



Staff Report

Administration – Chief Administrative Officer

Report To: Committee of the Whole
Meeting Date: June 29, 2021
Report Number: FAF.21.079
Title: Council Delegation of Powers and Duties Draft By-laws
Prepared by: Shawn Everitt, Chief Administrative Officer

A. Recommendations

THAT Council receive Staff Report FAF.21.079, entitled “Council Delegation of Powers and Duties Draft By-laws”;

AND THAT Council approve the various Draft Delegation of Powers and Duties By-laws as presented;

AND THAT Council direct staff to bring forward the approved Delegation of Powers and Duties By-laws for enactment by Council at the July 12, 2021 Council meeting.

B. Overview

This report brings forward the final draft by-law related to Council’s delegation of powers and duties to Town staff for Council consideration.

C. Background

As outlined in the Public Engagement section of this report, the various proposed revisions to the list of Council Delegation of Powers and Duties have been subject to a Public Meeting process and subsequent review by Council. The final portion of the process is to revise the by-laws associated with the various delegated authorities.

The Town’s Delegation by Council of Powers and Duties Policy POL.COR.07.04 includes a list of the various delegated authorities, the reference by-laws and flow diagrams outlining the approval process for each of the delegated authorities (Attachment 1).

Some of the Delegation of Powers and Duties By-laws do not appear as drafts in this report because no changes were proposed to their associated delegated authorities. The revised Delegation of Powers and Duties By-laws are included as attachments to this report.

D. Analysis

The various revisions to the Council Delegation of Powers and Duties By-laws are outlined below and organized by by-law number. All of the attachments include the proposed draft by-law, the tracked changes and the original by-law (in that order).

By-laws 2003-29 and 2004-35

These two by-laws refer to delegated authority 2.3 which provides Finance staff with delegated authority related to filing complaints with the Assessment Review Board. The original by-law (2003-29) was amended by by-law 2004-35. The revised by-law will repeal and replace these two by-laws with one by-law while updating outdated delegate references (Attachment 1).

By-law 2007-35

This by-law refers to delegated authority 1.14 which provides Planning and Development Services staff with delegated authority related to Official Plan, Zoning By-law Amendments or Consent applications (Attachment 3).

By-law 2008-47

This by-law refers to delegated authority 3.2 which provides Operations and Planning and Development Services staff with delegated authority related to the Town's Engineering Standards (Attachment 4).

By-law 2009-85

This by-law refers to the following delegated authorities:

- 1.1 which provides Planning and Development Services staff with delegated authority related to the review of red-line revisions to Draft Plan of Subdivision/Condominium
- 1.2 which provides Planning and Development Services staff with delegated authority related to Minor Site Plan approvals
- 1.3 which provides Planning and Development Services staff with delegated authority related to Niagara Escarpment Development Permit applications
- 1.4 which provides Planning and Development Services staff with delegated authority related to Model Home and Temporary Sales Office agreements
- 1.5 which provides Planning and Development Services staff with delegated authority related to Tree Preservation agreements
- 1.6 which provides Planning and Development Services staff with delegated authority related to Municipal Clearances to Grey County for Draft Plan Approvals
- 1.7 which provides Planning and Development Services staff with delegated authority related to Consents to Grey County for Draft Plan Extensions

- 1.9 which provides Planning and Development Services staff with delegated authority related to agreements with Contract Code Consultants and Registered Code Agencies
- 1.10 which provides Planning and Development Services staff with delegated authority related to Conditional Building Permits
- 1.11 which provides Planning and Development Services staff with delegated authority related to delayed demolition agreements
- 1.12 which provides Planning and Development Services staff with delegated authority related to alteration of grade/fill permits and associated agreements
- 2.1 which provides Finance staff with delegated authority related to reduction of Letters of Credit for development work
- 3.1 which provides Operations staff with delegated authority related to Municipal Consents under Franchise Agreements
- 4.1 which provides Legal Services staff with delegated authority related to Certification of Title applications

Delegated authorities 1.1, 1.2, 1.3, 1.4, 1.9, 1.10, 2.1, 3.1 and 4.1 were originally included within the Delegation by Council of Powers and Duties Policy POL.COR.07.04 which was established by by-law 2008-10. However, the policy was later revised, and the delegated authorities were moved from within the policy to Schedule A to the policy. In order to be more consistent moving forward, the delegated authorities originally included within the policy have been included in By-law 2009-85 which originally only included delegated authorities 1.5, 1.6, 1.7, 1.11 and 1.12 (Attachment 5).

By-law 2012-76

This by-law refers to delegated authority 1.8 which provides Planning and Development Services staff with delegated authority related to Site Plan Approval.

