



BY-LAW NO. 2022-0038

A By-law to adopt Amendment No. 46 to the Official Plan for the
Town of Halton Hills
Delegated Authority for Holding Removal By-laws, Temporary Use
By-laws and minor Zoning By-law Amendments

WHEREAS the Council of the Corporation of the Town of Halton Hills is empowered to enact this By-law by virtue of the provisions of the Planning Act, R.S.O. 1990, c. P.13, as amended;

AND WHEREAS the Regional Municipality of Halton, as the approval authority, has exempted this Official Plan Amendment from their approval;

AND WHEREAS on June 13, 2022, Council for the Town of Halton Hills approved Report No. PD-2022-0033, dated May 27, 2022, in which certain recommendations were made relating to Delegated Authority for Holding Removal By-laws, Temporary Use By-laws and minor Zoning By-law Amendments.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. That Amendment No. 46 to the Official Plan for the Town of Halton Hills, being the attached text, is hereby approved;
2. That the Town Clerk is hereby authorized to circulate the Official Plan Amendment as provided for by the Planning Act, R.S.O. 1990, c. P.13, as amended, regarding the appeal process.

BY-LAW read and passed by the Council for the Town of Halton Hills this 13th day of June, 2022.

MAYOR – RICK BONNETTE

TOWN CLERK – VALERIE PETRYNIAK

OFFICIAL PLAN AMENDMENT NO. 46
TO THE OFFICIAL PLAN FOR THE TOWN OF HALTON HILLS

PART A: **THE PREAMBLE** does not constitute part of this Amendment

PART B: **THE AMENDMENT** consisting of the following text constitutes Amendment No. 46 to the Official Plan for the Town of Halton Hills

**AMENDMENT NO. 46 TO THE OFFICIAL PLAN
FOR THE TOWN OF HALTON HILLS**

The attached text constitutes Amendment No. 46 to the Official Plan for the Town of Halton Hills, which was adopted by the Council of the Town of Halton Hills by By-law 2022-0037 in accordance with the provisions of the Planning Act, R.S.O. 1990, c. P.13, as amended;

THE CORPORATION OF THE TOWN OF HALTON HILLS

MAYOR – Rick Bonnette

TOWN CLERK – Valerie Petryniak

PART A – THE PREAMBLE

PURPOSE OF THE AMENDMENT

The main purpose of this Amendment is to include policies in the Town of Halton Hills Official Plan that enable Council to delegate the authority to pass Holding Removal By-laws, Temporary Use By-laws and minor Zoning By-law Amendments, to an individual who is an officer or employee of the Town (i.e., Commissioner of Planning & Development or designate).

LOCATION

The Amendment applies to all lands within the Town of Halton Hills.

BASIS FOR THE AMENDMENT

Bill 13, Supporting People and Businesses Act, 2021, received Royal Assent on December 2, 2021.

Schedule 19 of the Bill made changes to the Planning Act and Municipal Act, 2001, that enable Council to, by by-law, delegate the authority to pass by-laws under Section 34 of the Planning Act that are of a minor nature to a committee of Council, or an individual who is an officer, employee, or agent of the municipality. Without limiting the generality of the meaning of a by-law passed under Section 34 that is of a minor nature, such by-laws may include by-laws to remove a holding “H” symbol and by-laws to authorize the temporary use of land, buildings, or structures.

To delegate the authority to pass by-laws on these matters, the Planning Act requires that the Official Plan provides policies to specify the types of by-laws that may be delegated. The Amendment establishes policies that enable Council to delegate the authority to pass by-laws under Section 34 of the Planning Act to remove holding “H” symbols (Holding Removal By-laws), authorize the temporary use of land, buildings, or structures (Temporary Use By-laws), and pass minor Zoning By-law Amendments, to an individual who is an officer or employee of the Town (i.e., Commissioner of Planning & Development or designate).

To ensure any Temporary Use By-law or minor Zoning By-law Amendment (not applicable to Holding Removal By-laws) is considered to be of a minor nature, the following criteria have been established:

- a) An Official Plan Amendment is not required, and the proposal maintains the general intent and purpose of the Town’s Official Plan, including its vision, goals, objectives, and policies;
- b) A Draft Plan of Subdivision is not required in accordance with Section F1.1 of the Town’s Official Plan; and
- c) Any concerns raised by the public and/or staff during the application review and consultation process are resolved prior to the passing of the by-law.

PART B – THE AMENDMENT

All of this part of the document consisting of the following text constitutes Amendment No. 46 to the Official Plan for the Town of Halton Hills.

DETAILS OF THE AMENDMENT

The Official Plan for the Town of Halton Hills is amended as follows:

Item 1: Section G4 of the Official Plan is amended by adding a new Section G4.5 as follows:

“G4.5 Delegated Authority

- a) Council may, by by-law, delegate the authority to pass by-laws under Section 34 of the Planning Act, that are of a minor nature, to an individual who is an officer or employee of the Town (i.e., Commissioner of Planning & Development or designate).*
- b) Delegation of authority to pass by-laws under Section 34 of the Planning Act shall be limited to:*
 - i) a by-law to remove a holding “H” symbol;*
 - ii) a by-law to authorize the temporary use of land, buildings, or structures subject to the criteria contained in Section G4.1.2 of this Plan; and*
 - iii) minor zoning by-law amendments.*
- c) The delegation of authority to pass a by-law to authorize the temporary use of land, buildings, or structures and to pass minor zoning by-law amendments is subject to the following criteria:*
 - i) an Official Plan Amendment is not required, and the proposal maintains the general intent and purpose of the Town’s Official Plan, including its vision, goals, objectives, and policies;*
 - ii) a Draft Plan of Subdivision is not required in accordance with Section F1.1 of the Town’s Official Plan; and*
 - iii) any concerns raised by the public and/or staff during the application review and consultation process are resolved prior to the passing of the by-law.”*