



City of Kingston

Ontario

By-Law Number 2006-75

**A By-Law To Delegate Various Planning Approvals To Staff
And To Adopt Certain Procedures For The Processing Of Planning
Applications Subject To Delegated Authority**

Passed: April 4, 2006

Updated: April 26, 2022

As Amended By By-Law Number:

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By-Law Number 2022-65	April 26, 2022

(Office Consolidation)

The Corporation Of The City Of Kingston

By-Law Number 2006-75

A By-Law To Delegate Various Planning Approvals To Staff And To Adopt Certain Procedures For The Processing Of Planning Applications Subject To Delegated Authority

Passed: April 4, 2006

Whereas the Council of The Corporation of the City of Kingston passed By-Law Number 98-91, as amended by By-Laws Number 2001-114, 2001-251 and 2002-23, and 2006-65 being By-Laws to regulate Site Plan Control and delegate to staff Council's power under Section 41 of the *Planning Act*; and

Whereas the Council of The Corporation of the City of Kingston passed By-Law Number 2000-245, as amended by By-Laws Number 2001-113 and 2001-252, being By-Laws to delegate to staff Council's power under Section 51.2(1) of the *Planning Act*, and to adopt certain procedures for the processing of requests for final approval of plans of subdivision; and

Whereas the Council of The Corporation of the City of Kingston deems it necessary to repeal By-Law Number 2000-245, as amended, in its entirety, and to repeal Sections 5, 6 and 7 (a) to (c) inclusive of By-Law Number 2006-65, as amended; and

Whereas the Council of The Corporation of the City of Kingston deems it appropriate to extend the approval authority of staff for routine and minor types of development applications, including Removal of Holding Symbols, Lifting Part Lot Control and Consents, as well as other matters of an Administrative nature in order to support ongoing efforts to streamline the overall development approval process; and

Whereas the Council of The Corporation of the City of Kingston deems it necessary to consolidate all delegated authority respecting planning applications into a single By-Law:

Now Therefore the Council of The Corporation Of The City Of Kingston hereby enacts as follows:

1. Definitions:

In this By-Law:

- 1.1 "Acting Director" means the Acting Director of Planning, Building and Licensing Services and shall also include the Manager of Development Approvals or Manager of Policy Planning when fulfilling the role of Acting Director

1. cont'd:

- 1.2 "City" means The Corporation of the City of Kingston.
- 1.3 "Commissioner" means the Commissioner of the Community Development Services Group of the City of Kingston.
- 1.4 "Council" means the Council of The Corporation of the City of Kingston.
- 1.5 "Designate" means the Commissioner, the Acting Director of Planning, Building and Licensing Services and shall also include the Manager of Development Approvals or Manager of Policy Planning.

2. Applications For Final Subdivision Approval:

- (i) Council's power and authority with respect to all matters provided for by Section 51. (58) of the *Planning Act*, R.S.O. 1990, Chapter P.13, As Amended (Final Approval of Plans of Subdivision), is hereby delegated to the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate.
- (ii) Notwithstanding the provisions of Clause 2. (i) of this By-Law, City Council shall retain all powers and authority under Section 51. (58) of the *Planning Act*, R.S.O. 1990, Chapter P.13, As Amended, where:
 - (a) The Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate, at his / her sole discretion refers the request for Final Approval of the Plan of Subdivision to City Council;
 - (b) The Owner / Subdivider requests in writing that the request for Final Approval of the Plan of Subdivision be referred to City Council;
 - (c) A member of City Council makes a notice of motion through Council that the application for Final Subdivision Approval be referred to Council. Upon Council support for such motion the matter shall be referred to Council.

