



MEMORANDUM

To: Development Services Committee

From: Arvin Prasad, MCIP, RPP
Commissioner of Development Services

Prepared by: Amanda Crompton, MCIP, RPP
Planner II, Development Planning

Reviewed by: Ron Blake, MCIP, RPP
Senior Manager, Development Planning

Date: November 9, 2020

**Re: Development Application Public Notice Improvements
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RECOMMENDATION:

1. That the memorandum dated November 9, 2020, titled “Development Application Public Notice Improvements” be received;
2. That the presentation dated November 23, 2020, titled “Development Application Public Notice Improvements” be received;
3. That the new development application public notices, attached as Appendix B and Appendix C, be endorsed by Council; and
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this memorandum is to introduce proposed changes to posted development application public notices. One of the City of Markham’s strategic priorities is to be “an inclusive city, engaging everyone in building a livable, caring and culturally vibrant community while respecting our past”. In alignment with this priority, staff reviewed our current practices for notifying the public of new development applications and inviting local residents to public

meetings. The objective of this project is to develop new public notices that are informative, easy to read and understand, and encouraging of public involvement in the planning process.

BACKGROUND:

***Planning Act* requirements**

The *Planning Act* requires that notice be provided to the public 15 days following the submission of a complete application of an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision or a Draft Plan of Condominium (“Notice of Complete Application”), and 20 days prior to a scheduled statutory public meeting (“Notice of Public Meeting”).

Notice is to be given in two ways:

- 1) By posting a notice at every separately assessed property within the subject land; and,
- 2) By personal service, or ordinary mail, to every owner of land within 120 metres of the subject land.

The City of Markham currently meets the statutory notice requirements as set out in the *Planning Act*; however, there are opportunities to improve the notification process in order to better inform and engage the community.

Current practice for posted notices

Posted notices are large signs posted directly on the property subject to a development application. Public notices are posted on the site twice in the planning review process. First, a white sign with black lettering is posted on the site following the submission of a “complete application” of an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision or Draft Plan of Condominium. Second, a yellow sign with black lettering is posted on the site 20 days prior to a scheduled statutory public meeting. If the statutory public meeting is scheduled at the time the application is deemed complete, only one sign is posted.

The posted notices include a brief description of the development proposal and associated planning application(s), contact information for the file planner and Clerk’s Department, and the date, time and location of the public meeting (if scheduled).

Once the file planner deems an application complete and/or schedules a statutory public meeting, they provide the applicant with the text and formatting requirements of the posted notices. The applicant prints and installs the sign(s) and submits a photo and signed affidavit to the Clerk’s Department.

Current practice for mailed notices

Notices are mailed to every landowner within 200 metres of the property subject to a development application. Notices are mailed out when an application is deemed complete to inform local residents of a new proposal, and when a statutory public meeting is scheduled.

PROCESS:

Best practice review

Over the past several years, municipalities across Canada have initiated projects to redesign their public notices to better inform the public of the type and form of development proposed in their community, and to provide notice of upcoming opportunities to obtain additional information and provide feedback. A best practice review was undertaken to better understand the ways in which other municipalities have altered the design and format of their public notices to better achieve the intent of the *Planning Act*, which is to inform the public of a development application and future engagement opportunities. A summary of the key findings of the review is presented below:

- All municipalities reviewed include their City logo on their posted notices
- All municipalities reviewed include at least one image on their posted notices (e.g., location map, rendering, site plan, conceptual plan, etc.)
- Some municipalities use icons and text to describe a proposal
- Some municipalities include the applicant's contact information
- Some municipalities outline the application review process and next steps
- Several municipalities include a link to the City's webpage where more information on the application is made available
- All municipalities reviewed made an effort to use simple language, without technical jargon
- Several municipalities include a call to action on their posted notices, such as "tell us what you think"

See Appendix A for the best practice review summary table.

