

SCHEDULE 3 – DELEGATION OF MUNICIPAL POWERS AND DUTIES BY-LAW



BY-LAW NO. 2022-_____

A By-law to delegate certain powers and duties under the Municipal Act, S.O. 2001, c. 25, the Planning Act, R.S.O. 1990, c. P.13, and other Acts

WHEREAS an amendment to the Planning Act, R.S.O. 1990, c. P.13 allows for the delegation of authority to staff pertaining to the approval of by-laws of a minor nature under Section 34 of the Planning Act with respect to certain matters;

AND WHEREAS on June 13, 2022, Council for the Town of Halton Hills approved Report No. PD-2022-0033, dated May 27, 2022, in which certain recommendations were made relating to Delegated Authority for Holding Removal By-laws, Temporary Use By-laws and minor Zoning By-law Amendments;

AND WHEREAS Official Plan Amendment No. 46 has been approved in order to delegate such authority.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. **THAT** the delegation of authority authorized by this By-law shall not be exercised until and unless Official Plan Amendment No. 46 or portion of Official Plan Amendment No. 46 related to the delegated power comes into effect in accordance with Section 24(2.1) of the Planning Act.
2. **THAT** the authority to pass by-laws under Section 34 of the Planning Act, that are of a minor nature, is hereby delegated to the Commissioner of Planning & Development, or designate.
3. **THAT** the delegation of authority to pass by-laws under Section 34 of the Planning Act shall be limited to:
 - a) a by-law to remove a holding “H” symbol;
 - b) a by-law to authorize the temporary use of land, buildings, or structures subject to the criteria contained in Section G4.1.2 of the Town of Halton Hills Official Plan; and
 - c) minor zoning by-law amendments.
4. **THAT** the delegation of authority to pass a by-law to authorize the temporary use of land, buildings, or structures and to pass minor zoning by-law amendments is subject to the following criteria:
 - a) an Official Plan Amendment is not required, and the proposal maintains the general intent and purpose of the Town’s Official Plan, including its vision, goals, objectives, and policies;
 - b) a Draft Plan of Subdivision is not required in accordance with Section F1.1 of the Town’s Official Plan; and
 - c) any concerns raised by the public and/or staff during the application review and consultation process are resolved prior to the passing of the by-law.

5. **THAT** the delegation of authority to pass by-laws under Section 34 of the Planning Act may be withdrawn by Council, by by-law, in respect of any by-law for which a final disposition was not made before the withdrawal.
6. **NOTWITHSTANDING** any portion of this by-law, the Commissioner of Planning & Development, or designate, will have the discretion to refer any by-law under Section 34 of the Planning Act to Council for consideration and passing.

BY-LAW read and passed by the Council for the Town of Halton Hills this 13th day of June, 2022.

MAYOR – RICK BONNETTE

TOWN CLERK – VALERIE PETRYNIAK