

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: June 6, 2023

TO: Committee of the Whole

FROM: Jon Wilson, Chief Building Official
David Shen, Director of Development Services and Engineering
Melanie Knight, Senior Planner

SUBJECT: **The Future of the Department of Development Services and Engineering - Staffing**

RECOMMENDATIONS:

Recommendation #1:

THAT Committee of the Whole recommend that Council direct staff to develop job descriptions for a Policy Planner and an Engineer with associated salary ranges and report back to Council prior to the 2024 budget deliberations; and

Recommendation #2

THAT Committee of the Whole recommend that Council direct staff to begin the recruitment process for Senior Plans Examiner (with a potential of adding Deputy Chief Building Official duties in the future) to be funded within the 2023 Building Branch budget, and if necessary, supplemented from building reserves.

BACKGROUND:

This report has three parts summarizing building, engineering, and planning staffing considerations respectively. At the December 6, 2022, meeting, Council directed staff to develop a long-term staffing plan for the Planning Department. As a result, staff have provided an overall departmental overview of long-term staffing needs within this report.

DISCUSSION:

Building Branch

The third building inspector position has been staffed (starting May 23, 2023). This additional building inspector will make the inspection workload more robust and provide greater resiliency to the Branch.

There is an approved position of Deputy Chief Building Official (DCBO) currently vacant. Typically, with small municipalities the DCBO is often a designated Senior Plans

Examiner. Considering the workload of historic files, current files and future needs based on Planning Branch projections, efficient plans exam capacity will be the biggest limiting factor for Building Branch.

To ensure there is sufficient capacity within the Building Department to meet the expected needs of the near future, it is recommended to staff this position primarily as a Senior Plans Examiner with the plan of adding the DCBO rank to the position. There are a number of reasons contributing to the need for additional capacity within the Building Branch. Similar to other areas of the development and construction industry, there is a notable shortage of experienced building inspectors across the Province. This shortage has meant that employers need to invest in the recruitment of staff with the recognition that they may not be as experienced in the field and that the employer will need to ensure that adequate time and resources are available to train new staff. For the Building Branch specifically, this requires additional capacity within the Branch to provide on the job training. In addition, the permit capacity a new building inspector is not nearly as high as an experienced building inspector. A seasoned building inspector can manage a high volume of building permit inspections, while a new building inspector will need training as well as on the job experience for a number of years to be able to maintain the permit inspection capacity of an experienced building inspector.

As Council is aware, the Building Branch is also working diligently on historical building permit files and outstanding orders. At the time of writing this report, the Building Branch has over 1200 open building permits and a number of outstanding orders which need to be resolved.

Table 1 below illustrates the housing starts based on historical building permit data. As noted in Official Plan Amendment 22 (expansion to Almonte’s boundaries), the average number of building permits for housing starts was 115 permits per year for Almonte (not including the other areas of Mississippi Mills). It should be noted that the average of 115 permits per year is considered the minimum number of housing starts for Almonte only, that the Branch is anticipating in the future.

Table 1 – Housing Starts

Year	Total number of permits	Total number of housing starts	% of new housing starts
2018	427	232	54.3
2019	418	166	39.7
2020	403	147	36.5
2021	390	183	46.9
2022	364	122	33.5*
Five-year Average	400.4	170	42.5

*Lower housing start is due to a shortage of new serviced lots available within Almonte

Based on current data, these housing starts represent an average of 42.5% of the total building permits in a given year. With the number of subdivision applications received by the Planning Branch, the Building Branch is anticipating not only a steady workload with housing starts for years to come, but also the cumulative impact of related permits for these new units, such as new decks and sheds as new residents move into their new units. The average number of inspections required for a building permit is approximately 13 individual inspections and with new building inspectors, on the job training through on-site inspections will be required to ensure that the Building Branch is not just adequately staffed but is also adequately trained.

Permit data from 2018-2022 provide a 5-year average of 170 new housing starts per year in the Municipality which represents a need for 2210 inspections based on 13 inspections per unit. Further to this, the 5-year average for the total number of inspections conducted per year is 5220. At an average of 8 inspections per day per inspector, this represents 652 working days. When considering staff leave time, training, etc., there is generally 200 working days available per Building Inspector to conduct inspections, resulting in a need for a minimum of 3.25 FTE Building Inspectors to reasonably conduct the required inspections for the Municipality. Additionally, the time required to also conduct plans reviews is over and above this 3.25 FTE, resulting in a need for at least 4.0 FTE positions within the Building Branch, not including the Building Clerk and Chief Building Official (CBO). The role of the Building Inspectors and Senior Plans Examiner are separate from the many duties of the CBO including the management of the Branch, training staff and managing some of the more complicated files and dealing with litigation matters.

