

THE CORPORATION OF THE TOWN OF ERIN



BY-LAW #22-XX

Being a By-law to Amend By-law 01-32 to Delegate Site Plan Control Authority

Whereas pursuant to Section 41 of the *Planning Act*, as amended, the Council of a municipality having an approved Official Plan which designates a proposed site plan control area may by By-Law, designate the whole or any part of such area as a site plan control area;

Whereas the Official Plan for the area comprising The Corporation of the Town of Erin collectively describe the town as a proposed site plan control area;

Whereas Section 41 (4.0.1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, states that a council that passes a by-law under subsection (2) shall appoint an officer, employee or agent of the municipality as an authorized person for the purposes of subsection (4).

Whereas under Section 66 of the *Planning Act*, R.S.O. 1990, c.P.13 as amended, sets out the effect of such a delegation;

Whereas under Section 23.1 of the *Municipal Act*, 2001, S.O. 2001 c. 25, as amended, a municipal council may delegate its powers and duties to any person;

And Whereas the Municipal Council of the Corporation of the Town of Erin deems it desirable to designate the Town of Erin as a Site Plan Control Area and to delegate its responsibilities with respect to processing site plan applications to the Town's Director, Planning & Development, or the Director's appointed delegate.

Now therefore the Council of the Corporation of the Town of Erin enacts as follows:

1. That Section 5 of By-law 01-32 is hereby amended by adding the following: "The Director of Planning & Development, of the Corporation of the Town of Erin, or the Director's appointed delegate, are hereby authorized to approve all plans and drawings required by the municipality under Section 41 of the *Planning Act*."
2. That Appendix A, the Site Plan Control Agreement, to By-law 01-32 is amended by deleting "AND WHEREAS the Council of the Town is of the opinion that it is in the best interest of the Town and its inhabitants to approve the aforementioned development proposal upon the Owner agreeing to observe the terms, covenants and conditions set forth in this Agreement" and replacing it with "AND WHEREAS the Director of Planning & Development, or the Director's appointed delegate, is of the opinion that it is in the best interest of the Town and its inhabitants to approve the aforementioned development proposal upon the Owner agreeing to observe the terms, covenants and conditions set forth in this Agreement".
3. This by-law shall take effect upon the final passage thereof.

Passed in Open Council on June 30, 2022.

Mayor, Allan Ails

Clerk, Lisa Campion