

**Building & Planning Department Review Adhoc Committee
Meeting Minutes
Thursday, June 27, 2019 at 5:00 p.m.
Township of Selwyn
Council Chambers**

Present: Dan Caldwell
Roger Glover
Richard Hagg
Randy Kingdon
Andy Mitchell, Mayor (Chair)
Sherry Senis, Deputy Mayor
Cindy Windover

Staff: Robert Lamarre, Manager of Building & Planning
Janice Lavalley, CAO
Angela Chittick, Manager of Community & Corporate Services/Clerk

Mayor Andy Mitchell called the meeting to order.

Declaration of Pecuniary Interest

None.

1. Deputations and/or Invited Persons

Jennifer Clinesmith of ORCA provided an overview of the permitting process along with some updates on changes that will impact Conservation Authorities as a result of the passage of Bill 108. Dan Marinigh, the CAO of ORCA was also in attendance.

Jennifer is the Manager of Plans Review for ORCA. She outlined ORCA's role as it relates to land use planning:

- 1) As the delegated authority under the Provincial Policy Statement (PPS) ORCA must direct development and site alteration away from hazardous lands including floodplains and erosion hazards. This falls under ORCA's permitting process.

And

- 2) As the service provider to municipalities ORCA provides advice and technical reviews related to development applications. Jennifer clarified that this aspect of their role is to provide recommendations to Councils. ORCA is not the decision maker for planning applications, decisions rest with the municipal Council. ORCA provides planning review for all municipalities in the County of Peterborough and the City of Peterborough.

ORCA's comments on a planning application will consider the delegated authority related to natural hazards (flood plain and erosion) as well as from a commenting agency perspective related to natural heritage.

Natural Hazard – Delegated Authority Permitting Process	VS	Natural Heritage – Commenting Agency Recommendations
- Flood plains		- Significant wetlands
- Flood way		- Significant woodlands
- Erosion		- Significant wildlife habitat
- Dynamic Beach Hazard (n/a in County)		- Fish Habitat
		- Endangered/threatened species
		- Significant Areas of Natural & Scientific Interest

Jennifer noted that in 2014, changes to the PPS prompted the need for evaluations where there was evidence of a significant natural heritage feature present even in the absence of the area having a formal designation. The former Liberal Government also introduced “Natural Heritage System” mapping which covers most of Peterborough County. The current provincial government has placed a hold on the “Natural Heritage System” mapping until Township’s can incorporate these policies into their comprehensive Official Plan.

Jennifer indicated that working with ORCA at the earliest outset of an application has proven beneficial. Often a builder/developer has been directed to ORCA from a local Township when the municipality is aware that there may be a natural hazard and/or heritage feature. Building permit issuance is contingent on all other relevant legislation being met e.g. Peterborough Public Health septic permit, ORCA permit.... ORCA is obligated to review plans within 30 days for a minor application (no technical review/report) and generally these applications are reviewed within 15 days. Major applications must be reviewed in 90 days (this timeline can be interrupted in the event more information is needed or there is a change to an application). Other changes as a result of Bill 108 may shorten these mandated timelines.

Committee members asked various questions including:

Q. Can permits be processed in tandem when multiple authorities are involved?

A. Rob indicated that a building permit application can be opened to begin the process so that when all other required permits are received than the building permit can be issued as quickly as possible. Robert also indicated that through this review, investigation on how processes can operate concurrently can be further explored. He indicated that there are risks in starting the building permit review prior to other permits being issued e.g. the development may not be feasible, the septic system might need to be amended, etc... This may mean changing plans and/or committing financially to a design that has to be changed or abandoned. This can waste valuable resources and can add time to an application, defeating the purpose providing for a timely permitting process.

ORCA will review an application initially and when they are confident that a development cannot occur in an area (floodplain) or will require extensive study they will advise an applicant asap so that the applicant can make an informed decision about how to move an application forward.

As a means to facilitate concurrent processing of permits from various agencies, pre-consultation is highly recommended for complex builds. This allows all commenting agencies to indicate what may be required of applicants. Selwyn requires pre-consultation for rezoning and site plan applications.

Q. Does ORCA conduct a site visit for major applications?

A. Generally for larger complex applications, ORCA will conduct a site visit.

Andy thanked Jennifer and Dan for attending the meeting.

2. Minutes

Moved by: Cindy; Seconded by: Randy

That the minutes of the May 21, 2019 Building and Planning Department Review Adhoc Committee be received for information. Carried.

3. Question Period

None.

4. Correspondence for Discussion and/or Decision

None.

5. Reports

None

6. Other, New and Unfinished Business

a) Homework – Scope of Work for Request for Proposal

Committee members discussed key items to include in the scope of work to be examined as part of a third party conducting an examination of the Building and Planning Department. Randy suggested using the term facilitator not consultant when referring to the third party review.

The following suggestions were made for the facilitator to review and conduct research on in order to make recommendations:

- identify all of the legislation that needs to be considered when issuing a building permit/planning application and group by mandatory vs. discretionary
- review of the Township's building and planning fees compared to comparator jurisdictions
- identify where the Township is not the decision maker and what recourse/accountability is in place related to these outside agencies (e.g. appeals mechanism)
- investigate building permit software applications that would make the permitting process more efficient and that are suitable for the Township's needs and analyse the software's sustainability (will the investment provide longevity and value). **Ask facilitator to investigate and report out early in the process on this matter.**
- review Township's current ability to meet current and proposed Provincial time line standards
- identify typical resource requirements for the average building permit/planning application
- identify processes/permitting (ORCA , Health Permits, minor variances, zone amendments) that can run concurrently from those processes that must run consecutively. Suggest opportunities to run concurrent processes to speed up applications. Identify potential risks of concurrent processes and recommendations for mitigation of these risks.
- review best practices in other jurisdictions and performance measures to assess the effectiveness of the permitting process
- interview a range of individuals who have used the services of building and planning departments in the past to obtain feedback

- identify processes which work well and should be enhanced/expanded
- identify potential lobby efforts to the upper levels of government to amend/rescind Provincial/Federal policies.

Action: These items will be used to formulate the Scope of Work for the RFP. The Scope of Work along with proposed RFP timelines, project timelines and project deliverables will be drafted and sent to the Committee for review and comment.

b) Building Permit Process

The Committee reviewed website resources and other hand-outs that are made available to those who are undertaking a building and/or development proposal. There are detailed guides available e.g. *what you need to build a deck; what you need to build a home; what you need to install a pool etc...* Committee members are invited to review and make comments so that we can improve on the information provided to the building industry.

c) Town Hall Meetings

Committee members were invited to attend any one of the upcoming Town Hall meetings and were also encouraged to share with others who may be interested:

- o July 8th – 6 – 8 pm – Niels Pind Room – Lakefield-Smith Community Centre
- o July 10th – 6 – 8 pm – Ennismore Community Centre
- o July 13th – 10 am to Noon – Council Chambers

d) Next meeting:

- Committee members agreed to cancel the July meeting

7. Adjournment and Next Meeting

The meeting adjourned at 6:50 pm.

Next meeting: Thursday, August 29, 2019 - 5 pm – Township Office, lower meeting room.