(By-law Number 2006-75; 2012-104)

2.1 Procedures:

(i) Staff Approval:

Prior to exercising the delegated authority for Final Approval of a Plan of Subdivision, the following procedures shall be followed:

- (a) The Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate, shall prepare a Memorandum to File detailing how each Condition to Draft Plan Approval has been or will be fulfilled by the Owner / Subdivider and confirming that the detailed engineering plans have been approved and all required clearance letters from municipal departments and outside agencies have been received;
- (b) Notice of receipt of the request for Final Approval of a Plan of Subdivision shall be circulated to the appropriate internal technical departments and external agencies for review and comment, as well as to all members of Council.
- (c) The Owner/Subdivider shall execute the City's standard Subdivision Agreement and return three (3) copies to the City's Planning and Development Department together with the following:
 - 1. The financial securities and Certificate of Insurance required by the Subdivision Agreement;
 - 2. Consent from any mortgagee to the registration of the Subdivision Agreement against the title to the property;
 - 3. Confirmation that there are no outstanding taxes, local improvement charges, etc;
 - 4. Draft conveyance documents for the public parklands, public walkways, road widening and 0.3 meter reserves, as required by the Subdivision Agreement;
 - 5. Draft conveyance documents for the easements required by the Subdivision Agreement, together with the Draft Reference Plan illustrating the easements; and
 - 6. The required number of originals and paper prints and an electronic copy of the Final M-Plan being submitted for registration.

2.1 cont'd:

- (d) The Head of Council or the Presiding Officer in his/her absence and the City Clerk or the Acting Clerk in his/her absence are hereby authorized to sign and seal all Subdivision Agreements which have been approved by Staff in accordance with Council's delegation for Final Subdivision Approval to Staff.
- (e) Subsequent to Final Subdivision Approval, the Head of Council or the Presiding Officer in his/her absence and the City Clerk or the Acting Clerk in his/her absence are authorized to sign and seal all Amending Subdivision Agreements which have been approved by Staff to recognize required amendments to the Agreement conditions and/or approved engineering plans resulting from a redesign of the subdivision or implementation of a further planning approval.
- (f) Prior to Final Subdivision Approval, the Head of Council or the Presiding Officer in his/her absence and the City Clerk are hereby authorized to sign and seal all Model Home Agreements and Pre-Servicing Agreements which have been approved by staff in accordance with the approved engineering drawings for the subdivision in order to permit model home construction and the installation of infrastructure in advance of the issuance of Final Subdivision Approval pursuant to this By-Law.

(By-law Number 2006-75; 2009-179)

(ii) Referral to City Council:

Where a request for Final Approval of a Plan of Subdivision is referred to City Council in accordance with Clause 2(ii) of this By-Law, the following procedures shall be followed:

- (a) The Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate, shall prepare a Report outlining the source of and the reasons for the request for the referral to Council. The Report shall also detail how each Condition to Draft Plan Approval has been or will be fulfilled by the Owner / Subdivider and confirm that the detailed engineering plans have been approved, that all required clearance letters from municipal departments and outside agencies have been received, and that the items listed in Clause 2.1 (i) (c) above have been received;
- (b) Where a request for Final Approval of a Plan of Subdivision is referred to Council, the final decision respecting Final Approval of the Plan of Subdivision shall rest with Council.

(By-law Number 2006-75; 2012-104)

3. Applications For Site Plan Control Approval:

- (a) Council's power and authority with respect to all matters provided for by Section 41 of the *Planning Act*, R.S.O. 1990, Chapter P-13 as amended, except the authority to define class or classes of development which may be undertaken without the approval of plans and drawings otherwise required, is hereby delegated to the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate.
- (b) Notwithstanding the provisions of Section 3.(a) of this By-Law, where a development is referred back, or requested to be referred back, to Council, as provided for in this By-Law, Council's power and authority with respect to all matters provided for by Section 41 of the *Planning Act*, is hereby delegated to the Planning Committee.

