



TOWN OF  
**HALTON HILLS**  
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## REPORT

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**TO:** Mayor Bonnette and Members of Council

**FROM:** Greg Macdonald, Senior Planner – Development Review

**DATE:** November 29, 2021

**REPORT NO.:** PD-2021-0073

**SUBJECT:** Recommendation Report regarding updates to Site Plan Control By-law 2013-0070

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### RECOMMENDATION:

THAT Report No. PD-2021-0073, dated November 29, 2021, with respect to a “Recommendation Report regarding updates to Site Plan Control By-law 2013-0070”, be received;

AND FURTHER THAT the necessary By-law be enacted to amend Site Plan Control By-law 2013-0070, as generally shown in SCHEDULE 1 – SITE PLAN CONTROL BY-LAW AMENDMENT.

### KEY POINTS:

The following are key points for consideration with respect to this report:

- This report is recommending Council approve minor amendments to the Town’s Site Plan Control By-law to exempt municipal structures under 465 sq.m. proposed for Town parks and also accessory buildings of certain sizes proposed for industrial, commercial or institutional properties from being subject to Site Plan approval.
- Staff believe these recommended exemptions will eliminate unnecessary additional approvals for municipal structures that already have their own review process and help support the construction of small accessory buildings proposed for non-residential properties that are typically considered innocuous or as having minimal impact.

## **BACKGROUND AND DISCUSSION:**

### **1.0 Purpose of Site Plan Control and History of Town By-law 2013-0070**

Site Plan Control is a power delegated to municipalities in Ontario by way of Section 41 of the *Planning Act*. The Site Plan Control application process provides municipal staff with the authority to review development proposals to ensure that municipal interests have been addressed, such as:

- building design, siting and massing;
- landscape and site design;
- the relationship of the proposal to adjacent land uses;
- green development standards;
- stormwater management;
- grading and servicing; and
- vehicle and pedestrian access including site circulation and accessibility.

Municipalities implement the Site Plan Control power through the adoption of a Site Plan By-law. Given the importance of the Site Plan process, all development forms are typically deemed subject to Site Plan approval unless explicitly exempt through the Site Plan By-law.

The Town of Halton's Hills current Site Plan Control By-law was passed in 2013 (replacing the previous 2003 Site Plan Control By-law). The By-law designates all lands within the Town of Halton Hills as a Site Plan Control Area, but exempts several classes of development from needing to obtain Site Plan approval prior to construction, including:

- low density residential uses as well as accessory buildings or structures for those uses;
- agricultural buildings (except those related to cannabis cultivation and/or processing);
- regulated pits and quarries;
- alterations to existing buildings and structures; and,
- additions of certain sizes to industrial, commercial and institutional buildings.

### **2.0 Recommended Amendments to Town of Halton Hills Site Plan By-law 2013-0070**

This report recommends minor amendments to the Town's Site Plan Control By-law 2013-0070 to exempt the following additional forms of development from Site Plan Control:

#### **Municipal Structures in Town Parks**

The Recreation and Parks Department has requested that small sized (up to 456 sq.m. / 5,000 sq. ft.) Town municipal buildings and structures to be constructed within Town public parks be exempt from Site Plan Control. This is to improve the efficiency of

obtaining approvals for these buildings and to move to the construction stage more quickly, particularly as Recreation and Parks has their own in-house review process for these facilities. Examples of the types of buildings and/or structures proposed to be exempt include:

- concession sales (including skate rentals);
- washroom facilities;
- multi-purpose clubhouse buildings for sports teams, umpires, etc.;
- storage and maintenance buildings;
- gazebos, picnic shelters, shade structures or similar passive recreational structures; and,
- changeroom facilities for outdoor recreational facilities.

What would not be included in the exemption are large scale community facilities such as recreation, community and/or senior centres, arenas, indoor swimming pools, gymnasiums and libraries. These types of facilities usually require larger parking and loading areas, municipal servicing, extensive site grading, storm water management solutions and landscaping which are best served being reviewed under the current Site Plan Control application process.

