

**For Information**

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**REPORT TITLE:     Site Plan Review Process**

**FROM:                 Gary Kent, CPA, CGA, ICD.D, Chief Financial Officer and Commissioner  
                             of Corporate Services**

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## **OBJECTIVE**

To provide an update and a proposed strategy to improve the Region's site plan review process, as requested at the November 18, 2021 Accessibility Advisory Committee meeting.

## **REPORT HIGHLIGHTS**

- Under Section 29 of *Accessibility for Ontarians with Disabilities Act* (AODA), one of the duties of an Accessibility Advisory Committee (AAC) is to “review in a timely manner the site plans and drawings described in section 41 of the *Planning Act* that the committee selects”.
  - Site plans for Regional owned facilities are currently being reviewed during Committee meetings.
  - At the November 18, 2021 Committee meeting, staff were requested to report back to the Committee with a proposed strategy to improve the site plan review process, including the option of setting up a site plan review subcommittee.
  - Site plan review subcommittee was attempted in the past, however, discontinued as there were issues with achieving quorum and redundancy in the process.
  - Staff is of the mindset that in order to take advantage of full committee participation and input, site plan review continue to be conducted at the Committee meetings, incorporating specific considerations for improving this process as outlined further in this report.
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## **DISCUSSION**

### **1. Site Plan Review – Committee Role and Mandate**

As stipulated under Section 29 of the *Accessibility for Ontarians with Disabilities Act* (AODA), one of the duties of an Accessibility Advisory Committee (AAC) is to “review in a timely manner the site plans and drawings described in section 41 of the *Planning Act* that the committee selects”. However, there is presently no restriction or clarification on the type of site plans that are to be reviewed by the Committee or the particulars of what is being reviewed within a site.

The AODA also stipulates that Council shall seek advice from the AAC on the accessibility for persons with disabilities to a building, structure or premises, or part of a building, structure or premises:

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- that the council purchases, constructs or significantly renovates;
- for which the council enters into a new lease; or
- that a person provides as municipal capital facilities under an agreement entered into with the council in accordance with section 110 of the *Municipal Act, 2001* or section 252 of the *City of Toronto Act, 2006*. 2005, c. 11, s. 29 (5); 2006, c. 32, Sched. C, s. 1.

### a) Reviewing Site Plans

A site plan is a drawing, or set of drawings, of proposed improvements to a property. Municipalities may exercise further control over the details of development. They do this through a process called site plan control. Through site plan control a municipality can:

- review a developer's plans and either approve or ask for changes
- consider the accessibility of a development proposal

A municipality may pass by-laws that set out the areas that are subject to site plan control. These areas must be described in the official plan. The review of site plans by municipal staff ensures that developers will provide:

- properly located buildings that fit in well with nearby businesses and the community
- safe and easy access for pedestrians
- a good design for landscaping, parking and drainage

A site plan could include:

- buildings
- driveways
- entrances
- curbs or ramping
- parking areas
- sidewalks
- landscaping
- fences
- exterior lighting
- municipal services

In addition, Section 41 of the *Planning Act* points out that interior design and layout as well as the manner of construction and standards for construction are excluded from site plan control.

Barriers to access could be created unintentionally during the design process and could largely be due to a lack of understanding of the issues. Therefore, any accessibility issues should be addressed as early as possible during the planning process.

While the role of an AAC is to provide advice to municipalities in a timely manner, the advice may not always be endorsed. The AAC reviews site plans, provides comments and recommendations in relation to accessibility, acknowledging that they are not an approval authority and all recommendations may not be included in the final site plan.

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### **2. Site Plan Review Process at the Region of Peel**

The AAC of a municipality is not required to review every site plan submitted and could create a process for the types of developments it reviews. The Region of Peel acknowledges the importance and value of applying an accessibility lens to ensure access and the removal of barriers and, for the most part, all new or newly renovated Regional buildings and facilities that the Region owns and operates is subject to site plan review. The review includes site plan and external components of the project and, although not mandated under legislation, the Region exceeds the requirement by taking into consideration AAC input on the internal components of a development. The AAC has continued to be a fundamental part of this process and its role in an advisory capacity.

Alternative methods of carrying out the AAC mandate to fulfill site plan review requirements has been attempted in the past. In 2011, an AAC Site Plan and Facility Audit Review Working Group was formed in hopes that this process would allow for a more thorough and detailed evaluation of site plans. However, the Working Group was discontinued. Difficulty in scheduling, lack of participation from working group members and issues with quorum resulted in the process being ineffective. Site plans were customarily referred back to the AAC for a review by the entire Committee. It also created redundancy in the process as the working group recommendations reported to the full Committee of the AAC for formal approval. In 2018, a Site Plan & Construction Advisory Working Group was established, however, the mandate for this group was to address specific legislated requirements under the Design of Public Spaces standard of the Integrated Accessibility Standards Regulation as it pertained to recreational trails and rest areas. Issues with attendance was also experienced with this working group and upon completion of its mandate, the working group was no longer required.

The City of Mississauga and City of Brampton use a subcommittee process for site plan review. However, this process is more effective at the local municipal level given that they have a larger number of facilities that require review and would not be feasible to carry this out at the regular AAC meeting. It is important to point out that these subcommittee meetings form part of a regular meeting schedule, in addition to the regular AAC meetings. The Region of Peel has considerably fewer projects subject to site plan review.

### **3. Proposed Direction**

Staff recognizes the need to improve the current site plan review process during AAC meetings. The allocated 10 minutes given to project managers and design consultants to present at the regular AAC meeting, does not allow for a thorough and detailed review of construction projects and the process is rushed. The presence of the entire Committee at regular AAC meetings provides for more fulsome participation from Committee members with input from various perspectives. Quorum is also ensured during the AAC meeting. Prior to considering the establishment of a subcommittee, staff propose implementing the following suggestions for better meeting management:

- Better planning of AAC agenda when site plan review is required – staff will undertake to schedule fewer items at AAC meetings to allow more time for thorough review and discussion;
- Ensure agenda items are received on time (one week prior to meeting) to allow the committee ample time to review site plans and enable optimal use of meeting time;

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- Committee feedback prior to AAC meeting – AAC members could provide feedback and questions upon receipt of agenda package to allow staff to prepare a response for the meeting.

## **CONCLUSION**

Site plan review is a mandated duty for municipal Accessibility Advisory Committee's (AAC). The Region of Peel recognizes the importance and benefit that the AAC provides in carrying out this role and how it contributes to inclusion and barrier free access in our Regional facilities. Prior to considering the formation of a subcommittee, which has presented issues in the past, it is recommended that the current review process at AAC meetings be improved through better AAC meeting management as outlined in this Report.

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