



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT SERVICES

MISSION STATEMENT: *Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.*

Author's Name: Adam Coates	Report Date: March 9, 2023
Author's Phone: 519 736-5408 ext. 2174	Date to Council: March 27, 2023
Author's E-mail: acooates@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Major Planning Policy Studies – Request for Proposal Results

1. **RECOMMENDATION:**

It is recommended that:

1. The consulting services for the Official Plan & Zoning By-law Update **BE AWARDED** to Dillon Consulting Limited based on results of the Request for Proposal (RFP 2023-004);
2. The Chief Administrative Officer and the Municipal Clerk **BE AUTHORIZED** to execute an agreement with Dillon Consulting Limited for the consulting services to complete the Official Plan & Zoning By-law Update for an amount not to exceed \$213,240, plus applicable HST, satisfactory in financial content to the Chief Financial Officer, and technical content to the Director of Development Services;
3. The consulting services for the Heritage Conservation District Study **BE AWARDED** to MacNaughton Hermesen Britton Clarkson Planning Limited (MHBC) based on the results of the Request for Proposal (RFP 2023-005);
4. The Chief Administrative Officer and the Municipal Clerk **BE AUTHORIZED** to execute an agreement with MacNaughton Hermesen Britton Clarkson Planning Limited for the consulting services to complete the Heritage Conservation District Study for an amount not to exceed \$120,925, plus applicable HST, satisfactory in financial content to the Chief Financial Officer, and technical content to the Director of Development Services;
5. That Council **CONFIRM** use of the \$125,000 previously approved by Council for these three projects and funded from the Plans and Studies Reserve (0072) and;

6. That Council **APPROVE** the following additional funding sources to address the \$253,353 shortfall in funding required for these projects to proceed:
 - a. \$164,903 from Development Charges – Community Based Services Administrative Studies (0128) and;
 - b. \$88,450 from Plans and Studies Reserve (0072)

2. BACKGROUND:

In November 2022, the Planning team began to revisit the approach to updating the Official Plan, Zoning By-law, Heritage Conservation District and related studies. The Manager of Planning Services, in consultation with all members of the Planning team and the Deputy CAO / Director of Development Services, determined that, with the continuing record level of planning applications and building permit reviews requiring the Planning Departments involvement, issuing a Request for Proposals is the recommended way forward to complete these Council directed initiatives.

At the February 13, 2023 Council meeting, Administration brought a report to council outlining the Major Planning Policy Studies which needed to be complete. This included the Official Plan & Zoning By-law update, and the Heritage Conservation District projects. These projects were identified as requiring specialised consultants to complete the work.

3. DISCUSSION:

In consultation with purchasing staff, the Planning Services team prepared two Requests for Proposals (RFPs) in order to address the Major Policy Studies. These included:

- Consulting Services for Official Plan Update & Zoning By-law Update (RFP 2023-004); and,
- Consulting Services for the Heritage Conservation District Study (RFP 2023-005).

Official Plan & Zoning By-law Update RFP Results

The Official Plan & Zoning By-law Update RFP closed at 11:00 a.m. on February 23, 2023. The Town received two (2) proposals that were processed electronically via the Bids and Tenders system.

In accordance with the Town of Amherstburg's Purchasing By-Law, Administration ranked the proposals. The evaluation committee consisted of the Manager of Planning Services and three (3) other members of the Planning Services team. Each evaluation committee member individually ranked the proposals separately, and then the committee met under the supervision of Financial Services to discuss the proposals. The results were reported by the Financial Services team as follows.

RFP 2023-004 Official Plan & Zoning By-law updates			
Proponent	Ranking	Final Score	Pricing*
Dillon Consulting Ltd.	1	98.20	\$ 213,236.25
HDR Architecture	2	86.44	N/A

*The pricing as outlined does not included applicable HST.

The results of the evaluation recommended that Dillon Consulting Ltd. be awarded the contract to perform the consultant services.

Heritage Conservation District Study RFP Results

The Heritage Conservation District Study RFP closed at 11:00 a.m. on March 2, 2023. The Town received two (2) proposal that were processed electronically via the Bids and Tenders system.