3.1 Procedures:

(i) Referral To Planning Committee:

Notwithstanding the provisions of Section 3(a) of this By-Law, the Planning Committee of Council shall retain all powers and authority under Section 41 of the *Planning Act* where:

- (a) The Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate at his/her sole discretion refers the matter to the Planning Committee; or
- (b) The applicant requests in writing that the matter be referred to the Planning Committee; or
- (c) A member of City Council makes a notice of motion through Council that the application for Site Plan Control Approval be referred to Planning Committee. Upon Council support for such motion the matter shall be referred to Planning Committee

(By-law Number 2006-75; 2012-104)

- (d) Notice of receipt of an Application for Site Plan Control Approval shall be circulated to the Mayor and members of City Council at the same time as it is circulated to the internal technical departments and external agencies for review and comment.

(By-law Number 2006-75; 2012-104)

(ii) Agreements:

- (a) Council's authority under Section 41(7)(c) of the *Planning Act* to require an owner to enter into an agreement with The Corporation of the City of Kingston and the authority to approve the form of agreement is hereby delegated to the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate and they are hereby authorized to recommend execution of any agreement or amendments thereto which may be required pursuant to the provisions of this By-Law;
- (b) The Head of Council or the Presiding Officer in his/her absence and the City Clerk or the Acting Clerk in his/her absence are hereby authorized to execute on behalf of The Corporation of the City of Kingston under corporate seal any agreement which may be required pursuant to the provisions of this By-Law upon the written recommendation of the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate, the Planning Committee or City Council, as the case may be;
- (c) Where the matter has been referred to the Planning Committee pursuant to Section 3.1 (i) of this By-Law, the Planning Committee shall exercise the same authority as provided for in Section 3.1 (ii) (a) and (b) of this By-Law with the necessary modification and such actions shall be evidenced by way of resolutions passed by the Planning Committee;
- (d) Any agreement or amendment thereto entered into in accordance with this Section, shall be registered against the title of the land to which it applies.

4. Applications To Remove Holding Symbols:

- (i) Council's power and authority with respect to the approval of uncontested applications to Remove '-H' Holding Symbols is hereby delegated to the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate.
- (ii) Notwithstanding the provisions of Clause 4. (i) of this By-Law, City Council shall retain all powers and authority with respect to the approval of an application to Remove a '-H' Holding Symbol where the applicant or other party contests the staff position on the application as to whether or not the conditions for removal of the '-H' Symbol have been satisfied.

- (iii) That the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate are hereby authorized to prepare any required agreement(s) and By-Law(s) implementing any such approval, in consultation with the Legal Services Department, and the Legal Services Department is hereby authorized to register such agreement(s) and By-Law(s);
- (iv) That following approval of the application by the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate, and pursuant to Section 36(1) of the Planning Act, the implementing By-Law shall be presented to Council for enactment.
- (v) That the Head of Council or the Presiding Officer in his/her absence and the City Clerk or the Acting Clerk in his/her absence are hereby authorized to sign such agreement(s) and By-Law(s).

5. Applications To Lift Part Lot Control:

- (i) Council's power and authority with respect to the approval of uncontested applications to Lift Part Lot Control is hereby delegated to the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate.
- (ii) Notwithstanding the provisions of Clause 5(i) of this By-Law, City Council shall retain all powers and authority with respect to the approval of an application to Lift Part Lot Control where the applicant or other party contests the staff position on the application.
- (iii) That the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate are hereby authorized to prepare any required agreement(s) and By-Law(s) implementing any such approval, in consultation with the Legal Services Department, and the Legal Services Department is hereby authorized to register such agreement(s) and By-Law(s);
- (iv) That following approval of the application by the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate, and pursuant to Section 50(7) of the Planning Act, the implementing By-Law shall be presented to Council for enactment.
- (v) That the Head of Council or the Presiding Officer in his/her absence and the City Clerk or the Acting Clerk in his/her absence are hereby authorized to sign such agreement(s) and By-Law(s).

