

**STAFF REPORT: Planning & Building Services Department**



**REPORT TO: Planning & Building Committee**  
**MEETING DATE: August 3, 2011**  
**REPORT NO.: PL.11.77**  
**SUBJECT: Service Delivery Review – Planning Services**  
**PREPARED BY: David Finbow, Director, Planning & Building Services**

#### **A. Recommendations**

**THAT** Council receive Staff Report PL.11.77 respecting Service Delivery Review – Planning Services.

#### **B. Background**

Council at its meeting of July 11, 2011 adopted the Planning & Building Committee's Report of July 4, 2011 and thereby adopted the following resolution:

**D.1** THAT the Planning & Building Committee receive Staff Report PL.11.67;

THAT the Planning & Building Committee acknowledge that the Operational Review of the Town's Ontario Building Code Program addresses Council's request for a comprehensive review of level of service for said program; and,

THAT the Planning & Building Committee adopt the Service Delivery Review Template as set out in this Report with respect to Planning Services & By-law Services **unanimously CARRIED.**

The Service Delivery Review Template referenced in Staff Report PL.11.67 is as follows:

1. Mandate of the Work Group
2. Historical and Current Staffing Levels
3. Summary of Services Provided
4. Identification of Mandatory versus Discretionary Services
5. Staff Rating Criteria (Mandated by Legislation/Core Function/Desirable)
6. Statistical Trends Analysis
7. Review of Expenditures and Revenues
8. Needs Analysis

The focus of this Report is on the Planning Services Division of the Planning & Building Services Department.

**MANDATE – PLANNING SERVICES DIVISION**

The Planning Services Division's general mandate is to provide advice to Council on all matters pertaining to municipal planning as set out in the *Planning Act*.

The *Planning Act* and other related legislation and regulations govern planning in Ontario. Pursuant to Section 3 of the *Planning Act*, the Province of Ontario issued the Provincial Policy Statement (PPS) with same coming into effect on March 1, 2005. The PPS indicates that decisions made by Council "shall be consistent with" the PPS.

The Town's Official Plan provides the local policy framework related to the orderly development of land within the community. The Town's Zoning By-laws are the tools utilized to implement the Town's Official Plan.

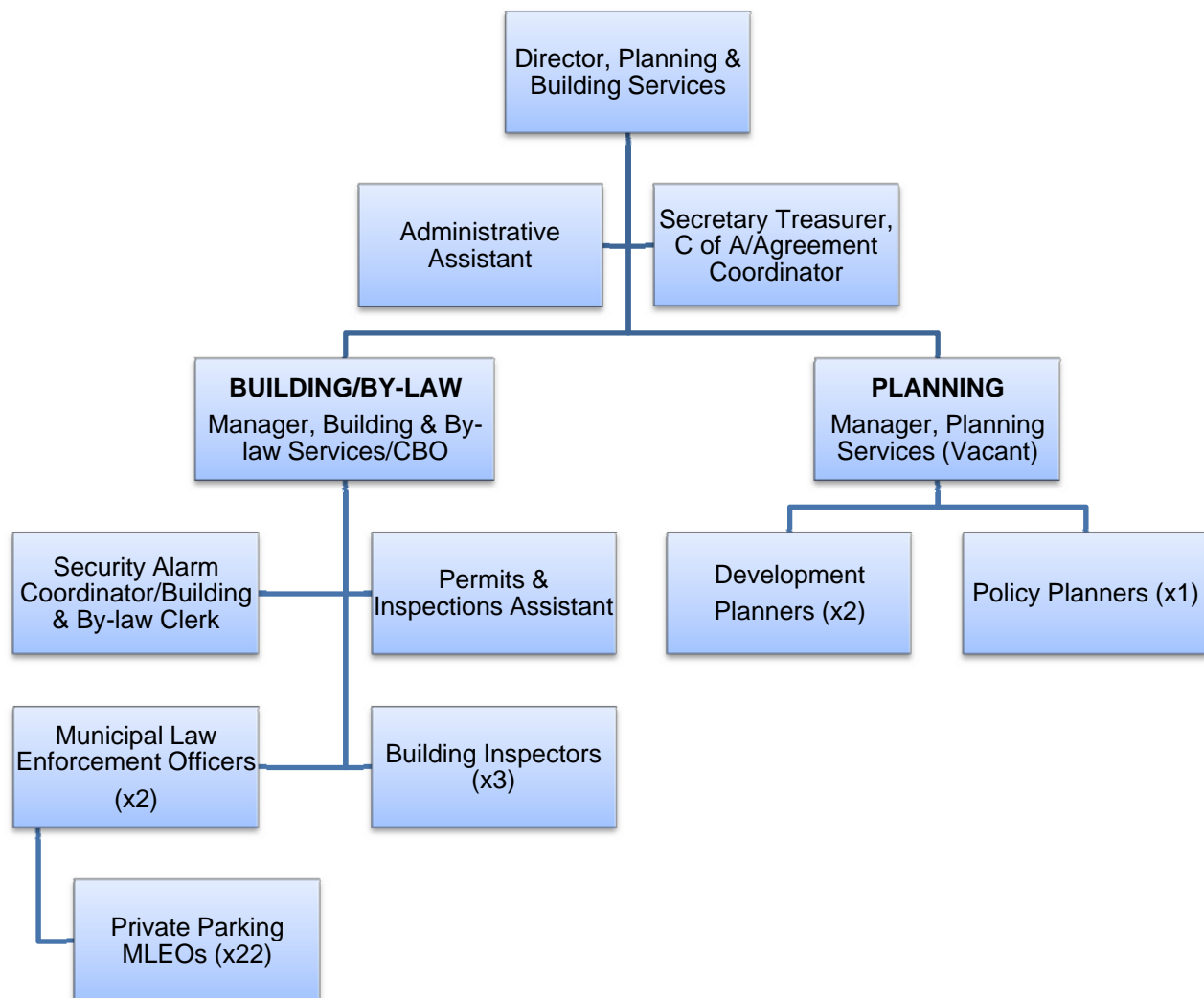
Work within the Planning Services Division is broken into Policy Planning, Development Planning and the Committee of Adjustment.

