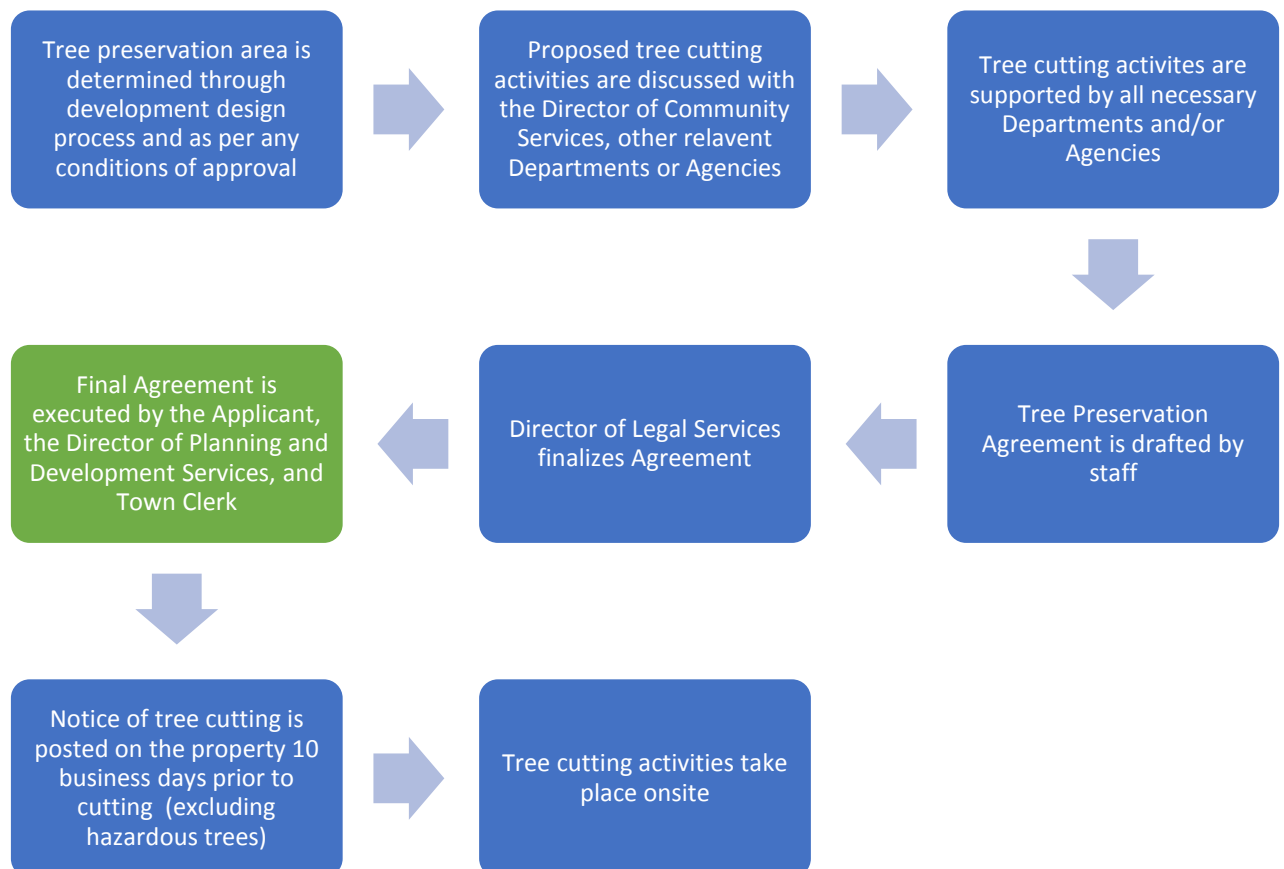
<b>1.3 Planning and Development Services</b>
<b>Delegated Authority</b>
Review and comment on Niagara Escarpment Development Permit Applications that would otherwise be in compliance with zoning regulations were they in effect. Any application that would not be in compliance shall be reviewed by Council.
<b>Delegated To</b>
Director of Planning and Development Services, or designate
<b>Authority Provided By</b>
By-law 2008-10



<b>1.4 Planning and Development Services</b>
<b>Delegated Authority</b>
Model Home and/or Temporary Sales Office Agreements required for sales and display where permitted by zoning regulations and contemplated by development agreement
<b>Delegated To</b>
Director of Planning and Development Services, or designate
<b>Authority Provided By</b>
By-law 2008-10 and related to Zoning By-law Section 4.20 (Model Homes and Temporary Sales Office); Site Plan issued under <a href="#">Planning Act</a> Section 41 (Site Plans)

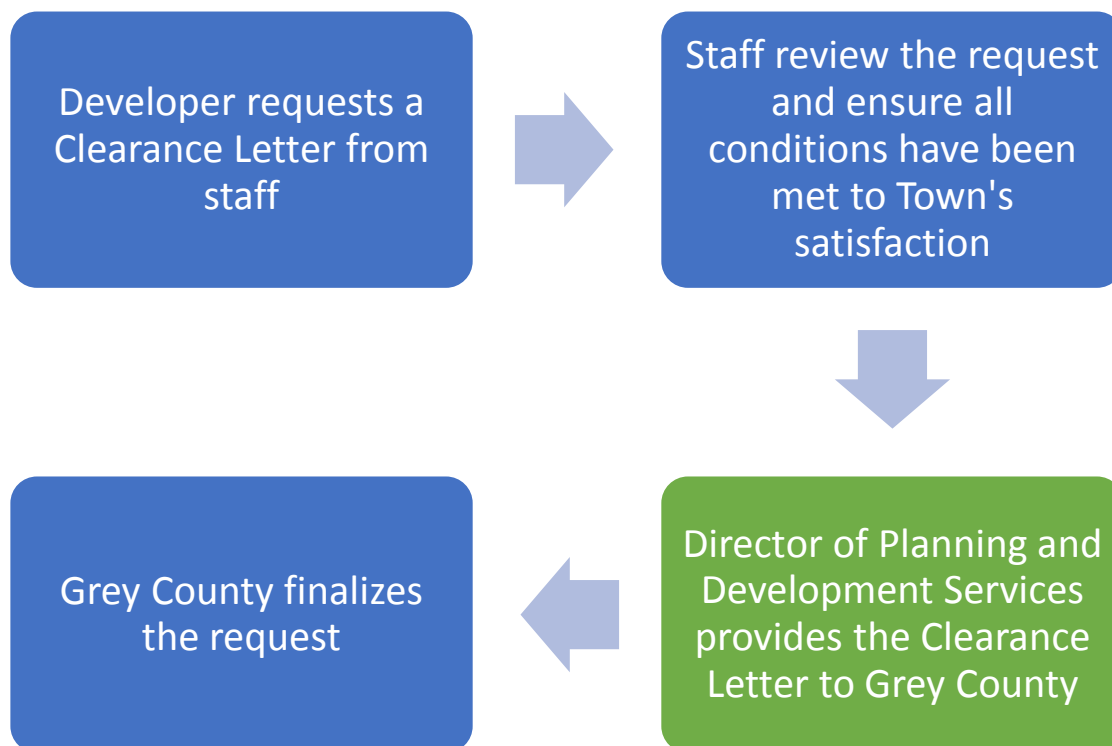


<b>1.5 Planning and Development Services</b>
<b>Delegated Authority</b>
Tree Preservation Agreements, in a form approved by the Director of Legal Services, required by a Subdivision Agreement and Tree Preservation By-law as approved by the Town.
<b>Delegated To</b>
Director of Planning and Development Services, or designate
<b>Authority Provided By</b>
By-law 2009-85; related to Bylaw 2010-68 (Town Tree By-law)





<b>1.6 Planning and Development Services</b>
<b>Delegated Authority</b>
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.
<b>Delegated To</b>
Director of Planning and Development Services, or designate
<b>Authority Provided By</b>
By-law 2009-85; related to <a href="#">Planning Act</a> Section 51 (Plans of Subdivision)



## 1.7 Planning and Development Services

### Delegated Authority

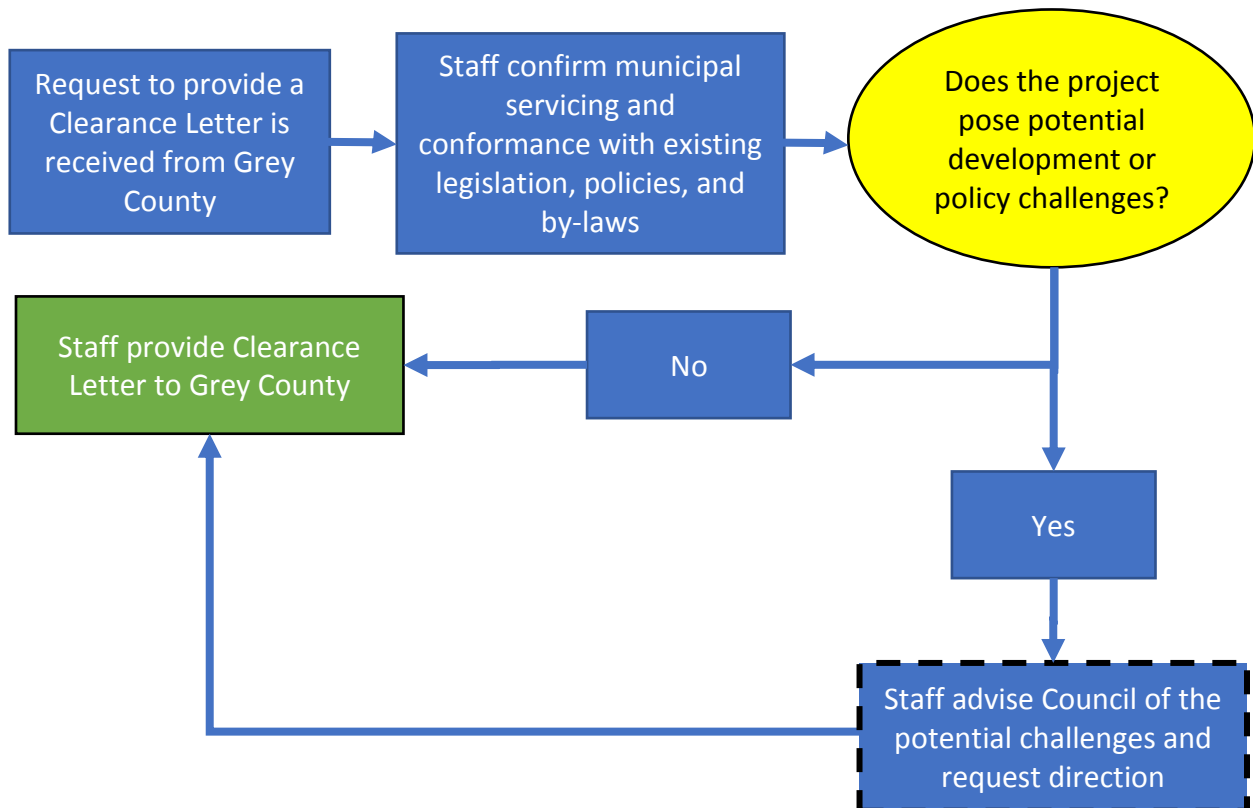
The provision of consent to the County of Grey with respect to a Draft Plan extension be delegated to the Director of Planning and Development Services provided: a) municipal services continue to be available b) new legislation, regulations, policies and/or by-laws would not preclude the proposed development; 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

Director of Planning and Development Services, or designate

### Authority Provided By

By-law 2009-85 and [Planning Act](#) Section 51 (Plans of Subdivision)



