



Report to: Development Services Committee

Meeting Date: September 6, 2016

SUBJECT: Revised process for calling public meetings and scheduling preliminary reports
File PR 16 129880

PREPARED BY: Ron Blake, Senior Development Manager

REVIEWED BY: Biju Karumanchery, Director of Planning and Urban Design

RECOMMENDATION:

- 1) That the report "Revised process for calling public meetings and scheduling preliminary reports" be received;
- 2) That the Director of Planning and Urban Design, in consultation with the Ward Councillor, be delegated the authority to schedule public meetings for Official Plan and Zoning By-law Amendments and Draft Plans of Subdivision applications;
- 3) That staff be required to bring forward a Preliminary Report to Development Services Committee prior to the Public Meeting, and generally at least one week prior to a scheduled public;
- 4) And That Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable

PURPOSE:

The purpose of this report is to:

- Seek authorization for the Director of Planning and Urban Design to be delegated authority to schedule public meetings;
- Set out a process whereby Preliminary Reports will continue to be prepared and brought forward to Development Services Committee at least one week in advance of scheduled public meetings; and,
- To compare the timelines associated with the current practice for scheduling public meetings with the proposed approach set out in this report.

The intent is to improve processing timelines and allow for greater flexibility in scheduling public meetings.

BACKGROUND:

Public meetings provide an important opportunity for residents and landowners to gain information about a proposed development and to voice their support or concern about a proposal. Furthermore, it is a statutory requirement of the Planning Act that a public meeting be scheduled for all applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision.

Generally, the City's objective is to schedule the public meeting early in the development review process to ensure that public input is integrated into the review of the application. Typically, staff schedules the public meeting after the first set of comments has been received from departments and agencies. This way, the application can be brought forward for public comments within the context of the technical review by City departments and outside agencies.

The current process (the "standard process") for calling a public meeting involves several steps:

- First, the application must be deemed complete. This is the formal start of the development review process;
- Second, the complete application is circulated to City departments and outside agencies for the first review and set of comments;
- Third, staff prepares a preliminary report, which describes the proposed development; provides a preliminary review of Official Plan and Zoning provisions in effect on the subject lands; identifies benefits of the proposal and key matters to be resolved as identified through the department/agency review; and identifies next steps. The preliminary report also seeks authorization to hold a public meeting;
- Once Development Services Committee (DSC) has authorized a public meeting, the notification process can begin and the public meeting held.

The minimum elapsed time from when an application is deemed complete (which is the formal start of the development review process) to holding the public meeting is typically as follows:

- Application circulation to City departments and agencies and review of comments: Minimum 6 weeks
- Preparation and circulation of Preliminary Report: Minimum 6 to 8 weeks
- Public meeting notice, mail-outs and scheduling: Minimum 3 to 4 weeks

While it may be possible to condense these timelines in the case of uncomplicated applications, the elapsed time between deeming an application complete and holding a public meeting is typically in the order of 15 to 18 weeks.

It is important to note that when Council and DSC are on summer recess, the CAO has delegated authority to schedule public meetings (the "delegated process"). This is an important provision as it allows staff to bring an application to a public meeting early in the fall even if a Preliminary Report was not presented to DSC prior to the summer recess.

The delegated process first requires staff to prepare an information memo to the CAO during the summer, which explains the context of the application and requests authorization to hold a public meeting. As with the standard approach, staff brings a Preliminary Report to Development Services Committee in advance of the scheduled public meeting when DSC reconvenes in the fall, so that Committee members have the opportunity to review and discuss the application, if necessary, in advance of the public

meeting. However, the elapsed time between the date of the preliminary report and the date of the public meeting can be significantly reduced because authorization to hold the public meeting has already been granted and the public meeting notification process can already be underway when the Preliminary Report goes to DSC.

DISCUSSION AND OPTIONS:

Generally, the standard process does not provide the flexibility to reduce the time required to call a public meeting when the need arises. For example, applicants frequently request to have their public meetings fast-tracked in May and June, before the summer recess. If a Preliminary Report has not already been presented to DSC when the request is made, it may be difficult to accommodate these requests because:

- While it is possible to start work on a Preliminary Report before the initial application circulation and review is complete, the report cannot be finalized before key department and agency comments have been received and reviewed since Preliminary Reports contain a section that itemizes the matters that need to be resolved through the review of the application.
- Significant time is needed to prepare, circulate and finalize a Preliminary Report. As noted above, this process usually takes at least 6 to 8 weeks.
- The Preliminary Report serves as the trigger to call a public meeting. Therefore the minimum 21 day notification period for public meetings set out in the planning act cannot be initiated until after the Preliminary Report has been received by DSC and staff has authorization to schedule a Public Meeting.