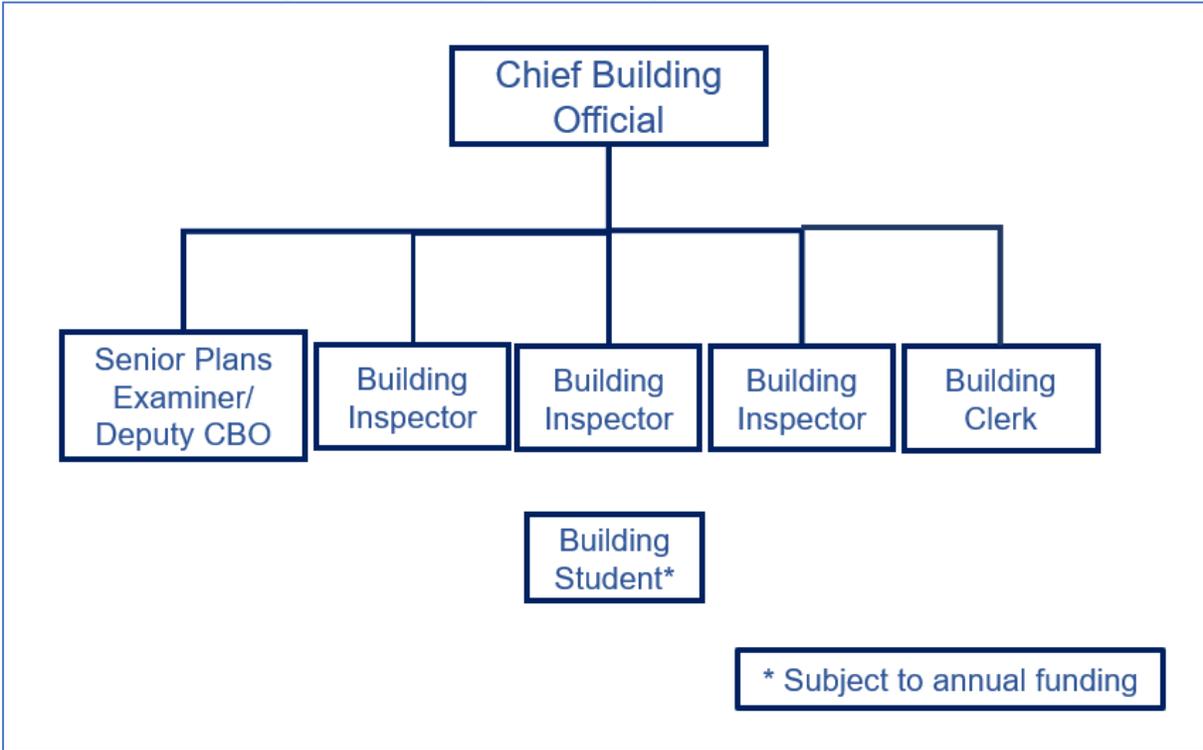
Lastly, having an additional staff person in the Building Branch will build some resiliency within the Branch. Similar to other branches within the municipality and other municipalities, staff retention is always a consideration for a Building Branch to be efficient and effective in its operation and its legislated requirements under the Building Code Act. With an additional staff person to be responsible for plans review (as well as potentially a Deputy Chief Building Official role), the Branch will be more resilient to weather potential job vacancies or an unanticipated leave of absence within the Branch.

When considering all of the above factors, the limited talent pool for experienced persons within the building official industry, and the desire to have the new person integrated with the team prior to the 2024 building season, it is recommended to begin the recruitment process in the near future.

Budget implications have been considered relative to the likely start date of later this year. The position will either be funded from existing budget capacity due to the 3rd Building Inspector being budgeted for the full year but only starting in late May or from reserve funds, if needed.

Figure 1 illustrates the organizational structure of the Building Branch with the Senior Plans Examiner position included.