## 1.8 Planning and Development Services

### Delegated Authority

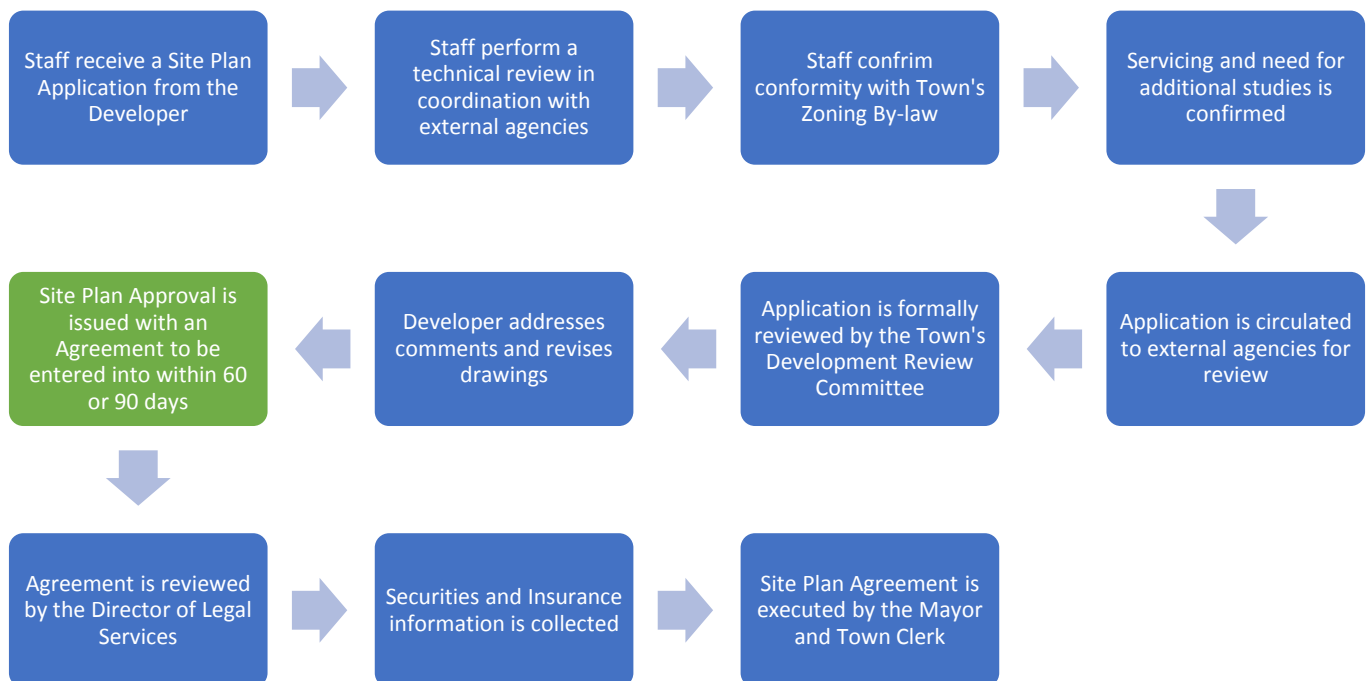
Site Plan Approval, with such delegation limited to those developments that are in conformity with the applicable Zoning By-law. Where an owner or designated agent does not agree with the terms and/or conditions of a delegated Approval, the owner and/or agent may request that Council review and /or modify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

### Delegated To

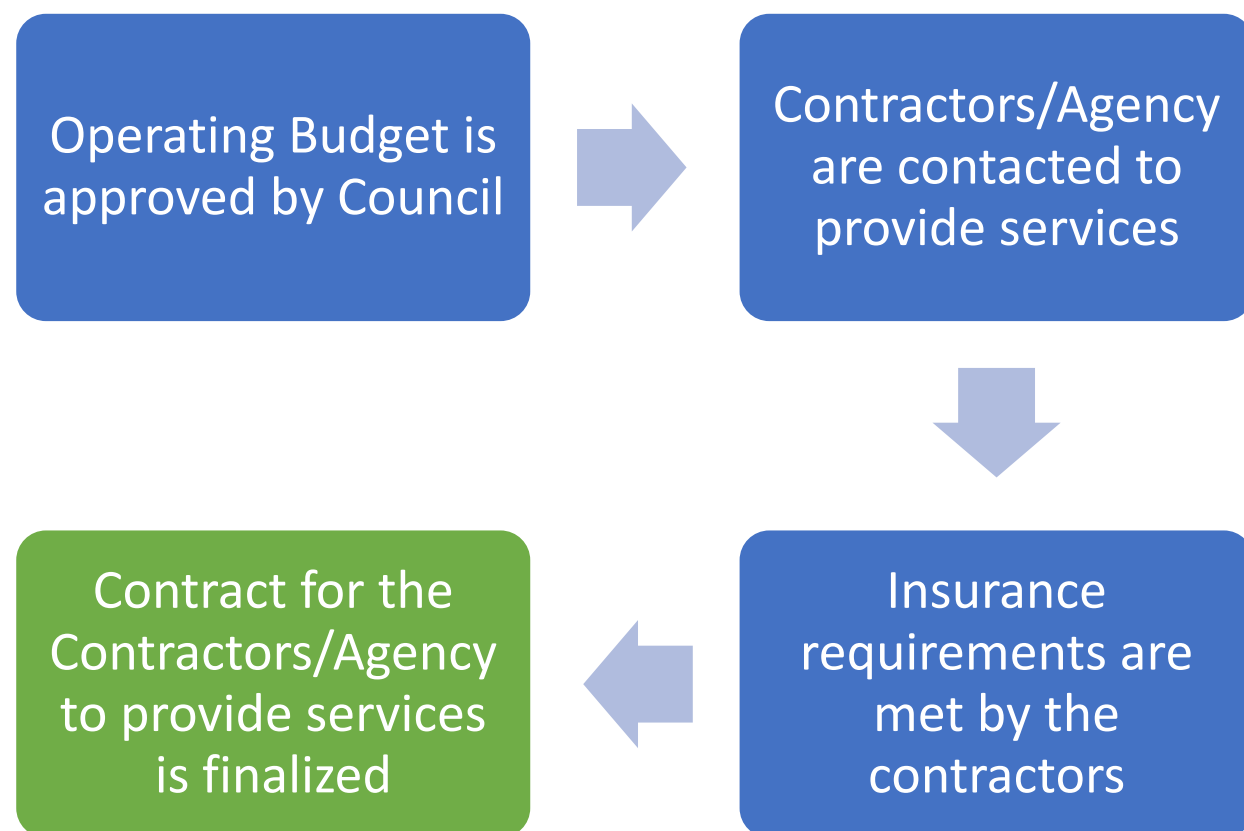
Director of Planning and Development Services, or designate

### Authority Provided By

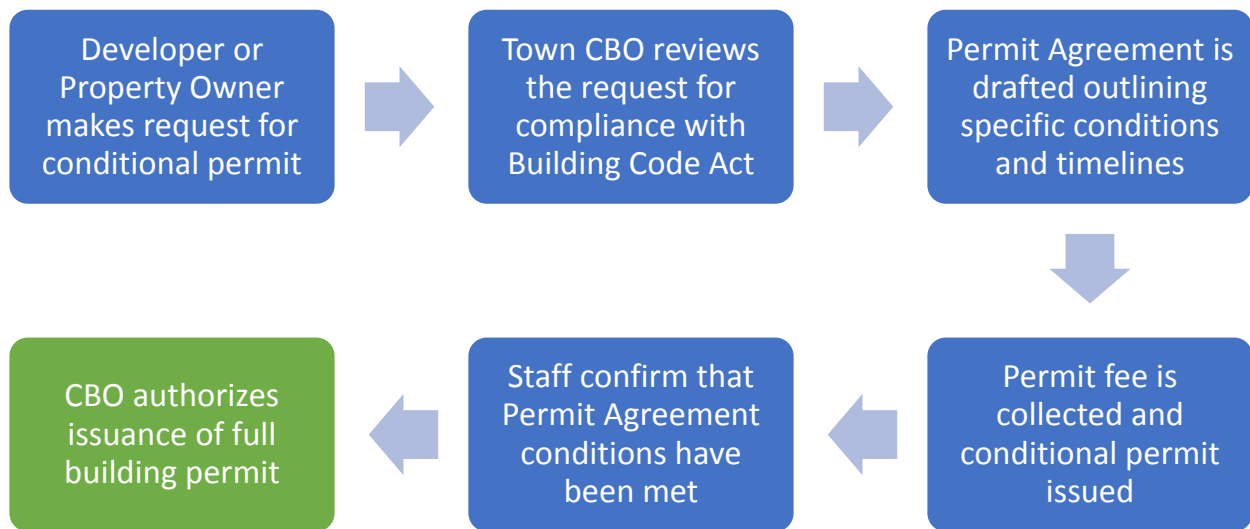
By-law 2012-76 and [Planning Act](#) Section 41 (Site Plans)



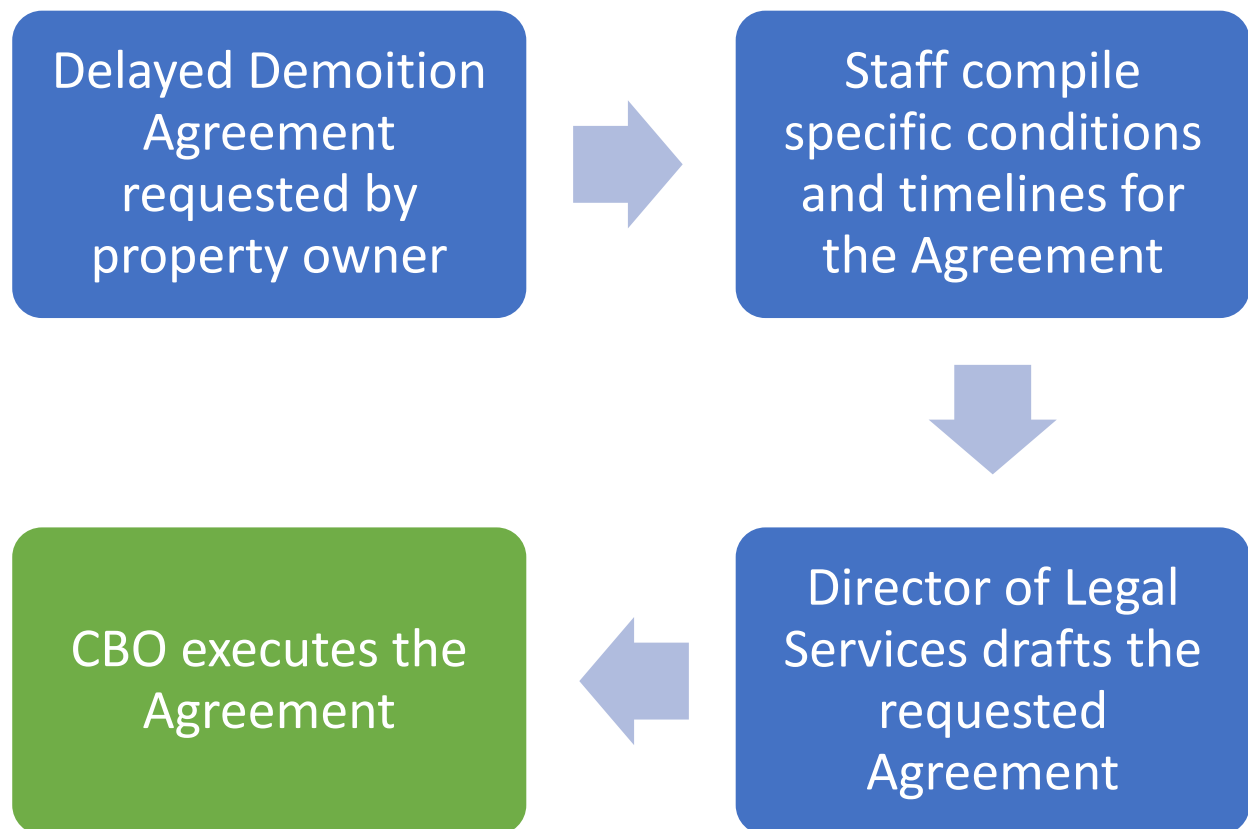
<b>1.9 Planning and Development Services</b>
<b>Delegated Authority</b>
Agreements with Contract Code Consultants and Registered Code Agencies to perform specified functions with regard to the Building Code Act, S.O. 1992
<b>Delegated To</b>
Chief Building Official, or designate (Deputy Chief Building Official in consultation with the Director of Planning and Development Services)
<b>Authority Provided By</b>
By-law 2008-10 and <a href="#">Building Code Act</a>



