



Municipality of Port Hope

Staff Report

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Report Title: Delegation of Authority By-law Amendment – Site Plan Control

Report to: Corporate Services Committee

Date of meeting: September 6, 2022

Report Author:

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Department responsible:

Corporate Services

Report Number: CS-18-22

Recommendation:

That a by-law be presented to Council to amend By-law 75/2019 - Delegation of Authority, in order to delegate authority for all Site Plan Control to the Director, Planning and Development, as outlined through the changes in Bill 109, the More Homes for Everyone Act.

Highlights:

- Council considered Report PD-17-22 in June 2022, which provided an overview of Bill 109, the More Homes for Everyone Act, and the impact on the Municipality of Port Hope.
- Bill 109 changes five separate pieces of existing legislation, most significantly for the Municipality of Port Hope, changes the Planning Act, impacting municipal decision making, administration and reporting.
- Bill 109 also removes the authority for approving Site Plan Control applications from an elected or appointed body and delegates it to staff.
- As such, an amendment to By-law 75/2019 is necessary.

Background:

Council was provided with an overview of Bill 109, the More Homes for Everyone Act, in June 2022 through Report PD-17-22. This report outlined the impacts on the Planning and Development Department with its changes to municipally initiated expedited zoning, zoning by-law amendments and site plan control. Staff identified at that time that an amendment to By-law 75/2019 would be required in order to remove the authority for approving Site Plan Control applications from Council and delegating it to Staff.

Discussion:

In addition to what was outlined in Report PD-17-22, the most significant change to the planning process through Bill 109 requires that site plan control decisions be made by staff (instead of municipal councils or committees of council) and that this will apply to all site plan applications received on or after July 1, 2022.

As such, it is necessary to amend By-law 75/2019 Delegation of Authority, in order to be in line with the legislation. In its current form the By-law delegates to the Director, Planning and Development / Planning Manager authority for the following Site Plan Control:

Authority pursuant to Section 41 of the Planning Act as it relates to Single, semi-detached and duplex dwellings, new “in-fill” single family, semi-detached or duplex dwelling house, an addition to a residential dwelling greater than 50% of the floor area of the existing size of such a dwelling, development on lands subject to the policies pertaining to Steep Slopes/Ravine Lands as outlined in the Municipality of Port Hope Official Plan, as well as development in the Oak Ridges Moraine.

With Bill 109 coming into force on July 1, 2022 the authority to sign all Site Plan Control applications must now be delegated to staff.

Staff expect that with the revised timelines outlined in Bill 109 for application processing and the financial penalties related there will be further delegated authority and application process improvements, as well as implications on cost recovery, that will require further updates to Council, including any required updates to By-law 75/2019 Delegation of Authority, as well as, By-law 71/2021, Fees and Charges By-law.

Financial Considerations:

There is no immediate financial impact on the Municipality as a result of this delegation of authority.

Communication and Public Engagement:

Staff will have to update the respective land-use planning applications to reflect the new legislation. Any relevant sections of the municipal website will have to be updated to reflect the changes included in Bill 109. Any future public reporting on development applications and approvals will be done at the direction of the Ministry of Municipal Affairs and Housing.

Conclusion:

Bill 109 assigns new responsibilities to staff with respect to site plan control. As such, it requires the Municipality to ensure that it has delegated the appropriate authority to staff to be in compliance with the legislation.

Attachments:

Amendment By-law to By-law 75/2019