



A By-Law to Delegate Authority for the Provision of Powers under the Planning Act and Condominium Act to Staff of the Corporation of the Town of Cobourg.

Whereas Sections 9, 10, 11 and 23.1 of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, authorize a municipality to delegate its powers and duties under this or any other Act to a person or body and set out certain restrictions under which a municipality may delegate its powers and duties;

And Whereas Section 224(d) of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, states that it is the role of Council to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;

And Whereas Section 227(a) of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, states that it is the role of the officers and employees of the municipality to implement council’s decisions and establish administrative practices and procedures to carry out council’s decisions;

And Whereas Section 270(1) of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, provides that a municipality shall adopt and maintain policies with respect to the delegation of its powers and duties;

And Whereas the Council of the Corporation of the Town of Cobourg deems it appropriate to pass a by-law to delegate powers and duties to staff to enhance the efficiency of the decision making and administrative process by setting out the scope of the powers and duties which Council may delegate and to establish principles governing such delegation;

Now Therefore Be It Enacted by the Council of the Corporation of the Town of Cobourg as follows:

1. Within each row of each table in Schedule “A”, attached to and forming part of this By-law, the authority described in the column entitled, “Delegated Authority”, is delegated to the person or persons identified in the column entitled, “Delegate”, subject to the restrictions and reporting requirements, if any, in the column entitled, “Delegation Restrictions & Reporting”.
2. That the Mayor and Clerk are hereby authorized to execute development agreements, or amendments, imposed or required in satisfaction of any condition of approval under the *Planning Act* or *Condominium Act* in connection with development of land such as plans of subdivision, plans of condominium, pre-servicing, land divisions, minor variances, part lot control exemptions, and zoning by-law amendments, as requested by the Director of Planning and Development or the Manager of Development Review.
3. That the following definitions form part of this By-law:
 - a. “Clerk” shall mean the Municipal Clerk for the Town of Cobourg.
 - b. “Mayor” shall mean the elected Mayor for the Town of Cobourg.

- c. “Director of Planning and Development” shall mean the Town’s Director of Planning and Development.
 - d. “Manager of Development Review” shall mean the Town’s Manager of Development Review.
 - e. “Town” shall mean the Corporation of the Town of Cobourg.
 - f. “Town Solicitor” shall mean the Solicitor for the Town of Cobourg.
3. This By-law shall come into force and effect upon the day of final passing.

Read and passed in Open Council this XX day of XXXXXXXX 2023.

L. Cleveland, Mayor

B. Larmer, Clerk

Schedule 'A'
to
By-law No. XXX-2023

	Delegated Authority	Delegate	Source of Power or Authority	Delegation Restrictions & Reporting
1	Authorization of Mayor and Clerk to enter into agreements, including amendments, imposed or required in satisfaction of any condition of approval under the <i>Planning Act</i> or <i>Condominium Act</i> in connection with the development of land such as subdivisions, pre-servicing, plans of condominiums, land divisions, minor variances, part lot control exemption, and zoning by-law amendments	Director of Planning and Development or Manager of Development Review	<i>Planning Act</i> , RSO 1990, c P.13; <i>Condominium Act</i> , RSO 1998, c C.26.	Agreement to be in a form approved by the Town Solicitor. Agreement presented to Mayor and Clerk for signing with memo from Director of Planning and Development or Manager of Development Review outlining purpose of agreement. Yearly report of applications.
2	Deeming any application under the <i>Planning Act</i> complete or incomplete, as the case may be	Director of Planning and Development or Manager of Development Review	ss. 22(6.1), 34 (10.4), and 51(19.1), <i>Planning Act</i> , RSO 1990, c P.13.	Council Members to receive Notice of Complete Applications and Notice of Public Meetings. Yearly report of applications.
3	Approve applications for Part Lot Control Exemption	Director of Planning and Development or Manager of Development Review	ss. 50 (7), <i>Planning Act</i> , RSO 1990, c P.13.	Controversial applications proposed to be denied are to be reported to Council. If approved, By-law presented to Council. Yearly report of applications.
4	Approve applications for Removal of Holding Provision	Director of Planning and Development or Manager of Development Review	s. 36, <i>Planning Act</i> , RSO 1990, c P.13	Conditions for lifting holding provision have been satisfied in the opinion of the Director of Planning and Development or the Manager of Development Review. Controversial applications proposed to be denied are to be reported to Council. By-law presented to Council. Yearly report of applications.
5	Approve an extension of a Draft Plan of Subdivision or Draft Plan of Condominium approval period	Director of Planning and Development or Manager of Development Review	ss. 51(33), <i>Planning Act</i> , RSO 1990, c P.13	Controversial applications proposed to be denied are to be reported to Council. Yearly report of applications.