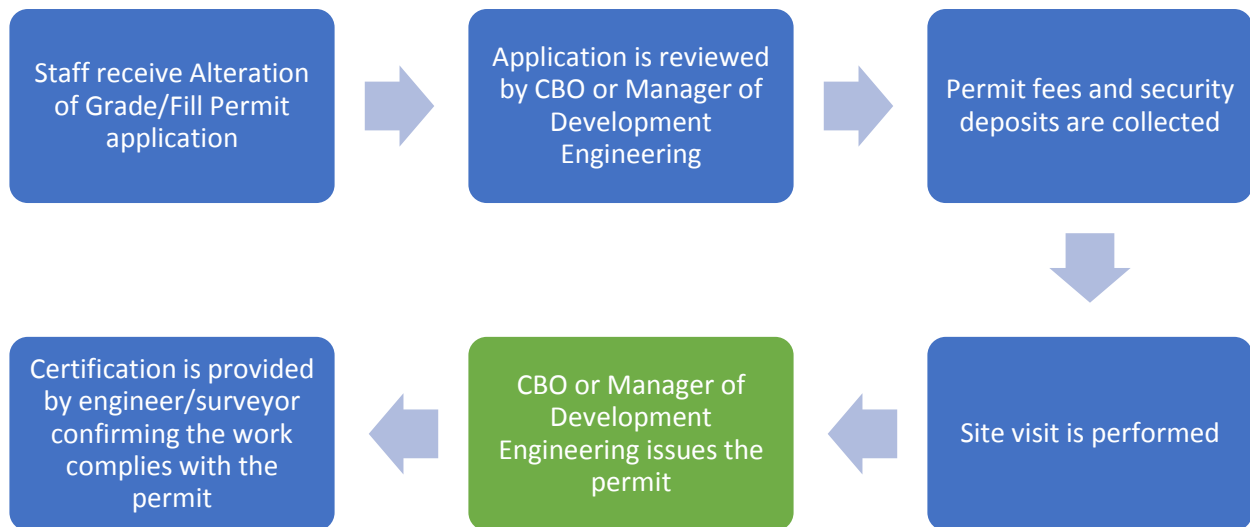
<b>1.10 Planning and Development Services</b>
<b>Delegated Authority</b>
Conditional Building Permit Agreements made under the Building Code Act, S.O. 1992
<b>Delegated To</b>
Chief Building Official (CBO), or designate (Deputy Chief Building Official in consultation with the Director of Planning and Development Services)
<b>Authority Provided By</b>
By-law 2008-10 and <a href="#">Building Code Act</a> Section 8



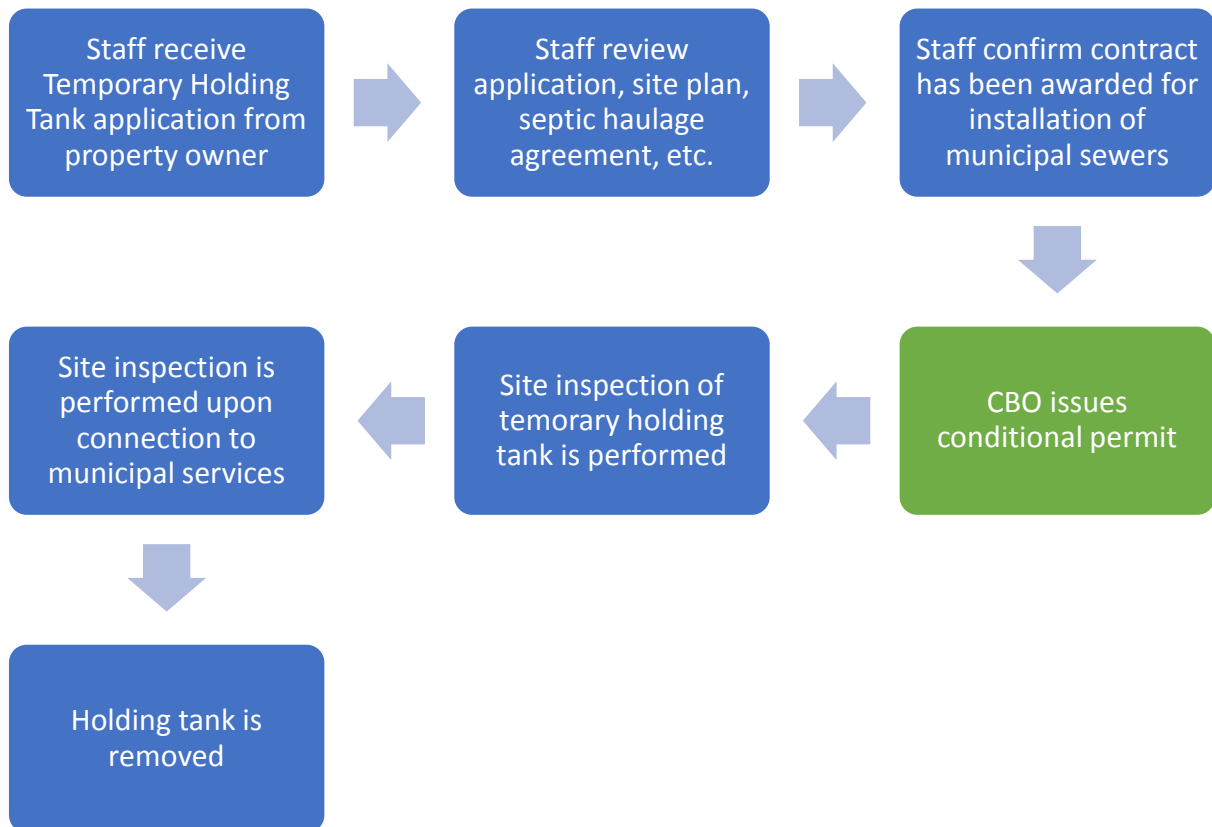
<b>1.11 Planning and Development Services</b>
<b>Delegated Authority</b>
Delayed Demolition Agreements, in a form approved by the Director of Legal Services.
<b>Delegated To</b>
Chief Building Official (CBO), or designate (Deputy Chief Building Official in consultation with the Director of Planning and Development Services)
<b>Authority Provided By</b>
By-law 2009-85



<b>1.12 Planning and Development Services</b>
<b>Delegated Authority</b>
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.
<b>Delegated To</b>
Chief Building Official (CBO) for building related permits Manager of Development Engineering for development related permits and/or Agreements
<b>Authority Provided By</b>
By-law 2009-85

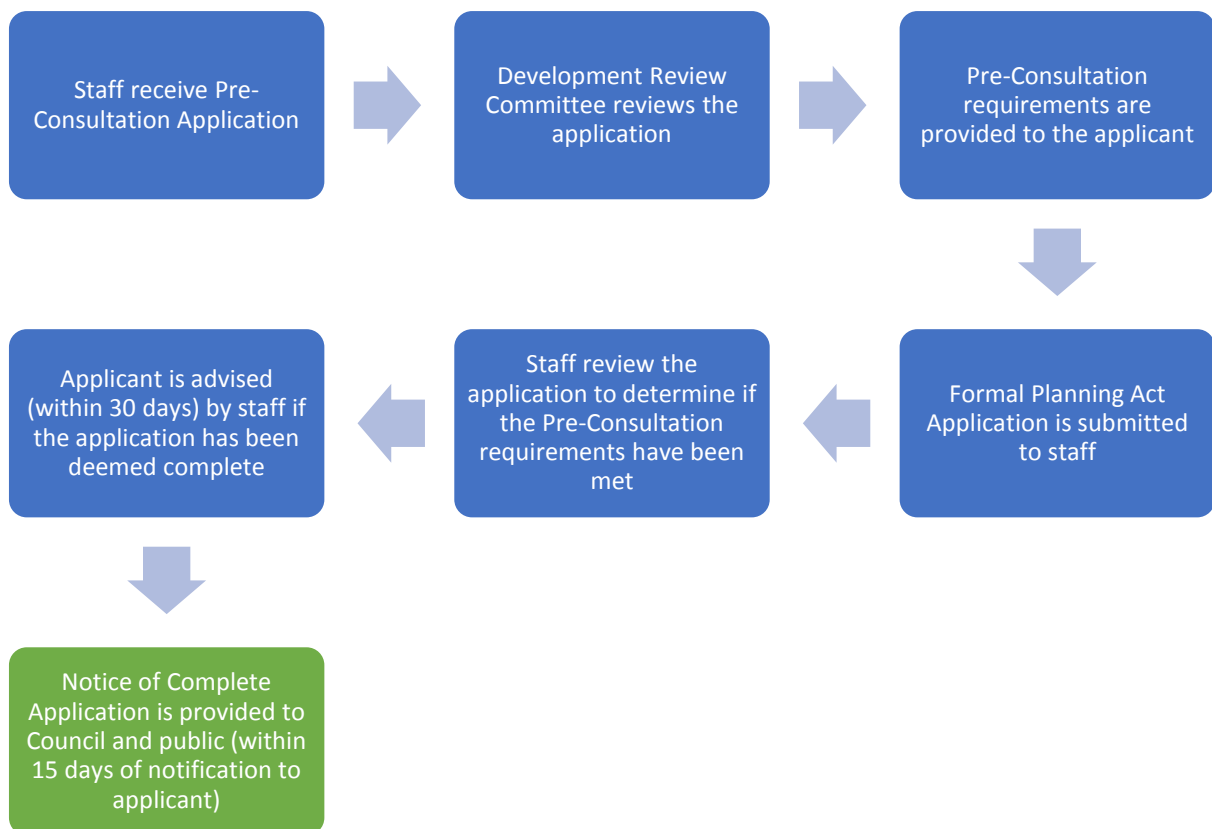


<b>1.13 Planning and Development Services</b>
<b>Delegated Authority</b>
Execution of Holding Tank Agreement.
<b>Delegated To</b>
Chief Building Official (CBO), or designate (Deputy Chief Building Official in consultation with the Director of Planning and Development Services)
<b>Authority Provided By</b>
By-law 2014-18 and <a href="#">Building Code Act</a> Section 8