**HISTORICAL AND CURRENT STAFFING LEVELS – PLANNING SERVICES**

**Current Staffing Level – Planning Services**

The Planning & Building Services Department is comprised of two Divisions as noted in Chart 1.

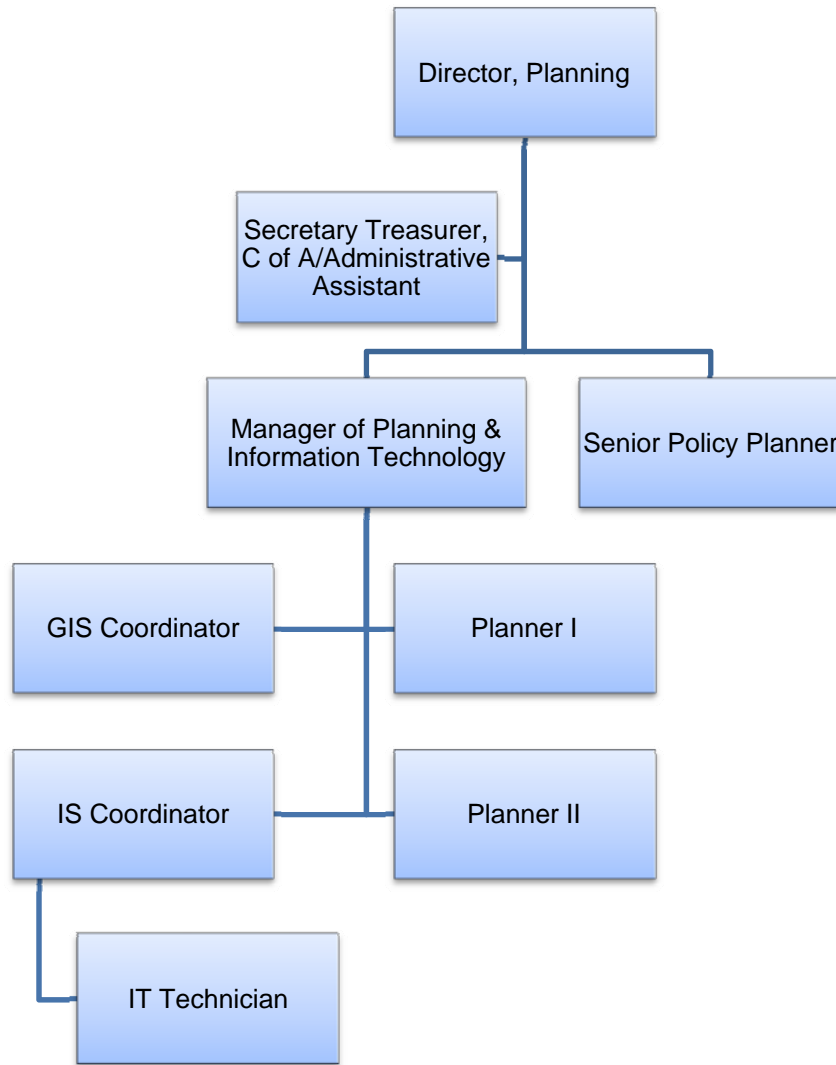
**Chart 1  
Planning & Building Services Department  
Organization Chart**



