

TOWNSHIP OF SOUTH FRONTENAC

BY-LAW 2023-91

A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC TO DELEGATE THE AUTHORITY TO PASS BY-LAWS TO REMOVE HOLDING SYMBOLS AND REMOVE LOTS FROM HOLDING OVERLAYS TO STAFF.

WHEREAS Section 36 of the *Planning Act*, *RSO 1990*, as amended, empowers the Council of a municipality to enact a by-law to remove a holding provision;

AND WHEREAS Section 39.2(1) of the *Planning Act*, *RSO 1990*, as amended, empowers the Council of a municipality, by by-law, to delegate the authority to pass by-laws under section 34 that are of a minor nature to 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 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 or remove any lot from a Holding Overlay;

AND WHEREAS Official Plan Amendment No. 24 specifies the types of by-laws in respect of which there may be a delegation of authority;

AND WHEREAS the Council of The Township of South Frontenac deems it appropriate to extend the approval authority of staff for routine and minor types of development applications, including Removal of Holding Symbols in order to support ongoing efforts to streamline the overall development approval process;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC ENACTS AS FOLLOWS:

1. Definitions:

In this By-law:

- 1.1 “Township” means the Corporation of the Township of South Frontenac.
- 1.2 “Council” means the Council of the Corporation of the Township of South Frontenac.
- 1.3 “Designate” means the Chief Administrative Officer, or the Acting Director of Development Services, or the Senior Planner.

2. (i) That the Director of Development Services, or their designate, is hereby delegated the authority to pass a by-law to remove a '-H' Holding Symbol or remove any lot from a Holding Overlay that forms part of any zone within the Township of South Frontenac Comprehensive Zoning By-law No. 2003-75, as amended, and any successor thereto.
(ii) Notwithstanding the provisions of Clause 2 (i) of this By-Law, Council shall retain all powers and authority with respect to the approval of an application to Remove a '-H' Holding Symbol or remove any lot from a Holding Overlay where the applicant or other party contests the staff position on the application as to whether or not the conditions for removal have been satisfied.
3. That the Mayor, or Deputy Mayor in their absence, and the Clerk are hereby authorized to sign such a by-law.
4. **This By-law** shall come into force and take effect on the date of its passing.

Dated at the Township of South Frontenac this 7th Day of November 2023.

Read a first and second time this 7th Day of November 2023.

Read a third time and finally passed this 7th Day of November 2023.

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC**



Ron Vandewal, Mayor

James Thompson, Clerk