

## Report PDR-PCD-06-16

**To:** Chair McQueen and Members of the Planning and Community Development Committee  
**From:** Scott Taylor, Senior Planner  
**Meeting Date:** February 16, 2016  
**Subject:** **Planning Public Meeting Process Report**  
**Status:** Recommendation adopted by Committee as presented per Resolution PCD42-16; Endorsed by County Council March 1, 2016 per Resolution CC34-16;

### Recommendation(s)

**WHEREAS the County of Grey is required to hold public meetings as part of the planning process,**

**AND WHEREAS the County and member municipalities seek to streamline the development application process for businesses and members of the public, while avoiding any duplication where possible,**

**NOW THEREFORE BE IT RESOLVED that Report PDR-PCD-06-16 be received for information purposes,**

**AND THAT the Report be circulated to municipal Clerks and Planning departments for their information,**

**AND THAT County Planning staff be directed to investigate more robust public consultation techniques for consideration as part of the County's pending Five Year Official Plan Review and other future strategic initiatives.**

### Background

Based on some questions raised at the December 10, 2015 Planning and Community Development Committee meeting, County staff would like to clarify the public meeting process used by the Planning department. Planning in Ontario has statutory requirements to hold public meetings, and in some cases public open houses. When

dealing with development applications, the County and member municipalities coordinate public outreach efforts, such that there is no duplication, and minimal confusion amongst the public. The public meeting roles for council and staff will be highlighted within this report.

It should be noted that this report only deals with public meetings and open houses required under the *Planning Act*, and does not consider meetings also required under the *Aggregate Resources Act*, or through an Environmental Assessment.

### *When are public meetings required and what are the types of public meetings?*

At the County level, public meetings are legislatively required for County official plan amendment applications, plan of subdivision applications, plan of condominium applications\*, and for the creation of a new official plan or official plan review. A minimum of one public meeting is required for each of the above, but the County could choose to hold additional public meetings should they wish to. Within the County we utilize the following types of public meetings as summarized in Table 1 below.

\*There is one type of condominium application referred to as a 'condominium exemption', where the requirement for a public meeting is waived.

Public open houses are not required for site specific development applications, but for some larger development applications open houses may be utilized for additional outreach. Public open houses are required for the creation of a new official plan, or for the five year review of an official plan, in addition to the need for a public meeting.

Public meetings are structured similar to a council meeting, wherein all questions would flow through the warden, mayor, or chair. The developer (and/or his or her team) would be given the opportunity to speak, as would members of the public and municipal councils or committees. Across Grey County public meetings are generally held at municipal council, committee of the whole, or planning committee meetings. Minutes of the public meeting are taken and circulated to council following the meeting.

Public open houses would be less formal in structure and would usually have some displays wherein the public could view the materials and ask individual questions to members of staff or consultants. Public open houses are not presided over by a mayor or chair. Minutes are not generally taken at a public open house.

The County may also choose to hold a public meeting or open house, where there are no legislative requirements to do so. Most commonly this would be done for a special topic or planning study underway. Recent examples of this type of meeting or open

house have been held for the Transportation Master Plan and the Green in Grey Natural Environment Study. The format for these meetings would follow the public meeting or public open house formats described above.

<b>Public Meeting Type</b>	<b>County Development Application Types</b>	<b>Accompanying Municipal Development Application Types</b>	<b>County Planning and Community Development Committee Representative Needed</b>	<b>County staff role(s)</b>
Joint public meeting	County official plan amendment	Would be paired with associated municipal applications i.e. zoning by-law amendments or municipal official plan amendments.	Yes – defaults to the current Planning and Community Development Committee Chair or his/her delegate, which may be the Vice Chair, the representative from that municipality, or other delegated Committee member. Quorum of County Planning and Community Development Committee is not needed.	County Planning Director or his/her designate in attendance to read regulations and/or answer questions. County Planning Administrative Assistant in attendance to take minutes on behalf of the County.
Delegated public meeting (local municipality hosting on behalf of the County)	Plan of subdivision or plan of condominium	Would be paired with associated municipal applications i.e. zoning by-law amendments or municipal official plan amendments.	No – meetings have been delegated to be held by member municipalities.	County Planning Director or his/her designate in attendance to answer questions.
County Public Meeting	New County Official Plan or five year review of the County Official Plan or other County initiated official plan amendment	Not applicable – these would be stand-alone meetings for the County Official Plan only.	Yes – may coincide with a Planning and Community Development Committee meeting or may be held separately. Representation defaults to the current Planning and Community Development Committee Chair or his/her delegate, which may be the Vice Chair, or other delegated Committee member. Quorum of County Planning and Community Development Committee is not needed.*	County Planning Director or his/her designate in attendance to read regulations and/or answer questions. Planning Administrative Assistant (or delegate e.g. Committee Coordinator) in attendance to take minutes.

