



REPORT

Council

Meeting Date: August 11, 2025

FROM: Legal Department

DATE: July 29, 2025

SUBJECT: A By-law to amend Site Alteration By-law 2023-047 to Adjust Responsibilities and Provide Housekeeping Provisions For Better Functionality and Enforcement

LOCATION: Town Wide

WARD: Town-wide

Page 1

RECOMMENDATION:

That By-law 2025-132, a by-law to amend Site Alteration By-law 2023-047 to change responsibilities arising from a corporate reorganization and to make changes for better functionality and enforcement, be passed.

KEY FACTS:

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

- In 2023, Council passed a new Site Alteration By-law 2023 – 047 and at that time the then Transportation and Engineering Department had responsibility for the implementation, adherence to, and enforcement of the By-law.
- In 2024, a departmental reorganization took place involving the Department of Planning and Development and the Department of Transportation and Engineering wherein the responsibility for the handling of Development Engineering Site Plan Approvals and Agreements and Site Alteration Permits and Applications was switched to the Planning and Development Department from the Transportation and Engineering Department.
- This Report is seeking Council Approval to amend the Site Alteration By-law to change the responsibilities under the By-law to reflect the organizational changes.
- In addition, in the implementation of the new By-law, a number of housekeeping (rather than substantive) changes have been identified of an administrative, processing and enforcement nature which will permit better functionality of the By-law, and this Report recommends those changes as well.

- Another Report will be forthcoming later this year or early next year to recommend additional changes to the By-law of a more substantive nature but those will take more time to research and provide a substantive explanation for Council's consideration.
- The administrative changes in the recommended amending By-law will provide immediate assistance with the functionality and enforcement of the By-Law as it is today.

COMMENTS

When By-law 2023 – 047 was passed in 2023, the “Director” definition included the Director of Transportation and Engineering or designate as the operative “Director”. With the amending By-law 2025 – 132 the operative “Director” will be the Director of Planning and Development or designate, having assumed the responsibility for Site Alteration Permits and Applications after the reorganization in 2024. The Definition has also been expanded as a housekeeping measure to make clear that the “Director” may be another “Director” or designate for certain requirements within the Site Alteration Permits and Applications process where those requirements are under the direction of that other applicable Director. For example, one aspect of Site Alteration Permits and Applications approval is the protection, preservation and removal of trees; that falls under the Director of Parks and Open Space or designate rather than the Director of Planning and Development.

In terms of the other housekeeping changes for better functionality and enforcement those are set out in a track – changed format of Site Alteration By-law 2023 – 047 in Appendix B to this Report.

They include such things as eliminating reference to the approval of the “Region of Halton” and instead referring to “Minister of Municipal Affairs and Housing” now that the Region is no longer a municipality with planning responsibilities. There are a number of usual provisions related to enforcement that by oversight were not added to the enforcement provisions of Site Alteration By-law 2023 – 047 at the time of its passage. There are a number of administrative changes related to Heritage such as changing the term “aboriginal” to the more acceptable term “indigenous” and to reference “Heritage Easement Agreements” and “Heritage Evaluation Reports” in the consideration of the issuance of Site Alteration Permits which had been left out of the By-law when it was passed in 2023. There is clarification of the terminology of “Inspector” and “Officer” for the purposes of the enforcement of the By-law. The issue of the provision of “security” to ensure the Site Alteration Permit covenants are adhered to in the terms of the release of such “security” are clarified. There are a number of “typos” that are corrected from the passage of the By-law in 2023. The use of “Orders” and their enforcement is clarified in the Amending By-law. The issue of the revival by new owners of Site Alteration Permits which automatically expire when properties are transferred to new owners is also clarified.

CONSIDERATIONS:

(A) PUBLIC

Because the proposed amending By-law 2025 – 132 is of an administrative and processing nature. Its passage and implementation will have little if any impact on the community, so there has been no public notification or public process in bringing this Report and Amending By-law forward. The changes should be “seamless”.

(B) FINANCIAL

The passage and implementation of amending By-law 2025 – 132 will not have any cost impact nor any additional staff requirements. It simply reflects the existing organizational structure and the present practices in the implementation and enforcement of the Site Alteration By-law.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The passage of amending By-law 2025 – 132 should have no effect on other departments and users. It simply provides for better functionality and enforcement.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council’s strategic priority of Accountable Government by updating the Site Alteration By-law 2023 – 47.

(E) CLIMATE CHANGE/ACTION

N/A

APPENDICES:

Appendix A – Amending By-law 2025-132

Appendix B- Track-Changed Version Of Site Alteration By-Law 2023-047 reflecting the Administrative and Housekeeping Changes Proposed In amending By-Law 2025-132

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