

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: December 6, 2022
TO: Committee of the Whole
FROM: Melanie Knight, Senior Planner
SUBJECT: Planning Department Year End, Staffing and Level of Service Report

RECOMMENDATION

Recommendation #1:

THAT Committee of the Whole recommend that Council receive this report as information; and

Recommendation #2:

THAT Committee of the Whole recommend that Council provide pre-budget approval for a full-time new Planning Technician Staff position with associated budget to be included in the 2023 budget at the special budget meeting on December 13, 2022.

BACKGROUND

In June 2022, Council approved a series of recommendations and directions to staff ([Committee of the Whole - June 07, 2022 \(escribemeetings.com\)](https://www.escribemeetings.com)) related to planning fees, mandatory pre-consultations for *Planning Act* applications as well as for staff to report back on staffing options for the Planning Department as follows:

Resolution NoCW162-22

Moved by Councillor Ferguson

Seconded by Councillor Holmes

THAT Committee of the Whole recommend that Council receive this report as information.

CARRIED

Resolution NoCW163-22

Moved by Councillor Dalgity

Seconded by Councillor Ferguson

THAT Committee of the Whole approve the Pre-consultation By-law as detailed in Attachment A; and ***THAT*** Committee of the Whole recommend that Council direct staff to provide a report on the number of mandatory pre-consultations for 2022 with recommendations for a pre-consultation fee to be considered for the 2023 budget.

CARRIED

Resolution NoCW164-22

Moved by Councillor Holmes

Seconded by Councillor Ferguson

THAT Committee of the Whole recommend that Council direct staff to implement the use of the Zoning Certificate charge of \$100 for the planning review of building permits as of July 1, 2022.

CARRIED

Resolution NoCW165-22

Moved by Councillor Dalgity

Seconded by Councillor Ferguson

THAT Committee of the Whole recommend that Council direct staff to develop staffing options including a Cooperative Planning Student Program and/or an additional full-time Planning Staff position with associated budget and review of planning application fees to be considered for the 2023 budget.

CARRIED

2022 PLANNING ACT CHANGES

There have been notable changes to the *Planning Act* in 2022. These changes were the result of the [Province's Housing Affordability Task Force Report](#). The following is a list of the changes to the *Planning Act* that affects planning in Mississippi Mills:

- All Site Plan Control applications are mandatory delegated authority to staff as of July 1, 2022 with a commitment of quarterly reporting to Council. [Committee of the Whole - June 07, 2022 \(escribemeetings.com\)](#)
- Mandatory refunds for Site Plan Control and Zoning By-law Amendment applications where a decision has **not** been rendered within the statutory timeframe.
- Bill 3 – *Strong Mayors Act* – does not yet impact the Municipality, however, it fundamentally changes the role of Mayor in larger municipalities (Ottawa and Toronto) with other municipalities (populations over 100k) given these new authorities in the near future.
- Bill 23 – *More Homes Built Faster Act* – a suite of proposed changes not yet in force at the time of writing this report. A summary of these proposed changes can be found in the staff report to COW here: [Committee of the Whole - November 01, 2022 \(escribemeetings.com\)](#)

PLANNING APPLICATIONS – FIVE YEAR REVIEW

As previously mentioned, since June staff have been working on tracking planning applications. Staff have put together a snapshot of the past five years' planning

applications to provide an overview of the previous trends of development in the Municipality. Attachment A contains a series of charts that illustrate the application trends as well as a short explanation of the current process for each different type of application. Note that the 2022 data is not for a full year of activity and is only for 10.5 months.

LOOKING FORWARD FOR 2023

Future Development – Planning Applications

Despite the recent increase to inflation and the predictions for a slower economy, staff are anticipating another busy year of planning applications. The reasons for this prediction are three-fold.

First, with the approval of Official Plan Amendment 22 (expansion to Almonte's urban boundary), a substantial addition of lands (73 ha of land) has been added to Almonte's urban boundary which is available for development. Staff have already begun having pre-consultation meetings and informal discussions regarding the development of the expansion lands. These lands represent a unit increase for Almonte of approximately +/- 950 additional units. All of the lands are not anticipated to develop immediately; however, preparation of development through Plans of Subdivision (and Zoning By-law Amendments) typically take one to two years from a formal application to a developer getting to a stage in the approval process where they are able to break ground on subdivision construction.

Secondly, the above noted expansion lands are not the only lands in Almonte which are anticipated to develop in the future. There are several larger parcels of land already within the urban boundary of Almonte that have started the pre-consultation process with staff for formal subdivision applications. Some of these lands are more complex to develop which will impact the timing of development and will also require a greater amount of staff involvement.

Lastly, individual development by way of severances and non-residential development of areas such as the Business Park, vacant commercial lands and the adaptive reuse of other existing properties are all anticipated to continue based on the number of inquiries that the Planning Department receives on a regular basis. In the first 10.5 months of 2022, staff received over 450 development related inquiries including 107 consent inquiries and 250 zoning related inquiries.

Overall Growth and Development

Growth and development are among the most impactful types of change that communities can go through. The role of the Planning Department is to ensure that the growth is balanced by working with Council, residents and stakeholders in a comprehensive and thoughtful manner. This process requires that the Planning Department not only have the expertise but also the capacity and the time needed to

ensure that planning recommendations are balanced and reflect the needs of the current community and future residents of Mississippi Mills.

Policy Projects – 2023 and Beyond

Staff are committed to undertaking several necessary policy projects in 2023 and beyond. Policy projects can include updates to the specific policy frameworks in the Community Official Plan, updates to the Zoning By-law, or other policy projects or initiatives to improve the efficiency and effectiveness of the Planning Department's day-to-day operations.

Official Plan Amendments

Official Plan Amendment for Additional Residential Units is a project that was initiated in 2022 to undertake a policy review to encourage the development of 'attainable housing' for the expansion lands noted above. Staff are returning to Council on December 20 with an update report to outline an approach for this amendment.

Official Plan Amendment 28 – Rural Village and Vitality – is an amendment to the Community Official Plan which has been on hold pending the completion of Official Plan Amendment 29 (LEAR study). In 2023, the Planning Department will be initiating the Rural Village and Vitality work beginning with background research and reporting to Council on a project plan.

Zoning By-law Amendments

Housekeeping Amendments

Zoning By-law "Housekeeping" is a series of amendments to the Zoning By-law to address issues with zoning provisions or general updates to the zoning reflecting current planning trends and policies. Staff are presenting the first Housekeeping Amendment to the Zoning By-law at the COW meeting on December 6. This is the first Housekeeping Amendment that has been completed in a number of years. It is important to note that typically municipalities would undertake regular quarterly or mid-year Housekeeping Amendments each year.

Consolidations

A consolidation of the Zoning By-law has not occurred since 2018, which is the consolidation of all amendments to the Zoning By-law whereby these amendments are added into the text of the by-law. Consolidations provide a Zoning By-law that is clear, concise and most importantly, up to date. It is important to note that typically municipalities would undertake a consolidation on a regular basis – at least once a year. The last consolidation occurred in 2018.

Specific Zoning Studies

Currently an Interim Control By-law (ICB) is in effect to address proposed developments on private roads (or without frontage on an opened, municipal road). An ICB is used to allow a municipality to “pause” certain types of developments to allow time to undertake a specific study to address an issue. Council passed an ICB in December 2021 and staff anticipated that the study could be completed within one year; however, with limited staff capacity, an additional year is required to complete the study.

Other Planning Related Projects and Initiatives

Affordable Housing Grant Program

The Affordable Housing Grant Program is an initiative of Council which was to be developed in 2022. Staff were able to complete the necessary background research; however, due to limited capacity, were unable to develop a program in 2022 and as a result the \$50,000 that was dedicated in 2022 for a grant program has gone unused. Staff will be returning on December 20 with an update to this project and some options for partnership with the County on their new grant program.

Heritage Permit Process

The Heritage Permit Program is another initiative that Staff have been working on in anticipation of a new term for the Heritage Committee. Currently, the Municipality does not have a formal Heritage Permit process in place for the Downtown Heritage Conservation District or for properties that are Designated under the *Ontario Heritage Act*. A formal permit process is necessary because in the past few years, the Province has made substantial changes to the *Ontario Heritage Act* that limits a Municipality's timeframe for formal decisions related to designated properties and if Municipality's are unable to make a decision in the statutory timeframe of 90 days, are deemed to be approved.

Knowing the importance of the heritage inventory in Mississippi Mills, especially in Downtown Almonte both for its identity and as an economic generator, it is important that the Heritage Permit Process be formally developed to ensure that decisions are made not only within a timely manner, but also with the appropriate rigour required by the *Ontario Heritage Act*.

Planning Procedures and Application Fee Review

Staff have been working on developing planning application procedures. Formal procedures not only help to assist in training new staff on the policies and procedures of the Planning Department, but they also ensure consistency and transparency for the public and applicants.

As part of developing procedures, staff will also be undertaking a review of the staff time required for each type of planning application to ensure the Department's fee structure is reflective of the amount of staff time required for each type of application. This initiative began in mid-2022; however, with limited staff capacity little progress has been made. Since June 2022, staff have been monitoring the number of mandatory pre-consultations. Staff are recommending that further study should be completed over the course of 2023 including a review of the average amount of staff time dedicated to a pre-consultation, and report back to Council with a recommended approach and fee structure for the 2024 budget considerations.

