

Proposed Draft By-law

The Corporation of the Town of The Blue Mountains

By-Law Number 2021 – XX

Being a By-law to Delegate Certain Power or Authority

Whereas subsection 23.1(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 states that a municipality may pass by-laws delegating its powers and duties under this or any other Act to a person or body subject to the restrictions set out in this part;;

And Whereas subsection 22(6.1) of the *Planning Act*, R.S.O. 1990 c.P.13 states that within 30 days after the person or public body that makes the application for an amendment to a by-law pays any fee under section 69, the council shall notify the person or public body that the information and material required under subsections (10.1) and (10.2), if any, have been provided, or that they have not been provided, as the case may be;

And Whereas subsection 34(10.4) of the *Planning Act*, R.S.O. 1990 c.P.13 states that within 30 days after the person or public body that makes the application for an amendment to a by-law pays any fee under section 69, the council shall notify the person or public body that the information and material required under subsections (10.1) and (10.2), if any, have been provided, or that they have not been provided, as the case may be;

And Whereas subsection 50(29) of the *Planning Act*, R.S.O. 1990, c.P.13 states that no notice or hearing is required prior to the passing of a by-law under subsection (4), but the council shall give notice of the passing of any such by-law within thirty days of the passing thereof to each person appearing on the last revised assessment roll to be the owner of land to which the by-law applies, which notice shall be sent to the last known address of each such person;

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 February 8, 2021 to receive comments regarding proposed changes to the “Delegation by Council of Powers and Duties Policy, POL.COR.07.04”, and has received Staff Report FAF.21.056 “Followup to the Public Meeting for Revisions to the Council Delegation of Powers and Duties” on April 6, 2021;

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 the Council of the Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. That Council does hereby delegate 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 *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, to the Director of Planning and Development Services, or designate.

And Further that, with the enactment of this By-law, that By-law 2007-35 is repealed in its entirety.

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

Enacted and passed this ____ day of _____, 2021

Alar Soever, Mayor

Corrina Giles, Town Clerk

Tracked Changes

The Corporation of the Town of The Blue Mountains

By-Law Number ~~2007-35~~ 2021 – XX

Being a By-law to Delegate Certain Power or Authority

Whereas subsection 23.1(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 states that a municipality may pass by-laws delegating ed its powers and duties under this or any other Act to a person or body subject to the restrictions set out in this part;~~any of the municipality's duty;~~

And Whereas subsections ~~22(6.1)~~ of the Planning Act, R.S.O. 1990 c.P.13 states that within 30 days after the person or public body that makes the application for an amendment to a by-law pays any fee under section 69, the council shall notify the person or public body that the information and material required under subsections (10.1) and (10.2), if any, have been provided, or that they have not been provided, as the case may be;

~~and 34(10.4) of the Planning Act, R.S.O 1990, c. P.13 (the Act), states that within 30 days after the person or public body that makes an application for an Official Plan or Zoning By-law amendment and pays an application fee, the Council shall notify the person or public body that the information and material required, if any, has been provided, or that it has not been provided, as the case may be;~~

And Whereas subsection 34(10.4) of the Planning Act, R.S.O. 1990 c.P.13 states that within 30 days after the person or public body that makes the application for an amendment to a by-law pays any fee under section 69, the council shall notify the person or public body that the information and material required under subsections (10.1) and (10.2), if any, have been provided, or that they have not been provided, as the case may be;

And Whereas subsection 50(29) of the Planning Act, R.S.O. 1990, c.P.13 states that no notice or hearing is required prior to the passing of a by-law under subsection (4), but the council shall give notice of the passing of any such by-law within thirty days of the passing thereof to each person appearing on the last revised assessment roll to be the owner of land to which the by-law applies, which notice shall be sent to the last known address of each such person;

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 February 8, 2021 to receive comments regarding proposed changes to the "Delegation by Council of Powers and Duties Policy, POL.COR.07.04", and has received Staff Report FAF.21.056 "Followup to the Public Meeting for Revisions to the Council Delegation of Powers and Duties" on April 6, 2021;

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 the Council of the Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. That Council does hereby delegate authority for determining and notifying if the information and material required to accompany complete Official Plan ~~and~~, Zoning By-law Amendment, or Consent applications made under *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, to the Director of Planning and Development Services, or designate~~in his absence to the Manager of Development Planning~~.

And further that, with the enactment of this By-law, that By-law 2007-35 is repealed in its

[entirety.](#)

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

Enacted and passed this ____ day of _____, 2021

Alar Soever, Mayor

Corrina Giles, Town Clerk

Original By-law

**CORPORATION OF THE TOWN OF
THE BLUE MOUNTAINS**

By-law No. 2007 - 35

Being a By-law to delegate certain power or authority

WHEREAS subsection 23.1(1) of *The Municipal Act, 2001*, S.O. 2001, c. 25 states that a municipality may pass by-laws delegating any of the municipality's duty;


AND WHEREAS subsections 22(6.1) and 34(10.4) of the *Planning Act*, R.S.O 1990, c. P.13 (the Act), states that within 30 days after the person or public body that makes an application for an Official Plan or Zoning By-law amendment and pays an application fee, the council shall notify the person or public body that the information and material required, if any, has been provided, or that it has not been provided, as the case may be;

NOW THEREFORE the Council of the Corporation of the Town of The Blue Mountains hereby enacts as follows:

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

Read a first and second time this 16th day of April, 2007.

Read a third time and passed this 16th day of April, 2007.


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Ellen Anderson, Mayor


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Stephen Keast, Clerk