

- (c) the monetary or other form of security that the council may require for actual or potential costs to the municipality related to the garden suite. 2002, c. 17, Sched. B, s. 12; 2009, c. 33, Sched. 21, s. 10 (7).

Definition

(2) In this section,

“garden suite” means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. 2002, c. 17, Sched. B, s. 12.

Area and time in effect

(3) Despite subsection 39 (2), a by-law authorizing the temporary use of a garden suite shall define the area to which it applies and specify the period of time for which the authorization shall be in effect, which shall not exceed 20 years from the day of the passing of the by-law. 2011, c. 6, Sched. 2, s. 7.

Extension

(4) Despite subsection (3), the council may by by-law grant further periods of not more than three years each during which the temporary use is authorized. 2002, c. 17, Sched. B, s. 12.

Non-application

(5) Upon the expiry of the period or periods of time mentioned in subsections (3) and (4), clause 34 (9) (a) does not apply so as to permit the continued use of the garden suite. 2002, c. 17, Sched. B, s. 12.

Section Amendments with date in force (d/m/y) [+]**Minor by-laws — delegation**

39.2 (1) Subject to subsection (2), the council of a local municipality may, by by-law, delegate the authority to pass by-laws under section 34 that are of a minor nature to,

- (a) a committee of council; or
- (b) an individual who is an officer, employee or agent of the municipality. 2021, c. 34, Sched. 19, s. 1.

Official plan requirement

(2) Subsection (1) 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 under that subsection. 2021, c. 34, Sched. 19, s. 1.

Same

(3) Without limiting the generality of the meaning of a by-law passed under section 34 that is of a minor nature, such by-laws may include,

- (a) a by-law to remove a holding symbol; and
- (b) a by-law to authorize the temporary use of land, buildings or structures in accordance with subsection 39 (1). 2021, c. 34, Sched. 19, s. 1.

Conditions

(4) A delegation of authority made by a council under subsection (1) may be subject to such conditions as the council, by by-law, provides. 2021, c. 34, Sched. 19, s. 1.

Withdrawal of delegation

(5) A council may, by by-law, withdraw a delegation of authority made by it under subsection (1), and the withdrawal may be in respect of one or more by-laws in respect of which a final disposition was not made before the withdrawal. 2021, c. 34, Sched. 19, s. 1.

Section Amendments with date in force (d/m/y) [+]