



BY-LAW NO. 2023-0010

A By-law to adopt Amendment No. 49 to the Official Plan
for the Town of Halton Hills
Update to Site Plan Control, Pre-Consultation, Complete
Applications and Supplementary Information Requirements
sections in response to Bill 109, More Homes for Everyone Act,
2022

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 February 13, 2023, Council for the Town of Halton Hills approved Report No. PD-2023-0006, dated January 10, 2023, and Report No. PD-2023-0015, dated February 6, 2023, in which certain recommendations were made relating to amending the Site Plan Control, Pre-Consultation, Complete Applications and Supplementary Information Requirements sections of the Town of Halton Hills Official Plan in response to changes made to the *Planning Act* resulting from Bill 109, *More Homes for Everyone Act, 2022*.

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

1. That Amendment No. 49 to the Official Plan for the Town of Halton Hills, being the attached text and schedule, is hereby approved; and
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 February, 2023.

MAYOR – ANN LAWLOR

TOWN CLERK – VALERIE PETRYNIAK

OFFICIAL PLAN AMENDMENT NO. 49
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 and schedule constitutes Amendment No. 49 to the Official Plan for the Town of Halton Hills

**AMENDMENT NO. 49 TO THE OFFICIAL PLAN
FOR THE TOWN OF HALTON HILLS**

The attached text and schedule constitute Amendment No. 49 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 2023- 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 – Ann Lawlor

TOWN CLERK – Valerie Petryniak

PART A – THE PREAMBLE

PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to modify the text of the Town of Halton Hills Official Plan pertaining to Site Plan Control, complete application and pre-consultation requirements to implement changes that have been made to the *Planning Act* resulting from Bill 109, *More Homes for Everyone Act, 2022*. The Amendment:

- introduces direction for applicants to hold a public consultation meeting prior to submission of any Zoning By-law Amendment application, including those filed in conjunction with an Official Plan Amendment and/or Plan of Subdivision application;
- includes Consent as an application type requiring pre-consultation to align with the existing complete application requirements that apply to Consents;
- identifies that Site Plan applications are subject to complete application requirements and that decisions on Site Plan approval are now required to be delegated to staff;
- requires submitted studies to be completed in accordance with approved terms of reference, where applicable; and,
- introduces Subwatershed Impact Study/Environmental Implementation Report, Construction Management Plan and zoning amendment or minor variance approvals as new supplementary information requirements that may be requested as part of a complete application.

LOCATION

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

BASIS FOR THE AMENDMENT

Bill 109, *More Homes for Everyone Act, 2022*, received Royal Assent on April 14, 2022.

Schedule 5 of Bill 109 made changes to the *Planning Act* that:

- require municipalities to refund all, or a portion of, application fees for Zoning By-law Amendment or Site Plan applications if decisions are not made by the municipality within the identified statutory timeframes; and,
- delegate the authority to approve Site Plan applications to Town staff and allow municipalities to require that Site Plan applications be subject to pre-consultation to identify submission requirements in order to deem a Site Plan application complete.

This Amendment seeks to modify the text of the Town of Halton Hills Official Plan to implement the changes made to the *Planning Act* resulting from Bill 109 in a manner that will encourage that appropriate public consultation continues to occur for development applications and to best position the Town to be able to make a decision on such applications, including Zoning By-law Amendment and Site Plan applications, within the statutory timeframes established through Bill 109.

PART B – THE AMENDMENT

All of this part of the document consisting of the following text and schedule constitutes Amendment No. 49 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:

1. That Section G8, Site Plan Control, of the Official Plan for the Town of Halton Hills is hereby amended to identify that staff is now the authority that must be satisfied prior to granting Site Plan approval, and to reference the Town's Development Manual, so that the first paragraph of the section shall now read as follows:

"G8 SITE PLAN CONTROL

All areas of the Town are designated as proposed Site Plan Control areas under the provisions of the Planning Act. Specific uses subject to site plan control shall be identified in the Town's Site Plan Control By-law passed under the provisions of the Planning Act. Reference shall be made to the Town's Site Plan Manual and Development Manual for guidance on the site plan standards of the Town. Prior to the consideration of an application for Site Plan approval, the Commissioner of Planning & Development or designate shall be satisfied that the proposal conforms to Section 41(4) of the Planning Act, as amended"

2. That Section G12.1, Pre-Consultation, of the Official Plan for the Town of Halton Hills is hereby amended by adding Consent as an application type subject to pre-consultation, expanding on the intent of pre-consultation and identifying that an applicant may be required to hold a public consultation meeting prior to filing a Zoning By-law Amendment application, so that the section shall now read as follows:

"G12.1 PRE-CONSULTATION

Prior to the submission of an Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Consent or Site Plan application, applicants, landowners or agents are required to pre-consult with the Town. Pre-consultation is encouraged for all other applications requiring Planning Act approval. The Region of Halton is encouraged to participate in the Town's pre-consultation process as appropriate.

The objective of pre-consultation is:

- a) for the Town, in consultation with the Region, other applicable agencies, and the proponent to determine the scale and scope of any required information or material necessary to ensure the submission of a complete application. The scale and scope are dependent on the nature of the proposal, its relationship to adjacent land uses, and the type of planning approval required; and
- b) for the Town, in consultation with the Region, and other applicable agencies to provide a proponent with preliminary comments on a pre-consultation proposal in order to inform the nature of any future Planning Act application submission so that that Council, or staff as delegated, is best positioned to make a decision on an application within the statutory timeframes set out under the Planning Act.

For Zoning By-law Amendment applications, including those filed in conjunction with an Official Plan Amendment and/or Plan of Subdivision application, the applicant is strongly encouraged to hold a public consultation meeting to obtain preliminary feedback from the community regarding the proposal in advance of filing the formal application.”

3. That Section G12.2, Complete Applications, of the Official Plan for the Town of Halton Hills is hereby amended by adding Site Plan to the applications requiring a complete application and revising the submission requirements for a complete application, so that the section shall now read as follows:

“G12.2 COMPLETE APPLICATIONS

Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Consent and Site Plan applications shall be supported by a complete application as set out in Section G12 of this Plan. The purpose of requiring a complete application is to ensure that Council, or staff as delegated, has the necessary information to make informed decisions on the aforementioned applications.

Prior to being processed, applications must be deemed to be complete in accordance with Section G12 of this Plan. The date on which an application is deemed to be complete is the date on which the processing time frames set out in the Planning Act begin. Incomplete applications will not be accepted or processed.

To be considered complete under the Planning Act, Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Consent and Site Plan applications must be accompanied by the following:

- a) a completed application form(s);
- b) any information or material prescribed by the Planning Act and relevant Ontario Regulations;
- c) prescribed application fee(s);
- d) a completed pre-consultation form setting out the applicable information requirements. For Zoning By-law Amendment applications, including those filed in conjunction with an Official Plan Amendment and/or Plan of Subdivision application, the completed pre-consultation form should also include documentation demonstrating that a public consultation meeting was held by the applicant prior to submission of the Zoning By-law Amendment application, if such meeting was held; and,
- e) the applicable information requirements set out in Section G12.3 of this Plan.”

4. That Section G12.3, Supplementary Information Requirements, of the Official Plan for the Town of Halton Hills is hereby amended by adding Site Plan to the applications subject to the information requirements, introduce requirements p) Subwatershed Impact Study/Environmental Implementation Report, q) Construction Management Plan, and r) requirement for zoning or minor variance approvals be in place in order to deem a Site Plan application complete, and also requiring supplementary information to be prepared in accordance with approved terms of reference, so that the section shall now read as follows:

In addition to the requirements specified in Section G12.2 of this Plan, this section sets out the supplementary information or material in the form of studies that is required in support of an application for Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Consent or Site Plan.