## Table One: Public Meeting Types

\*Under an official plan five year review an additional 'special meeting of Council' is also required by section 26 of the *Planning Act*.

### *What are the roles of staff and council at public meetings?*

The role of both council and staff at public meetings is to facilitate discussion and information flow about the development or policy proposal. County staff do not recommend approval or refusal at a public meeting, rather the meeting is an opportunity to share information with council(s) and the public regarding the proposal. A subsequent staff report would go back to the County Planning and Community Development Committee with a recommendation on the application, or policy initiative, following receipt of public and agency comments.

To further clarify roles regarding public meetings, County staff would recommend using the follow processes for public meetings going forward. It should be noted that these processes are already being used, with some minor terminology clarifications, and additional consultation with the Chair of the Planning and Community Development Committee, being the only changes to the process.

1. Joint public meetings – following Planning and Community Development Committee's support of an official plan amendment merit report, County Planning staff would coordinate with municipal planners or clerks to determine an appropriate date for a public meeting. Most likely this meeting would be included on a future municipal council, planning committee, or municipal committee of the whole meeting agenda. In rare cases, for larger files, such meetings may be held as a standalone meeting in a larger venue (e.g. arena or community hall) to accommodate anticipated crowds. Following the identification of a target date, County Planning staff would check with the current Planning and Community Development Committee Chair or delegate, to confirm that the date works for them.

Following the selection of the date, County staff would prepare the notice of public meeting, while incorporating in any wording needed to satisfy the municipal development application requirements. The County would then circulate the notice and it would be posted on the County's website. Leading up to the public meeting County and municipal staff would be in regular contact to ensure any public or agency comments were shared between the County and municipality. The County would also prepare the regulations and comment summary on behalf of the County applications, as well as the municipal

applications (if desired by the municipality).

At the public meeting the municipal mayor or committee chair would open the meeting on behalf of the municipality, and make any introductions as required. The County Planning and Community Development Committee Chair (or delegate) would then open the meeting on behalf of the County, and make any introductions as required. Depending upon the preference of the municipality co-hosting the meeting, it may be preferable to have one Chair 'take the lead' for the remainder of the meeting or the two Chairs may continue to function as co-chairs. Following the opening of the meeting, the regulations and comment summary would be read by County and/or municipal staff (depending on the preference of the municipality). If there were any municipal planning reports on the application, these reports would then follow the reading of the regulations and comment summary. Next the proponent and his/her team would be given the opportunity to present their application. Following this presentation, the co-chairs (municipal and County) would open the floor to questions by council or committee members, followed by questions/comments from the public. During this question period County and municipal staff, as well as the proponent and his/her team would usually be called on to answer questions. After the question period, the joint public meeting would be closed by the respective chairs.

Following the meeting, minutes would be finalized by staff and circulated to the County Planning and Community Development Committee and the respective municipal committee or council. In some cases the County Planning Administrative Assistant would prepare the minutes and simply share them with municipal staff for their purposes as well. However, where the joint public meeting is an agenda item as part of a council or committee of the whole session, the municipality may already have a staff member taking minutes for the entire meeting. In cases where dual sets of minutes are being prepared, municipal and County staff would share draft minutes with one another to ensure consistency.

To avoid any confusion regarding the terminology used at these joint public meetings, County staff would recommend referring to the County Planning and Community Development Committee representative co-chairing the meeting as the 'County Planning Chair'. This terminology would be used whether it was County Planning and Community Development Committee Chair, or their delegate (e.g. Vice Chair or other representative).

A recent example of a joint public meeting would be the Misty Meadows Market

public meeting in Southgate for the County / Local official plan amendments and the zoning by-law amendment.

2. Delegated public meetings – in the case of a delegated public meeting the meeting is entirely run by the municipality. The municipality would set the date for the public meeting. The County planner assigned to the file would attend to answer any questions on the County plan of subdivision or condominium application. There is no need to have a County Planning and Community Development Committee representative in attendance.

Leading up to the meeting, similar coordination would occur between County and municipal staff to ensure that all comments received are shared between the two. Notification of the public meeting is done by municipal staff, but County staff are happy to assist with wording or mapping for the notices.

Minutes for a delegated public meeting are taken by municipal staff and a copy of the minutes would be shared with the County for our files.

A recent example of a delegated public meeting would be the Saugeen Riverside plan of subdivision in the Town of Hanover.