The Planning Services Division is comprised of a Senior Policy Planner, Planner I, Planner II, Secretary Treasurer C of A/Agreement Coordinator (0.7 FTE) and the Planning & Building Services Administrative Assistant (0.5 FTE). In addition, and in the absence of a Manager, Planning Services, the Director, Planning & Building Services role in Planning Services equates to 0.8 FTE (Total 5 FTE).

**Historical Service Level – Planning Services**

In February 2009 the Town amalgamated the Building & By-law Services and Planning Departments and re-assigned the Town's Information Systems Coordinator, GIS Coordinator and Information Systems Technician to the Financial Services Department (now the Financial & Information Technology Department). Prior to February 2009, Planning Services was comprised of approximately 6.5 FTE's (with it being noted that the GIS Coordinator provided mapping support to the Division).



## **SUMMARY OF SERVICES PROVIDED**

### **Policy Planning**

Policy Planning is charged with long-range planning and policy development for the Town. This includes the development and implementation of a policy-led portfolio that recognizes the complex interrelationships among environmental, economic and social factors in land use planning and development. Responsibilities focus on the formulation of area specific and Town wide long range planning policies and strategies to guide future physical development in the Town.

Initiatives include updating and ongoing monitoring of the Town's Official Plan; creation of a new Comprehensive Zoning By-law; preparing new planning policies for consideration by Town Council; providing updates to Staff and Council on planning initiatives of other jurisdictions (Niagara Escarpment Commission, County of Grey, other municipalities, agencies, etc.); and, monitoring market trends and community needs in relation to the on-going development of the Town. Responsibilities also include development of growth management objectives, development and implementation of environmental policies, special studies focusing on emerging issues, and other similar initiatives.

Currently, the Director, Planning & Building Services and the Senior Policy Planner are involved in Policy Planning.

### **Development Planning**

Development Planning is charged with processing and developing recommendations for Town Council's consideration on development/planning applications. These include:

- Official Plan Amendments
- Rezoning
- Plans of Subdivision/Condominium
- Part lot control
- Removal of holding symbol
- Niagara Escarpment Commission Development Applications
- Consents
- Site Plan approval

In addition, Development Planning provides the following services:

- Negotiating terms/conditions of Agreements
- Drafting conditions associated with Draft Plan of Subdivision/Condominium applications
- Drafting Official Plan and Zoning By-law Amendments
- Drafting and commenting on Agreements
- Commenting on and providing advice to the Committee of Adjustment on minor variance applications
- Ensuring that Draft Plan Conditions are addressed prior to municipal clearance

- Providing advice and mandatory pre-consultations on development applications
- Coordinating public consultation (Notices, Public Open Houses, Public Meetings) and pre-consultations on development applications
- Mapping services
- Providing input into corporate studies and projects (5-Year Official Plan Review, New Comprehensive Zoning By-law, Environmental Assessments, Community Improvement Plan, etc.)
- Provide professional testimony at OMB Hearings
- Assist in the preparation of the Town's Annual Water/Wastewater Reports
- Liaise with the development industry and public

Currently, the Director, Planning & Building Services, Planner I and Planner II are involved in Development Planning.