Other Projects and Initiatives

The following are other projects and initiatives that have been identified for the Planning Department's workplan in 2023 and beyond:

- Update to the Urban and Rural Design Guidelines
- Establishing a Legal Non-Conforming Process
- Establishing a process to evaluate requests to purchase municipally owned lands
- Finalizing the Boundary Road Agreement with the City of Ottawa (joint project with Public Works)
- Subdivision and Site Plan Control Agreements – review of special conditions
- Review of Zoning By-law and Parking By-law for the parking of recreational vehicles
- Participation in the Master Plan reviews (Infrastructure and Transportation Master Plans)
- Continue participation in the County's review of their Official Plan
- Reserve Street Parking Plan/Public Realm Plan for Downtown Almonte

Provincial Changes (Bill 108, 109 and Bill 23)

As noted previously in this report, there have been a series of legislative amendments that affect municipalities – with the majority impacting the planning process.

Staff are anticipating that the tabled Bill 23, will have impacts to the planning process in Mississippi Mills. The results of Bill 23 are still unknown; however, they will require amendments to the Community Official Plan, Zoning By-law, Site Plan Control By-law as well as a number of anticipated changes to the Development Charges By-law and potentially the introduction of new policies and procedures.

In addition, with mandatory refunds commencing January 1, 2023, for Site Plan Control and Zoning By-law Amendments, staff will need to balance these types of applications with other planning applications, zoning review of building permits, responses to inquiries and to ensure that the day-to-day operations of the Planning Department remain unaffected.

PLANNING DEPARTMENT – LEVEL OF SERVICE

Development Inquiries

As mentioned above, the Planning Department implemented a tracking system within CGIS in November 2021 to track inquiries, link them to specific properties and ensure that there is documented, written records of the information. A detailed spreadsheet of the inquiries received and a synopsis of some of the more time-consuming inquiries are contained in Attachment B.

Response Time – Inquiries

After implementing the inquiry tracking system, staff had initially targeted a response time for inquiries for five (5) business days. Since June, staff have been unable to improve on the extended response time of 2 to 3 weeks due to workload demands.

This data does not include any staff time spent on planning applications or policy projects that also consume a large amount of staff time. With a team of only two full-time Planners on staff, keeping up with inquiries, planning applications, zoning review of building permits and necessary policy planning work is a challenge.

Zoning Review of Building Permits

As part of the building permit process, a zoning review of almost every building permit is required to ensure that the proposed construction meets zoning requirements. In addition, the Planning Department also confirms for the Building Department if the permit requires approval from other agencies such as the Mississippi Valley Conservation Authority (MVCA) or the Ministry of Transportation (MTO).

Planning staff have recently made some internal process changes to review building permits for zoning compliance in parallel with the building plans review. Staff note that for many municipalities that have adopted virtual building permit application submission, the requirement of the 'zoning certificate' is needed at the virtual application stage for a building permit. This means that if the Municipality were to adopt a virtual building permit application program, an applicant would not be able to apply for a building permit without the zoning review being completed ahead of time and issuance of the zoning certificate.

The staff time taken on building permit review varies depending on the construction that is proposed; however, on average, staff time on a per building permit basis is approximately 45 minutes. Attachment B contains a summary of the review of the planning review of building permits:

Combining responding to development inquiries and zoning review of building permits, 65% of a full-time Planner's time is spent on these two duties leaving only 35% of the Planner's full-time capacity to handle planning applications, assist or lead policy planning projects and engage in other duties as part of the day-to-day operations of the Planning Department.

Combined Building Permit Review and Inquiries

Type of Work	% of One Full Time Employee
Building Permit Review	11.5%
Most Common Development Inquiries	53%
Total Staff Time	65% of an FTE

Staff note that since July 1, 2022, the Planning Department has been collecting \$100 for the zoning review of building permits.

PLANNING DEPARTMENT – STAFFING

Current Staffing Complement

The 2022 Planning Department consists of two, full-time employees (FTEs), a Senior Planner and Planner. The By-law Lead Hand (commonly referred to as the Planning Clerk) is a shared resource with By-law Services and so only 50% of this role is dedicated to the Planning Department for administrative support.

As a result, the Planners currently undertake many of the administrative functions for most of the planning applications including preparing mapping, public notifications, presentations for Public Meetings and COW/Council as well as zoning review of building permits, updating CGIS and answering development inquiries.