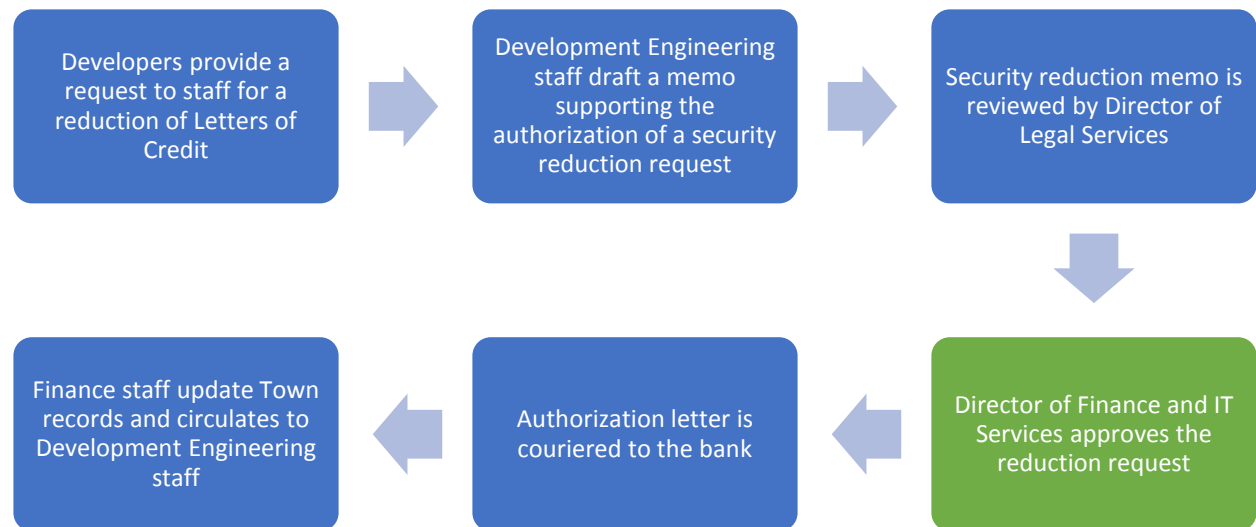




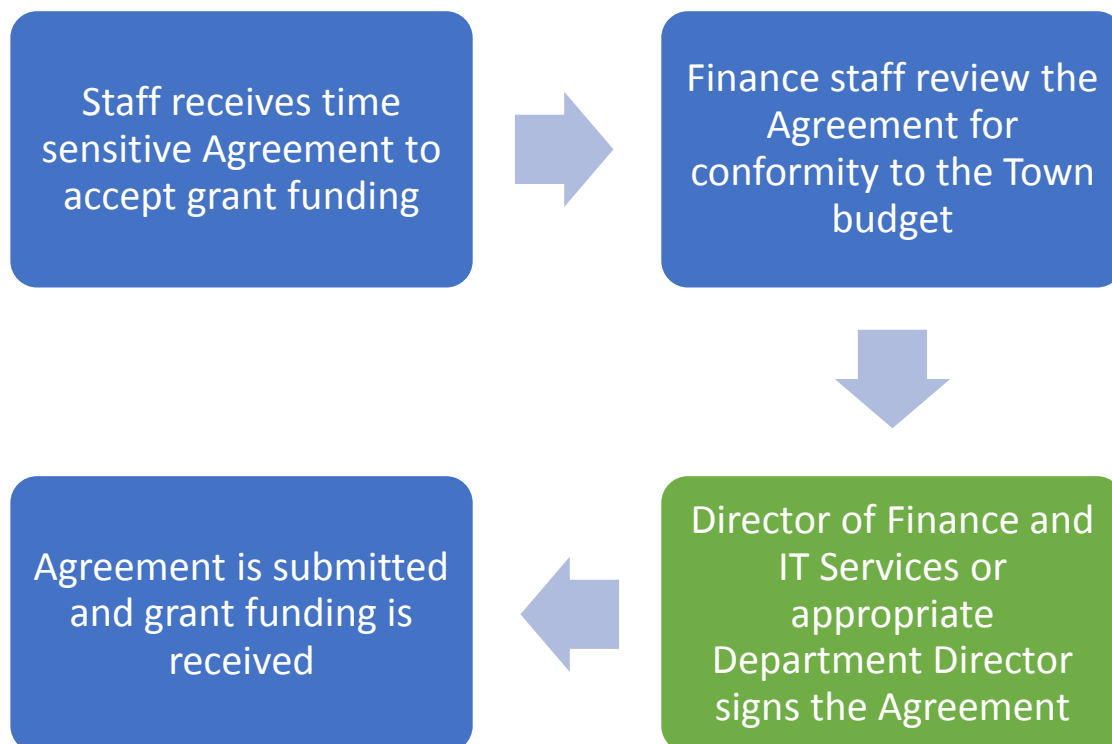
<b>1.14 Planning and Development Services</b> (previously 1.15)
<b>Delegated Authority</b>
Authority for determining and notifying if the information and material required to accompany complete Official Plan, Zoning By-law Amendment, or Consent applications made under the Planning Act. R.S.O. 1990, c.P.13 has, or has not been provided and in accordance with the Town of The Blue Mountains Official Plan Complete Application Requirements policies.
<b>Delegated To</b>
Director of Planning and Development Services, or designate
<b>Authority Provided By</b>
By-law 2007-35 and <a href="#">Planning Act</a> Section 22(5), 34(10.2), 53(3)



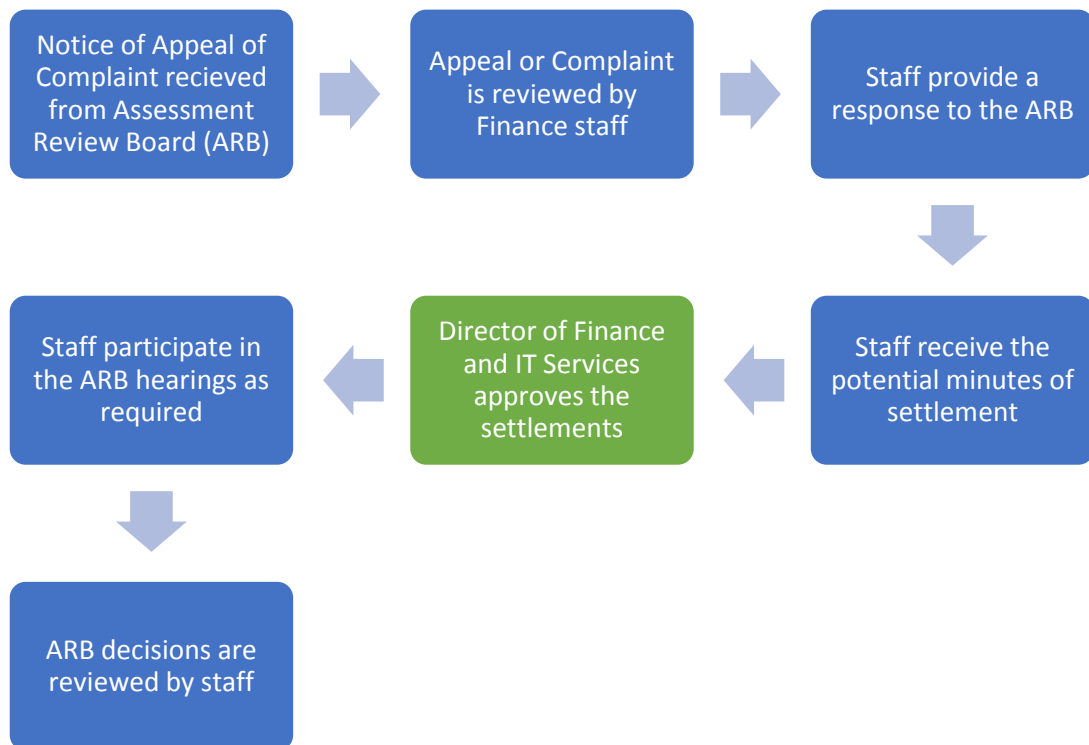
<b>2.1 Finance and IT Services</b>
<b>Delegated Authority</b>
Authorization of reduction of Letters of Credit related to progress of development works subject to recommendations by Town Staff.
<b>Delegated To</b>
Town Treasurer or designate (Deputy Treasurer), Director of Legal Services, and Director of Planning and Development Services, or designate
<b>Authority Provided By</b>
By-law 2008-10



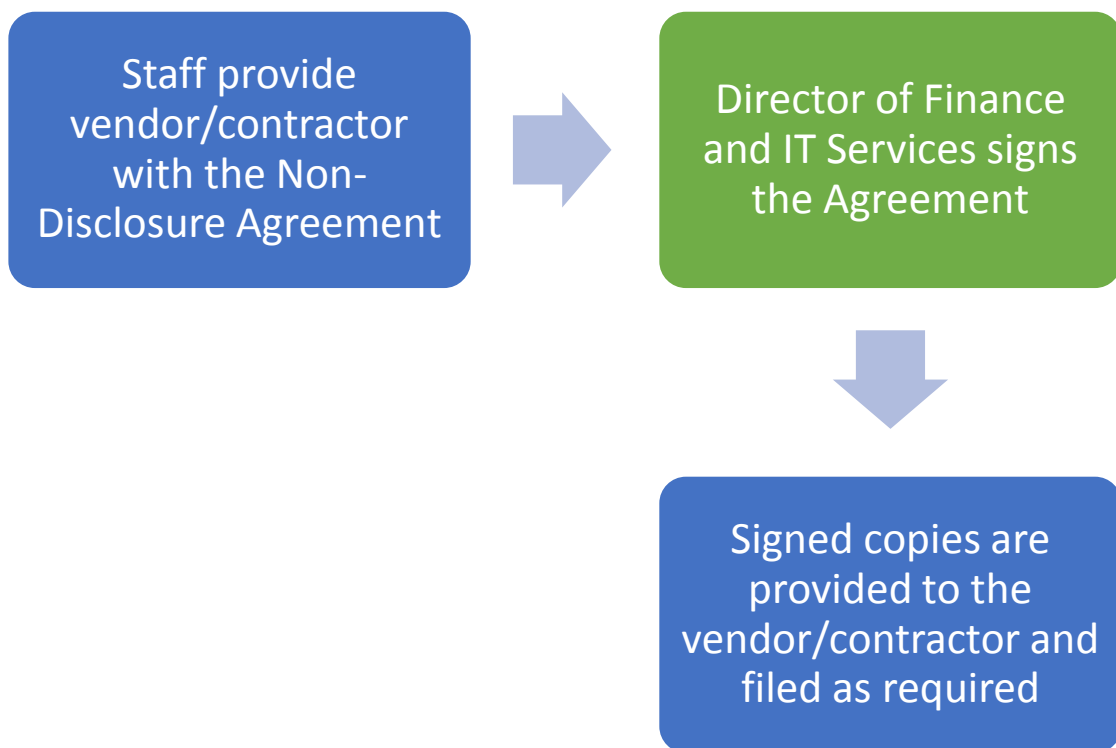
<b>2.2 Finance and IT Services</b>
<b>Delegated Authority</b>
Delegation of authority to sign agreements to accept grant, or funding agreements where no municipal contribution is required or where the municipal contribution has been budgeted for and does not exceed the purchasing limits assigned to the Director of Finance, delegated to the Director of Finance, or designate and Appropriate Department Director, or designate.
<b>Delegated To</b>
Director of Finance or designate, being the Manager of Accounting and Budgets, and Appropriate Department Director, or designate
<b>Authority Provided By</b>
By-law 2015-63



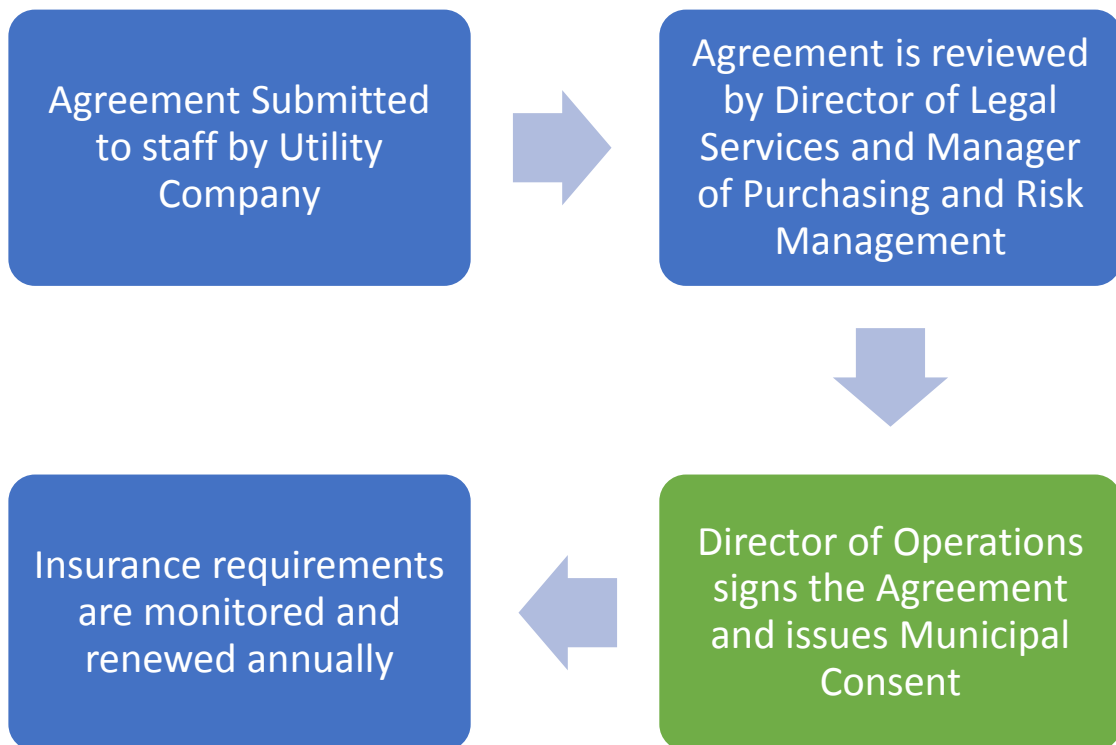
<b>2.3 Finance and IT Services</b>
<b>Delegated Authority</b>
Delegate the Powers and Duties of the Municipality in respect of filing complaints with the Assessment Review Board.
<b>Delegated To</b>
Treasurer, Town of The Blue Mountains, or designate
<b>Authority Provided By</b>
By-law 2003-29, and <a href="#">Assessment Act</a>