Figure 1 Building Branch Organizational Structure



Engineering Function

Work Scope and Load

Several reports have been presented from different directions on engineering work scope and load. The Municipality has had increased development activity for some years and this trend is anticipated to continue, which has brought in more development applications and thus more technical review is required. Supporting the Planning Branch, the development engineering workload has witnessed significant increase at the same magnitude as the workload of development planning.

There is a need to conduct “Level 2” technical review at engineering level, in addition to “Level 1” comments/decisions which only deal with local requirements or preferences. The need is further strengthened by undertaking additional approval responsibilities from provincial level agencies due to regulatory changes. It is essential that the Municipality has the ability to recover cost by amending the Fees and Charges By-Law, which was presented at the [May 23, 2023, Committee of the Whole](#) meeting and is anticipated to be passed at the Council meeting of June 20, 2023.

It should be noted that after MM2048 master plan completions in early 2024, a lot of sizeable capital projects are to be initiated and significant workload in this field is to be expected.

Currently, the Director of Development Services and Engineering also has the senior engineer function. One technologist has been allocated to this department from Roads and Public Works in 2023.

Staffing Considerations

The logged overtime of the Director has approached the upper limit of the 80-hour policy in May with many more unlogged overtime. As there is only one professional engineer in this department and the Director has many other mandates, this creates a resource allocation issue. If an Engineer were on staff and able to undertake the above noted duties, the Director’s capacity would be increased to be able to undertake many of the other strategic projects and initiatives while staff redundancy would be largely achieved.

Funding Opportunity

The new engineer position is anticipated to be funded mostly by engineering services fees/charges. Figure 2 illustrates the organizational structure of the Engineering Function with the proposed engineer position included.

Figure 2 Engineering Function Organizational Structure

Director of Development
Services and Engineering

Engineer

Engineering
Technologist

Engineering
Student*

* Subject to annual funding

Planning Branch

In the previous term of Council, some organizational changes were made to the Municipality including the creation of a Senior Planner position, modifying the Junior Planner position to a Planner position.

In December 2022, Council approved the budget for a Planning Technician position and directed staff to report back on the future of the Planning Branch with respect to staffing levels and the capacity of the Planning Branch.

Since December, the Municipality has successfully filled the Planning Technician position and has completed an analysis for the future of the Planning Branch with respect to staffing capacity and level of service.

2022 and 2023 PLANNING ACT CHANGES

As Council is aware, there have been many changes to the *Planning Act* and associated legislation which has increased the burden on municipalities with respect to planning applications. This increased burden includes restrictions on development charges, removing some of the role that Conservation Authority partners provide to municipalities and also introduced mandatory refunds for specific planning applications where a decision has not been made within the statutory timeframes.

LOOKING FORWARD TO 2024 AND BEYOND

Staffing in other Planning Departments

Staffing within Planning Departments varies greatly depending on a number of factors including the population of a municipality, organizational structure, amount and type of development applications and whether a municipality is structured as a single tier municipality or a two-tier municipality.

For smaller municipalities, Planning staff often are responsible for a variety of planning topics such as development applications, ranging from small applications with minor variances to large applications such as Official Plan Amendments, subject specific planning issues such as heritage, environmental and affordable housing.

Policy Projects – 2023 and Beyond

Staff are committed to undertaking several necessary planning policy projects in 2023 and beyond. Planning 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 such as updating design guidelines, planning fee reviews, and maintaining procedures and policies related to planning applications.

Official Plan Amendments

Municipally initiated Official Plan Amendments are typically large projects that update the Municipality's Official Plan. Examples of these types of larger projects are Official Plan Amendment 29 (LEAR), Official Plan Amendment 22 (boundary expansion to Almonte), Official Plan Amendment 21 (five-year review) and the upcoming Official Plan Amendment 28 – Rural Village and Vitality.

The examples above are all Official Plan Amendments that take a substantial amount of research, public engagement and participation and cost to the Municipality. Below is an outline of the cost of the Official Plan Amendments that were completed either with the assistance of consultant services or lead by a consulting firm.

