

MUNICIPALITY OF CLARINGTON
GENERAL GOVERNMENT COMMITTEE

RESOLUTION # _____

DATE June 6, 2022

MOVED BY CORINNA TRAILL

SECONDED BY _____

Whereas when an Official Plan Amendment, Rezoning Application, Zoning By-law Amendment or Zoning By-law Application is being considered by Council, and Clarington law enforcement has file open which runs concurrent to and pertains to the subject of such Official Plan Amendment, or Zoning By-law Amendment or Rezoning Application, past practice has been for Clarington Law Enforcement to stay the file pending a final resolution by Council of such Amendment or Application being considered.

And whereas the interests of justice dictate that like cases should be treated in a like manner;

And whereas Council has final say on all policy matters;

Now therefore be it resolved that:

1. The Enforcement By-Law be amended to reflect that where a by-law matter has a policy component, the past practice as per Official Plan Amendments, Rezoning Applications, Zoning By-Law Amendments and Zoning By-Law Applications of staying the by-law enforcement matter pending a final resolution of Council on the policy aspect of the enforcement matter shall automatically apply; and
2. This amendment to the Enforcement By-Law applies to all ongoing and future by-law enforcement matters but shall have no retroactive application; and
3. If there is uncertainty as to whether a by-law enforcement matter has a "policy" component, the issue shall be referred to Council for a determination.