In accordance with the Town of Amherstburg's Purchasing By-Law, Administration ranked the proposals. The evaluation committee consisted of the Manager of Planning Services and two (2) senior members of the Planning Services team. Each evaluation committee member individual ranked the proposals separately, and then the committee met under the supervision of Financial Services to discuss the proposals. The results were reported by the Financial Services team as follows.

RFP 2023-005 Heritage Conservation District Study			
Proponent	Ranking	Final Score	Pricing*
MHBC Planning	1	95.33	\$ 120,924.90
Aecom Canada Ltd.	2	72.23	N/A

*The pricing as outlined does not included applicable HST.

The results of the evaluation recommend that MHBC Planning Ltd. be awarded the contract to perform the consultant services.

4. RISK ANALYSIS:

Failure to review and update the Official Plan in accordance with the Planning Act places the Town in a position for non-compliance with the Planning Act and Provincial Policy Statement issued under section 3 of the Planning Act. Furthermore, Official Plans and Zoning By-laws that are outdated no longer accurately represent the desired land use policy direction for the community. These matters result in the Town facing more exposure to costly Ontario Land Tribunal hearings. The level of risk for the Town having outdated key land use policy documents is high.

There is moderate to high cultural risk associated with not completing a Heritage Conservation District Study, and adopting a Heritage Conservation District By-law. The Town of Amherstburg has a large number of properties on the Municipal Register that have “non-designated” status. Legislative changes brought forward by the *More Homes Built Faster Act, 2022* (Bill 23) has made significant amendments to the Ontario Heritage Act. Adopting a HCD By-law based on the findings of an external consultant that specialises in Heritage Conservation will allow the town to put in protective measures where they are justified and defensible.

There is a moderate to high timing risk associated with the completion of the HCD. Many of the Non-Designated properties on the Heritage Register will be removed, as dictated by Bill 23 on January 1, 2025. The HCD study area captures 84% of the properties on the Register that have Non-Designated status. The Planning Services team will work closely with the successful proponent regarding the timing of the study, and measures will be put in place if the risk increases.

5. FINANCIAL MATTERS:

In 2021 Council approved funding of \$125,000 to complete an Official Plan (OP) Update, Zoning By-Law update and Heritage Conservation District Plan. Based on the approved funding a Request for Proposal (RFP) was issued for the projects.

The results of the RFPs, as noted above, result in \$213,236.25 for the OP and Zoning and \$120,924.90 for the Heritage Conservation District, plus any applicable HST. Both costs came in well above the approved budgeted amounts for these projects, despite the budgeted amounts being stated in the RFP. This creates a shortfall in funding of \$253,352.78, including the applicable HST.

The Official Plan and Zoning By-Law update projects are both identified as development charge eligible projects under Administrative Studies – Community Based Services. Based on the percentage of the project costs allowable for DC funding for these two projects, a maximum amount of \$164,903 from DC can be used. There is sufficient funding in the DC reserve to cover this cost. The remaining shortfall in funding of \$88,450 is recommended to be funded from the Plans and Studies Reserve (0072), which is the same reserve used for the original \$125,000.

6. CONSULTATIONS:

Manager of Planning Services
Deputy CAO / Director of Development Services
Chief Financial Officer/Treasurer
Financial Services

7. CONCLUSION:

It is recommended that the highest ranked proponents based on the evaluation of the Request for Proposals, as evaluated by administration, be awarded. Specialized expert

consultant teams are required to complete these projects in a manner that is timely, will meet the expectations of the Town, and address legislative changes.

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Adam Coates

Heritage Planner, Urban Design, Community Improvement

Report Approval Details

Document Title:	Major Planning Policy Studies - RFP Results.docx
Attachments:	
Final Approval Date:	Mar 13, 2023

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

No Signature found

Chris Aspila

A handwritten signature in black ink, appearing to read 'Melissa Osborne', with a large, stylized initial 'M'.

Melissa Osborne

A handwritten signature in purple ink, appearing to read 'Tracy Prince', with a large, stylized initial 'T'.

Tracy Prince

A handwritten signature in black ink, appearing to read 'Valerie Critchley', with a large, stylized initial 'V'.

Valerie Critchley

A handwritten signature in black ink, appearing to read 'Kevin Fox', with a large, stylized initial 'K'.

Kevin Fox