



## Corporation of the Township of Brock

### Staff Report to the Mayor and Members of Council

**From: Robin Prentice, MCIP, RPP**

**Position: Director of Development Services**

**Title / Subject: Delegation of Authority By-law Update**

**Date of Report: January 23, 2023**

**Date of Meeting: January 30, 2023**

**Report No: 2023-DS-003**

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#### 1.0 Issue / Origin

Bill 109, the More Homes for Everyone Act, was passed by the Province in April 2022 and Bill 23, the More Homes Built Faster Act was passed by the Province in November 2022. An amendment to the Township's Delegation of Authority By-law is being proposed to delegate some procedural matters to establish more efficient development application and approvals processes.

#### 2.0 Background

Section 270(1) of the Municipal Act, 2001 (the "Act") requires that all municipalities adopt and maintain a policy with respect to the delegation of its power and duties. The purpose of this policy is to set out the scope of the powers and duties which Council has delegated and to who. The goal of the delegation of powers and duties policy is to support the efficient management of municipal operations and approvals.

The last update to the Delegation of Authority By-law was done in 2018 through By-law 2802-2018-AP. Since that time Bills 109 and 23 have come into effect, which require municipalities to look at how to streamline and make the planning application process more efficient. As a result, there is a need to review and update the Township's Delegation of Authority By-law.

#### 3.0 Analysis

The intent of the proposed changes to the Delegation of Authority By-law is to facilitate a more efficient development application and approvals process. The proposed changes relate to matters that are primarily routine in nature and procedural matters related to applications that may have already received a form of approval through Council (such as the execution of subdivision agreements once Council has endorsed draft plan approval or approval has been received through the Ontario Land Tribunal (OLT)).

Having these routine matters delegated to staff will help to reduce the amount of time required to process certain applications, including time spent writing reports and waiting for Council/Committee meetings before development is able to proceed. Reducing such procedural barriers will help to get developments under construction quicker.

With limited staff, it is important to make the most efficient use of staff's time, which would be better spent reviewing and processing applications as opposed to writing staff reports for procedural matters or matters related to the implementation of a Council approved application.

A summary of the proposed changes and additions to the Delegation of Authority By-law are found in the Table below with the proposed amending by-law outlined in Attachment 1.

<b>Delegated Authority</b>	<b>Position delegated to</b>	<b>Rationale</b>
Approval of site plan applications	Director of Development Services or their designate	Consistent with the Council approved amendment to the Site Plan Control By-law under Bill 109
Approval of detailed plans subject to the final plans being in general conformance with the Council approved subdivision/condominium plan and conditions of Draft Plan approval.	Director of Development Services or their designate	Considered to be routine in nature. For subdivisions, this would take place after draft plan approval and an endorsement through Council and/or an OLT decision.
Execution of development-related agreements (site plan agreements, pre-servicing agreements, model home agreements, temporary use agreements, subdivision/condominium agreements, etc.).	Mayor and Clerk	Considered to be routine in nature. For subdivisions, this would take place after draft plan approval and an endorsement through Council and/or an OLT decision. Agreements would be reviewed by the Township's solicitor. Council will receive email notifications prior to any construction.
Approval of reductions and the release of letters of credit relating to development agreements provided the works have been completed to the satisfaction of the Township.	Treasurer	Considered to be routine in nature. Will require review and sign-off by the respective department head(s).
Approval of Part Lot Control Exemption applications pursuant to the Planning Act	Director of Development Services or their designate	Considered to be routine in nature. Lots or blocks to be divided are typically part of an approved subdivision or condominium application. The proposed by-law to effect the approval will be included on a Council meeting agenda to be passed by Council.
<b>Delegated Authority</b>	<b>Position delegated to</b>	<b>Rationale</b>

Bring by-laws on the following matters to Council for approval without the submission of a corresponding staff report: <ul style="list-style-type: none"> <li>• Part Lot Control exemption</li> <li>• removal of a holding symbol</li> <li>• dedication of road as part of a public highway system</li> <li>• assumption of services and works within approved subdivisions</li> </ul>	CAO or appropriate director	Considered to be routine in nature. Related to other delegated matters that require a By-law.
Approval of Minor Variance applications under Section 45 of the Planning Act.	Committee of Adjustment	Consistent with the Committee of Adjustment By-law

#### **4.0 Related Policies / Procedures**

This report is proposing changes to the Township’s Delegation of Authority By-law No. 2018-2007-AP to streamline the application and approvals process in response to Bills 109 and 23.

Bill 109, the More Homes for Everyone Act, requires decisions on site plan applications to be delegated to staff for applications made on or after July 1, 2022. The Township’s Site Plan Control By-law 2109-2007-PL was amended in 2022 through By-law 3125-2022 to delegate to the Clerk or their designate the ability to approved site plan applications and execute corresponding site plan agreements.

#### **5.0 Financial / Budget Assessment**

The are no financial impacts associated with this report, other than the indirect savings that will be achieved through staff time and a more efficient development approvals process.

#### **6.0 Climate Change Impacts**

There are no anticipated impacts as a result of this report and associated by-law.

#### **7.0 Communications**

There are no further communications required as a result of this report. Staff will continue to provide Council regular updates at key points throughout the development approvals and construction process.

#### **8.0 Conclusion**

Township staff recommend the Delegation of Authority By-law be amended by the By-law in Attachment 1 to help streamline the Township’s development application and approvals process in response to the direction from the Provincial government in Bills 109 and 23.

#### **9.0 Recommendation**

Be it resolved that staff report 2023-DS-003, regarding the Delegation of Authority By-law Update, be received; and,

That Council support the changes to the Township’s Delegation of Authority By-law to help streamline the Township’s development approvals process; and,

That the By-law appended to this report as Attachment 1 be brought forward for approval.