This by-law also refers to delegated authority 4.2 which provides the Mayor and Clerk with delegated authority related to execution of Site Plan Agreements, Subdivision/Condominium Agreements, Pre-Servicing Subdivision Agreements and Consent Agreements. This revision combined a delegated authority that was originally included in by-law 2015-63 (Attachment 6).

By-law 2013-26

This by-law refers to delegated authority 3.3 which provides Operations staff with delegated authority related to temporary closing of roads. This change was extremely minor and included only the updating of the Director of Operations' title (Attachment 7).

By-law 2015-63

This by-law refers to the following delegated authorities:

- 2.2 which provides Finance staff with delegated authority related to executing grant and funding agreements
- 3.6 which provides Operations staff with delegated authority related to government forms and applications (ex. Permit to take water)

- 3.7 which provides Operations staff with delegated authority related to execution of Form 1 – Record of Watermain Authorized as Future Alteration
- 4.4 which provides the Mayor and Clerk with delegated authority related to execution of expropriation documents
- 4.5 which provides the Chief Administrative Officer with delegated authority related to approval of tenders and award contracts during times when regular Council meetings are suspended

All the revisions to this by-law were minor in nature and several of the delegated authorities were not revised (Attachment 8).

In addition to revisions to existing Council Delegation of Powers and Duties By-laws, Attachment 9 includes the new draft by-law to authorize the Director of Legal Services to approve requests for relief from the Town's Noise By-law. Currently, all such requests are received and approved by Council. Staff expect to gain efficiencies in delegating this authority to the Director of Legal Services.

E. Strategic Priorities

1. Communication 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 limit environmental impacts.

G. Financial Impacts

None.

H. In Consultation With

Ruth Prince, Director of Finance and IT Services

Nathan Westendorp, Director of Planning and Development Services

Ryan Gibbons, Director of Community Services

Shawn Carey, Director of Operations

Will Thompson, Director of Legal Services

I. Public Engagement

The topic of this Staff Report has been the subject of a Public Meeting and/or Public Information Centre which took place on **February 8, 2021**. Those who provided comments at the Public Meeting and/or Public Information Centre, including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report. Any comments regarding this report should be submitted to Shawn Everitt, Chief Administrative Officer, cao@thebluemountains.ca.

- **December 1** – Initial staff report (FAF.20.188) to COW to proceed to public consultation
- **December 14** – Recommendations from (December 1) confirmed by Council
- **January 4** – Public Meeting Notice posted
- **January 7, 21 and February 4** – Public Meeting advertised in Collingwood Connection
- **February 8** – Public Meeting at 5:00 p.m.
- **April 6** – Follow-up staff report (FAF.21.056) to COW with Public Meeting feedback
- **April 19** – Recommendations from (April 6) confirmed by Council
- **June 29** – Follow-up staff report (FAF.21.079) to COW with proposed draft by-laws
- **July 12** – Recommendations from (June 29) confirmed by Council and enactment of approved by-laws by Council

J. Attached

1. Delegation by Council of Powers and Duties Policy POL.COR.07.04
2. Draft By-law to Repeal and Replace By-laws 2003-29 and 2004-35
3. Draft By-law to Repeal and Replace By-law 2007-35
4. Draft By-law to Repeal and Replace By-law 2008-47
5. Draft By-law to Repeal and Replace By-law 2009-85
6. Draft By-law to Repeal and Replace By-law 2012-76
7. Draft By-law to Repeal and Replace By-law 2013-26

8. Draft By-law to Repeal and Replace By-law 2015-63
9. Draft By-law to Establish a New Delegated Authority

Respectfully submitted,

Shawn Everitt
Chief Administrative Officer

For more information, please contact:
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Report Approval Details

Document Title:	Council Delegation of Powers and Duties Draft By-laws FAF.21.079 .docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Delegation by Council of Powers and Duties Policy.pdf- Attachment 2 - Draft By-law to Repeal 2003-29 and 2004-35.pdf- Attachment 3 - Draft By-law to Repeal By-law 2007-35.pdf- Attachment 4 - Draft By-law to Repeal By-law 2008-47.pdf- Attachment 5 - Draft By-law to Repeal By-law 2009-85.pdf- Attachment 6 - Draft By-law to Repeal By-law 2012-76.pdf- Attachment 7 - Draft By-law to Repeal By-law 2013-26.pdf- Attachment 8 - Draft By-law to Repeal By-law 2015-63.pdf- Attachment 9 - Draft By-law to Establish a New Delegated Authority.pdf
Final Approval Date:	Jun 23, 2021

This report and all of its attachments were approved and signed as outlined below:

Shawn Everitt - Jun 23, 2021 - 8:13 AM