COUNTY OF RENFREW

BY-LAW NO. 58-01

A BY-LAW TO DELEGATE TO THE DEVELOPMENT AND PROPERTY COMMITTEE AND TO APPOINTED OFFICERS THE AUTHORITY VESTED IN THE COUNCIL OF THE COUNTY OF RENFREW WITH RESPECT TO PLANS OF SUBDIVISION, PLANS OF CONDOMINIUM AND PART LOT CONTROL BY-LAWS PURSUANT TO THE PLANNING ACT

WHEREAS pursuant to Subsection 4(1) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, hereinafter referred to as "the Act, the Minister has delegated to the Council of the Corporation of the County of Renfrew the authority to approve plans of subdivision, plans of condominium and part lot control by-laws.

AND WHEREAS pursuant to Subsection 5(1) of the Act the Council may by by-law delegate all or any of the authority to approve plans of subdivision, plans of condominium and part lot control by-laws to a Committee of Council or to an appointed officer identified in the by-law by name or position occupied;

AND WHEREAS County Council considers it advisable to delegate certain powers to the Land Division Committee and to certain appointed officers with respect to plans of subdivision, plans of condominium and part lot control by-laws;

AND WHEREAS the Delegation of Authority pursuant to this provision may be subject to such conditions as the Council by by-law provides;

NOW THEREFORE THE CORPORATION OF THE COUNTY OF RENFREW ENACTS AS FOLLOWS:

1. THAT the delegation of authority and procedures relating to plans of subdivision, plans of condominium and part lot control by-laws be as set out in Schedule AA of this by-law.

2. THAT by-law 25-01 enacted on the 28th day of March, 2001, is hereby repealed.

READ a first time this 28th day of November, 2001.

READ a second time this 28th day of November, 2001.

READ a third time and finally passed this 28th day of November, 2001.

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BARRY MORAN, WARDEN                                       NORM LEMKE, CLERK
DELEGATION OF POWERS

1. Delegation by County Council to the Manager of Planning Services

The Council of the County of Renfrew delegates to the Manager of Planning Services and in his absence the Director of Development and Property, the authority to:

(1) refuse to accept or further consider any application for Plan of Subdivision or Plan of Condominium until the prescribed information and material and the required fee and the draft plan are received, pursuant to Subsection 51(19);

(2) settle and give draft plan approval for a three year term to any proposed Plan of Subdivision and exercise all the powers of the approval authority related to subdivisions as set out in the Act including but not limited to those set out in this by-law.

(3) sign draft Plans of Subdivision for the purpose of indicating draft approval by the Manager of Planning Services pursuant to subsection (2) above;

(4) exempt proposed Plans of Condominium from approval in accordance with Section 50 of the Condominium Act, R.S.O., 1990, c.26, or settle and give draft approval for a three year term to any proposed Plan of Condominium and exercise the powers of the approval authority related to condominiums as set out in the Act including but not limited to those set out in this by-law.

(5) sign draft Plans of Condominium for the purpose of indicating draft approval by the Manager of Planning Services pursuant to subsection (4) above;

(6) enter into negotiations/dispute resolution with those parties involved in an objection to a draft Plan of Subdivision or Condominium or conditions thereof;

(7) refer a proposed Plan of Subdivision or Plan of Condominium to the Land Division Committee where a refusal decision by the Manager of Planning Services is recommended; or where withdrawal of the approval of a draft Plan of Subdivision or draft Plan of Condominium pursuant to subsection 51 (44) of the Act is recommended by the Manager of Planning Services; or where a proposed decision by the Manager of Planning Services is contrary to the recommendations of a local Council.

(8) change the conditions of draft approval imposed by the Manager of Planning Services pursuant to Subsection 51(44) of the Act;

(9) decide whether a change to a condition of draft approval is minor for the purpose of giving notice;
(10) sign final Plans of Subdivision and final Plans of Condominium for the purpose of indicating the final approval by the Manager of Planning Services and the acceptability of the said Plan or Plans for tendering for registration.

(11) grant extensions of draft approval to proposed Plans of Subdivision or Plans of Condominium for not more than twelve (12) months, where the Council of the Local Municipality in which the lands are located or that Council=s delegate, concurs with such an extension, and where no issues remain unresolved at the County level or with the Applicant;

(12) grant extensions of draft approval to proposed Plans of Subdivision or Plans of Condominium for not more than three (3) months on an emergency basis without the approval of the appropriate Local Council, in order that a decision may be obtained from the appropriate Local Council, or its delegate in respect of any requested extension unless the Manager of Planning Services has been given written notice of an objection to an extension by the local Municipality, or by the County;

(13) approve Part-Lot Control By-laws in the Local Municipalities passed under Section 50 of the Act;

2. Delegation by County Council to the Land Division Committee

Where an application for a plan of subdivision or condominium has been referred to the Land Division Committee under section 1 (7) above of this by-law the County Council hereby delegates to the Land Division Committee the authority to:

(1) settle and give draft plan approval for a three year term or refuse to give draft approval to any proposed Plan of Subdivision referred to it under this by-law and exercise all the powers of the approval authority related to subdivisions as set out in the Act including but not limited to those set out in this by-law.

(2) to instruct the Manager of Planning Services to sign draft Plans of Subdivision for the purpose of indicating draft approval by the Land Division Committee pursuant to subsection (1) above;

(3) settle and give draft approval for a three year term or refuse to give draft approval to any proposed Plan of Condominium referred to it under this by-law and exercise the powers of the approved authority related to condominiums as set out in the Act including but not limited to those set out in this by-law.

(4) to instruct the Manager of Planning Services to sign draft Plans of Condominium for the purpose of indicating draft approval by the Land Division Committee pursuant to subsection (3) above;

(5) enter into negotiations/dispute resolution with those parties involved in an objection to a draft Plan of Subdivision or Condominium or conditions thereof;

(6) change the conditions of draft approval imposed by the Land Division Committee pursuant to Subsection 51(44) of the Act;
(7) decide whether a change to a condition of draft approval is minor for the purpose of giving notice;

(8) to instruct the Manager of Planning Services to sign final Plans of Subdivision and final Plans of Condominium for the purpose of indicating the final approval by the Land Division Committee and the acceptability of the said Plan or Plans for tendering for registration.

(9) grant extensions of draft approval to proposed Plans of Subdivision or Plans of Condominium for not more than twelve (12) months, where the Council of the Local Municipality in which the lands are located or that Council’s delegate, concurs with such an extension, and where no issues remain unresolved at the County level or with the Applicant;

(10) grant extensions of draft approval to proposed Plans of Subdivision or Plans of Condominium for not more than three (3) months on an emergency basis without the approval of the appropriate Local Council, in order that a decision may be obtained from the appropriate Local Council, or its delegate in respect of any requested extension unless the Manager of Planning Services has been given written notice of an objection to an extension by the local Municipality, or by the County;

(11) withdraw the approval of a draft Plan of Subdivision or draft Plan of Condominium at any time before the approval of the final Plan of Subdivision or final Plan of Condominium under subsection 51(58), pursuant to subsection 51(44).