6. Release Of Agreements:

That the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate are hereby authorized to release any agreement(s) registered on title as a condition to the approval of a planning application (Subdivision, Condominium, Model Homes, Site Plan Control, Committee of Adjustment, etc.), in consultation with the Legal Services Department, where:

- (i) An owner or authorized agent or a bona fide purchaser or authorized agent or mortgagee has requested in writing the release;
- (ii) The terms of the agreement have been completed or the terms of the agreement have been satisfied or superseded by the requirements of another agreement registered on title;
- (iii) The registered owner pays all costs associated with the release of the agreement, including the City's costs to prepare and register the release;
- (iv) All financial securities have been released;
- (v) All parties having jurisdiction over the terms and conditions of the agreement have agreed to its release;
- (vi) There is no history of non-compliance, complaints and enforcement regarding the terms and conditions of the agreement;
- (vii) The authority to release the agreement has not been withdrawn by City Council.

7. Requests To Reduce / Release Site Plan Control Securities:

That the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate are hereby authorized to approve the reduction or release of financial securities related to Site Plan Control approvals where:

- (i) An owner or authorized agent or a bona fide purchaser or authorized agent or mortgagee has requested in writing the reduction or release;
- (ii) The request includes a report from the project architect or engineer, or other qualified professional, confirming that all required works have been completed;

- (iii) The initial security reduction shall be to a maximum of 90% of the total securities being held by the City. Where site deficiencies are identified, the initial reduction shall be adjusted accordingly to ensure sufficient securities remain to cover the cost to complete the noted deficiencies; and
- (iv) The final security release shall not be authorized for at least one year from the date of the initial reduction and only after any noted deficiencies have been corrected to the satisfaction of the City.

8. Draft Plans Of Subdivision:

That Council hereby delegates to the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate, the authority to:

- (i) Sign proposed Plans of Subdivision for the purpose of indicating draft plan approval;
- (ii) Change the Conditions of Draft Plan Approval imposed by City Council pursuant to Subsection 51(44) of the Planning Act where such a change is consistent with the Council recommendation respecting the Draft Plan of Subdivision;
- (iii) Decide whether a change to a condition of Draft Plan Approval is minor for the purpose of giving notice.

9. Amendments To Condominium Declaration And/Or Description:

That Council hereby delegates to the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate, the authority to approve amendments to a registered condominium Declaration and / or registered condominium Description where:

- (i) the Condominium Corporation has passed a resolution approving the proposed amendment to the Declaration and / or description;
- (ii) the Condominium Corporation has executed a Form 1 under Section 107 of the Condominium Act confirming that the amendment(s) complies with the provisions of Section 107 of the Condominium Act;
- (iii) the Condominium Corporation has submitted the amendment(s) to the Declaration and / or Description;
- (iv) the Condominium Corporation has submitted the required number of originals and copies of the revised condominium plans for signing by the City and registration at the Land Registry Office.

The Head of Council or the Presiding Officer in his/her absence and the City Clerk or the Acting Clerk in his/her absence, are hereby authorized to sign Municipal Certificate for the Amendment on the revised condominium plans, and the Director of Legal Services, or his/her designate, are hereby authorized to present the signed plans for registration at the Land Registry Office.

10. Cash-In-Lieu Of Parking:

- (i) That Council hereby delegates to the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate, the authority to approve uncontested cash-in-lieu of parking applications in accordance with the Cash-in-Lieu of Parking By-Law.
(By-Law 2006-75; 2022-65)
- (ii) Notwithstanding the provisions of Clause 10. (i) of this By-Law, City Council shall retain all powers and authority with respect to the approval of an application for cash-in-lieu of parking where the applicant or other party contests the staff position on the application.
- (iii) That the Head of Council or the Presiding Officer in his/her absence and the City Clerk or the Acting Clerk in his/her absence are hereby authorized to sign the agreement(s) required pursuant to Section 40 of the *Planning Act* to authorize the parking exemption approved by staff.

