

CITY OF HAMILTON

BY-LAW NO. 21-151

To Amend By-law No. 07-300, Delegation of Consent Authority and Constituting a Committee of Adjustment

WHEREAS Sections 50(l)(c) and 53(1) of the *Planning Act* R.S.O. 1990, c-P.13, as amended, authorize the City of Hamilton to grant Consents;

AND WHEREAS Sections 54(5) and (7) of the *Planning Act* R.S.O. 1990, c-P.13, as amended, authorize the City of Hamilton to delegate the power to grant Consents to a Committee of Adjustment;

AND WHEREAS Section 44 of the *Planning Act* R.S.O. 1990, c-P.13, as amended, authorizes a municipality to constitute a Committee of Adjustment;

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

1. By-laws 01-148 and 01-149 as amended by 01-292 are repealed.
2.
 - (1) A Committee of Adjustment for the City of Hamilton, hereinafter “the Committee”, is constituted.
 - (2) Members of the Committee who are members of Council shall be appointed annually.
 - (3) Members of the Committee who are not members of Council shall hold office for the term of Council that appointed them.
 - (4) Notwithstanding Sections 2(2) and 2(3), members of the Committee shall hold office until they are reappointed or their successors are appointed.
3. Members of the Committee shall be compensated for their membership on the Committee as follows:
 - (a) Payment of \$100.00/meeting attended; and
 - (b) Reimbursement for mileage costs incurred in accordance with City policy.
4.
 - (1) The Committee shall be composed of nine (9) members, who are not Members of Council.

- (2) Not less than four (4) members of the Committee shall have knowledge and experience in rural planning and agricultural matters, as determined by Council.
5. The Committee shall meet three (3) times/month, or as required, and shall deal with those matters arising from Section 45 of the *Planning Act* R.S.O. 1990, c-P.13, as amended, and arising from a delegation of power under Section 54(5) of the *Planning Act* R.S.O. 1990, c-P113, as amended.
6. The Committee shall adopt its own procedures and rules, which shall include the holding of electronic hearings.
7. The authority of Council under Section 53 of the *Planning Act* R.S.O. 1990, c-P.13, as amended, is delegated to the Committee.

PASSED this 15th day of September, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk