



Staff Report for Committee of the Whole Meeting

Date of Meeting: April 2, 2025
Report Number: SRPBS.25.033

Department: Planning and Building Services
Division: Development Planning

Subject: SRPBS.25.033 - Site Plan Control By-law Update

Purpose:

The purpose of this report is to seek comments concerning a proposal to repeal and replace the City's Site Plan Control By-law 76-23 and to repeal the City's Pre-Consultation By-law 123-08.

Recommendations:

- a) That Staff Report SRPBS.25.033 be received;
- b) that Council repeal Site Plan Control By-law 76-23 and Pre-Consultation By-law 123-08; and,
- c) that Council approve and enact proposed Site Plan Control By-law 38-25 attached as Appendix "D" to Staff Report SRPBS.25.033.

Contact Persons:

- Kaitlyn Graham, Acting Manager, Development Planning, phone number 905-771-5563
- Deborah Giannetta, Director, Development Planning, phone number 905-771-5542
- Gus Galanis, Commissioner, Planning and Building Services, phone number 905-771-2465

Report Approval:

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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Background:

On July 12, 2023, Council received Staff Report SRPI.23.059 and enacted Site Plan Control By-law 76-23 to define classes of development that may be undertaken without the approval of plans and drawings and to delegate authority in relation to approvals pursuant to the *Planning Act* in response to the approval of *Bill 23, More Homes Built Faster Act, 2022* and *Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023* which also repealed the City's former Site Plan Control By-law 137-09 (refer to Appendix "A"). Since the enactment of By-law 76-23, the Province approved *Bill 185, the Cutting Red Tape to Build More Homes Act, 2024* which introduced a number of further legislative amendments, inclusive of changes to requirements for pre-consultation and the provision of "use it or lose it" tools, which were outlined in a memorandum to Council from the Commissioner of Planning and Building Services, dated May 8, 2024 (refer to Appendix "B").

The legislative amendments introduced by Bill 185 have resulted in a number of changes to the City's development review processes, some of which have had direct impacts on the Site Plan approval process. Accordingly, the purpose of this report is to seek comments and direction from Council concerning a proposal to repeal and replace the City's Site Plan Control By-law 76-23 and to repeal the City's Pre-Consultation By-law 123-08 in order to make administrative updates and to recognize further legislative changes resulting from Bill 185, including the implementation of the City's new Municipal Servicing Allocation Policy By-law 9-25 (refer to Appendix "D").

Discussion:

Administrative Updates

The proposed Site Plan Control By-law reflects a number of administrative updates following the enactment of By-law 76-23, including updates to defined terms and clarifications in meaning through revised language. For example, Section 2.2 of By-law 76-23 sets out the classes of development that require Site Plan Approval, including the identification of "*medium or high density residential development proposing 10 units or more*" which, in response to Bills 23 and 97, was intended to reflect the removal of Site Plan Control for residential development proposals for 10 units or less with the exception of those abutting the railway and those located within 120 metres (393.70 feet) of a shoreline. For clarity, staff propose to revise this section of the by-law to recognize that Site Plan Approval shall apply to any "medium or high density residential development proposing more than 10 units".

Pre-Application Requirements

Subsequent to the enactment of By-law 76-23, Bill 185 introduced a provision to make pre-application consultation voluntary at the discretion of an applicant. It is noted that Section 3.2 of By-law 76-23 requires an applicant to attend a pre-consultation meeting prior to submitting a Site Plan application to the City in accordance with the City's Pre-Consultation By-law 123-08, which is no longer enforceable following the enactment of

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Bill 185 which only permits and does not mandate an applicant to attend a pre-consultation meeting prior to the submission of an application for development. In light of the preceding, staff propose to revise this section to permit and encourage pre-consultation and to repeal By-law 123-08 accordingly.

Expiry – Extension of Site Plan Approvals

On January 22, 2025, Council received Staff Report SRPBS.25.003 and approved the City's new Municipal Servicing Allocation Policy through the enactment of By-law 9-25 which replaced the City's former Interim Policy for Allocating Sanitary Sewer Capacity and Interim Growth Management Strategy and enacted an associated amendment to the City's Tariff of Fees By-law 8-25 (refer to Appendix "C"). The new Municipal Servicing Allocation Policy implements the "use it or lose it" approach to servicing allocation introduced by Bill 185, which sets out an expiration and automatic withdrawal of allocation assignments after three (3) years, to align with the timelines associated with draft Plan of Subdivision approvals and lapsing provisions. Similarly to draft Plan of Subdivision approvals, the *Planning Act* provides that a municipality may impose lapsing provisions for Site Plan approvals. It is noted that Section 3.6 of By-law 76-23 sets out an expiration date of Site Plan approval as one (1) year from the date of issuance from the Commissioner, subject to a one (1) year period of extension. In order to align with the direction of the new Municipal Servicing By-law Policy, staff propose to amend this section to increase the expiration period from one (1) year to three (3) years.

Financial Implications:

The recommendations of this report do not have any financial, staffing or other implications.

Relationship to Strategic Plan 2024-2027:

The recommendations of this report are aligned with **Pillar 3: Strengthening Our Foundations**, in critically evaluating and optimizing implementation tools and processes with the view of continuous improvement in order to contribute to and benefit the sustainable growth of the City of Richmond Hill.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Appendix "A" - Extract from Council Meeting C#25-23 held July 12, 2023
- Appendix "B" - Extract from Council Meeting C#11-24 held May 8, 2024
- Appendix "C" - Extract from Council Meeting C#01-25 held January 22, 2025
- Appendix "D" - Draft Site Plan Control By-law 38-25

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Report Approval Details

Document Title:	SRPBS.25.033 - Site Plan Control By-law Update.docx
Attachments:	- SRPBS.25.033 - Appendix A - C25-23 Extract.pdf - SRPBS.25.033 - Appendix B - C11-24 Extract.pdf - SRPBS.25.033 - Appendix C - C01-25 Extract.pdf - SRPBS.25.033 - Appendix D - Draft Site Plan Control By-law 38-25.docx
Final Approval Date:	Mar 12, 2025

This report and all of its attachments were approved and signed as outlined below:

Deborah Giannetta - Mar 12, 2025 - 8:47 AM

Gus Galanis - Mar 12, 2025 - 9:23 AM

Darlene Joslin - Mar 12, 2025 - 12:03 PM