

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Tuesday, May 9, 2023
Subject	Building By-law Amendment

Recommendation

1. That the By-law, included as Attachment-1, Draft Building By-law Amending By-law, be enacted to amend the Building By-law (2015)-19985, as amended.
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Executive Summary

Purpose of Report

The purpose of this report is to amend Schedule "B" of the City's Building By-law (2015)-19985, as amended. The amended Schedule "B" will include provisions to give permit applicants a mechanism to expedite the approval process for developments with 10 or less residential units.

Key Findings

Bill 23, More Homes Built Faster Act, 2022 included changes to the Planning Act such that Site Plan Approval is no longer required for developments with 10 or less residential units. However, many of the items that would have been included as part of the City's Site Plan Approval are still required by the Ontario Building Code. Building Services had previously used Site Plan Approval as the process to ensure these items were in compliance so that there was no duplication at the building permit stage. With the Bill 23 change and the removal of Site Plan Approval for less than 10 units, other City departments with the subject matter experts will need to provide clearance of these Building Code and applicable law related items.

With the proposed change to Schedule "B", Building Services is providing the permit applicant with a choice to be able to still obtain these Building Code and applicable law clearances ahead of applying for the building permit, which will help to expedite the overall approval process.

Strategic Plan Alignment

This aligns with the direction of Strategic Plan priority Building our Future, helping to ensure that strong, vibrant, safe and healthy communities continue to be built.

Financial Implications

None.

Report

Typically, Site Plan Approval is applied for ahead of a Building Permit. Many of the clearances that are needed as part of the Site Plan Approval process are known by developers and their designers in advance of the Building Permit application. This gives the designers an opportunity to complete the set of working drawings for building permit application while Site Plan Approval is being processed.

Bill 23, More Homes Built Faster Act, 2022 included changes to the Planning Act such that Site Plan Approval is no longer required for developments with 10 or less residential units. However, many of the items that would have been included as part of the City's Site Plan Approval are still required by the Ontario Building Code. Building Services had previously used Site Plan Approval as the process to ensure these items were in compliance so that there was no duplication at the building permit stage. With the Bill 23 change and the removal of Site Plan Approval for less than 10 units, other City departments with the subject matter experts will need to provide clearance of these Building Code and applicable law related items.

While the Bill 23 changes do alleviate the need for the developers to obtain some site plan clearances, the unforeseen outcome is that for items that are still subject to the Building Code, these clearances have been pushed further down the approval process to a more critical timing when projects are gearing up to start construction in preparation for the issued building permit.

With the proposed change to Schedule "B", Building Services is providing the permit applicant with a choice to be able to still obtain these Building Code and applicable law clearances ahead of applying for the building permit, which will help to expedite the overall approval process.

If the permit applicant chooses not to pursue the pre-approval(s) ahead of time, then the building permit application will still be accepted, and the review of these pre-approval items will occur as part of the building permit application review. Ultimately, if there are items that are deemed to be outstanding during the building permit review, then the permit will not be able to be issued until they are cleared.

By offering the pre-approval(s), staff are attempting to avoid delay at the building permit stage.

Financial Implications

None

Consultations

Building Services staff have consulted with Planning Services, Engineering Services and Zoning Services (which is part of Building Services) and all areas have committed to providing this pre-approval service.

Following the Council meeting, staff will advise customers of the pre-approval option for projects with less than 10 units, through various means, including the City's website, e-mail, and by phone.

Attachments

Attachment-1 Draft Building By-law Amending By-law

Departmental Approval

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This report was recommended by:

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