
HALDIMAND COUNTY

Memorandum CLS-M04-2019 By-law Delegating Authority to the General Manager of Community & Development Services

For Consideration by Council on September 3, 2019



To: Mayor Hewitt and Members of Council

From: Evelyn Eichenbaum, Manager, Citizen & Legislative Services/Clerk

This memorandum provides background on the by-law delegating authority to the General Manager of Community & Development Services which is presented for enactment at the September 3, 2019 Council meeting.

Council has previously delegated authority to the General Manager through multiple by-laws as noted here:

- 6/01 – approval of site plans
- 7/01 – approval of plans of subdivision and condominium
- 8/01 – amendment of plans of subdivision
- 9/01 – assumption of services related to development and subdivision agreements
- 1187/11 – approval of applications under the Community Improvement Plan
- 1192/11 – approval of grant applications under the Community Projects Capital Grant Program
- 1193/11 – approval of Special Events during the summer recess period
- 1624/16 – approval of part lot control exemption
- 1717/16 – approval of land transfers related to certain approved planning applications

The appointment of Mike Evers as the new General Manager of Community & Development Services provides a timely opportunity to review the delegated authority that exists in order to review currency and relevance related to established processes and authorizing legislation.

In developing the new consolidated by-law, direct authority derived from legislation was included, and some minor matters that are no longer relevant to current legislation, such as the amendment of subdivisions, was not included.

In 2017, a revised process outlining the assumption of a plan of subdivision was approved through Report PED-PD-09-2017 Assumption of Subdivisions where authority is delegated to staff to approve the final assumption of a plan of subdivision subject to a by-law being presented to Council to formally effect the legal transfer of land, and that authority is also not included in the comprehensive by-law.

Additionally, for reference, a process was approved through Report PED-PD-47-2010 Re: Delegating Authority to Remove Holding Provisions where at the time of approval of a zoning by-law and the related holding provision, a second by-law to remove the holding provision is presented as part of the report, and authority is delegated to the General Manager or designate to approve the removal of the holding provision once certain conditions are met. As such, all authorities are dealt with at the time of decision on a zoning application, as is legally required, and those authorities need not (nor can they) be included as part of this by-law.

Aside from the instances noted above, all other authority delegated to the General Manager of Community & Development Services is consolidated into one comprehensive housekeeping by-law for efficiency and ease of reference, and aligns with the requirements of the *Planning Act*.