

Report to Council

Report Title:	Site Plan Control Bill 109 – Delegation of Site Plan Approval and Mandatory Pre-Consultation Meeting		
Prepared By:	Dieter Wetz, Building and Planning Manager/CBO		
Department:	Building and Planning		
Date:	June 21, 2022		
Report Number:	BLDG2022-14	File Number:	C11BU, D11
Attachments:	Site Plan Control Guide and Application		

Recommendation:

That the Council of the Municipality of Brockton receives Report Number BLDG2022-14 - Site Plan Control Bill 109 - Delegation of Site Plan Approval and Mandatory Pre-Consultation Meeting, prepared by Dieter Wetz, Building and Planning Manager/CBO for information purposes, and in so doing hereby authorizes a By-Law coming forward to appoint the CAO and Building and Planning Manager or designate, with the authority to approve site plans and drawings in accordance with s.41 of the Planning Act, and further;

That the Council of the Municipality of Brockton hereby pass a by-law as per s.41 (3.1) to require applicants to consult with the municipality before submitting plans and drawings for approval under subsection (4) of the Planning Act.

Report:

Background:

Bill 109, More Homes for Everyone Act, has received royal assent. One of the immediate impacts is in how site plans are to be administered. The Planning Act now requires that approval of Site Plans be delegated to municipal staff.

In order to lawfully administer site plan approval following recent changes to the Planning Act through Bill 109, Council must appoint an officer, employee or agent of the municipality as an authorized person who shall be given the authority to approve plans and drawings which includes conditions for entering into agreements in accordance with the Planning Act.

Analysis:

It is recommended that the CAO, Building and Planning Manager or designate be authorized to approve site plans pursuant to s.41 of the Planning Act. This means that the power to approve plans and drawings which

regulate site works and all matters generally considered in many site plan processes is to be approved by the CAO, Building and Planner Manager or designate.

The new changes to the Planning Act also require site plans to be approved within 60 days. If site plans are not approved within 60 days the Municipality is required to refund the fees paid to process the review. This has a small but not insignificant financial impact if the process is not administered quickly. The refund process has not been established at this time. It is acknowledged that in addition to the financial impact there is a significant impact on staffing resources in Planning and Finance to administer refunds.

To address the timeframe for approvals, Staff are recommending that that Council pass a by-law that requires applicants to consult with the municipality before submitting plans and drawings for approvals. Staff have established the attached Site Plan Control Guide and Application which provides an overview and outlines the obligations for a pre-consultation meeting and submission of the site plan control application. The intent of the mandatory pre-consultation meeting is to close gaps to ensure that the site plan design work and plans being proposed follow municipal design standards and guidelines. This will in result in fewer revisions and submissions being received during the consultation process and allow follow up approval within the specified timeframes.

To keep Council informed throughout site plan review in the short term, staff will update Council on any site plans approved through an information report.

Staff will continue to work to develop and expand on development guidelines, policies and standards that will be authorized by Council to support and assist applicants making site plan control submissions to ensure clarity and a streamlined process for site plan control approval in the Municipality.

The implementation period will be monitored by staff and any necessary adjustments or changes in the approval process will be addressed appropriately.

Strategic Action Plan Checklist:

What aspect of the Brockton Strategic Action Plan does the content/recommendations in this report help advance?

- | | |
|---|-----|
| • Recommendations help move the Municipality closer to its Vision | N/A |
| • Recommendations contribute to achieving Heritage, Culture, and Community | N/A |
| • Recommendations contribute to achieving Quality of Life | N/A |
| • Recommendations contribute to achieving Land Use Planning and the Natural Environment | Yes |
| • Recommendations contribute to achieving Economic Development | Yes |
| • Recommendations contribute to achieving Municipal Governance | Yes |

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective?
N/A

It is challenging to forecast the financial implications related to Bill 109. Staff will be diligent to ensure that the prescribed timeframes for approvals are met to address any potential refund in fees. However, in doing so this has potential adverse impacts for staff in managing and prioritizing tasks and duties.

Reviewed By:



Trish Serratore, Chief Financial Officer

Respectfully Submitted by:



Dieter Wetz, Building and Planning Manager/CBO

Reviewed By:



Sonya Watson, Chief Administrative Officer