

**REPORT**  
**PLANNING/BUILDING/ENVIRONMENTAL**  
**COMMITTEE**

**DATE:** September 12, 2022

**REPORT NO:** PD-80-2022

**SUBJECT:** **Recommendation Report – Bill 109 – Establish Developmental Control**

**CONTACT:** Brian Treble, Director of Planning & Building

**OVERVIEW:**

- As the Planning/Building/Environmental Committee is aware, on April 14<sup>th</sup>, 2022, The Provincial Government gave Royal Assent to a Bill (Bill 109) that resulted in many changes that were promoted as streamlining or expediting the planning approval process, with the goal of obtaining planning/housing approvals quicker.
- Many parts of Bill 109 come into effect on July 1, 2022 including a requirement for approval authorities to delegate site plan control decisions to staff.
- In order to be proactive, staff reached out to a private sector planning firm, MHBC Planning, and asked this firm to assist in guiding us on how to become Bill 109 compliant.
- Staff report PD-48-2022 was presented at the June 13, 2022 Planning/Building/Environmental Committee Meeting and ratified at the June 27<sup>th</sup>, 2022 Council meeting.
- As a result of preliminary comments, by MHBC Planning, staff advise that a new by-law be passed to delegate site plan approval authority to staff, as well as, authority to sign site plan agreements. Parts of this authority already exist, but approval of the by-law will place all authority in one by-law and previous by-laws will be repealed through a future report
- This report represents another step forward in the implementation of Bill 109 within the Township of West Lincoln

**RECOMMENDATION:**

1. That, Recommendation Report PD-80-2022, regarding “Bill 109 – Establish Developmental Control”, dated September 12, 2022, be RECEIVED; and,
2. That, a by-law be passed to establish Development Control, to delegate approval authority and establish criteria within the Township of West Lincoln.

## **ALIGNMENT TO STRATEGIC PLAN:**

### **Theme #3 and #6**

- Strategic, Responsible Growth
- Efficient, Fiscally Responsible Operations

## **BACKGROUND:**

*Bill 109, the More Homes for Everyone Act, 2022*, was passed by the Provincial of Ontario and received royal assent on April 14, 2022 and many parts of the Act came into effect on July 1, 2022. Many changes that affected planning approval processes were included in the bill, including timelines for planning approvals or fee rebates must occur and new delegation of authority to staff for site plan decisions.

## **CURRENT SITUATION:**

On June 13, 2022, report PD-61-2022 was presented and approved and authorized the hiring of MHBC Planning to undertake a review of Township Planning processes and to assist with process changes that will help address the timeline imposed in Bill 109. This review is ongoing.

Similarly, the Region has now hired MHBC Planning to undertake a similar review of the implications of Bill 109 to the *Planning Act*, some of which have taken effect on July 1, 2022. This includes a required change to the site plan process that now requires the following:

- Municipalities must delegate authority to approve site plan applications to a designated authorized person (officer, employee, or agent of the municipality). At present, municipal council may, but is not obligated to, delegate its authority to approve site plan applications.
- A new complete application process for site plan applications is proposed. This process is like the complete application process that applies to official plan amendment applications and zoning bylaw amendment applications.
- The timeline to appeal a site plan application for non-decision is increased from 30 days to 60 days

As a result of these changes, staff propose that a new Site Plan Authorizing By-law be passed such as the one attached to this report.

This by-law to delegate site plan approval authority, includes the signing of the site plan agreement, to staff.

## **FINANCIAL IMPLICATIONS:**

The delegation of site plan approval and decisions to staff may result in a more streamlined process, reducing staff's time in preparing site plan authorization reports to Committee and Council.

## **INTER-DEPARTMENTAL COMMENTS:**

Regional Planning staff along with lower tier municipal planning staff have had one workshop to discuss Bill 109 changes and how to improve the development review process. Further meetings are planned to develop an approach that is similar across the Region.

Township Legal Counsel has been and will continue to be involved in this process and staff have reached out for further consultation regarding this matter. This may result in further changes to the by-law prior to the September 26<sup>th</sup>, 2022 Council meeting.

In the meantime, this change is one further step forward in implementing Bill 109.

**CONCLUSION:**

Staff recommend the passage of the attached Site Plan Control By-law that delegates approval authority to staff as one more step forward in the implementation of Bill 109.

**ATTACHMENTS:**

1. By-law to Establish Developmental Control in the Township of West Lincoln

**Prepared & Submitted by:**



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**Brian Treble**  
**Director of Planning & Building**

**Approved by:**



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**Bev Hendry**  
**CAO**