Consultant Fees

In 2021, the Municipality spent over \$200,000 in Professional Fees. A large portion of this was consultant fees to cover staffing shortages as well as policy work for Official Plan Amendment 22 and Official Plan Amendment 29.

By September 2022, the Municipality has spent almost \$70,000 in Professional Fees. Again, some of this is associated with covering staffing shortages as well as policy work required for Official Plan Amendment 29.

If staffing capacity is increased, it is the goal of the Planning Department to undertake more of the larger policy projects and initiatives under the umbrella of the Department. Not only do the current staff have experience and expertise with planning policy projects, but there is also an interdependence of planning policy and development planning which can benefit from the Planning Department undertaking many of the policy projects in-house.

Comparable Municipalities

Staff have undertaken a scan of comparable municipalities to determine the staffing complements of other municipalities which have a similar rural/urban mix and comparable number of building permits issued on an annual basis. This information was obtained from the Province's Financial Information Return database.

Municipality	Population (2016)	Number of Building Permits Issued in 2021	Planning Staff Complement
North Grenville	16,451	430	10 FTE, 2 PTE
Loyalist	16,971	460	6 FTE
Minden Twp	6,088	458	7 FTE
Clarence Rockland	24,512	428	4 FTE; 1 PTE

Overtime

In addition to consultant fees being a budget pressure, the overtime accrued in the Planning Department is also an added budget pressure. The following is a synopsis of the current overtime accrued within the Planning Department for 2022.

Position	Overtime in 2022	Policy/Comments
Senior Planner	<ul style="list-style-type: none">• 80 hours of logged overtime• 190 hours of logged overtime over and above 80 hours	Up to 80 hours of overtime per calendar year Does not include time spent at Council/COA meetings
Planner	<ul style="list-style-type: none">• 132.75 hours of logged overtime	Up to 40 hours of overtime accumulated at one time
By-law Lead Hand/Planning Clerk	<ul style="list-style-type: none">• 108 hours of logged overtime	Up to 40 hours of overtime accumulated at one time
Total overtime for the Planning Department as of October 2022	510.75	28% of one full time employee

PLANNING TECHNICIAN

A number of municipalities have a position called a Planning Technician, which is a profession governed by a formal professional association – the Canadian Association of Certified Planning Technicians. A Planning Technician's role can vary depending on the municipality; however, generally a Planning Technician typically undertakes the following duties:

- Zoning review of building permits
- Responding to development inquiries
- Updating/managing the Planning Department's GIS system
- Secretary Treasurer to the Committee of Adjustment (minor variance applications)
- Creating mapping and visuals for public notices and public meetings

Staff have developed a Job Description for a Planning Technician role and have had it rated by the Municipality's consultant with an associated pay range \$63,200.94 – \$77,690.09

First and foremost, the intent of this new position is to undertake the zoning review of building permits and respond to development inquiries. These are two areas where the Planning Department is struggling the most to provide a satisfactory level of service. In addition, the Planning Technician would relieve the Planner and Senior Planner from some of the administrative requirements of planning applications (mapping, preparing notices) as well as be the Secretary Treasurer of the Committee of Adjustment, which is the administrative lead for the Committee of Adjustment.

In the past 12 months there have been 357 building permits issued with an estimated value of \$59,000,000. Assuming that each permit requires a zoning certificate with a fee of \$100.00, a conservative estimate of this revenue is \$35,000 annually. The Zoning Certificate fee revenue could cover up to 50% of the cost of a Planning Technician and reduce the budget pressure of the overtime currently required to keep up with the Department's workload.

If a Planning Technician were on staff and able to undertake the above noted duties, the Planner and Senior Planner's capacity would be increased to be able to undertake many of the other policy projects and initiatives that are contained within this report. In addition, it is anticipated that reliance on consulting services for policy projects would be reduced, thus reducing the budget pressure of consulting fees.

SUMMARY

In summary, the Planning Department is facing staffing capacity challenges. The recent changes to the Provincial Acts modifying many current planning processes and the implementation of mandatory refunds starting January 1, 2023, requires the Department to not only improve upon its processes and procedures, but also needs to increase its staffing capacity in some way to ensure the planning application timelines are met and the service level for zoning review of building permits and responding to development inquiries is substantially improved.

In the spirit of continuous improvement and trying to operate efficiently and effectively, the Department is recommending that Council provide pre-budget approval for a Planning Technician in the 2023 budget to increase the staffing capacity of the Planning Department.

All of which is respectfully submitted by,



Melanie Knight
Senior Planner

Approved by,



Ken Kelly
CAO

ATTACHMENTS:

Attachment A – Planning Application Five Year Review

Attachment B – Development Inquiries and Zoning Review of Building Permits

Attachment C – Planning Technician Job Description