

**THE CORPORATION OF THE TOWNSHIP OF ADJALA-TOSORONTIO**

**BY-LAW 22-66**

**A BY-LAW TO ESTABLISH THE DELEGATION OF PLANING AUTHORITY**

**WHEREAS** the *Planning Act*, 1990, c.P.13., Section 41 (4.0.1), requires the municipality to appoint an officer, employee or agent of the municipality as an authorized person for the purposes of subsection (4).

**WHEREAS** the *Planning Act*, 1990, c.P.13., Section 51.2 (1), authorizes the municipality to delegate all or any part of the authority to approve plans of subdivision to a committee of council or to an appointed officer identified in the by-law by name or position occupied.

**AND WHEREAS** the *Planning Act*, 1990, c.P.13., Section 54(2), authorizes the municipality to further delegate the authority or any part of such authority, to a committee of council, to an appointed officer identified in the by-law by name or position occupied or to a committee of adjustment.

**NOW THEREFORE** the Council of the Township of Adjala-Tosorontio hereby enacts as follows:

**1. Title**

That this By-law shall be known as the "Township of Adjala-Tosorontio Delegation of Planning Authority By-law", also referred herein as "Planning Authority By-law".

**2. Definitions**

- a) "Clerk" means the Clerk for the Corporation of the Township of Adjala-Tosorontio, as appointed by Council;
- b) "Committee of Adjustment" means the Committee of Adjustment of the Corporation of the Township of Adjala-Tosorontio;
- c) "Council" means the municipal Council of the Corporation of the Township of Adjala-Tosorontio;
- d) "Director of Planning, Building, By-law" means the manager of the Planning, Building and By-law Departments of the Corporation of the Township of Adjala-Tosorontio;
- e) "Planner" means any employee of the Corporation of the Township of Adjala-

Tosorontio, who is employed in the Planning Department;

- f) "Secretary Treasurer" means the Secretary Treasurer of the Committee of Adjustment;
- g) "Solicitor" means the lawyer of the Corporation of the Township of Adjala-Tosorontio;
- h) "Township" means the Corporation of the Township of Adjala-Tosorontio

### **3. Purpose of the Delegation of Authority with Respect to Planning Applications**

In accordance with sections 41, 51.2, and 54 of the Planning Act, R.S.O. 1990, c. P.13, the Council of a municipality may delegate the authority of approvals with respect to planning applications. It is intended that delegating the applicable approval authority will be compliant with the Planning Act, R.S.O. 1990, c. P.13, as amended, and provide for applications made under the prescribed sections of the Planning Act, R.S.O. 1990, c. P.13.

### **4. Prescribed Delegations**

#### **a) Site Plan Approvals**

- i) That the Township's Director of Planning, Building, and By-law, or the designated Planner or Solicitor, be delegated the authority to approve applications made under Section 41 of the Planning Act, R.S.O. 1990, c. P.13.
- ii) That the Township's Director of Planning, Building and By-law, or the designated Planner or Solicitor, be granted signing authority with respect to any required agreements.

#### **b) Consent Applications**

- i) That the Township's Committee of Adjustment be designated to approve applications made under Section 53 of the Planning Act, R.S.O. 1990, c. P.13.
- ii) That the Township's Secretary Treasurer, be granted signing authority with respect to any required agreements.

**c) Subdivision Approvals**

- i)** That the Township's Director of Planning, Building and By-law, or the designated Planner or Solicitor, be delegated the authority to grant final approval and minor redline changes which do not require circulation, in accordance with section 51 of the Planning Act, R.S.O. 1990, c. P.13.
- ii)** Council shall continue to have the authority to grant draft approval of a subdivision, impose or change conditions of the draft plan, approve redline changes which require circulation or extend the timelines to complete the conditions of draft approval
- iii)** That the Township's Director of Planning, Building and By-law, or the designated Planner or Solicitor, be granted signing authority with respect to any required agreements.

**5. Agreements**

Any agreement required or imposed as a condition of approval, shall be authorized by Council resolution. Upon successful Council resolution for endorsement of the agreement, the agreement may then be executed by signature of both the Clerk and the appointed delegate, as described in section (4) of this by-law.

**6. Requirement for further Circulation**

The delegate shall circulate a notice of approval to Council, as well as neighbours within the prescribed location of the subject lands as described below:

- a) Site Plan approvals shall be circulated to neighbours within 60m of the subject lands.
- b) Subdivision approvals shall be circulated to neighbours within 120m of the subject lands.

**7. Repeal**

That this by-law shall repeal any other by-laws which delegate authority through the Planning Act.

## 8. Enactment and Effective Date

That this By-law shall come into force on the date of passage of Council;

That's notwithstanding anything contrary to the rules of procedure, this By-law having been introduced and read a first and second time and be considered read a third time and finally passed this 8<sup>th</sup> day of June 2022.



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**Floyd Pinto, Mayor**



**Dianne Gould-Brown, Clerk**