

Authority: Item 8, Planning Committee
Report 22-013 (PED22112(c))
CM: August 12, 2022
Ward: City Wide
Bill No. 217

CITY OF HAMILTON
BY-LAW NO. 22-217
**To Delegate Removal of a Holding Symbol, Approval and Extension of a
Temporary Use By-law and Minor Zoning By-law Amendment**

WHEREAS under the provisions of Subsection 39.2 (1) of the *Planning Act*, as amended by Bill 13, the *Supporting People and Businesses Act, 2021*, a council of a local municipality may, by by-law, delegate the authority to pass by-laws under Section 34 of the *Planning Act* that are of a minor nature to a committee of council or an individual who is an officer, employee or agent of the municipality;

And Whereas under Subsection 39.2 (2) of the *Planning Act*, this authority does not apply unless there is an official plan in effect in the local municipality that specifies the types of by-laws in respect of which there may be a delegation of authority;

And Whereas under Subsection 39.2 (3) of the *Planning Act*, without limiting the generality of the meaning of a by-law passed under Section 34 of the *Planning Act* that is of a minor nature, such by-laws may include, a by-law to remove a holding symbol; and a by-law to authorize the temporary use of land, buildings or structures in accordance with subsection 39 (1) of the *Planning Act*;

And Whereas Urban Hamilton Official Plan Amendment No. 175 and Rural Hamilton Official Plan Amendment No. 36 specify the types of by-laws in respect of which there may be a delegation of authority;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the Director of Planning and Chief Planner, or their designate, be delegated the authority to pass a by-law to remove a Holding Symbol that forms part of any zone within the City of Hamilton Zoning By-law No. 05-200, Town of Ancaster Zoning By-Law No. 87-57, Town of Dundas Zoning By-Law No. 3581-86, Town of Flamborough Zoning By-Law No. 90-145-Z, Township of Glanbrook Zoning By-Law No. 464, City of Hamilton Zoning By-Law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92, and any successor thereto.
2. That the Director of Planning and Chief Planner, or their designate, be delegated the authority to pass a by-law to establish a temporary use or extend an existing temporary use by-law that forms part of any zone within the City of Hamilton Zoning By-law No. 05-200, Town of Ancaster Zoning By-Law No. 87-57, Town of Dundas Zoning By-Law No. 3581-86, Town of Flamborough Zoning By-Law No. 90-145-Z, Township of Glanbrook Zoning By-Law No. 464, City of Hamilton Zoning By-Law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92, and any successor thereto.

3. That the Director of Planning and Chief Planner, or their designate, be delegated the authority to pass a by-law that is of a minor nature, that forms part of any zone within the City of Hamilton Zoning By-law No. 05-200, Town of Ancaster Zoning By-Law No. 87-57, Town of Dundas Zoning By-Law No. 3581-86, Town of Flamborough Zoning By-Law No. 90-145-Z, Township of Glanbrook Zoning By-Law No. 464, City of Hamilton Zoning By-Law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92, and any successor thereto.
4. In the event the Director of Planning and Chief Planner, or any successor, is absent for any reason, the said authority of Council is delegated to the Manager, Development Planning or any successor. Where both the said Director of Planning and Chief Planner and the said Manager, Development Planning are absent, the authority delegated pursuant to this By-law is hereby delegated to the person or persons designated in writing by the Director of Planning and Chief Planner, or any successor, to act as the said Director during their absence.
5. That this By-law shall come into force and take effect immediately upon the final passing thereof.

PASSED this 12th day of August, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk