



BY-LAW NO. 2023-0039

A By-law to amend By-law No. 2017-0040 being a by-law to prohibit or regulate Site Alteration within the Town of Halton Hills.

WHEREAS pursuant to the said authority, Council for the Town of Halton Hills has enacted By-law No 2017-0040, to prohibit or regulate Site Alteration within the Town of Halton Hills;

AND WHEREAS Council now deems it expedient and necessary to amend the provisions of By-law 2017-0040;

AND WHEREAS on May 8, 2023, Council for the Town of Halton Hills approved Report No. TPW-2023-014, dated May 2, 2023, in which certain recommendations were made to approve amendments on certain sections within the Site Alteration By-law 2017-0040.

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

1. **THAT Part I – DEFINITIONS** be amended by adding the following:

Environmental Protection Act or “EPA” means the Environmental Protection Act, R.S.O. 1990, c. E. 19 and Regulations, as amended.

Excess Soil, (as defined in O.Reg. 406/19: ONSITE AND EXCESS SOIL MANAGEMENT) means soil, or soil mixed with rock, that has been excavated as part of a project and removed from the project area for the project.

Qualified Person means a licensed professional as set out in sections 5 or 6 of O. Reg. 153/04 made under the EPA and subject to the requirements in sections 6.1 and 7 of the regulation.

2. **THAT Part II – Application** be amended by the following:

Section 2.1 was amended to read:

This By-law applies to the entire Town, including those areas which are subject to regulations made under section 28(1) of the Conservation Authorities Act, R.S.O. 1990, c27, as amended.

Section 3 was amended by removing sub-section (d) in its entirety.

3. **THAT Part III – General Provisions** was amended by adding words to the title of the section to read:

Part III – General Prohibitions and Provisions

Section 4 was amended by adding the following sub-sections and re-numbering of the section.

- 2) No person shall undertake the transportation, hauling or depositing of fill in a manner contrary to the requirements of O.Reg 406/19: *On-Site and*

Excess Soil Management or applicable Ministry of the Environment rules, standards, policies and guidelines.

- 3) No person shall deposit waste or undertake the depositing of waste except at a waste disposal site authorized under the EPA.
- 4) No person shall remove topsoil for sale or exchange without first having obtained a permit.

Section 4.7 was renumbered to be consistent with the rest of the by-law to become section 4.10 and was amended by adding the following sub-sections:

- b) in the case where the work is associated with a permit under the Ontario Building Code or own Pool Enclosure By-law 29-0028/ as amended, rural and non-rural lands and does not exceed 5,000 m3, to the Director.
- c) in the case where the work is associated with an application made under the Planning Act for a site plan, condominium and/or plan of subdivision, to the Director.

BY-LAW read and passed by the Council for the Town of Halton Hills this 8th day of May, 2023.

MAYOR – ANN LAWLOR

TOWN CLERK – VALERIE PETRYNIAK