<b>2.4 Finance and IT Services</b>
<b>Delegated Authority</b>
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.
<b>Delegated To</b>
Director of Finance and IT Services or designate
<b>Authority Provided By</b>
By-law 2016-5



<b>3.1 Operations</b>
<b>Delegated Authority</b>
Municipal Consents under Franchise Agreements addressing use of public highway allowances by public corporations and utility and service providers.
<b>Delegated To</b>
Director of Operations, or designate
<b>Authority Provided By</b>
By-law 2008-10



## 3.2 Operations

### Delegated Authority

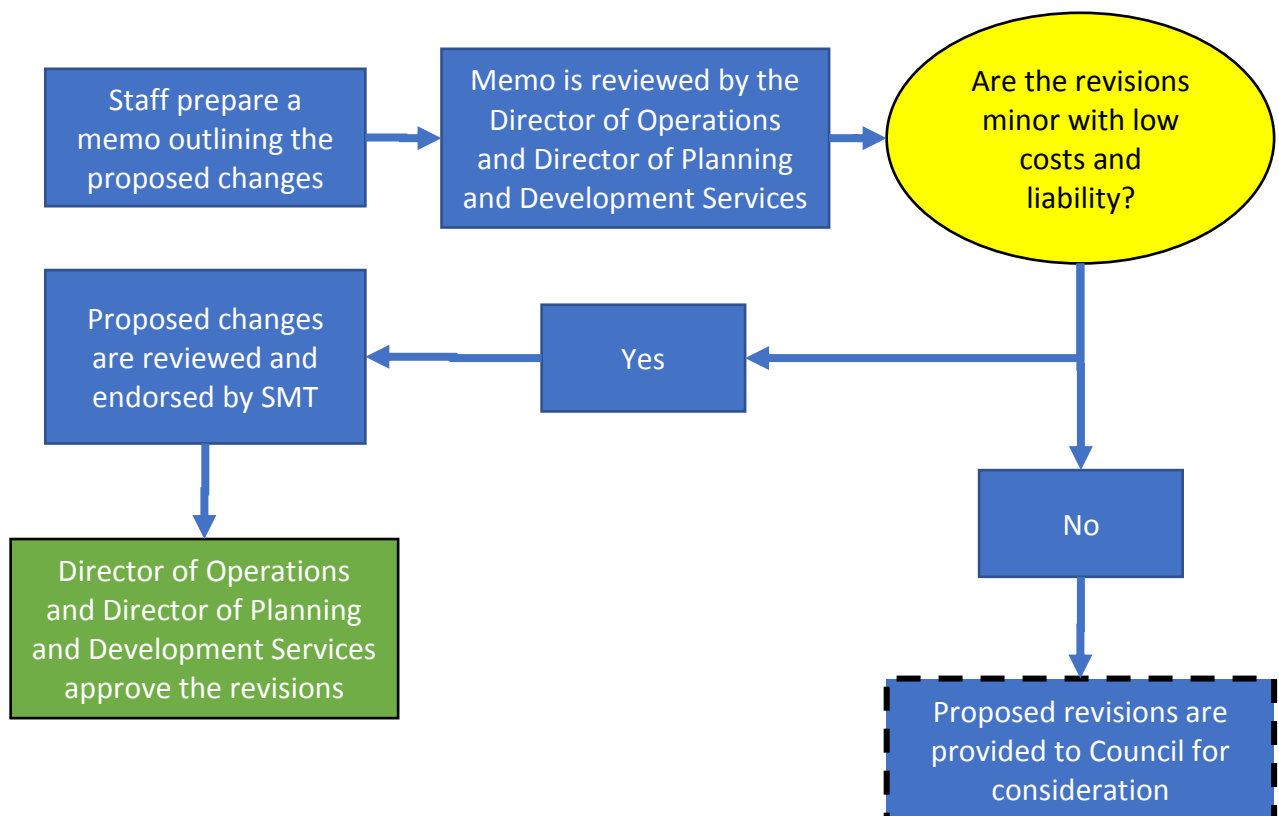
Prepare, maintain, update and administer Town Engineering Standards. Modifications which will not result in a significant increase in liability or long term costs shall be endorsed by Senior Management Team. Major modifications which may result in a significant increase in liability or long term costs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

### Delegated To

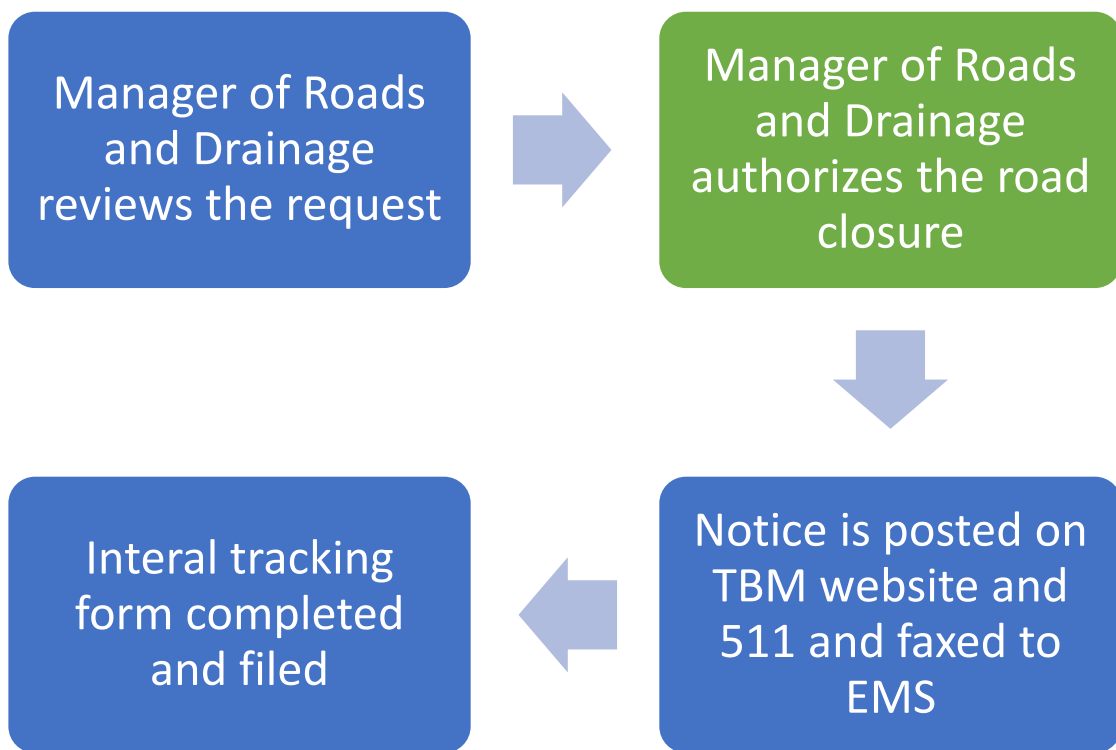
Director of Operations and Director of Planning and Development Services

### Authority Provided By

By-law 2008-47

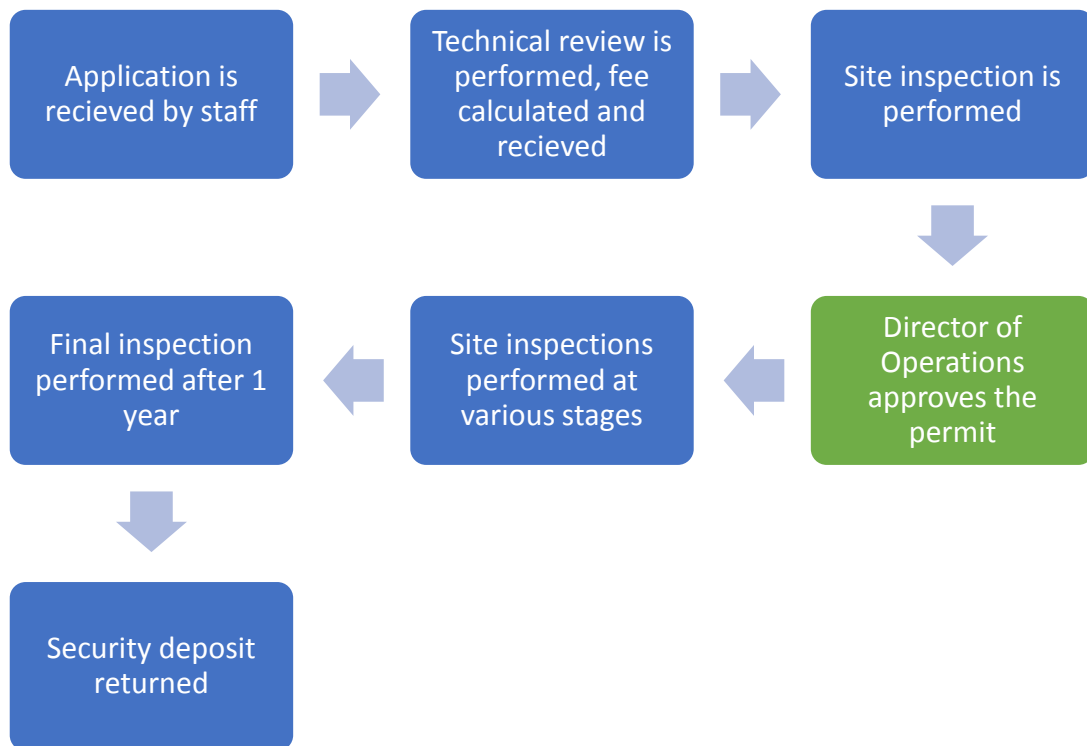


<b>3.3 Operations</b>
<b>Delegated Authority</b>
Authority to temporarily close a highway under the jurisdiction of the Town for any period of time during the construction, repairing or improvement of such highway or any works under, over, along, across or upon such highways.
<b>Delegated To</b>
Director of Operations, or designate
<b>Authority Provided By</b>
By-law 2013-26, and <a href="#">Highway Traffic Act</a>

