

## THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

### BY-LAW 2023-XX

#### BY-LAW TO DELEGATE POWERS AND DUTIES TO THE DIRECTOR OF PLANNING AND BUILDING AS AUTHORIZED UNDER SECTION 23.1 OF THE *MUNICIPAL ACT* IN ORDER TO EXECUTE AGREEMENTS MADE UNDER VARIOUS SECTIONS OF THE *PLANNING ACT*

**WHEREAS** Section 23.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the “Act”), as amended, provides that the Council may delegate its powers and duties under any Act to a person or body;

**AND WHEREAS** the *Planning Act*, R.S.O. 1990, c.P. 13, provides that the municipality may enter into Agreements in order to implement land use planning within the Township, with respect to various forms of approval;

**AND WHEREAS** the Council of the Township of West Lincoln has previously delegated to the Director of Planning and Building the power to approve and decide upon Site Plans and Agreements including the authority to impose conditions of approval (By-law No. 2022-80) and has delegated to the Director of Planning and Building the power to execute Site Plan Agreements made under Section 41 of the *Planning Act* (By-law No. 2022-81);

**AND WHEREAS** the Council of the Township of West Lincoln considers the enactment of this by-law and the delegation of the powers and duties in accordance with this by-law to be appropriate, as it will provide for efficient and responsive decision-making and management of the Municipal Corporation and enhance the ability of the corporation to respond to planning issues;

**NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF WEST LINCOLN** enacts as follows:

1. That the Director of Planning and Building be delegated powers and duties under Section 23.1 of the *Municipal Act, 2001*, in order to execute the following Agreements made under various provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended:
  - (a) Agreements required to satisfy development or other approval under the *Planning Act* including Agreements under Section 40 for parking, Section 45 relating to minor variances, Section 51 for subdivisions and Section 53 for consents;

- (b) Agreements to implement an application to remove part lot control and to cause a by-law to be passed by Council to designate lands not subject to or exempt from part lot control under the *Planning Act*.
2. That in the event the Director of Planning and Building is absent for any reason, the said authority of Council is delegated to the person or persons designated in writing by the Director of Planning and Building to act as the said Director during their absence.
  3. That any Agreement executed by the Director of Planning and Building, or designate, pursuant to the provisions of this by-law, must include the words "I have the authority to bind the Corporation" under the signature of the Director of Planning and Building or designate.
  4. That this by-law shall come into force and effect upon the passing of this by-law.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
\_\_\_\_ DAY OF JANUARY, 2023.**

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**MAYOR CHERYL GANANN**

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**JOANNE SCIME, CLERK**