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Date: November 19, 2020

To: Mayor and Council

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RE: Site Plan Agreement Compliance Review 2015 to 2019

Report No.: PS 2020-063

AIM

To provide the Mayor and Council with details on the current status of compliance with executed site plan agreements from 2015 to 2019.

BACKGROUND

A notice of motion was brought forward in early 2020 for staff to review and determine the status of compliance with executed site plan agreements that have been undertaken over the last five years. This review was completed by the departments co-op student between May and August of this year. Each file was reviewed, registration checked and a copy of the agreement placed in a master file to improve access in the future.

In addition to the 2015 to 2019 site plans staff has also been working through many earlier approvals to ensure agreement compliance, clear securities and update file records. The most effective process to-date has been requests for the return of securities and amendments to existing approvals.

DISCUSSION

The total number of site plan approvals between 2015 and 2019 ranged from a high of 23 to a low of 14 with a wide range of scale and dollar values. Overall approximately two-thirds to three-quarters of the approved site plans are in full compliance with the requirements of their site plan agreements. Only one of the agreements approved over the five-year timeframe was related to lighting control in a greenhouse and compliance for this location is actively pending. Final site plan review has always been completed based on a request from the applicant. Planning is typically contact regarding return of the securities

collected by the Town. This in turn triggers a site inspection to determine if all requirements outlined in the agreement are completed.

The majority of the site plan approvals considered open with potential outstanding items, are in fact complete but have not called for a final review. Those with outstanding items include things such as final confirmation of storm water management system operation, paved entrance aprons and landscaping. Only one site plan has a major outstanding item and is currently with the Town solicitor for resolution.

The key to compliance with site plan agreements is a clear understanding of the Town's requirements and timelines at the initial pre-consultation phase. Detailed plans and complete submissions, at the time of application, provides a good base for staff to review, monitor and eventually close out files. In addition, it was recently determined that property owners have been confusing final building permit inspections and the issuance of occupancy as a final sign-off for site plans. Building and Planning staff are working together to link final building inspections and site plan review. Under the Building Code final occupancy cannot be refused for outstanding items related to site plan approvals, site plan securities are retained for this purpose. The joint inspection effort will provide an opportunity to communicate to the owner more directly that there may still be site plan related items outstanding.

Collection of appropriate securities as part of the agreement also plays an integral role in ensuring timely completion. This is particularly important with significant developments with both on-site and off-site implications should requirements not be completed in a timely fashion.

Moving forward Planning would like to be able to continue to utilize a co-op or summer student to review and maintain records and highlight outstanding issues for the Planner and Manager to follow-up on. Those property owners with site plans that have outstanding items will be advised to review their site plan agreement, complete any outstanding requirements and schedule a final site visit. The timeline for compliance is targeted at mid-2021 for those plans approved between 2015 and 2019.

LINK TO STRATEGIC PLAN

Manage growth through sustainable planning.

FINANCIAL CONSIDERATIONS

The only financial implication related to site plan agreement compliance is legal costs associated with non-compliance.

CONSULTATIONS

Senior Management Team

RECOMMENDATION

There is no recommendation from administration, the information in the report is provided to address Council's motion.

Robert Brown

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