The main concern with the current process is its sequential nature. First, the application must be circulated; then the preliminary report (which is needed to authorize a public meeting) must be prepared, circulated and approved. This is followed by the public meeting notification process, which takes another 3 to 4 weeks to complete. As noted above the typical elapsed time to complete all these tasks is in the range of 15 to 18 weeks.

This timing could be shortened if the process for authorizing a public meeting was delegated and was no longer dependent on DSC authorization through the Preliminary Report. The Preliminary Report could then be prepared concurrently with the notification process for the public meeting, similar to the process that occurs when the CAO calls a public meeting over the summer. This would reduce the time required to prepare for and hold a public meeting and would also add flexibility and efficiency to the process. A Preliminary Report would still be brought forward to Development Services Committee in advance of the scheduled Public Meeting.

Another important consideration is that the process for authorizing a public meeting is essentially an administrative matter, with few discretionary elements:

- A public meeting is a statutory requirement of the Planning Act for Official Plan and Zoning By-law Amendments and Subdivision applications. The City has no discretion on whether or not to hold this meeting;
- Even if the City is not in support of an application, it is still good practice to hold a public meeting in advance of making a decision;

- Generally, it is beneficial to hold the meeting at an early stage in the development review process, once sufficient information is available to answer any questions that may be raised during the meeting;
- There are few examples of Development Services Committee having ever deferred or delayed a public meeting when requested by Staff to hold one.

Proposed alternative

Staff proposes the following revised process for authorizing public meetings:

- Authorization to hold a public meeting would be delegated to the Director of Planning and Urban Design and would be exercised in consultation with the Ward Councillor. This would apply throughout the year and would replace the current requirement to seek authorization from DSC, or from the CAO who has delegated authority during the summer.
- The Planning Department already has a process in place to determine whether or not applications should be scheduled for a public meeting. Planners identify applications that should be brought to a public meeting (usually early in the review process after the first circulation comments have been received from departments and outside agencies) and place them on a list. This list is reviewed by the Director, Senior Manager and District Managers at weekly managers meetings.
- At this point, when an application is being targeted for a public meeting, the planner would consult the Ward Councillor to confirm whether or not a Community Information Meeting is desired. If the Ward Councillor wishes to hold a Community Information Meeting, the Public Meeting would be scheduled to allow sufficient time to notify residents and hold the Community Information Meeting in advance of the Public Meeting.
- Under this approach there would no longer be a need to delay the authorization to hold a public meeting until the Preliminary Report has gone to DSC. This would streamline and potentially expedite the process for scheduling public meetings.
- It is important to note that the current requirement to bring a Preliminary Report to DSC in advance of a scheduled public meeting would remain in place. Staff proposes that Preliminary Reports be brought to DSC a minimum of one week prior to a scheduled public meeting (with the exception of the first public meeting after the summer recess which is usually scheduled on the same day or the day after the first DSC meeting).
- As noted above, staff anticipates that this process would improve processing timelines and allow for greater flexibility in scheduling public meetings as, for example, in cases where applicants request staff to fast-track their public meetings. Staff anticipate that the proposed alternative would allow for a reduction from the current minimum of 15 to 18 weeks to a minimum of 13 to 15 weeks, assuming no Public Information Meeting is required.

FINANCIAL CONSIDERATIONS

Not applicable

HUMAN RESOURCES CONSIDERATIONS

Not applicable

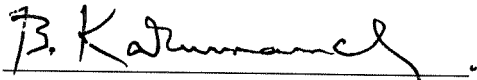
ALIGNMENT WITH STRATEGIC PRIORITIES:

The revised process set out in this report would align with Growth Management and Municipal Services by providing opportunities to streamline the delivery of services and reduce development review times.

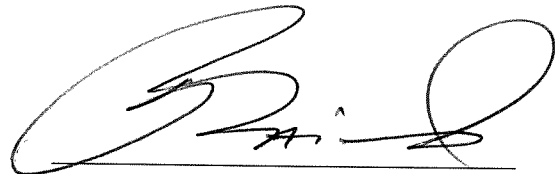
BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable

RECOMMENDED BY:



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