Project	Cost (plus HST)
Official Plan Amendment 21	\$150,000.00
Official Plan Amendment 22	\$60,000.00
Official Plan Amendment 29 (ongoing costs may occur)	\$50,938.75
LSR/Private Road Study (to be completed in 2023)	\$28,000.00

There are a number of policy projects that the Planning Branch has on the Departmental workplan for the next few years. Below is a list of these projects with estimated timeframes and costs to complete if the Department were to rely on consultants to lead the projects.

Project	Estimated Cost (plus HST)
Official Plan Amendment 28 – Rural Villages and Vitality (2023/2024)	\$60,000.00 to \$80,000.00
Public Realm/Secondary Plan (focused on Almonte downtown) (2024)	\$60,000 to \$100,000.00*
Official Plan Amendment for Five Year Review (2024)	\$60,000.00 to \$80,000.00
Official Plan Consolidation	\$10,000.00 to \$15,000.00
Zoning By-law Consolidation	\$10,000.00 to \$15,000.00
Heritage Permit Process, Heritage Register Updates, Heritage Designations (2024/ongoing)	\$25,000.00 to \$50,000.00*

*Depends on scope of project

Consolidations – Official Plan

A consolidation of the Official Plan has not occurred since 2020, which is the consolidation of all amendments to the Official Plan whereby these amendments are added into the text of the Official Plan. Consolidations provide an Official Plan 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 or more often depending on the number amendments taking place.

Zoning By-law Amendments (Housekeeping)

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. A housekeeping amendment was completed in 2022 for the first time in a number of years. Ideally, housekeeping amendments would take place at least a few times a year to ensure that the Zoning By-law is aligned with the Official Plan and current planning trends or changes at the provincial level.

Consolidations - Zoning By-law

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 or more often depending on the number of amendments taking place. The last consolidation occurred in 2018. (Note – this paragraph is Zoning By-law and the paragraph above addresses Official Plan consolidations – it is not a repeat.)

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. In order to complete the study within this calendar year, the Department has hired a planning consultant at a cost of \$28,000.00 as the current staff complement does not have capacity to undertake the study as well as keep up with the current planning application workload and day-to-day operations of the Department.

Other examples of specific zoning studies are updating the Zoning By-law to reflect Provincial changes. In 2022, the Department completed an update to the Zoning By-law for Secondary Dwelling Units (SDU). It is noted that in this case, Provincial legislation allowed municipalities two years to update their Zoning By-laws to reflect these changes and the Municipality’s update just met that timeline. This project is a good example of the importance of having staff capacity to keep the Zoning By-law up to date based on current legislation. In the case of the SDU zoning update, because the Zoning By-law took so long to be updated, there were many minor variance applications to ‘vary’ the provisions of the Zoning By-law for SDUs even though the legislation at the Provincial level permitted the development. This was an unnecessary expense and delay to applicants and could have been avoided if the Department had the staffing capacity to undertake these types of updates shortly after Provincial legislation came into effect.

Other Planning Related Projects and Initiatives

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*. Staff are currently working on this project; however, due to staffing constraints, there has been a delay in implementing a formal heritage permit process.

In addition, with the changes from Bill 23, the list of properties with potential to be designated now needs to be acted upon within the next two years (by December 2024). There are a number of properties on this list and with the support and guidance of the Heritage Committee, staff are developing a priority list for these properties. Without additional staff capacity, the Department will have to rely solely on consulting services to undertake the necessary technical review and analysis of these properties to determine which should move forward to designation.

Other Projects and Initiatives

The following are other projects and initiatives that have been identified for the Planning Department's workplan, in addition to planning applications and the day-to-day operation of the planning department:

- 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

Having a dedicated Policy Planner, whose primary role is to maintain the Official Plan, Zoning By-law and related planning policies, procedures and guidelines would greatly assist the Department in ensuring that these documents are up to date and reflect current planning trends. In addition, it would reduce the reliance on consulting firms to undertake much of the work listed above.

Ongoing Provincial Changes (Bill 108, 109 and Bill 23)

There have been a series of legislative amendments that affect municipalities – with the majority impacting the planning process.

The results of Bill 23 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.

The Department is currently working on the first series of amendments to implement the changes; however, it is anticipated that additional changes will come in the fall with the finalization of the updated Provincial Policy (Planning) Statement (PPS). A new PPS will require an update to the Official Plan to ensure that the local planning policies align with the new provincial direction.

Peer Review Consultants

Other changes have also impacted the programs and services that the MVCA previously provided to the Municipality including peer review services on subject specific studies.