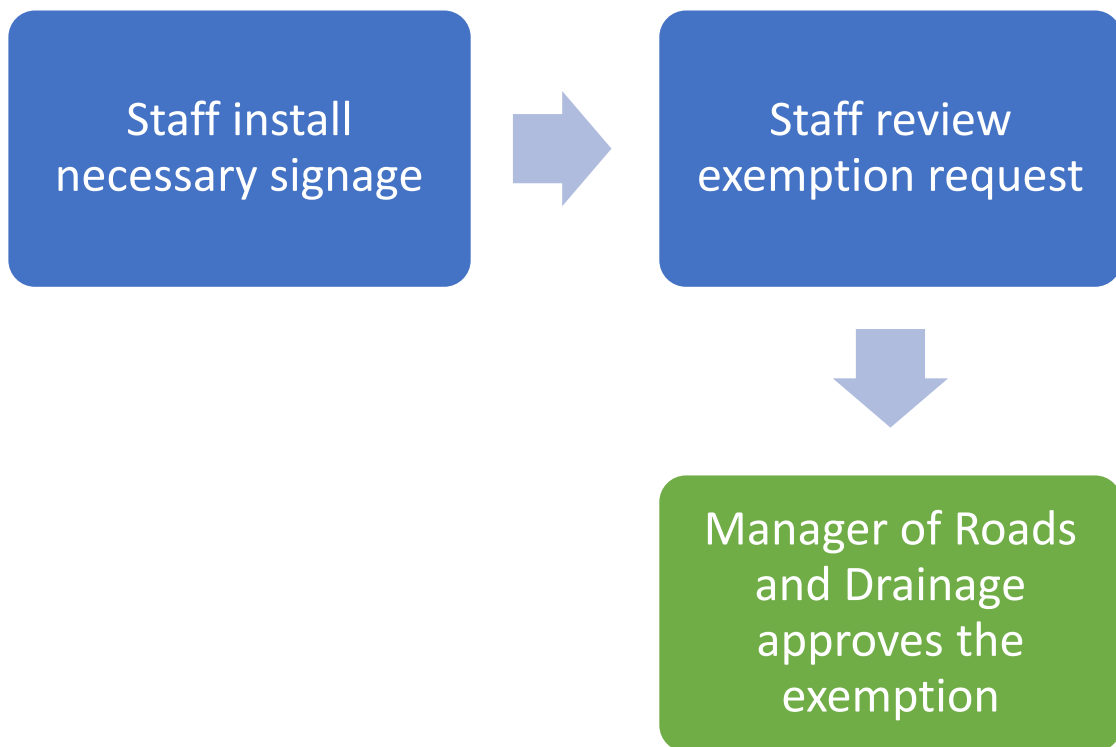




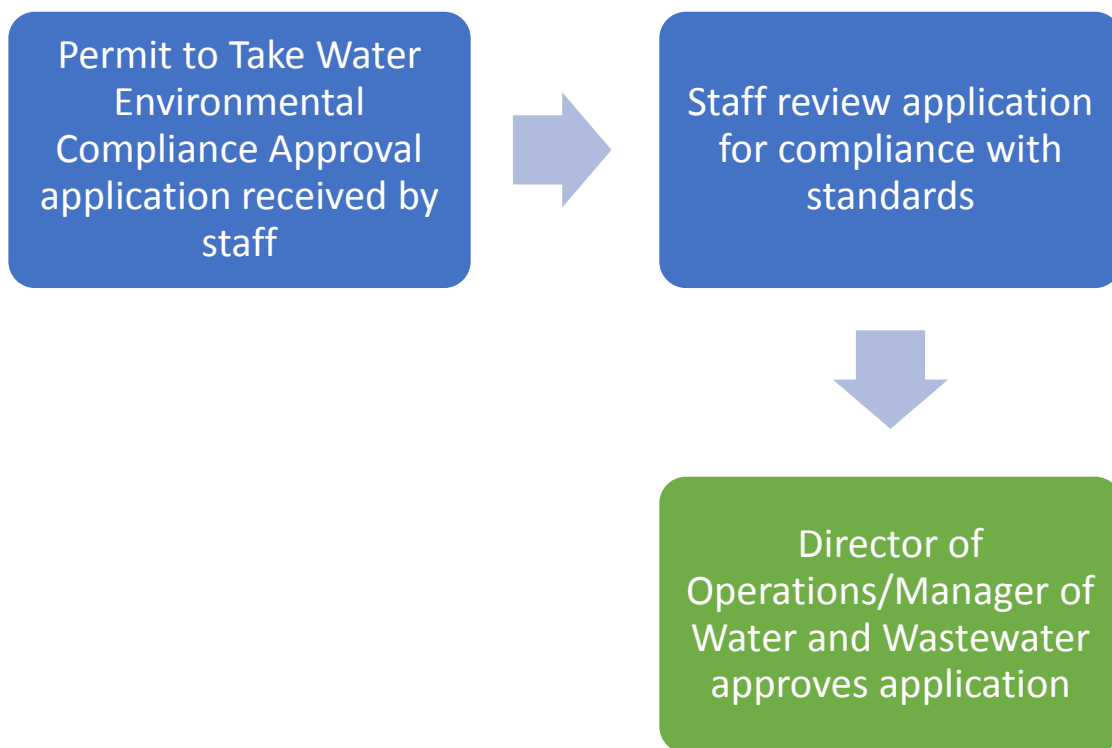
<b>3.4 Operations</b>
<b>Delegated Authority</b>
Preparation and execution of Municipal Land Use Permits and Agreements. With the exception of Building Permits, any permit that affects the Georgian Trail within the Town of The Blue Mountains jurisdiction shall be issued and approved by Council.
<b>Delegated To</b>
Director of Operations, or designate
<b>Authority Provided By</b>
By-law 2014-65



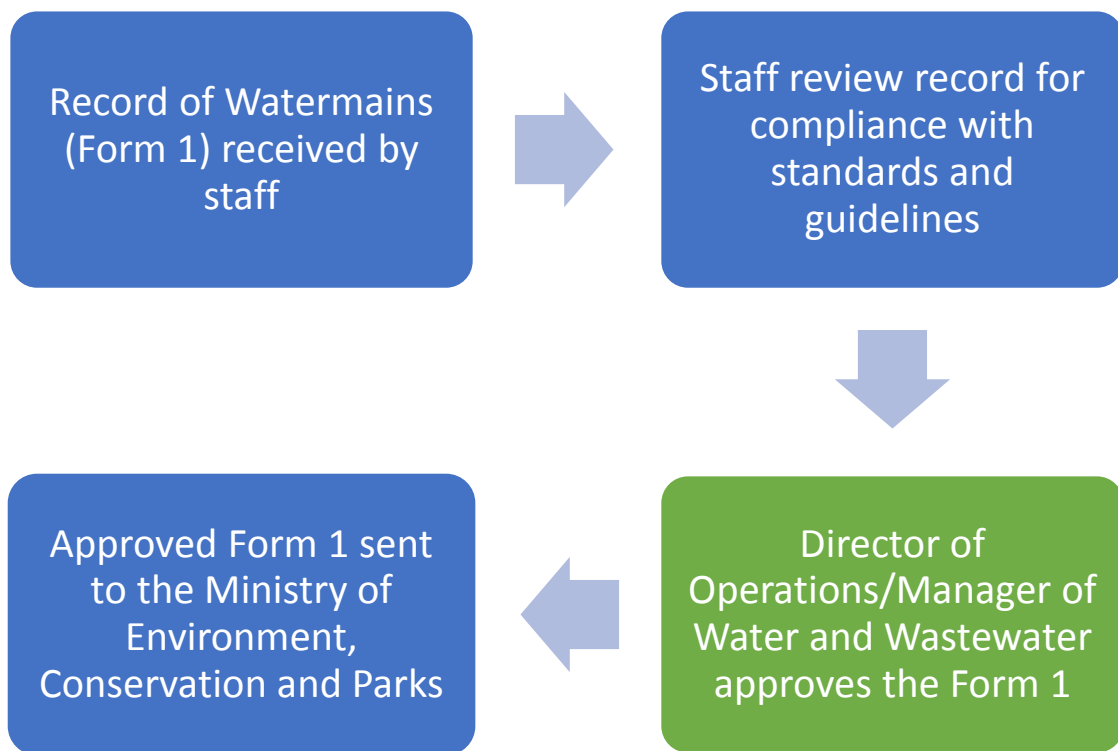
<b>3.5 Operations</b>
<b>Delegated Authority</b>
Designate Reduced Load periods.
<b>Delegated To</b>
Manager of Roads and Drainage, or designate
<b>Authority Provided By</b>
By-law 2010-54 and <a href="#">Highway Traffic Act</a>



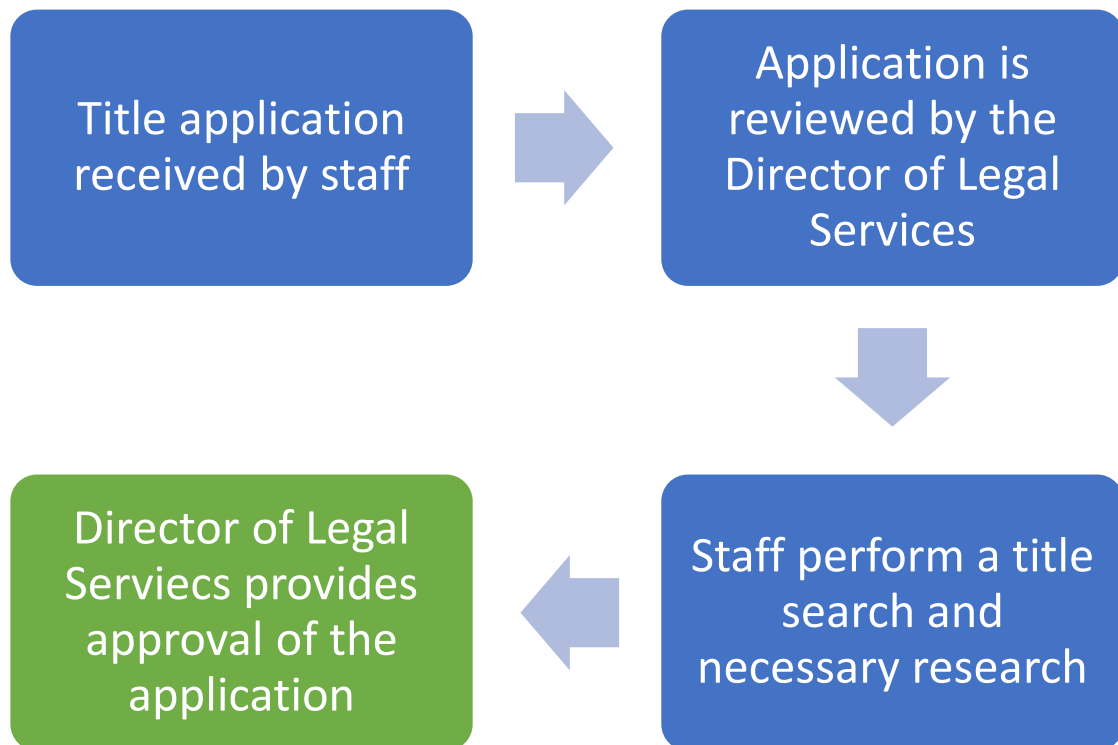
<b>3.6 Operations</b>
<b>Delegated Authority</b>
Execution of various governmental forms and applications related to proposed Works on Town lands as applicable (Permit to Take Water, Environmental Compliance Approval, Applications).
<b>Delegated To</b>
Director of Operations, or the Manager of Water and Wastewater
<b>Authority Provided By</b>
By-law 2015-63 and <a href="#">Clean Water Act</a>



