

Bill No. 215
2013

C.P.-1455(j)-_____

A by-law to amend By-law No. C.P.-1455-541, a by-law to designate a site plan control area and to delegate Council's power under Section 41 of the *Planning Act*, R.S.O. 1990 c.P.13 with respect to an application for site plan approval submitted by Andrew Hines for the construction of a duplex at 108 Wilson Avenue.

WHEREAS Section 8 of the Site Plan Control Area By-law, being By-law No. C.P.-1455-541, as amended, provides that Council's powers and authority under Section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, are assigned to delegated officials under the By-law.

AND WHEREAS Andrew Hines has applied to the Approval Authority on March 15, 2013 for approval of a site plan approval for the construction of a duplex at 108 Wilson Avenue.

AND WHEREAS Council has considered it to be in the public interest to revoke this delegated authority to Municipal Council with respect to the application by Andrew Hines to construct a duplex at 108 Wilson Avenue.

NOW THEREFORE the Council of The Corporation of the City of London enacts as follows:

1. The delegation pursuant to section 8 of By-law No. C.P.-1455-541, as amended, with respect to the delegation of Council's powers and authority under Section 41 of the *Planning Act* R.S.O. 1990, cP.13 to a delegated official under By-law C.P.-1455-541, as amended, with respect to an application submitted by Andrew Hines for site plan approval to construct a duplex dwelling at 108 Wilson Avenue in the City of London (the "Development") is hereby revoked and this application shall be considered in accordance with this By-law as follows:

- (a) Council shall take over the powers and authority to approve the plans and drawings and impose requirements pertaining to the Development, and thereafter no delegated official shall approve such plans and drawings or impose requirements pertaining to the Development;
- (b) Despite any provision of By-law No. C.P.-1455-541, as amended, to the contrary, Council following the receipt of a report and recommendation from the Planning and Environment Committee under this By-law, may exercise the powers and authority that would otherwise be exercised by a delegated official under By-law C.P.-1455-541, as amended, were it not for section 1 of this By-law; and
- (c) Council shall consider the report and recommendations of the Planning and Environment Committee and make a decision on the approval of the plans and drawings, and any requirements, including the provisions of any Development Agreement required pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, c.P.13.

2. The Mayor and City Clerk shall formally approve the plans and drawings and impose the requirements in accordance with Council's approval under section 1(a) of this By-law and further the Mayor and City Clerk are hereby authorized to execute the Development Agreement contemplated in paragraph 1(c) above.

3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on May 14, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - May 14, 2013
Second Reading – May 14, 2013
Third Reading - May 14, 2013