Consultation with the Planning Department

Following the best practice review, an internal staff workshop was held with 15 staff from Development Planning and Geomatics. The purpose of the workshop was to provide staff with the opportunity to comment on the strengths and weaknesses of current practices, learn from other municipalities, and identify opportunities for improvement. Staff were split into three groups and asked to work together to design new posted notices. Generally, staff noted that new posted notices should:

- **Include an image of the proposal, where applicable**
There was consensus among staff that posted notices should include an image of the proposal (i.e., 3D rendering, massing or conceptual plan of what is being proposed)

- **Be clear and legible**

During the report-back, all groups noted that the current signs have too much text and are difficult to read and understand. Improvements can be made by:

- Reducing the amount of text on our notices
- Using clear, simple and accessible language (no planning jargon)
- Considering what size, style and colour font will be easily legible
- Ensuring AODA standards are met
- Using descriptive language and headings

- **Improve access to additional information**

Staff indicated that it should be easier for members of the public to access additional information on the application. The following suggestions were made:

- Create a digital development application centre on the City's website where all development notices and application submissions are made available to the public
- Include contact information for the file planner
- Include contact information for the applicant

- **Be designed to align with the City of Markham's corporate branding**

There was general consensus among staff that the notices be designed to align with the City of Markham's branding, including:

- Adding the City of Markham logo
- Using Markham colours (i.e., a banner)
- Considering the inclusion of a City of Markham watermark

- **Be more sustainable**

One group suggested that the life-cycle of posted notices be considered and a more sustainable approach be implemented. It was suggested that the "Notice of Complete Application" be modified by adding a decal once the public meeting is scheduled, instead of producing an entirely new "Public Meeting" sign

The feedback received from the internal staff workshop was used to inform the design of the new posted notice signs. Planning staff were re-engaged to review and comment on the design of the proposed new posted public notices.

Consultation with other City Departments

Staff from the City's Corporate Communications Department and the Legal Department were consulted to review the proposed new public notices. Corporate Communications reviewed the

notices to ensure consistent corporate branding, and AODA compliance. Legal reviewed the notices to confirm compliance with the requirements of the *Planning Act*.

Consultation with the development community

The new posted public notice signs were presented to the Markham developer community at the September 2020 City Builder's Forum. Only a few minor comments were received. One attendee asked if there was an opportunity to include a QR code to direct interested parties to an appropriate city webpage. Staff advised that there is no development activity webpage to link to at this time; however, a QR code could be added in the future.

DISCUSSION:

New design of posted public notices

The new format and design of the posted notice is included as Appendix B. The following key changes were made:

- The City of Markham logo is located in the upper left corner
- A new colour scheme was used to align with the City's corporate branding (red, black and white)
- The language is simple and clear. For example, the old title "Notice of Receipt of a Complete Application" is replaced with "Development Notice"
- An image of the proposed development is included, where appropriate, in the form of a 3D rendering, massing or conceptual plan. The image is dated and titled "Applicant's Proposal"
- Icons and text are used to describe the proposal (universal language)
- Community input is encouraged. The subheading "Learn more and tell us what you think" is followed by contact information for the file planner and Clerk's Department
- The requirement for a second "Public Meeting" sign is eliminated and instead a red decal with information is added to the complete application sign. If the public meeting is not yet scheduled, the sign will read: "Public Meeting information will be posted on this sign when available". Once scheduled, a large red decal with the date, time and location of the public meeting will be placed over that text.
- A disclaimer at the bottom of the sign states that the information on the sign represents the applicant's proposal at the time the notice was prepared and is subject to change.
- The new signs are slightly larger (48"x60") in order to improve readability and support universal language (i.e., use of icons and images)
- The signs comply with AODA requirements

New design of mailed public notices

Mailed public notices are also being updated to improve readability and encourage public involvement in the planning process. Minor revisions to formatting and language are proposed. The new template for mailed notices is included as Appendix C.

NEXT STEPS:

Staff recommend that the new development application public notices be endorsed by Council. The new notices are designed to better inform the community of active planning applications, and encourage public input. If endorsed by Council, staff will begin the implementation process and transition to the new notices in early 2021.

APPENDICES:

Appendix A: Best Practice Review Summary Table

Appendix B: Posted Notice Templates

Appendix C: Mailed Notice Templates