
HALDIMAND COUNTY

Report PDD-44-2021 Delegation of Authority for the Signing of Agreements For Consideration by Council in Committee on August 24, 2021



OBJECTIVE:

To streamline the development approvals process by allowing the General Manager of Community & Development Services Department to sign agreements on behalf of Council.

RECOMMENDATIONS:

1. THAT Report PDD-44-2021 Delegation of Authority for the Signing of Agreements be received;
2. AND THAT the by-law attached to Report PDD-44-2021 be presented for enactment, delegating authority to the General Manager of Community Services or designate to sign development agreements on behalf of Haldimand County.

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Respectfully submitted: Mike Evers, MCIP, RPP, BES, General Manager of Community & Development Services

Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

Planning & Development staff are recommending that the authority to enter into and sign various development agreements on behalf of Haldimand County Council be delegated to the General Manager of Community & Development Services or designate. This would result in time savings and provide greater efficiency for the administrative functions associated plans of subdivision, plans of condominium, site plan approval, and other *Planning Act* application processes, as well as other processes administered by the Planning & Development Division such as external works agreements and garden suite agreements. It will also ensure that applicants do not get delayed in terms of scheduling of Council meetings.

BACKGROUND:

Council previously delegated authority to the General Manger of Community & Development Services (GM CDS) for the approval of plans of subdivision, plans of condominium, and site plans. This delegation assists with the streamlining of development approvals by reducing timelines (i.e. waiting to have an application heard at a Council-in-Committee meeting and then ratified at a Council meeting). This delegation was granted through various by-laws between 2001 and 2016, which were consolidated into one by-law in 2019 (By-law 2082/19). Delegation of authority for the signing of development agreements was not included in By-law 2082/19 and has remained under the signing authority of the Mayor and Clerk. While this was not an oversight of previous delegation initiatives, it is an authority that staff view as suitable to transfer from the Mayor and Clerk to the GM CDS who would be more familiar

with the subject matter and process, and to the benefit of the development industry. The signing of agreements is a post approval step before construction occurs and is largely a technical function associated with obtaining securities, and necessary detailed engineering and associated approvals from the County.

ANALYSIS:

The current procedure to finalize the approval process for a plan of subdivision, plan of condominium, or a site plan includes bringing an authorizing by-law to Council which allows Haldimand County to enter into an agreement with the proponent of a development. Once the agreement is prepared, it is signed by the proponent, followed by the Mayor and Clerk, and then the agreement is returned to the proponent for registration. There are several other agreements regularly required as part of planning applications as well, or as part of processes administered by the Planning & Development Division, that follow the same process (e.g. garden suites, grading and drainage, and servicing). The agreement is often the final step before a building permit can be issued for a project, and as such, is often the most urgent and time sensitive matter to be completed.

The current process to complete the authorizing by-law and obtain all of the necessary signatures for an agreement can be lengthy (i.e. 2+ weeks), especially during summer recess or the holiday season where there are long gaps between Council meetings. The process has been further complicated by the COVID-19 pandemic, as the Mayor and staff are infrequently together in one building, resulting in more challenges to obtaining signatures. It is also time consuming for Planning & Development staff to prepare authorizing by-laws for each agreement.

Staff are proposing that Council delegate authority for the signing of agreements to the General Manager of Community & Development Services or designate to allow for a streamlining of process and alleviate the (at times) lengthy delays to project start up due to agreement execution requirements. The proposed by-law would cover all development agreements regularly entered into by Haldimand County, including the following:

- Plan of subdivision
- Plan of condominium
- Site plan
- Pre-servicing
- Partial servicing
- Garden suites
- External works/construction
- Any other agreements related to a *Planning Act* application or a process administered by the Planning & Development Division

Should authority be delegated, there would be time savings for developers in Haldimand County of up to several weeks. Delays caused by waiting for an authorizing by-law to be brought to Council, and then arranging for signatures, would no longer exist. Building permits could be issued sooner as a result of agreements being registered in a timelier manner. The Planners would also have more time available to work on other tasks if authorization by-laws were no longer required to be prepared and the logistics of obtaining Mayor and Clerk signatures did not have to be determined.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

Delegating the authority to sign agreements to the General Manger of Community & Development Services will provide significant time savings to developers in Haldimand County. It will also reduce staff time dedicated to the agreement process which will allow for more time spent on other tasks.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Draft Delegation By-law.