

**Authority:** Item ,  
Report PED22112(a)  
CM:  
Ward: City Wide

**Bill No.**

**CITY OF HAMILTON  
BY-LAW NO.**

**TO CONSOLIDATE AND UPDATE DELEGATED SITE PLAN CONTROL BY-LAWS  
IN THE CITY OF HAMILTON**

**WHEREAS** under the provisions of Subsection 41(4.0.1) of the *Planning Act*, as amended by Bill 109, *More Homes for Everyone Act, 2022*, a council that passes a by-law under subsection (2) shall appoint an officer, employee or agent of the municipality as an authorized person for the purposes of subsection (4);

**WHEREAS** the City of Hamilton previously passed Delegated Site Plan Approval Authority By-law No. 07-325 and By-law No. 03-295;

**WHEREAS** the purpose of this by-law is to repeal and replace By-law Nos. 07-325 and 03-295 with a new by-law responding to Bill 109 changes and using appropriate staff titles for housekeeping purposes;

**WHEREAS** the changes are administrative and do not change the intent or effect of previous delegated approval authority under Section 41 of the *Planning Act*.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The municipal Council of the City of Hamilton under Section 41 of the *Planning Act* shall appoint the approval of site plans and drawings of development, including the authority to impose conditions of approval, to the Director of Planning and Chief Planner. Such authority delegated to the said Director of Planning and Chief Planner, shall be carried out and implemented as provided for in Section 41 of the *Planning Act*.
2. In the event the Director of Planning and Chief Planner or any successor is absent for any reason, the said authority of Council is delegated to the Manager, Heritage and Urban Design or any successor and, in this event, all references to the Manager, Heritage and Urban Design or any successor in this By-law shall be deemed to be references to the said Manager, Heritage and Urban Design or any successor. Where both the said Director of Planning and Chief Planner and the said Manager, Heritage and Urban Design are absent, the authority delegated pursuant to this By-law is hereby delegated to the person or persons designated in writing by the Director of Planning and Chief Planner, or any successor to act as the said Director during their absence.

3. The Mayor and City Clerk, or delegate are hereby authorized and directed to execute any agreement or undertaking required of an Owner as a condition of site plan approval, in a form satisfactory to the City Solicitor. Where required for purposes of electronic registration of such agreement, or electronic registration of notice of such agreement on title to the property under development, staff are also authorized and directed to signify in an electronic format, that such agreement or notice of such agreement was approved by the City as provided for in this by-law.
4. City of Hamilton By-law No. 03-295 is hereby repealed in its entirety.
5. City of Hamilton By-law No. 07-325 is hereby repealed in its entirety.

**PASSED** this \_\_\_\_\_ , \_\_\_\_\_

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk