

City of Mississauga Corporate Report



<p>Date: January 21, 2025</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files: LA.07-BIL (All Wards)</p>
<p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Meeting date: February 5, 2025</p>

Subject

Delegated Authority to Execute Planning Application Agreements

File: LA.07-BIL (All Wards)

Recommendation

1. That authority to execute Development Agreements, Subdivision Agreements, Inclusionary Zoning Agreements and any Amending Agreements thereto under Official Plan Amendment, Rezoning, Removal of Holding Provision, Minor Variance and Consent applications be delegated to the Commissioner of Planning and Building, or their designate, and the City Clerk and that a by-law authorizing such delegation of authority be prepared pursuant to section 23.1(1) of the Municipal Act, 2001.
2. That a consolidated by-law with respect to the delegation of authority for planning application agreements be prepared and enacted pursuant to section 23.1(1) of the Municipal Act, 2001.

Comments

As a response to the passing of *Bill 109: More Homes for Everyone Act, 2022* and to address the housing challenges faced within Mississauga, Council approved a report from the Commissioner of Planning and Building dated February 7, 2023, that recommended endorsement of Mississauga's Housing Action Plan – Growing Mississauga: An Action Plan for New Housing. One of the goals was to streamline the development approvals process which continues to be a priority for the Planning and Building Department. Since then, the Department has continuously monitored and sought out potential improvements to Planning Act application processes.

The majority of development applications require an agreement to be entered into between the proponent of a project and the City and are typically required as part of the following application types:

- Zoning By-law Amendment passed pursuant to Section 34 of the *Planning Act*
- Holding Provision Removal passed pursuant to Section 36 of the *Planning Act*
- Included as a condition of approval related to a Draft Plan of Subdivision pursuant to Section 51 of the *Planning Act*
- As a condition of a minor variance or consent application passed by the Committee of Adjustment under Sections 45 and 51 of the *Planning Act*

These agreements implement development conditions negotiated as part of the application process and function as the City's mechanism to provide the contractual basis to ensure that the owner of land fulfills the conditions of such approvals.

Currently, in order for an agreement to be executed, staff prepare a by-law for each development to authorize the execution of a site specific agreement for consideration by Council. Once an execution by-law is placed on a Council agenda, it is typically approved on consent by Council. For development projects, executing agreements is a last step milestone that generally leads to approval of an associated application.

Upon review of the steps taken by both the proponent and City staff to place an execution by-law onto Council for consideration, staff have determined that this task adds approximately a month to the overall development approvals process.

To continue to improve and reduce application processing timelines, staff recommend that Council delegate approval of execution by-laws for agreements to the Commissioner of Planning and Building. In lieu of execution by-laws, planning staff will notify the applicable Ward Councillor when an agreement is ready to be executed by delegated authority via email correspondence. In instances where Council's approval of an agreement is warranted, the Commissioner of Planning and Building will retain the ability to bring an execution by-law to Council for consideration.

There are similar agreements within the City's development approvals process that are currently delegated for execution to the Commissioner of Planning and Building or staff person as outlined in the City's procedural by-law, such as site plan agreements and some amending agreements. In addition, to address the summer recess, the current practice of Council is to delegate the execution authority of agreements to the Commissioner of Planning and Building temporarily. As such, the proposed recommendation of delegated authority for the execution agreements, as outlined in this report, is a process that is already familiar to City staff and Council.

Staff have undertaken research of other municipalities in the Greater Toronto Area with respect to their agreement execution procedures and the delegation of agreement execution to senior leadership is prevalent throughout. The City of Toronto, the City of Brampton, the Region of Peel and the Town of Oakville currently delegate the execution of all planning related agreements to staff, among a number of other municipalities.

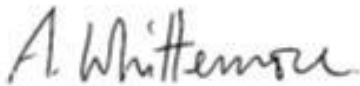
City Council has previously enacted two prior by-laws with respect to the delegation of signing authority for planning related agreements: By-laws 0375-1988 and 0304-2020. The new by-law will repeal these two by-laws, consolidate prior delegated signing authority, and authorize the Commissioner of Planning and Building, or their designate, and the City Clerk to execute all agreements named in this report.

Financial Impact

There are no financial impacts resulting from the adoption of the recommendations in this report.

Conclusion

Delegating the authority to execute agreements to the Commissioner of Planning and Building will reduce development application processing timelines and represents another improvement to address the continued streamlining of the development application approval process. Should the proposed recommendation be approved by Committee, a by-law delegating authority to the Commissioner of Planning and Building, or their designate, and the City Clerk to authorize the execution of agreements will be brought forward to Council at a future date.



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

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