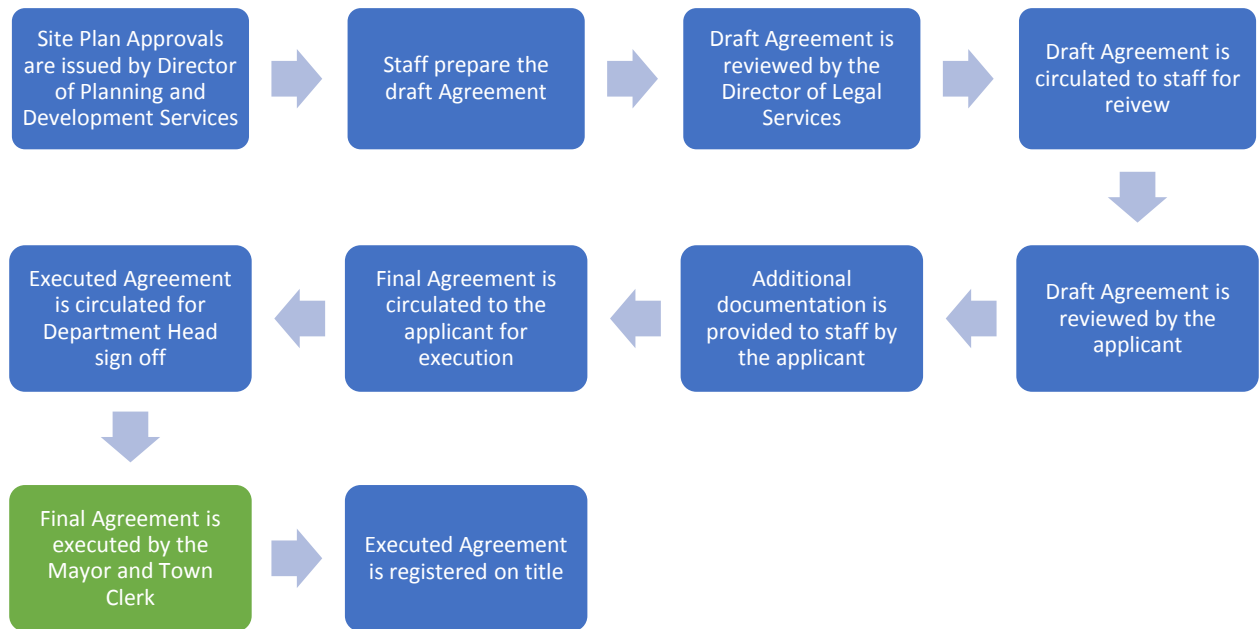
<b>3.7 Operations</b>
<b>Delegated Authority</b>
Execution of Form 1 – Record of Watermains Authorized as a Future Alteration
<b>Delegated To</b>
Director of Operations, or the Manager of Water and Wastewater
<b>Authority Provided By</b>
By-law 2015-63 and <a href="#">Safe Drinking Water Act</a>



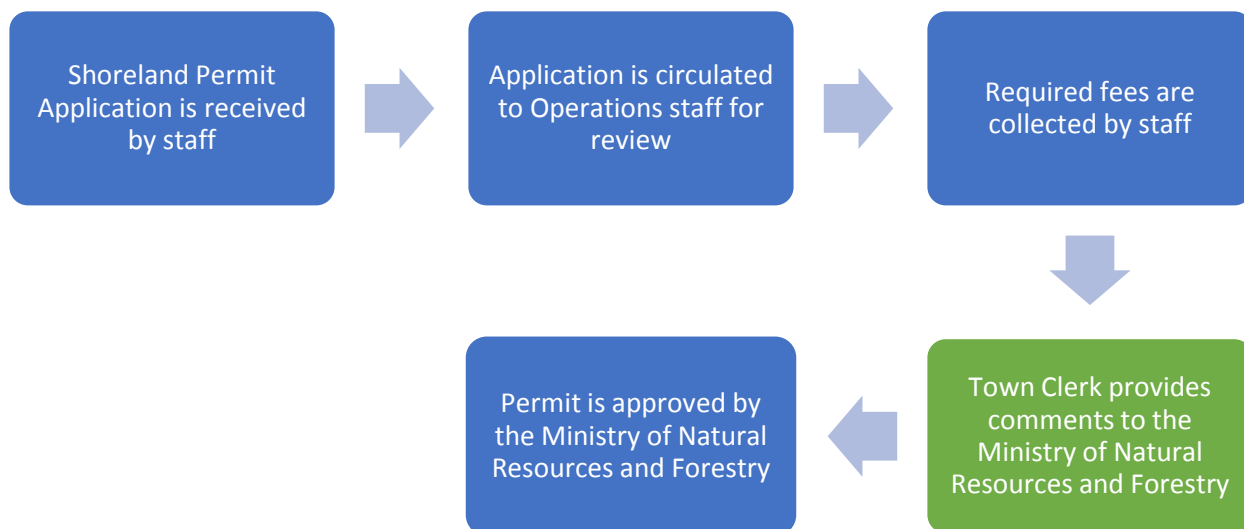
<b>4.1 Administration</b>
<b>Delegated Authority</b>
Certification of Title Applications noting no objection to land description for development lands, subject to review and recommendation by Town Staff
<b>Delegated To</b>
Director of Legal Services
<b>Authority Provided By</b>
By-law 2008-10



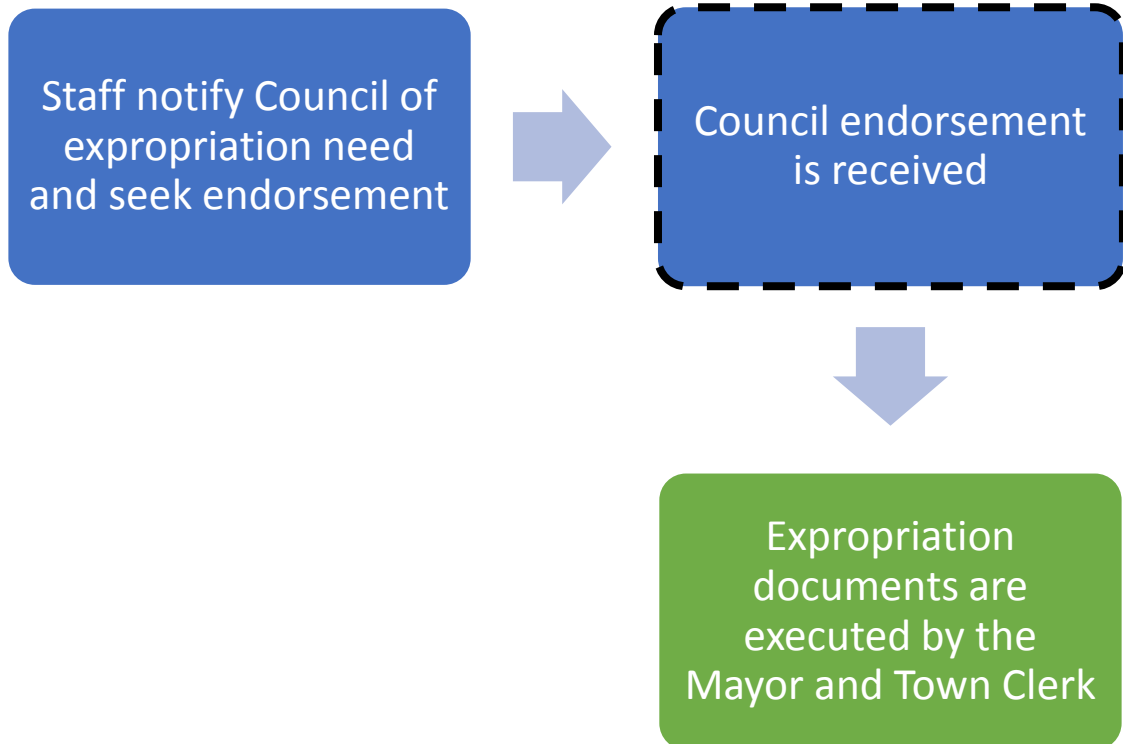
<b>4.2 Administration</b> (combination of former 1.14, 4.2 and 4.4)
<b>Delegated Authority</b>
Execution of Site Plan Agreements, Subdivision/Condominium Agreement, Pre-Servicing Subdivision Agreements and Consent Agreements (subject to appropriate internal controls including receiving advice from the CAO, Director of Planning and Development Services and other Town employees, officers and/or agreements as are deemed necessary).
<b>Delegated To</b>
Mayor and Town Clerk
<b>Authority Provided By</b>
By-law 2008-10, By-law 2012-76 and By-law 2015-63 and <a href="#">Planning Act</a>



<b>4.3 Administration</b>
<b>Delegated Authority</b>
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.
<b>Delegated To</b>
Town Clerk or designate
<b>Authority Provided By</b>
By-law 2008-124 and <a href="#">Public Lands Act</a>

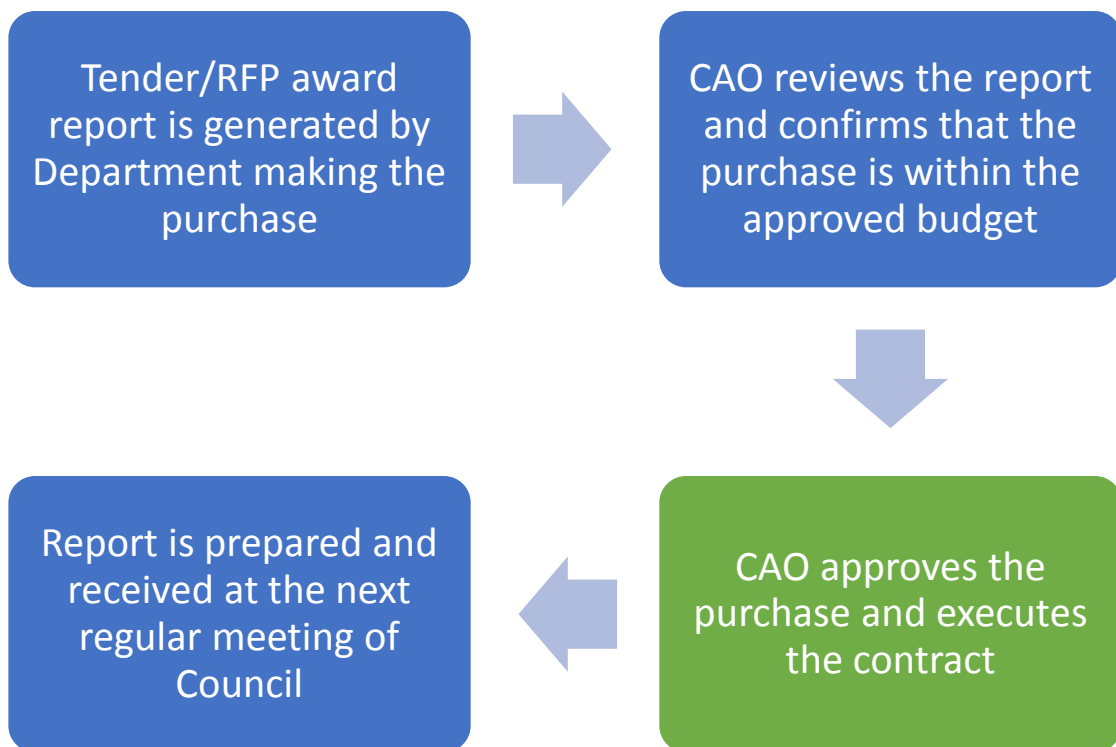


<b>4.4 Administration</b> (previously 4.5)
<b>Delegated Authority</b>
Execution of Expropriation Documents, with approval of CAO and the Director of Legal Services.
<b>Delegated To</b>
Mayor and Town Clerk
<b>Authority Provided By</b>
By-law 2015-63

