



Committee Report

To: Warden Janice Jackson
Members of the Planning and Development Committee

From: Mark Paoli
Director of Planning and Development

Date: August 12, 2021

Re: Update on Delegation of Lot Creation Authorities to Local Councils

Staff Recommendation:

The Update on Delegation of Lot Creation Authorities to Local Councils report is for information.

Background:

At its March, 2021 meeting, Planning and Development Committee received the report “Delegation of Lot Creation Responsibilities to Local Councils” and directed staff to canvass Local Municipalities to determine if they have an interest in accepting lot creation responsibilities and, if interested, identify local implementation matters to be considered.

Local Interest:

To date, seven of the local municipalities have passed resolutions about the delegation of lot creation authorities. While the wording of the recommendations varies, they can be summarized as:

Interested in delegation of Lot Creation Responsibilities:

- Saugeen Shores
- Brockton
- South Bruce Peninsula.

Lot Creation Responsibilities should remain with County Council

- Huron-Kinloss
- Arran-Elderslie
- South Bruce
- Kincardine.

North Bruce Peninsula had not passed a resolution at the time of writing this report.

Implementation matters to be considered:

Some of the staff reports to Local Councils noted certain matters to be considered in implementation, including the need to:

1. Outline the specific authorities that Local Council wishes to be delegated (consents, plans of subdivision, plans of condominium, part lot control exemption).
2. Determine the specific legal requirements which should be considered in any delegation, including receiving, circulating, reviewing, considering and otherwise administering the legal process, including and up to, clearing conditions of approval, stamping of deeds and other administrative requirements.
3. Outline the extent of how Local Council intends to make decisions on land division applications. For example, Council may wish to make decisions to provisionally or draft approve any or all land division applications or it may wish for some file types be further delegated to County or local staff (i.e. undisputed applications).
4. Clarify the roles of Local and County staff in any preferred process.
5. Consider the cost effectiveness and timeliness of this process.
6. Set out the steps to transition to the preferred process(es).

While staff have noted a number of key points to be considered in implementation, those conversations are at an early stage.

Next Steps:

Based on the local feedback and resolutions passed, there is enough interest in local decision-making authority to merit further discussion with local staff to explore in more detail a number of the implementation points above. This would then inform the drafting of the delegation By-law(s) for County Council to consider delegation of its responsibilities.

Financial/Staffing/Legal/IT Considerations:

Legal advice will be required to finalize the delegating By-law(s).

Interdepartmental Consultation:

None.

Link to Strategic Goals and Elements:

None.

Departmental Approval:

Mark Paoli, Director
Planning and Development

Approved for Submission:

Sandra Datars Bere
Chief Administrative Officer