



**CONSOLIDATION
BY-LAW NO. 2013-0070**

Being a By-law to establish a Site Plan Control area, to define classes of development subject to Site Plan Control and to delegate Council authority, pursuant to section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and to repeal By-law 2003-0094

WHEREAS subsection 41(2) of the *Planning Act* provides that the Council of a local municipality may, by by-law, designate a Site Plan Control area;

AND WHEREAS subsection 41(13) of the *Planning Act* provides that the Council of a municipality may, by by-law, define the classes of development that may be undertaken without the approval of plans and drawings otherwise required under subsection 41(4) or 41(5);

AND WHEREAS subsection 41(4.0.1) of the *Planning Act* requires that Council of a municipality, by by-law, delegate to an appointed officer of the municipality, and of Council's powers or authority under section 41 of the *Planning Act*, except the authority to define any classes of development as mentioned in subsection 41(13);

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

PART I - DEFINITIONS

1. For the purposes of this By-law:

“**gross floor area**” means the aggregate of the areas of each floor of building or structure above or below grade, measured between the exterior faces of the exterior walls of the building or structure excluding the sum of the areas of each floor used, or designed or intended for use for the parking of motor vehicles, unless the parking of motor vehicles is the principle use of the building or structure.

PART II – AREA OF SITE PLAN CONTROL

2. All lands within the corporate limits of the Corporation of the Town of Halton Hills (hereinafter the “Town”) are hereby designated as a Site Plan Control area.

PART III – DEVELOPMENT SUBJECT TO SITE PLAN CONTROL

3. No person shall undertake development on the lands identified in section 2 of this By-law without the approval of plans and drawings required under subsection 41(4) or (5) of the *Planning Act* unless otherwise exempt from approval as set out in this By-law.

4. The following classes of development are exempt from Site Plan Control and may be undertaken on lands identified in section 2 without the approval of plans and drawings:

- a) single detached dwellings;
- semi-detached dwellings;
- duplex dwellings;
- triplex dwellings;

b) any building or structure deemed accessory to a single detached, semi-detached, duplex, triplex or townhouse dwelling;

As Amended
by By-law
2019-0037

c) buildings and structures used for agricultural purposes except for those buildings and structures associated with a home industry, commercial use, cannabis cultivation use, cannabis processing use, or farm related tourism use that are accessory to an agricultural operation, as outlined in Sections E1.3, E1.4.5, E1.4.6, E1.4.7, E1.4.11, E1.4.12 and E2.3 of the Town of Halton Hills Official Plan;

d) pits and quarries licensed or permitted under the *Aggregate Resources Act*, R.S.O. 1990, c.A.8, as amended;

e) alteration of an existing building or structure, unless such alteration of the building or structure has the effect of substantially increasing its size or usability, such as the alteration of a residential building to introduce a commercial use, as determined by the Commissioner of Planning & Development;

f) the making of an addition to an existing building or structure used for commercial or institutional purposes by less than 75 square metres in *gross floor area*;

g) the making of an addition to an existing building or structure used for industrial purposes by less than 185 square metres in *gross floor area*; and

h) the making of an addition to an existing building or structure used for industrial purposes by less than 465 square metres in *gross floor area*, provided it can be demonstrated, to the satisfaction of the Commissioner of Planning & Development, that the addition will not have any negative impact on, but not limited to:

- 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.

As Amended
by By-law
2021-0067

i) any building or structure having a gross floor area less than 75 square metres that is deemed accessory to a commercial or institutional use; and, any building or structure having a gross floor area less than 185 square metres that is deemed accessory to an industrial use, provided it can be demonstrated, to the satisfaction of the Commissioner of Planning & Development, that the accessory building or structure will not have any negative impact on, but not limited to:

- 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.

As Amended
by By-law
2021-0067

j) Town of Halton Hills municipal buildings or structures located within a public park to a maximum size of 465 square metres in gross floor area per building or structure.

5. Notwithstanding the provisions of section 4 of this By-law, approval of plans and drawings required under subsection 41(4) or (5) of the *Planning Act* shall be obtained for any building or structure that contains a use that is considered legally non-conforming with the in-force Zoning By-law.
6. Notwithstanding the provisions of section 4 of this By-law, approval of plans and drawings required under subsection 41(4) or (5) of the *Planning Act* shall be obtained for any of the following classes of development:
 - single detached dwellings;
 - semi-detached dwellings;
 - duplex dwellings;
 - triplex dwellings;

when, as a condition of approval of a development application, Site Plan Control is imposed as a condition of approval under subsection 45(9) (Committee of Adjustment) and subsection 51(25) (Plan of Subdivision/Consent/Condominium) of the *Planning Act*.

PART IV – DELEGATION OF POWERS

7. All of Council's powers and authority under section 41 of the *Planning Act*, except the authority under Section 41(13) to define classes of development that may be undertaken without the approval of plans and drawings, are hereby delegated to the Commissioner of Planning & Development or designate.

As Amended
by By-law
2023-0012

PART V - ADMINISTRATION

8. By-law 2003-0094 is hereby repealed.
9. This By-law comes into effect upon enactment and passage hereof.

BY-LAW read and passed by the Council for the Town of Halton Hills this 16th day of December, 2013.

Originally Signed By:

MAYOR – RICK BONNETTE

Originally Signed By:

TOWN CLERK – SUZANNE JONES