11. Applications For Consent:

For the purposes of this Section, a "Consent" means:

- (i) an application for the creation of a new lot;
- (ii) an application along a common party wall of an existing building provided no minor variances are required;
- (iii) an application to create or extend a right-of-way or easement;
- (iv) an application to adjust a lot boundary or facilitate a simple lot addition;
- (v) an application for consent to a power of sale or mortgage;
- (vi) an application for consent to a lease in excess of 21 years; and
- (vii) an application for validation of title.

(By-Law Number 2006-75; 2006-209; 2012-104)

11.1 Delegated Approval Authority To Staff

That the Council of The Corporation of the City of Kingston delegates to the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate, the authority to:

- (a) Refuse to accept or further consider an Application for Consent until the prescribed information and material and the required City fees are received pursuant to Section 53(4) of the *Planning Act*;
- (b) Grant a Provisional Consent, in accordance with the *Planning Act* and regulations thereof, where the Application is not in dispute or where any dispute is resolved without a hearing;
- (c) Refer the matter to the Committee of Adjustment where a disputed Application cannot be resolved without a hearing;
- (d) Refer an Application for Consent that is submitted concurrently with an application for minor variance to the Committee of Adjustment which shall consider both Applications;
- (e) Change the conditions of a Staff approved Provisional Consent as per Subsection 53(23) of the *Planning Act* at any time before a Consent is given, and to determine if a change to conditions is minor or not as per Subsection 53(26) of the *Planning Act*, for the purposes of giving notice;
- (f) Refuse an Application which has remained inactive for more than one year, and only after the applicant has been given written notification that the Application will be refused, and given 60 days to respond; and
- (g) Enter into negotiations / dispute resolution with the parties involved in an objection to a Consent.

(By-Law Number 2006-75; 2006-209; 2012-104)

11.2 That subject to the delegation contained in Section 11.1 of this By-Law, the Council of The Corporation of the City of Kingston delegates to the Committee of Adjustment the authority to hold hearings and decide whether to grant any application for Consent made to the City of Kingston in accordance with the *Planning Act* and regulation thereof, where the following occurs:

- (a) The Application for Consent is filed concurrently with an Application for Minor Variance; and
- (b) The Application is in dispute and cannot be resolved without a hearing.

(By-Law Number 2006-75; 2006-209; 2012-104)

11.3 Authority To Impose Conditions

That the Council of The Corporation of the City of Kingston hereby delegates to the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate and the Committee of Adjustment, the authority to impose such conditions to the granting of a Consent as in their opinion are reasonable.

That the Head of Council or the Presiding Officer in his/her absence and the City Clerk or the Acting Clerk in his/her absence are hereby authorized to sign any agreement(s) required pursuant to Section 53(12) of the *Planning Act* to authorize the granting of a provisional technical consent.

Any agreement or amendment thereto entered into in accordance with this Section, shall be registered against the title of the land to which it applies.

(By-Law Number 2006-75; 2006-209; 2012-104)

11.4 Authority Of The Director To Determine Whether A Plan Of Subdivision Is Required

- (a) That the Council of The Corporation of the City of Kingston hereby delegates to the Director of Planning, Building and Licensing Services or his/her Designate, the authority to determine whether an Application for Consent under the Act should be refused and not referred to the Committee of Adjustment on the basis that the Application requires a Plan of Subdivision for the proper and orderly development of the City.
- (b) Any determination by the Director of Planning, Building and Licensing Services or his/her Designate, that an Application for Consent under the Act should be refused and not referred to the Committee of Adjustment, on the basis that the Application requires a Plan of Subdivision, shall be confirmed

by the Council of The Corporation of the City of Kingston, and if not confirmed, the Application shall be referred to the Committee of Adjustment for a decision on the understanding that a Plan of Subdivision is not required.

(By-Law Number 2006-75; 2006-209; 2012-104)

11.5 Delegation Of Authority

That the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate and the Committee of Adjustment, are hereby authorized with all authority necessary to do all acts required to carry out the authority delegated to each of them under this By-Law.

