

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 191-2015

A By-law to delegate certain Planning Act authority to the Deputy City Manager, Planning and Growth Management and to repeal By-laws 94-96 and 60-2008.

WHEREAS Section 51(5) of the *Planning Act*, R.S.O. 1990, chapter P.13, as amended, provides that the Regional Municipality of York is the approval authority for plans of subdivision;

AND WHEREAS section 51.2(2) provides that the Regional Municipality of York may by by-law delegate said authority to the Corporation of the City of Vaughan;

AND WHEREAS the Regional Municipality of York did enact By-law A-183-95-136 so delegating said authority to the Corporation of the City of Vaughan;

AND WHEREAS Section 51.2 (4) provides that the Council may in turn delegate said authority to an appointed officers identified in the by-law by position occupied;

AND WHEREAS Section 4 of the *Planning Act*, and Section 50 of the *Condominium Act*, R.S.O. 1990, chapter C.26, as amended, provides that the same delegation of authority may be made for plan of condominium;

AND WHEREAS Council deems it expedient and desirable to delegate to the Deputy City Manager, Planning and Growth Management, the authority delegated to it by the Minister, and to assign to the Deputy City Manager, Planning and Growth Management, certain duties and responsibilities in connection therewith;

NOW, THEREFORE, the Council of the Corporation of the City of Vaughan HEREBY ENACTS as follows:

Definitions

1. In this by-law:
 - a) “municipality” means the municipality of the Corporation of the City of Vaughan;
 - b) “Deputy City Manager” means the Deputy City Manager, Planning and Growth Management, of the City of the City of Vaughan;
 - c) “Council” unless otherwise described means the Council of The City of Vaughan;
 - d) “Minister” means the Minister of Municipal Affairs and Housing;
 - e) “Ministry” means the Ministry of Municipal Affairs and Housing.

Plans of Subdivision

2. Subject to the conditions imposed by the Minister, the authority of the Minister to give final approval of plans of subdivision is hereby delegated to the Deputy City Manager.
3. It is a condition of the delegation contained in section 2 that the Deputy City Manager shall not endorse approval on a final plan of subdivision:
 - a) until all of the conditions set out in the conditions of the draft plan approval of Council to such plan of subdivision have been satisfied, as certified by the City Clerk; and
 - b) unless the final plan is in conformity with the approved draft plan.

Plans of Condominium

4. The authority of the Minister under section 50 of the *Condominium Act* to grant approval to draft plans of condominium is hereby delegated to the Deputy City Manager where the proposed plan of condominium:
 - a) has not been objected to;
 - b) is located on lands within a registered plan of subdivision
 - c) has been circulated for comments in accordance with Provincial guidelines and procedures approved by the Council, and the circulated agencies have requested routine conditions of approval, or have expressly or by implication indicated no objection to approval; and

- d) is not the subject of a request for referral to the Ontario Municipal Board.
5. The authority of the Minister under section 50 of the *Condominium Act* to exempt descriptions from the provision of section 50 of the Act is hereby delegated to the Deputy City Manager where:
- a) all conditions which would have been imposed had the description not been exempted have been satisfied;
 - b) the proposed use is in conformity with the official plan and is permitted by the zoning by-law in force; and
 - c) the circumstances are as described in clauses (a), (b), (c), and (d) of section 5.
6. Subject to the conditions imposed by the Minister, the authority of the Minister to give final approval to plans of condominium is hereby delegated to the Deputy City Manager.
7. It is a condition of the delegation contained in section 6 that the Deputy City Manager shall not endorse approval on a final plan of condominium;
- a) until all of the conditions set out in the conditions of the draft plan approval of the Council to such plan of condominium have been satisfied, as endorsed by the City Clerk, and
 - b) unless the final plan is in conformity with the approved draft plan.

General

8. In the absence of the Deputy City Manager all of the authority, duties and responsibilities delegated and assigned to him by this by-law may be exercised by the Director of Development Planning of the portfolio of the Deputy City Manager, Planning and Growth Management of the City of Vaughan, or in the absence of the Director of Development Planning, the Acting Director of Development Planning, or in the absence of the Acting Director of Development Planning, the Director of Building Standards/Chief Building Officer.
9. By-laws 94-96 and 60-2008 are repealed.

Enacted by City of Vaughan Council this 15th day of December, 2015.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

Authorized by Item No. 1 of Report No. 34
of the Special Committee of the Whole (Working Session)
Adopted by Vaughan City Council on
September 30, 2015