Any specialized studies, such as Environmental Impact Studies, Hydrogeological Studies, Heritage Impact Studies require specialized subject matter experts to provide peer review services. While this would most likely not be the role of a Policy Planner, having dedicated staff to manage the third-party reviews and consultants who provide these services would also greatly benefit the planning application process and ensure that applications are dealt with efficiently and effectively and within the mandatory timeframes (avoiding refunds).

PLANNING BRANCH – STAFFING

Current Staffing Complement

The 2023 Planning Branch consists of three, full-time employees (FTEs), a Senior Planner, Planner and Planning Technician. 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 Branch for administrative support.

Consultant Fees

As noted above, there are annual consulting fee costs for the Planning Branch to undertake necessary policy updates. Having a Policy Planner embedded in the

Planning Branch will not completely eliminate the need for consultants as there are still subject matter experts that will need to be hired to assist with the specific policy projects related to areas of environment, heritage and to assist with topic-specific research.

Policy Planner Positions

Setting aside the workload demands on the Planning Branch and anticipated costs for consultants to complete necessary policy projects, there are qualitative benefits of having a Policy Planner position embedded within the Planning Department.

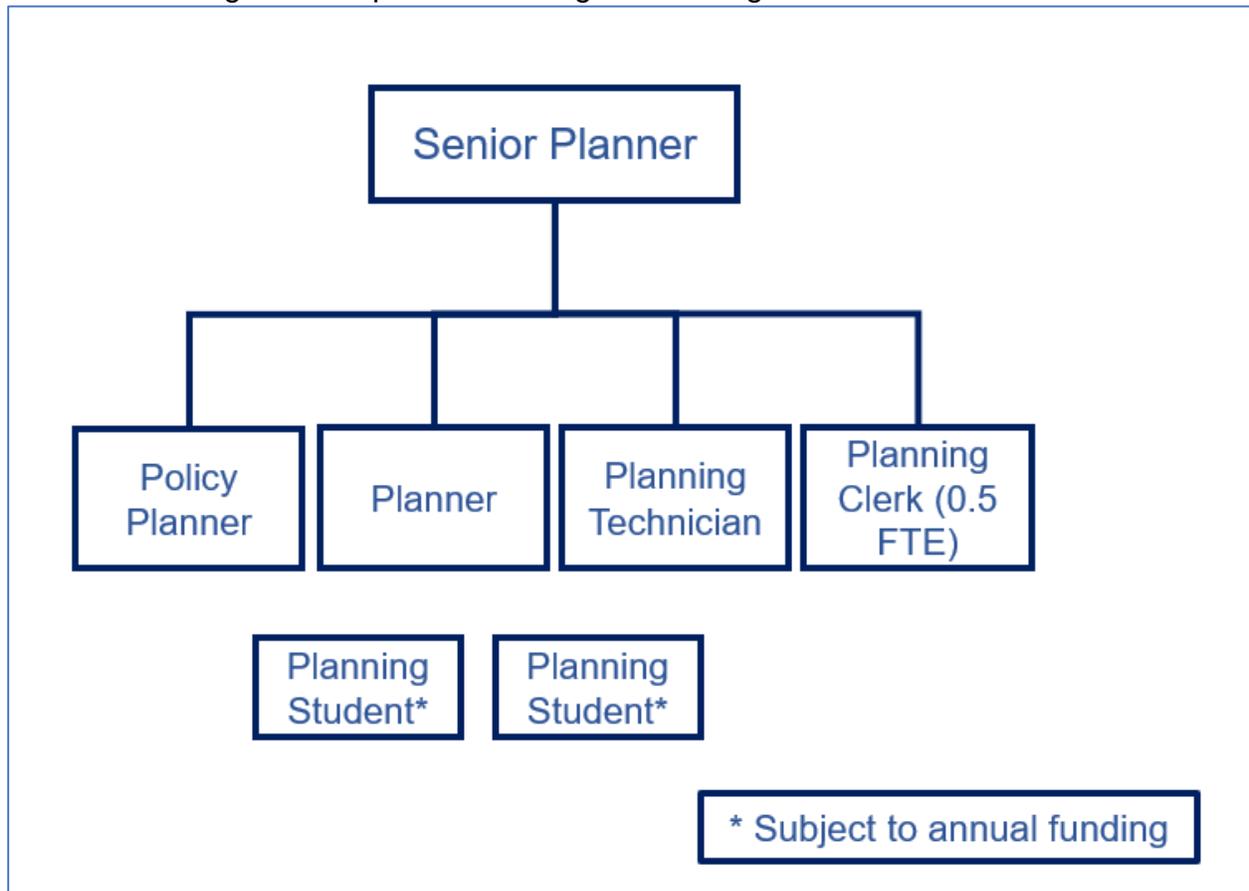
Policy planning is a complicated topic with many competing priorities and impacts. Having a dedicated staff resource to manage the planning policy framework for the Municipality embeds a certain amount of resiliency within the Branch to not only keep up with changing legislation, but also to provide a clear and concise interpretation and implementation of planning policy over the long term. Often planning policy questions or confusion arise because of a lack of consistency with interpretation of policies and the implementation of these policies through Planning Act applications. One of the roles of the Policy Planner is to ensure that the implementation of planning policy is made consistently to avoid issues where one planning application may be analyzed differently than another application.