(By-Law Number 2006-75; 2006-209; 2012-104)

11.6 Signing Authority (All Applications)

That in the absence of the Secretary-Treasurer of the Committee of Adjustment, the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate, are hereby authorized to act as signing authority for Committee of Adjustment matters.

(By-Law Number 2006-75; 2006-209; 2012-104)

12. Radiocommunication Facilities

- (i) That Council hereby delegates to the Director of Planning, Building & Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate, the authority to issue a municipal statement of concurrence for applications for radiocommunication facilities;
- (ii) Notwithstanding the provisions of Clause 12.(i) of this by-law, City Council shall retain all powers and authority with respect to the issuance of a municipal statement of concurrence where the Director of Planning, Building & Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his/her Designate at his/her sole discretion refers the matter to City Council;
- (iii) City Council shall retain all powers and authority with respect to the issuance of a municipal statement of non-concurrence.

(By-Law 2006-75; 2016-95)

13. Minor Zoning By-Law Amendments

- a) That Council hereby delegates to the Director, Planning Services or, in the absence of the Director, the Commissioner of Community Services or the acting Director or designate, the authority to:
- i. approve zoning by-law amendments to amend Schedule D, ‘Additional Residential Units Overlay’ of the Kingston Zoning By-Law, where the municipality has been provided with updated technical information from Utilities Kingston to demonstrate that an existing servicing constraint has been resolved or a new servicing constraint has been identified;
 - ii. approve zoning by-law amendments to amend Schedule A, ‘Floodplain Overlay’ of the Kingston Zoning By-Law, where the municipality has been provided with updated technical information from Cataraqui Region Conservation Authority to demonstrate the location of the regulatory floodplain under the *Conservation Authorities Act*;
 - iii. approve zoning by-law amendments to prohibit future residential uses on agricultural lands, where the zoning by-law amendment is required as a condition of approval for a surplus farm dwelling consent application; and
 - iv. approve City-initiated zoning by-law amendments to bring lands subject to site specific zones within former zoning by-laws into the Kingston Zoning By-law, where the site specific zone conforms to the Official Plan and where the property owner does not contest the amendment,
- all subject to and in accordance with the requirements of the *Planning Act*.
- b) Despite anything to the contrary, the Director may, at their discretion, refer any application referred to in 13 a) of this By-Law to Council for a decision.”

(By-Law 2006-75; 2022-65)

14. General Provisions:

- (i) That upon the coming into force of this By-Law, the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate has in lieu of the Council of The Corporation of the City of Kingston, all powers and rights in respect of the authority hereby delegated, and the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or

the Acting Director or his / her Designate shall be responsible for all matters pertaining thereto, subject always to the terms and limitations of any applicable Act or By-Law;

- (ii) That the Director of Planning, Building and Licensing Services or, in the absence of the Director, the Commissioner or the Acting Director or his / her Designate is authorized to do all acts necessary to carry out the authority vested in the Director of Planning, Building and Licensing Services or his/her Designate pursuant to this By-Law, including affixing his/her signature as required to all documents and plans;
- (iii) That when the Director of Planning, Building and Licensing Services is absent or his/her office is vacant, then the Commissioner or the Acting Director or his / her Designate shall act in the place and stead of the Director of Planning, Building and Licensing Services under this By-Law and while so acting, the Commissioner or the Acting Director or his / her Designate, has and may exercise all the rights, powers and authority of the Director of Planning, Building and Licensing Services as delegated by this By-Law subject to the same responsibilities and limitations as set out in the sections above.

15. Repeal Of Existing By-Laws:

That By-Law No 2000-245, as amended, in its entirety, and Sections 5 and 6 and Section 7, clauses (a) to (c) inclusive of By-Law Number 2006-65, are hereby repealed in their entirety, with the balance of the by-law numbered accordingly.

- 16.** This By-Law shall come into force and take effect on the date of its passing.