### **Committee of Adjustment**

The Committee of Adjustment is a quasi-judicial tribunal appointed by Town Council and is independent and autonomous from the City Administration. It derives its jurisdiction from the *Planning Act*. The Committee's mandate is to:

- hear Applications for "Minor Variances" - where a requirement of a Zoning By-law cannot be met (under Section 45 of the Planning Act)
- consider Applications for Permission, which deal with the enlargement or extension of a building or structure that is legally non-conforming, or for a change in non-conforming use
- review Applications for Validation of Title and Power of Sale

Currently, the Committee of Adjustment is comprised of three members of the public and is supported by the Secretary Treasurer of the Committee. Town Planners provide recommendations on behalf of the Town on applications and also provide advice to the Committee as it relates to the Town's Official Plan, Zoning By-laws and other planning related documents.

### **MANDATORY VERSUS DISCRETIONARY SERVICES**

For the most part, the municipal planning function in the Province of Ontario is determined by the requirements of the *Planning Act*. The *Planning Act* enables individuals to make application for many types of planning approvals (rezoning, Official Plan Amendments, Plans of Subdivision/Condominium, etc.). As with most municipal services, municipal planning need not be carried out or be conducted by Town staff. Town Council may determine to contract out the Town's municipal planning function and simply provide support as it relates to the preparation of Hearing Notices.

Below is a Table summarizing the services provided by the Planning Services Division with comments related to services provided, whether they are mandatory or discretionary services and rating criteria (Legislative/Core Function or Desirable):

<b>Service</b>	<b>Mandatory/Discretionary</b>	<b>Rating Criteria</b>
Updating and ongoing monitoring of Town's Official Plan	Mandatory	Legislative
Creation of a new Comprehensive Zoning By-law	Discretionary	Core Function
Preparing new planning policies for consideration by Town Council	Discretionary	Core Function
Providing updates to Staff and Council on planning initiatives of other jurisdictions (Niagara Escarpment Commission, County of Grey, and, other municipalities, agencies, etc.)	Discretionary	Core Function
Monitoring market trends and community needs in relation to the on to the on-going development of the Town	Discretionary	Core Function
Development of growth management objectives	Discretionary	Core Function
Development and implementation of environmental policies	Mandatory	Legislative
Special studies focusing on emerging issues	Discretionary	Core Function
Official Plan Amendments	Mandatory	Legislative
Rezoning	Mandatory	Legislative
Plans of Subdivision/Condominium	Mandatory	Legislative
Part lot control	Mandatory	Legislative
Removal of holding symbol	Mandatory	Legislative
NEC Development Applications	Discretionary	Core Function
Consents	Mandatory	Legislative
Site Plan approval	Discretionary	Core Function
Committee of Adjustment	Discretionary	Core Function
Drafting conditions associated with Draft Plan of Subdivision/Condominium applications	Mandatory	Core Function
Drafting/Reviewing Official Plan and Zoning By-law Amendments	Mandatory	Core Function
Drafting and commenting on Agreements	Mandatory	Core Function
Commenting on and providing advice to the Committee of Adjustment on minor variance applications	Discretionary Best Practice	Desirable
Ensuring that Draft Plan Conditions are addressed prior to municipal clearance	Mandatory	Core Function
Providing advice and mandatory pre-consultations on development applications	Discretionary	Desirable
Coordinating public consultation (Notices, Public Open Houses, Public Meetings) and pre-consultations on development applications	Mandatory	Legislative
Mapping services	Mandatory	Legislative
Providing input into corporate studies and projects (5-Year Official Plan Review, New Comprehensive Zoning By-law, Environmental Assessments, Community Improvement Plan, etc.)	Discretionary Best Practice	
Provide professional testimony at OMB Hearings	Mandatory	Legislative
Assist in the preparation of the Town's Annual Water/Wastewater Reports	Mandatory	Desirable
Liaise with the development industry and public	Discretionary	Desirable

**STATISTICAL TRENDS ANALYSIS**

Given timing constraints, a detailed year-to-year statistical trends analysis has not been completed however, the following is provided for Council's information:

**Planning Applications Trends Analysis**

<b>YEAR</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011 (YTD)</b>
# of Development Planning Applications	43	22	25	24	29	12
NEC	-	-	14	11	18	12

It is noted that each planning application is unique in terms of time commitment. A number of planning related initiatives are on-going and time consuming, such as a complex development application, or a policy planning initiative, whereas some have short shelf lives (e.g. Committee of Adjustment applications).