The supplementary information requirements shall include the following, unless otherwise determined not to be required by the Commissioner of Planning & Development or designate:

- a) Land Use Planning Report. The intent of such a report would be to describe the proposal in detail and provide an opinion on how the proposal will conform to the Community Vision, Goals and Strategic Objectives, and the relevant objectives and policies of this Plan. The report shall also provide an opinion on how the proposal conforms to the applicable Provincial Plans and Regional Official Plan and is consistent with the Provincial Policy Statement.
- b) Market Impact Study. The intent of such a report is set out in Section D2.3 of this Plan.
- c) Agricultural Impact Assessment (AIA). The intent of such an assessment is set out in Sections E1.4.9 and E2.4.4 of this Plan.
- d) Environmental Impact Study (EIS). The purpose, intent, and content of such a study is set out in Section C2 of this Plan.
- e) Hydrogeological Assessment. Such an assessment will be required to support development on private or partial services. Policies regarding hydrogeological issues are contained within Section C5 and C6 of this Plan.
- f) Stormwater Management Report. The study requirements for such a report are contained within Section C8 of this Plan.
- g) Servicing Study. The purpose of such a study is to identify specific sanitary and water supply needs for individual development proposals.
- h) Traffic Impact Assessment. Such an assessment may be required to determine what impact a development proposal will have on roads adjacent to a proposed development and roads in the general area.
- i) Archaeological Assessment. The requirements for carrying out such an assessment are contained within Section F5 of this Plan.
- j) Cultural Heritage Impact Statement. The requirements for preparing such a statement are contained within Section F5 of this Plan.
- k) Tree Preservation Plan/Study. The intent of such a Plan/Study is to inventory trees on a development site and make recommendations on how trees can be retained and/or replanted as a condition of development.
- l) Environmental Site Assessment (Phase I and II). The intent of a Phase I study is to determine whether or not a property is contaminated. In the event that a Phase I investigation shows evidence of contamination, a Phase II investigation that includes matters such as surface and subsurface soil sampling and groundwater and surface water sampling is required.

- m) Land Use Compatibility Assessment. The intent of such an assessment is to describe and review the potential impacts of proposed sensitive land uses on existing industrial uses or the impacts of existing industrial uses on proposed sensitive land uses, in terms of noise, dust, odour and similar items in accordance with Ministry of Environment Guidelines. Such an assessment may include a Noise Impact and Vibration Study. The requirements for carrying out such an assessment are contained within Section C14 of this Plan.
- n) Noise Impact and Vibration Study. The requirements for preparing such a study are contained within Section C15 of this Plan.
- o) Green Development Standards Checklist. The intent is to demonstrate that the development meets the goals of the Official Plan to provide for sustainable building and development and to be consistent with Section C18 of this Plan.
- p) Subwatershed Impact Study/Environmental Implementation Report. The purpose, intent, and content of such a study is set out in Sections C3, C7 and also partly in Section C2, of this Plan.
- q) Construction Management Plan. The intent of such a plan is to identify and document how on-site works associated with different phases of a development project, including demolition, site alteration and completion of construction, will occur in an efficient manner that minimizes and/or mitigates disruptions or impacts to municipal infrastructure, rights-of-way and neighbouring properties.
- r) Zoning By-law Amendment or Minor Variance approval. All zoning amendment or minor variance approvals identified as being required through a pre-consultation process to facilitate a proposed development shall be approved by Council or the Committee of Adjustment for the Town of Halton Hills prior to submission and acceptance of a Site Plan application.

The list of information or material specified in this section is not intended to be exhaustive. Other information or material may be required by the Town, in consultation with the Region, and other applicable agencies in response to a particular development proposal. All studies shall be:

- a) prepared in accordance with approved terms of reference, where applicable or required by the Commissioner of Planning & Development or designate, to help guide the quality of a study in order to influence the best outcome for an application; and,
- b) carried out by qualified professional consultants retained by and at the expense of the proponent; the qualified professional consultant must apply their signature or seal to any such study. The Town shall require peer reviews of the studies by an appropriate public agency or by a professional consultant retained by the Town at the proponent's expense; or
 carried out by a qualified professional consultant retained by the Town at the expense of the proponent.

All study recommendations shall be implemented by the proponent to the satisfaction of the Town, the Region, and other applicable agencies.”