



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: May 15, 2020
To: Mayor and Council
Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services
RE: Permit and Site Plan Review Processing
Report No.: PS 2020-031

AIM

To provide the Mayor and Council with information on revised steps in the processing of building permits and site plan review to ensure proper oversight and compliance with approved plans.

BACKGROUND

This report addresses the second part of Council's motion made on December 9, 2019 as it relates to the requested site plan amendment application for the medical clinic currently under development at 200 Main St. E. The specific question to be answered is how does administration ensure that the same issue with compliance does not occur in the future. The Personnel Committee was provided with an independent report on what occurred and recommendations on how to prevent a similar occurrence moving forward.

DISCUSSION

The issue that occurred with the permitting at 200 Main St. E. from the prospective of Planning is as follows:

- i) There were two separate permit submissions.
- ii) The initial submission was reviewed by Planning, and was determined to be consistent with the approved site plan and in compliance with the applicable zoning.

- iii) The second submission was **not** provided to Planning for review and although it was in compliance with the applicable zoning was **not** consistent with the approved site plan.
- iv) When the question of height was first raised Planning staff reviewed the initial permit submission and confirmed that it was consistent with the approved site plan. This determination was made since Planning staff was not aware of the second permit submission.
- v) Once staff was aware that a second storey was indeed under construction the applicant's architect was immediately contacted and asked why a site plan amendment application had not been submitted as directed by staff several months earlier.

Since the issue was a missed review step the solution was to reinforce that all permits, regardless of the request, are required to be forwarded to Planning for review to determine if there are any applicable issues such as setback, site plan approval or zoning compliance. In addition, all changes that are required as part of the permit review process or initiated by the applicant are re-circulated to Planning to ensure that the initial review remains valid. This increased communication and circulation between Planning and Building and confirmation that Planning has stamped all site plan submissions, on their own, should safeguard against future issues.

An additional recommendation, prior to completion of the outside investigation, was for Planning to implement the same electronic file management system that Building had adopted in 2019. This was presented to Council as part of the 2020 budget and funding for the software was approved. Implementation of this system takes approximately 9 to 12 months with staffing needs that are not currently available for that entire timeframe.

Alternatively, during consultation with staff, it was suggested that access to the current Building PLL system be provided to Planning staff. The current system already has a safeguard which requires confirmation that a permit has an approved site plan and has been reviewed for compliance. This potentially could be modified to permit only Planning staff to input confirmation. This would be in addition to the physical review and stamping of all permit site plans. Without the confirmation from Planning the permit process cannot move forward and a permit cannot be issued. Subject to confirmation from the software provider this could be implemented in a much shorter timeframe than full implementation of the new Planning PLL software. The only technical issue that is still problematic is the issue of resubmission on existing permits. Once a permit is started and once Planning staff have reviewed and determined the approved plan can move forward there would also need to be a method to ensure that any resubmission or change is reviewed in comparison to the original permit submission and the approved site plan before moving forward again.

The recommended action to address this would include an update to any applicable SOP in both Planning and Building and the use of existing warning tools in the PLL software that highlight to the user there has been a resubmission or change and that Planning staff must re-review the new plans.

The Building Code Act outlines the mandated timeframes in which each type of building permit must be issued once a complete application is received. Staff at all times take this

very seriously and strive to maintain compliance with those timeframes. With any approval process, whether it is planning or building, the management of expectations must also be considered. Every permit that is submitted is unique and everyone directly or indirectly involved has an expectation that permits will be issued in a timely manner. Depending on the time of year, workload can vary considerably and the complexity of each project can further add to the time needed to review all of the necessary information. Realistic expectations lead to a solid review process that prevents oversight. Unrealistic expectations contribute to stress on the review process which increases the likelihood of mistakes and oversights regardless of safeguards.

Summary

The following steps outline what safeguards will help ensure compliance and maintain oversight in the future:

- i) Regular communication via inter-departmental meetings particularly on large multi permit projects;
- ii) Recirculation of changes on **all** permits;
- iii) No release of permits without all applicable reviews completed and signatures in place;
- iv) Management of timeline expectations from all involved parties;
- v) Implementation of access for Planning staff only to confirm site plan submission compliance within the current Building PLL software;
- vi) Eventual full expansion and integration of the PLL system between the Building and Planning Departments;
- vii) Make any necessary SOP updates in Building and Planning to reflect and reinforce the compliance review steps;
- viii) Recognition that reduction of mandated timelines carry potential for errors;
- ix) Recognition that staffing levels have to be reflective of work volumes.

LINK TO STRATEGIC PLAN

Effectively manage corporate resources and maximize performance in day-to-day operations.

FINANCIAL CONSIDERATIONS

There may be some software licensing costs to grant additional access to Planning staff however this can be covered through the existing 2020 Planning budget.

CONSULTATIONS

Management staff

RECOMMENDATION

That Council:

Receive the report outlining the steps required to ensure proper oversight and compliance with approved plans.

Direct administration to provide Council with confirmation of the final implementation and completion of the Building PPL software access and SOP changes and/or updates.

Robert Brown

Robert Brown, H. Ba., MCIP, RPP
Manager, Planning Services

Jennifer Astrologo

Jennifer Astrologo, B.H.K (hons), LL.B
Director of Corporate Services