The following initiatives and applications are currently before the Planning Services Division:

**Policy Planning Initiatives**

- Official Plan 5 Year Review
- New Comprehensive Zoning By-law
- Short Term Accommodation Official Plan and Zoning By-law Amendments
- Drive-through Study
- Adult Entertainment Establishment Study
- Community Design Guidelines

**Development Planning Initiatives**

- Georgian Gate Development Proposal
- Telfer Homes Proposal
- St. Anton/Hillside Plan of Subdivision
- Havens Plan of Subdivision/Condominium
- Lora Bay Phase 3, Sub-phase 2
- Georgian Woodlands
- Georgian Glen
- Thornbury Medical Clinic
- Cedar Run
- Home Hardware
- County of Grey EMS Station/Fire Hall Expansion
- Intrawest Discovery Centre
- Breadner Pit
- Neighbourhoods at Delphi

**REVIEW OF REVENUES/EXPENDITURES**

On November 2, 2009 Town Council considered Planning Services Staff Report PL.09.120 with respect to planning fees. The purpose of this Report was to provide Council with information related to the operating costs of the Planning Division and to make recommendations related to moving towards cost recovery of the Development Planning function of the Town. This Report contained data related to the costs of the Planning Division and the Development Planning function as follows:

**Table 1  
Planning Division - Net Cost**

	<b>2007 Actual</b>	<b>2008 Actual</b>	<b>2009 Projected</b>
<b>Total Expenses</b>	-\$724,596	-\$652,084	-\$667,344
<b>Revenues</b>	\$104,527	\$144,756	\$160,000
<b>Net Cost</b>	-\$620,069	-\$507,328	-\$507,344

**Table 2  
Planning Division, Development Planning  
2007, 2008, Projected 2009 and 3 Year Average - Net Cost**

	<b>2007 Actual</b>	<b>2008 Actual</b>	<b>2009 Projected</b>	<b>3 Year Average</b>
<b>Total Expenses</b>	-\$538,596	-\$460,084	-\$467,000	-\$488,560
<b>Revenues</b>	\$104,527	\$144,756	\$160,000	\$136,428
<b>Net Cost</b>	-\$434,069	-\$315,328	-\$307,000	-\$352,132

In addition, this Report projected the costs of the Development Planning function for 2010 as follows:

**Projected Direct and Indirect Costs, Development Planning 2010**

	<b>2010 Projected</b>
<b>Development Planning Cost</b>	-\$452,657
<b>Other Direct Costs</b>	-\$80,000
<b>Indirect Costs</b>	-\$100,000
<b>Total Costs</b>	-\$632,657
<b>Revenues</b>	\$140,000
<b>Net Cost</b>	\$492,657

The Report concluded as follows:

*In general, to recover the Town's total Development Planning Cost of \$632,657, Planning Fees would have to be increased by approximately 350%.*

In light of these findings, Town Council proceeded with the enactment of a new Planning Fees By-law wherein development planning fees were increased significantly.

Development Planning revenue in 2010 was \$194,043 82,343 versus the budgeted \$213,500. The 2011 Development Planning Revenue through to June 30 is \$80,904 (2011 Budget is \$235,000).

**NEEDS ANALYSIS**

As noted in the 2010 and 2011 budget deliberations, there continues to be a need to fill the Manager of Planning Services position which has been vacant since late 2008. This position would provide day-to-day operational and planning expertise; create capacity to allow for more proactive planning work; provide timely expertise on complex and time consuming development applications; and, afford the Director the opportunity to carry out the core functions expected of a Director of a multi-disciplinary Department. It is recommended that the filling of this vacant position on the establishment be further considered during the 2012 budget process.

**C. The Blue Mountains' Strategic Plan**

*Providing a strong, well managed municipal government*

**D. Environmental Impacts**

N/A

**E. Financial Impact**

N/A

**F. Attached**

N/A

Respectfully submitted,

---

David Finbow  
Director, Planning & Building Department  
Office: 519-599-3131 Ext.246  
[dfinbow@thebluemountains.ca](mailto:dfinbow@thebluemountains.ca)