Planning staff support the requested exemption and believe it is appropriate as the Town of Halton Hills' Recreation and Parks Department already has an established review process for new developments within public parks. Park designs and associated buildings are completed by the Town's Registered Landscape Architects, who lead a team of architects, engineers, and other consultants through the process. Engineering experts are retained as required to address items such as storm water management, grading, site servicing, structural designs, electrical & mechanical requirements, etc. All works are inspected, as required by the Building Code, and zoning requirements pertaining to setbacks and height apply. Also, permits from Conservation Authorities and/or the Niagara Escarpment Commission are obtained as necessary. Furthermore, park projects include comprehensive public consultation with local neighbourhoods to ensure that park elements are consistent with the neighborhood's needs.

#### Accessory Buildings for Commercial, Industrial and Institutional Uses

Issues have been raised from industrial, commercial, and institutional property owners, developers, and tenants who have sought permission to construct accessory buildings and had been advised by staff that a Site Plan Control application would be necessary. Due to the cost and time to process these applications, even when expedited due to their relatively simple nature, most chose not to pursue the application.

The Site Plan Control By-law already exempts structures deemed accessory to low density residential uses and exempts additions to institutional, commercial and industrial buildings, up to certain sizes.

Generally, an exemption for accessory buildings and structures on non-residential properties would be appropriate and can be supported for the following reasons:

- many accessory buildings are not connected to services (other than electricity);
- they are often on sites where a Site Plan Control process has already been undertaken;
- accessory buildings do not require additional parking so there is no need to review the design, location and grading of accompanying parking lot expansions;
- often, accessory buildings are located within built-up portions of sites or on existing hardscaped areas resulting in few changes to on-site storm water management;
- the Zoning By-law regulates the location of accessory buildings (maximum height and setbacks); and,
- they are most often used for storage purposes, so nuisance impacts from noise or equipment is also minimized.

To align with similar existing exemptions for additions to industrial, commercial, and institutional buildings it is recommended that the following sizes of accessory buildings be conditionally exempt:

- 75 sq. m. (807 sq. ft.) for institutional and commercial accessory buildings; and,
- 185 sq. m. (1,991 sq. ft.) for industrial accessory buildings.

For greater certainty that the proposed accessory buildings will not result in any on-or-off-site impacts and would be of a high-quality design, staff will still review requests for the exemptions against the same criteria that apply to industrial additions between 185 and 465 sq. m. The criteria are:

- the Town's urban design objectives;
- site servicing and grading;
- on-site stormwater management;
- vehicular and pedestrian site access and circulation;
- the location and provision of parking and loading;
- the Town's ability to obtain a road widening or cash-in-lieu of parkland.

Should the proposed accessory structure address the above listed matters to the satisfaction of Town staff, the structure would be exempt. If issues are identified pertaining to these concerns, the design or placement of the structure would need to be modified or the structure would need to obtain Site Plan approval.

### **STRATEGIC PLAN ALIGNMENT:**

This report aligns to the Town's Strategic plan recognizing the value to achieve sustainable growth to ensure that growth is managed so as to ensure a balanced, sustainable, well planned community infrastructure and services to meet the needs of its residents and businesses.

This report also identifies shaping growth as one of the Town's Strategic priorities.

**RELATIONSHIP TO CLIMATE CHANGE:**

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

**PUBLIC ENGAGEMENT:**

Public Engagement was not needed as this report is administrative in nature.

**INTERNAL CONSULTATION:**

Planning and Development Department staff consulted with staff from the Recreation and Parks and Transportation and Public Works Departments to ensure that the proposed exemptions would not result in any unforeseen implications on matters of municipal interest. These departments concur with the recommendations of this report.

## **FINANCIAL IMPLICATIONS:**

This report is administrative in nature and does not have any financial implications.

Currently application fees paid by the Recreation & Parks Department for Site Plan Control approval come from the project budget for the proposed municipal park building. These fees do not constitute a major funding source for the Planning and Development Department and the recommended exemption could result in improvements to the overall project costs for the Recreation and Parks Department because they would no longer need to account for the Site Plan application fee in their budgets.

As noted earlier in the report, because most institutional, commercial, and industrial property owners chose not to pursue Site Plan Control applications, providing a formal exemption should not impact Planning and Development Department budgeting and may result in higher Town revenues from building permit applications, taxation increases from property improvements (increased property valuations), and development charges, where applicable.

Reviewed and approved by,

Jeff Markowiak, Director of Development Review

John Linhardt, Commissioner of Planning and Development

Chris Mills, Chief Administrative Officer