

By-law 2020-44

A By-law of the City of Greater Sudbury to Delegate Authority to a Consent Official

Whereas pursuant to O. Reg 354/02, made under the authority of the *Planning Act*, R.S.O. 1990, c. P. 13, (hereinafter the "*Planning Act*"), the Council of the City of Greater Sudbury was designated as a municipality with authority to grant consents under section 53 of the *Planning Act*;

And Whereas pursuant to subsection 54(5) of the *Planning Act*, Council of the City of Greater Sudbury, as a single tier municipality may by by-law delegate the authority of the council under section 53 to an appointed officer identified in the by-law by name or position occupied;

And Whereas pursuant to subsection 54(7) of the *Planning Act*, a delegation of authority may be subject to such conditions as may be provided in the by-law;

And Whereas pursuant to subsection 54(2.1) of the *Planning Act*, a council which has delegated its authority to give consents under subsection 54(5), that delegation is deemed to include the authority to give approvals under subsection 50(18) of the *Planning Act* and to issue certificates of validation under section 57;

And Whereas Council for the City of Greater Sudbury deems it desirable to appoint a consent official for the City of Greater Sudbury and delegate to the consent official, its powers to give a consent under section 53 of the *Planning Act*, R.S.O. 1990, c. P.13 including its powers to issue certificates of validation under section 57 of the *Planning Act*;

And Whereas pursuant to the *Municipal Act 2001*, S.O. 2001, c. 25, Council has the authority to appoint a municipal Clerk and Deputy Clerks;

Now therefore Council of the City of Greater Sudbury hereby enacts as follows:

Delegation of Authority

1.-(1) All of the powers of Council for the City of Greater Sudbury to give a consent under section 53 of the *Planning Act*, to give an approval under subsection 50(18) of the *Planning Act* and to issue a certificate of validation under section 57 of the *Planning Act* are hereby delegated to City's Consent Official subject always to the guidelines and restrictions in the *Planning Act*.

(2) The Consent Official is hereby authorized to grant Consents as provided in section 53 of the *Planning Act* in respect of all lands situate within the City of Greater Sudbury.

Appointment of Consent Official/Alternates

2.-(1) The City's Consent Official shall be the City employee who holds the position of "Consent Official/Secretary-Treasurer, Committee of Adjustment", (hereinafter the "Consent Official").

(2) In the absence of the Consent Official the powers of the Consent Official may be exercised by the Acting Consent Official.

(3) The Acting Consent Official shall be a City employee holding the position of Senior Planner or the position of Manager, Development Approvals. The person acting on any given occasion shall be determined in accordance with protocols established from time to time by the Consent Official.

Appointment- Secretary-Treasurer- Committee of Adjustment

3.-(1) The Consent Official is appointed as the Secretary-Treasurer of the Committee of Adjustment.

(2) In the absence of the Consent Official, the Acting Consent Official determined in accordance with Subsection 2(3) shall act as the Secretary-Treasurer of the Committee of Adjustment.

Appointment – Deputy Clerk

4.-(1) The City's Consent Official, and the persons holding the positions of Senior Planner and Manager, Development Approvals, for the City of Greater Sudbury are each appointed as a Deputy Clerk under the *Municipal Act, 2001*, S.O. 2001, c. 25, for the purpose of signing Certificates of Consent pursuant to section 53(42) of the *Planning Act*.

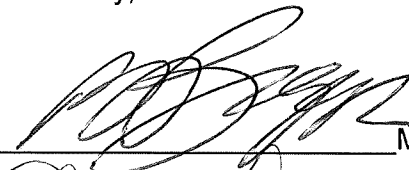
Repeal By-law 2011-76

5. By-law 2011-76 and every by-law amending By-law 2011-76 is hereby repealed.

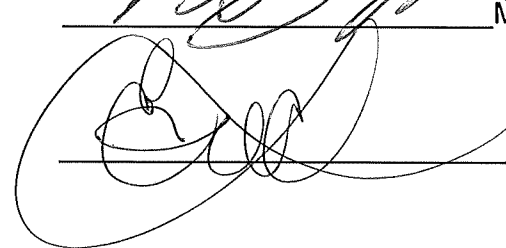
Effective Date

6. This By-law comes into effect upon passage.

Read and Passed in Open Council this 18th day of February, 2020



Mayor



Clerk