



The Corporation of the Township of Huron-Kinloss

Staff Report

Report Title: Site Plan Approval and Site Plan Guide revision

Prepared By: Jennifer White, Clerk and Michele Barr, Chief Building Official

Department: CLK

Date: Mar. 20, 2023

Report Number: CLK-2023-03-21

File Number: C11 CLK23

Attachments:

Recommendation:

THAT the Township of Huron-Kinloss Committee of the Whole hereby approves Report No. CLK-2023-03-21;

AND FURTHER directs Staff to make changes as necessary to ensure the Site Plan Approval Guide and Application meet legislative requirements.

Background:

On June 6, 2022 Council received Report CLK-2022-06-51 (attached) which outlined changes to the *Planning Act, 2001* as a result of the government's passing of Bill 109, the More Homes for Everyone Act. Specifically, the report discussed delegation of Site Plan Control approvals. Council passed By-law 2022-102 (attached) delegating authority to approve Site Plans to the Chief Administrative Officer and approving the Site Plan Approval Guide and Application.

As understanding of the intent and required changes of Bill 109 have progressed, Staff would like to provide an update to Council with respect to further changes required to update the Site Plan Approval Guide and process.

Discussion:

On December 21, 2020 Council passed By-law No. 2020-139 establishing the entire Township of Huron-Kinloss under site plan control and approved the site plan approval guide and application documents. The guideline includes the application requirements and outlines the fees.

On June 6, 2022 due to updates to Section 41 of the *Planning Act, 2001* the guideline was amended to reflect a definition of what constitutes a complete application, timelines and the gradual refund of site plan application fees.

Additionally, as required by Section 41 (4.0.1) of the Act, Council appointed an authorized person for the purposes of subsection (4) of the Act. By-law No. 2022-102 delegated authority to the Chief Administrative Officer (CAO) to approve plans and drawings in accordance with Section 41 of the Planning Act. The by-law further authorized the CAO to do all acts necessary to carry out that authority including affixing their signature as required to all documents and plans.

For further clarification, as a condition to the approval of plans or drawings a municipality may require the owner of the land to enter into one or more agreements with the municipally ensuring that development proceeds in accordance with the plans and drawings approved; dealing with and ensuring the provision of any or all of the facilities, works or matters mentioned and the maintenance thereof.

Subsequent to the previous report CLK-2022-06, the agreements are a condition of the approval of plans and as per the *Planning Act* and By-law 2022-102 the Authority has been delegated to the Chief Administrative Officer to sign the agreements.

Once the applications have moved through the site plan process, as established by the Township's Site Plan Approval Guide and Application as amended, approval has been granted by the CAO, then an information report will be submitted by the Chief Building Official to inform Council of the current developments.

The Site Plan Approval Guide will be updated in Section 6 and 7 as follows:

6. Signatures

The complete agreement will be forwarded to the applicant for their review and signature. It will be the applicant's responsibility to secure signatures from any encumbrancers and forward same to the municipality.

Once the signed agreement is returned to the municipality the Chief Administrative Officer using the authority delegated in By-law No. 2022-102 will sign the agreement on behalf of the Township.

7. Registration

The Site Plan agreement will be registered on the title of the property affected.

Council has received information on the changes introduced by Bill 23, which may further affect the planning and development policies of Municipalities. As these regulations come into effect, additional changes to this or other policies/procedures may be required.

Financial Impacts:

The financial requirements for Site Plan Approval include: \$150 plus registration and title search. A deposit of \$750 is required to cover the noted costs. Additional fees may be applied for cost recovery on professional review of plans. This report does not affect current financial requirements.

Strategic Alignment / Link:

We are an accessible community that offers opportunities for everyone by ensuring that everyone has a place to live. We are a vibrant community by creating places where people want to be.

Respectfully Submitted By:

Jointly by Michele Barr, Manager of Building and Planning, and Jennifer White, Manager of Legislative Services/Clerk

Report Approved By:

Mary Rose Walden, Chief Administrative Officer