

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

BY-LAW NUMBER 2020-054

BEING A BY-LAW TO AMEND BY-LAW 2016-122 BEING A BY-LAW TO DELEGATE MUNICIPAL POWERS AND DUTIES (PLANNING MATTERS).

WHEREAS the Council for the District Municipality of Muskoka has, by By-law No. 87-100, delegated the authority for the giving of consents to the Council for the Corporation of the Township of Lake of Bays under Section 54(1) of the Planning Act, R.S.O. 1990, as amended;

AND WHEREAS on February 25, 1992, the Council for the Corporation of the Township of Lake of Bays enacted By-law 92-29, which further delegated all the authority for the giving of consents to the Committee of Adjustment under Section 54(2) of the Planning Act, Chapter P13, S.O. 1990.

AND WHEREAS on October 18, 2016, Council enacted By-law No. 2016-122 adopting a by-law to Delegate Municipal Powers and Duties;

AND WHEREAS the Council for the Corporation of the Township of Lake of Bays deems it advisable to further delegate the authority for the giving of provisional consent for uncontested consents to the Director of Planning Services, or their designate, for the Township of Lake of Bays as provided under Section 54 (2) of the *Planning Act* R.S.O. 1990, c.P. 13 as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS ENACTS AS FOLLOWS:

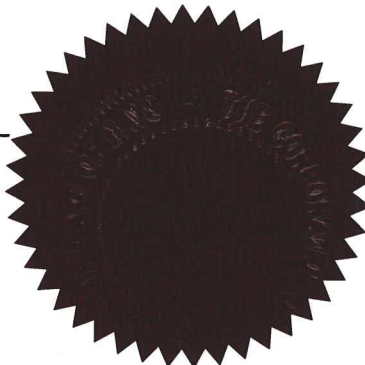
1. All authority of the Council for the Corporation of the Township of Lake of Bays to grant contested consents and lot creation that does not comply with the Township's Comprehensive Zoning By-law, Development Permit By-law, or any update thereto, pursuant to Section 53 of the *Planning Act*, R.S.O., 1990, as amended, is hereby delegated to the Committee of Adjustment.
2. All authority of the Council for the Corporation of the Township of Lake of Bays to grant uncontested technical consents, and lot creation that complies with the Township's Comprehensive Zoning By-law, Development Permit By-law, or any update thereto, pursuant to Section 53 of the *Planning Act*, R.S.O., 1990, as amended, is hereby delegated to the Director of Planning Services.
3. The procedures for the processing of consents shall be as defined by the *Planning Act*, R.S.O., 1990, as amended, and as prescribed in Regulations made thereto.
4. Authority to comment on the extension of draft approvals of subdivisions or minor amendment therein, as requested by the District of Muskoka, be delegated to the Director of Planning or designate.
5. To amend By-law 2016-122 by inserting the following under Planner:
 - f) give provisional consent to approve uncontested technical consent applications, as well as those where the lot creation would comply with the Townships Development Permit By-law or Comprehensive Zoning By-law, or any update thereto; and change the conditions of an uncontested application for provisional consent at any time before Consent is given and to determine if the change to conditions is minor or not for the purposes of giving notice.
 - g) authority to comment on the extension of draft approvals of subdivisions or minor amendments therein, as requested by the District of Muskoka.

5. For the purposes of this By-law a technical consent application shall mean right-of-ways and easements, lot additions, title validations, and leases in excess of 21 years.
6. For the purposes of this By-law, an uncontested consent shall mean a consent application for which all information and material required by Section 53(2) and (3) of the *Planning Act* has been received together with any required application fee and the application has been duly circulated and satisfies the following criteria:
 - a) No concerns or objections have been received by the Township, public agency, company or member of the public that have not been resolved between the objector and the applicant or cannot be addressed or satisfied by a condition of provisional consent; and,
 - b) A planning staff report has been lodged with the Township of Lake of Bays Director of Planning Services that:
 - i. Has statements included therein regarding the conformity of the application to the Provincial Policy Statement and the Township of Lake of Bays Official Plan;
 - ii. Includes the recommended conditions for the provisional consent; and,
 - iii. Recommends the giving of provisional consent.
7. That the provisions of this By-Law shall come into force and effect on the day of final passing thereof.

READ a FIRST, SECOND and THIRD time and finally passed this 23rd day of June, 2020.



Mayor – Terry Glover





Clerk – Carrie Sykes