

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 67

BYLAW NO. 2011-67

To delegate certain
powers and duties under the *Planning Act*

WHEREAS Section 23.1 of the *Municipal Act, 2001*, as amended (the “Act”), authorizes a municipality to delegate its powers and duties under the *Act* or any other Act to a person or body, subject to certain restrictions;

AND WHEREAS Regional Council deems it appropriate to delegate certain powers and duties under the *Planning Act*, R.S.O 1990, c. P.13 (the “*Planning Act*”);

AND WHEREAS subsection 17(2) of the *Planning Act* provides that Regional Council is the approval authority in respect of the official plans of lower-tier municipalities;

AND WHEREAS Section 17.1 of the *Planning Act* provides that Regional Council may delegate to an appointed officer all or any of the authority to approve amendments to the official plans of lower-tier municipalities;

AND WHEREAS Regional Council has delegated to its lower-tier municipalities the authority for approving plans of subdivision and condominium descriptions under Sections 51 and 51.1 of the *Planning Act*;

AND WHEREAS under subsection 51(22) of the *Planning Act* Regional Council may make written submissions to the approval authority before the approval authority makes its decision respecting plans of subdivision and condominium descriptions;

AND WHEREAS subsection 17(15) of the *Planning Act* requires Regional Council to consult with prescribed bodies and to hold a public meeting in respect of proposed amendments to the Regional official plan;

NOW THEREFORE the Council of The Regional Municipality of York enacts as follows:

1. Regional Council hereby delegates to the Director, Community Planning the authority to approve minor or routine amendments to the official plan of a lower-tier municipality and to issue notice of such decisions pursuant to the *Planning Act*.
2. The delegation of Regional Council's authority under Section 1 of this bylaw shall be subject to the following conditions:
 - a) the approval of the lower-tier official plan shall implement a policy direction of Regional Council;
 - b) the approval shall not require an amendment to the Regional official plan ;
 - c) the Region shall not require any significant modifications to the lower-tier official plan;
 - d) the amendment shall be primarily local in nature;
 - e) the Director, Community Planning shall report quarterly to the Regional Planning Committee, listing each amendment approved under this authority, including a general description of the location and land use changes approved; and
 - f) the Director, Community Planning shall issue a notice of its decision in accordance with the *Planning Act*.
3. Regional Council hereby delegates to the Director, Community Planning the authority to provide Regional comments and conditions of approval with respect to proposed plans of subdivision and condominium descriptions under Section 51 of the *Planning Act*.

4. In the absence of the Director, Community Planning, Regional Council hereby delegates the powers and duties set out in Sections 1, 2 and 3 of this bylaw to the Director, Long Range and Strategic Planning.
5. Regional Council hereby delegates to the Director, Long Range and Strategic Planning the responsibility for scheduling and giving notice of public meetings under subsection 17(15) of the *Planning Act* concerning proposed amendments to the Regional official plan.
6. In the absence of the Director, Long Range and Strategic Planning, Regional Council hereby delegates the powers and duties set out in Section 5 of this bylaw to the Director, Community Planning.
7. The Chief Administrative Officer is hereby authorized to appoint an Acting Director, Community Planning and an Acting Director, Long Range and Strategic Planning, as required from time to time to fulfil the duties of the respective Directors under this bylaw.
8. Bylaw Nos. A-135-90-76, A-173-95-41, A-175-95-43, A-176-95-44, A-190-96-28, A-135-(b)-96-35, A-175(a)-98-58, A-0175(b)-1999-108, A-0294-2001-067, A-0279-2000-070 and A-0279(a)-2004-050 are hereby repealed.

ENACTED AND PASSED on December 15, 2011.

Denis Kelly
Regional Clerk

Bill Fisch
Regional Chair