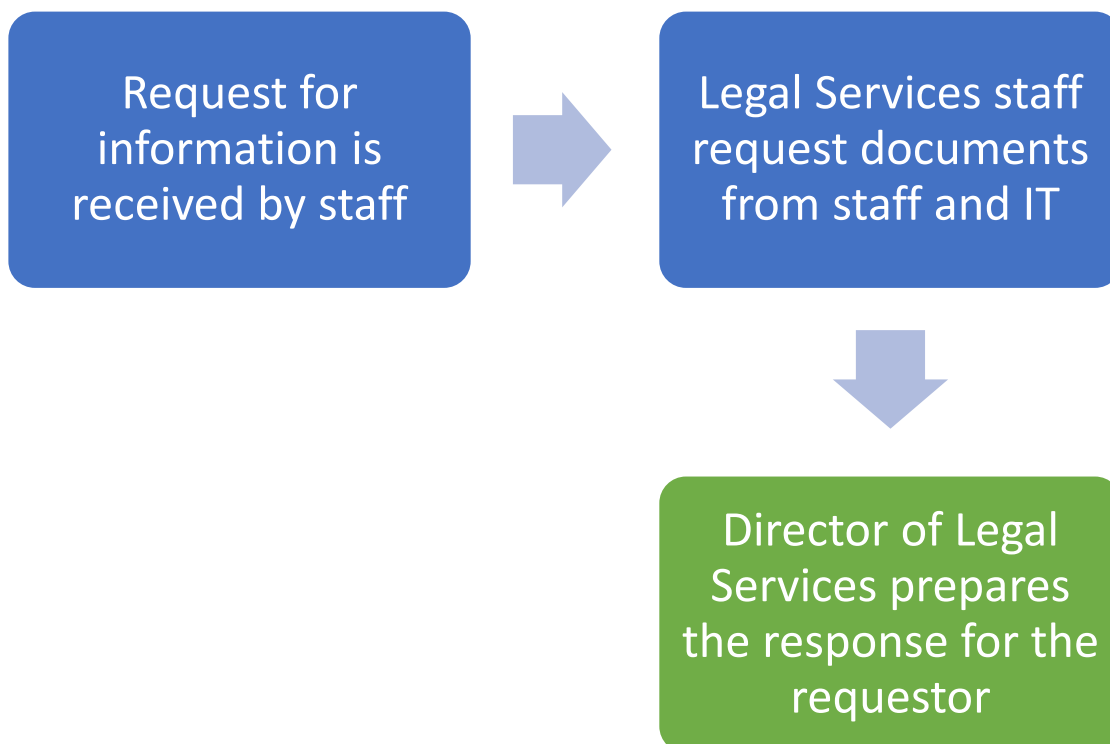




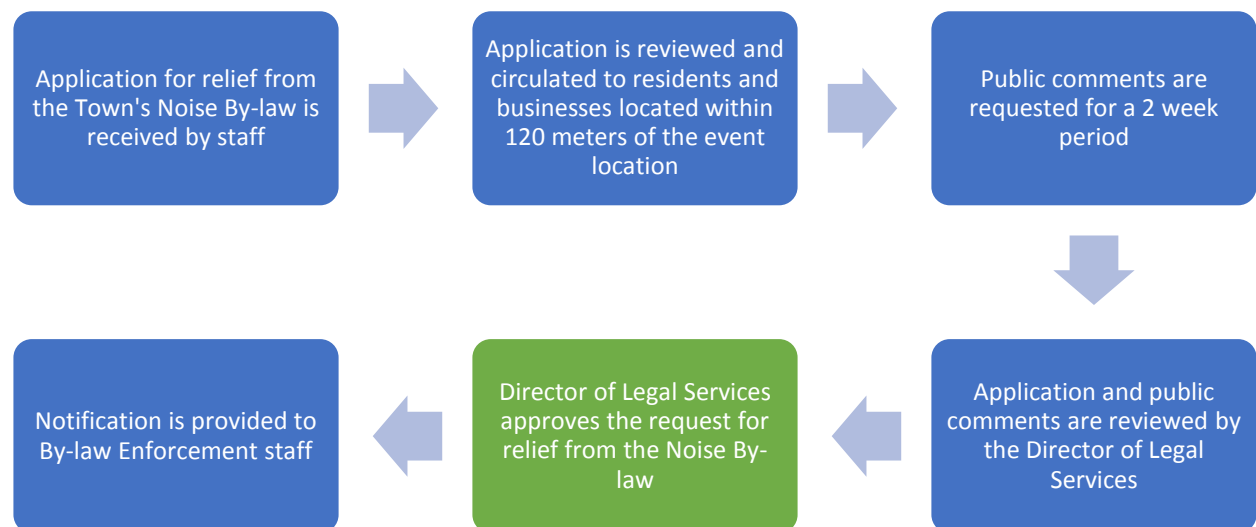
<b>4.5 Administration</b> (previously 4.6)
<b>Delegated Authority</b>
During the time that regular Council meetings are suspended (summer vacation or any other reason) delegation to approve tenders, and requests for proposals, award contracts and execute contracts provided that the total costs are within the approved budget contained in the relevant departmental budget and that report regarding these matters be brought to Council at its next regular meeting.
<b>Delegated To</b>
Chief Administrative Officer, or designated Department Director
<b>Authority Provided By</b>
By-law 2015-63



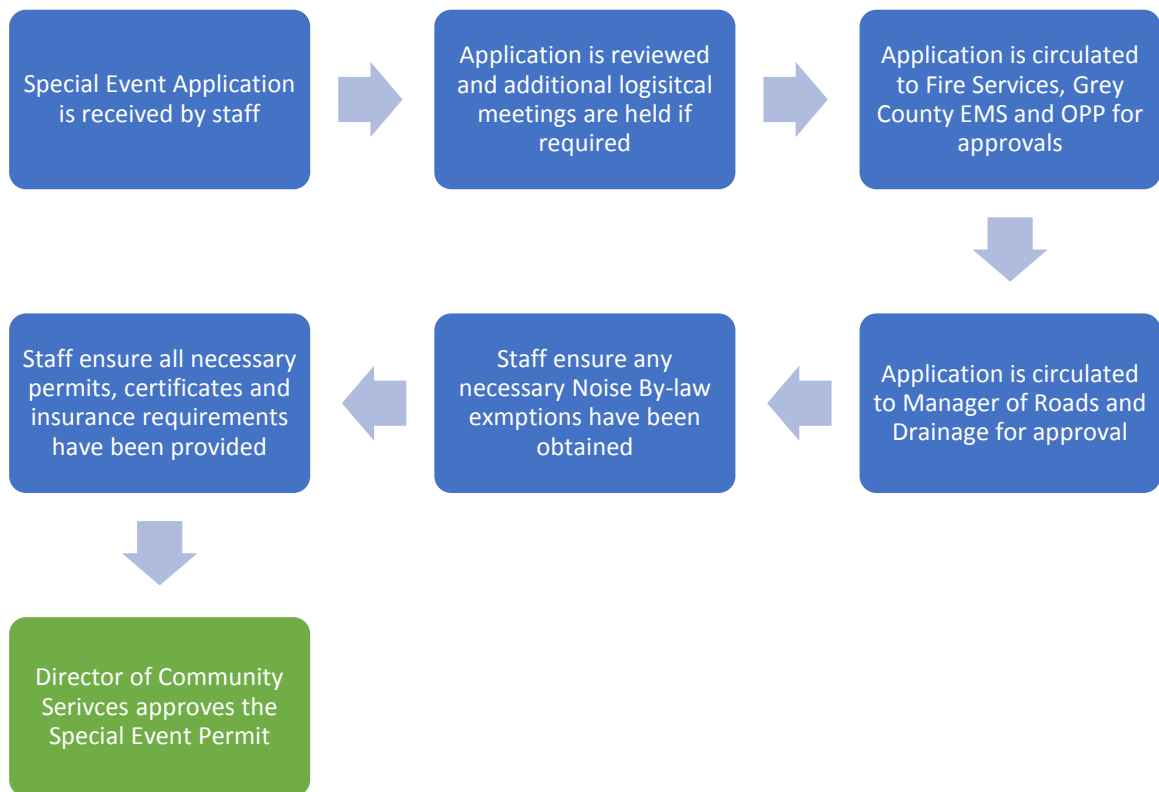
<b>4.6 Administration</b> (previously 4.7)
<b>Delegated Authority</b>
Delegation of “head” under the Municipal Freedom of Information and protection of Privacy Act.
<b>Delegated To</b>
Director of Legal Services
<b>Authority Provided By</b>
By-law 2020-29 and <a href="#">Municipal Freedom of Information and Protection of Privacy Act</a>



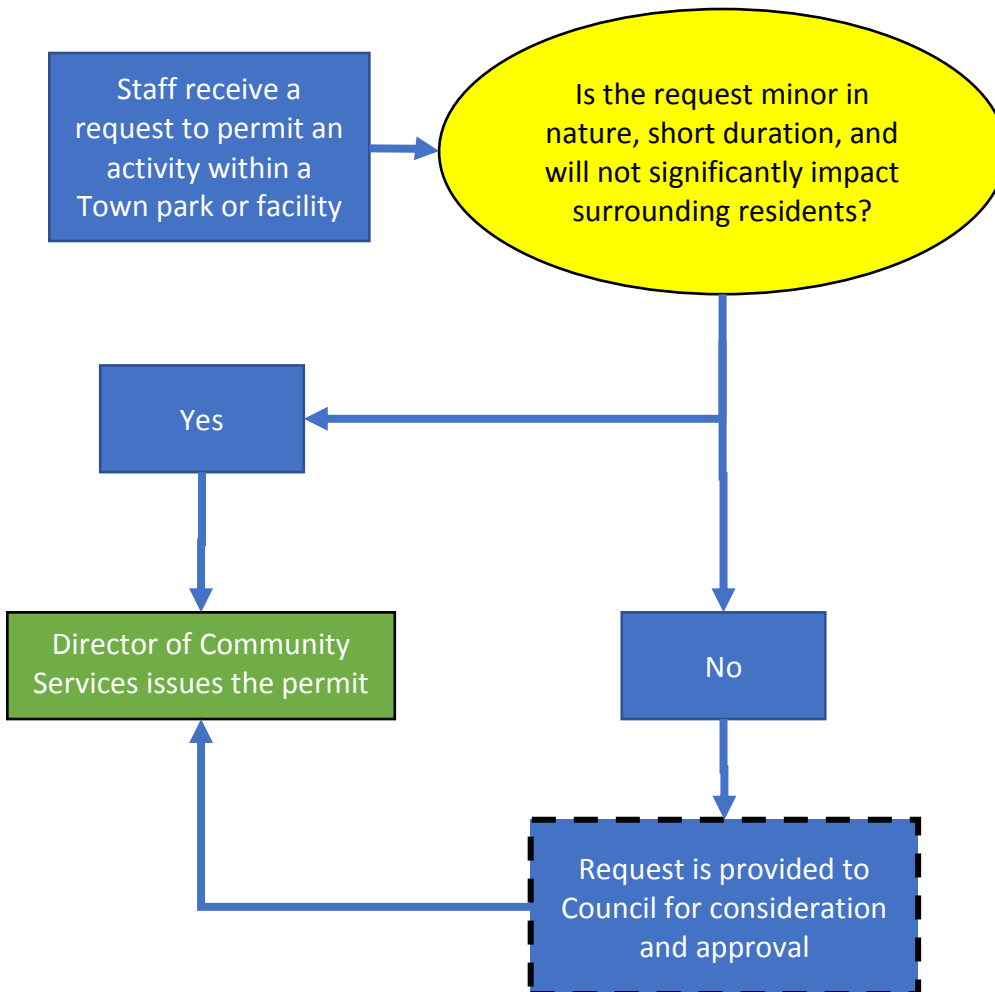
<b>4.7 Administration (New Delegated Authority)</b>
<b>Delegated Authority</b>
Approval of requests for relief from the Town's current Noise By-law that occur between the hours of 7:00 a.m. and 11:59 p.m.
<b>Delegated To</b>
Director of Legal Services, or designate
<b>Authority Provided By</b>
NEW BY-LAW REQUIRED



<b>5.1 Community Services</b>
<b>Delegated Authority</b>
Designated authority to approve and revoke Special Events permits in accordance with the Special Events By-law.
<b>Delegated To</b>
Director of Community Services, or designate
<b>Authority Provided By</b>
By-law 2019-27



<b>5.2 Community Services</b>
<b>Delegated Authority</b>
Designated authority to temporarily close a park and authorize or restrict activities taking place within a park.
<b>Delegated To</b>
Director of Community Services, or designate
<b>Authority Provided By</b>
By-law 2015-43



<b>5.3 Community Services</b>
<b>Delegated Authority</b>
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.
<b>Delegated To</b>
Director of Community Services, or designate
<b>Authority Provided By</b>
By-law 2014-65