In addition, when the Branch experiences a large influx of planning applications, there is additional staff to assist with these applications. Having current planning policies in place will also reduce the circumstances whereby applicants are needing to amend the Zoning By-law or Official Plan policies only because the Planning Branch does not have the capacity to keep up to date with changing legislation or current planning trends.

The challenge with policy planning is that it has to compete with other planning work that has strict timelines for completion if a dedicated resource for policy planning projects does not exist. The Senior Planner and Planner positions can also undertake policy planning projects but this will occur only when time permits and other priority work such as application review allows. As Council is aware a housekeeping amendment and update to the Secondary Dwelling Unit provisions in the Zoning By-law were completed in 2022; however, with the influx of development applications, the Branch has needed to hire a consultant to complete the LSR/private road study at a cost of \$28,000. The reason for this is because planning applications with mandated timelines and mandatory refunds, take priority in the Branch.

As staff are unable to predict when planning applications are submitted, it is difficult to develop firm workplans for policy projects as they are essentially at the mercy of higher priority planning applications. Figure 3 illustrates the organizational structure of the Planning Branch with the proposed Policy Planner position included.

Figure 3 Proposed Planning Branch Organizational Structure



Overall Structure of Development Services and Engineering

Please refer to Attachment A for the proposed organizational structure reflecting the future of the Development Services and Engineering Department. It should be noted that a dashed line links the Senior Planner position and the proposed Engineer position reflecting a direct supporting function of this Engineer position to the Planning Branch.

OPTIONS:

Option #1

At this time, the recommendation is to develop a Policy Planner and an Engineer position with associated salary ranges and report back to Council in the fall prior to the budget deliberations. At that time, staff will present a full cost analysis and budget implications on the recommended staffing additions.

Option #2

Council does not pass the recommendation and staff will not undertake the process to develop job descriptions with associated salaries and the Municipality can continue to

rely on consulting services and staff overtime on an as needed, ad hoc basis for projects and tasks.

FINANCIAL IMPLICATIONS:

As recommended by staff, no budget implications are noted at this time. If Council approves the recommendation, staff will return with a report outlining the budget implications of the recommended staffing positions.

SUMMARY:

In summary, the Department of Development Services and Engineering is facing staffing capacity challenges and the addition of a Policy Planner and an Engineer in the Department would assist greatly in ensuring that the Department is operating as efficiently and effectively as possible. The Senior Plans Examiner/DCBO will provide more capacity and resiliency in the Building Branch. The recent changes to many Provincial Acts modifying many current planning processes and policies and increasing the burden on municipalities as well as the current and anticipated planning application workload will impact the ability of the Department to keep the planning policy framework up to date with current (and future) legislative changes and provide adequate engineering review services.

In the spirit of continuous improvement and trying to operate efficiently and effectively, the Department is recommending that Council direct staff to develop job descriptions for a Policy Planner and an Engineer with associated salary ranges and report back to Council prior to the 2024 budget deliberations.

All of which is respectfully submitted by,

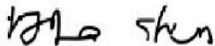


Melanie Knight
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Approved by



David Shen
Director of Development Services
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Ken Kelly
CAO

ATTACHMENTS:

Attachment A: Overall Structure of the Department of Development Services and Engineering