



## **Staff Report PL2022-077**

**Title of Report:** PL2022-077 Site Plan Approval Appointment  
**Department:** Clerks  
**Branch:** Planning Services  
**Council Date:** October 5, 2022

### **Recommendation:**

**Be it resolved that** Council receive Staff Report PL2022-077 for information; and  
**That** Council consider approval of a by-law appointing the Township's Municipal Planner or their designate to approve site plans in accordance with the Site Plan process noted below and discussed.

### **Background**

Back in April the Province asked for Comments on Bill 109 which the Township provided as outlined in Planning report PL2022-020 and attached to this report as attachment #1. The Province has now approved that legislation without making any of the requested changes.

As a result of the legislation, the Township may now have to return fees on applications received after January 1<sup>st</sup> 2023, if a decision is not made on the application within a set period of time.

The Township is now required under section 41(4) of the Planning Act to appoint a municipal officer, employee or other designate to approve Site Plans. Specifically, the Planning Act now states:

*"(4.0.1) A council that passes a by-law under subsection (2) shall appoint an officer, employee or agent of the municipality as an authorized person for the purposes of subsection (4). 2022, c. 12, Sched. 5, s. 7 (3)."*

Subsection 4 of section 41 of the Planning Act is the section on approval of plans or drawings.

The use of the word shall in the legislation makes the appointment a requirement for the Township and not discretionary.

To address this requirement staff have come up with a process to provide Council with some comfort in delegating Site Plan Approval to staff as well as provide some important steps to help reduce the likelihood of having to return fees for failure to make a decision on an application.

## **Process**

Attachment #2 to this report outlines a process for review and approval of Site Plan Applications that will provide some oversight by Council and also encourage Site Plans to be processed in a timely manner to avoid returning fees.

Important steps include:

- requiring the presubmission letter to accompany the application and required drawings.
- 60 day approval timeline starts when application is deemed complete
- When the application is circulated it is circulated to all of Council.
- Council has the option of requesting a report on the application. Depending on Council's desire the request can be made via email by any Councillor, or, by a minimum of 3 councillors, or a majority of Council(4).
- For regular site plan Council would not be involved in the process unless they chose to be.

The above changes to the process will help reduce the risk of an application not being dealt with in a timely fashion and still maintain Council involvement should they desire it on any application.

## **Financial Implications**

The financial application of this new legislation are significant. The average time to approve a site Plan application in the Township now is approximately 3-4 months, but can be as quick as 21 days from the date of receiving a complete application and when the Township engineers are involved directly with the preparation of the plans.

One reason for the delay is often that the site plan is submitted at the same time as the zoning application and site waiting for the zoning amendment to be approved first. From now on, the Township will no longer be able to process Site plan and zoning application at the same time. Instead going forward, we will not accept site plan applications prior to a zoning amendment being completed. This is to avoid triggering the 60 approval requirement timeline in which the Township would be obliged to return the application fees. Another reason for delay is waiting for a Council meeting to approve site plans. Sometimes that wait can be three weeks which can make all the difference for meeting the new 60 day approval requirement.

Township staff will continue to monitor application levels however it is not just Site plans that now have timelines on approvals. These also include zoning amendments and Official Plan Amendments after which application fees must be returned.

Budget discussions for the coming year should consider raising fees to compensate for lost revenue as a result of failing to approve applications within a specific timeline.

Also during budget discussions, the hiring of a junior planner should be considered to provide capacity and responsiveness to meet higher volumes, shorter approval time lines and staff leave time for applications.

A more detailed report addressing financial implications for the above will be prepared for budget discussion in the coming weeks.

**Recommendations** There are no financial implications of appointing an employee to approve site plans other than it will reduce wait times for approvals and avoid the penalty for failing to meet approval time frames. Therefore, it is recommended that Council appoint The Township's Municipal Planner to approve site plan applications as required by the Planning Act.

Respectfully Submitted,

**Municipal Planner:** *Original Signed By*  
Clinton Stredwick, BES, MCIP, RPP



**CAO Approval:** *Original Signed By*  
Dave Milliner, CAO

**Attachments:**

1. PL2022-020
2. Draft Site Plan Approval Flow Chart