3. County public meetings – for County public meetings the process would be very similar to the process for joint public meetings, save an except for the fact that there would be no municipal role. County staff would work with the County Planning and Community Development Committee Chair to determine an appropriate meeting date. The public meeting may be added onto an existing Planning and Community Development Committee agenda, or may be organized as a separate meeting. Planning staff would then send out notice for the public meeting, including posting the application on the County website, and prepare the regulations and comment summary. At the meeting County staff would read the regulations, answer questions, and prepare the minutes. Following the meeting, the minutes would be placed on a future County Planning and Community Development Committee agenda.

Recent examples of County public meetings were held during the five year review official plan amendment 80 public process.

### *What is the future of public meetings and public outreach?*

The County currently meets all legislative requirements for development applications and new policy initiatives (e.g. new official plans or review of official plans). That said,

the legislative requirements are considered to be the minimum requirements, and municipalities have the ability to go beyond the minimum requirements in this regard.

When processing a County official plan amendment the County currently sends direct notice to the required agencies, to members of the public within 120 metres of the subject lands, and to members of the public who have requested written notification on that development application. A small sign (8.5 x 14 inches) is also posted on the subject lands. A notice is also posted on the County website, in addition to the background materials or technical studies associated with the application.

When processing a larger policy initiative, such as a County Official Plan Five Year Review, the County posts advertisements in local newspapers, and includes notices and background materials on the County website.

For site specific development applications, especially those which are minor in nature e.g. creation of a single lot which does not meet current official plan policies, or the expansion of an existing on-farm business, the potential land use impacts may be very minor in scope. In these cases, the above-referenced notification procedures and public meeting processes are likely adequate to inform the public and garner feedback. One minor modification the County may wish to consider would be to have a larger sign posted on the property for these applications.

However in the case of larger development applications, and even more so on County-wide policy initiatives, the above processes may be ill-equipped to garner the feedback and community discussions which should be occurring. In speaking with developers or members of the public, County Planning staff often hear; *'well I didn't know that had changed, when did that policy change, or why didn't I receive notification of the change?'* Especially for broad policy initiatives, if a member of the public does not subscribe to a local newspaper (which many of our seasonal and full-time residents do not), or regularly check the County website (which the public cannot reasonably be expected to do), then one would not hear of policy changes being considered. County Planning staff cannot simply assume that if nobody showed up at a public meeting, or wrote letters/emails to staff, that there are no comments on a policy initiative.

County Planning staff have been utilizing enhanced notification techniques for some recent initiatives such as the Transportation Master Plan and the Green in Grey Natural Environment Study, including radio commercials, notifications in tax bills, social media posts, and targeted messaging to special interest groups/industry sectors. The County has been pleased with the success of some of the above-noted notification techniques. However, recent examples by other municipalities across the Province, and advances in technology, have sparked ideas for additional improvement in this regard. Other non-planning County initiatives, such as the County Information Technology department's

work on the Connected County project, have utilized on-line tools and digital surveys for public outreach to great success.

The idea of asking the public to come to us (in the form of attendance at a public meeting), is also becoming a dated way of thinking. The County Planning department needs to better consider how to go out to the public, or meet the public on their terms, rather than expecting them to come to us, if we want their input.

Moving forward on larger development applications, and more likely on County-wide policy initiatives, County Planning staff hope to utilize some more robust engagement techniques. Public meetings and open houses would still be part of the communication strategy, but other techniques including social media, on-line tools, smart phone apps, the County website, and direct public outreach at existing community events, will likely also be used to facilitate awareness, feedback, and discussion on County initiatives. County Planning staff have recently met with Clerks and IT staff to discuss further outreach initiatives in this regard. More information will be coming forward to the Planning and Community Development Committee on this outreach as part of the 'lead-up' to the County's Official Plan Five Year Review.

With consultation on development applications, both large and small, County staff need to consider equity amongst applicants, and the timely processing of the applications. The County cannot be perceived to be 'targeting' a larger development application, or treating them unfairly when compared to a smaller application. Changes to this process may take some further thought, as well as possibly revising the Fees and Services By-law accordingly. However when dealing with a County-wide policy initiative, the County is the 'driver' of the process, and as long as we meet legislative requirements, are free to also consider other consultation techniques. For these reasons, County staff are recommending that we start by looking at improved consultation on County-wide initiatives, and then transition the discussion to development application improvements.

The impact of the changes made to the *Planning Act*, through the recent passing of Bill 73, and the need for planning advisory committees, may also play a role in the future public outreach. At this stage it is still too early to determine these impacts, or what the scope of a future planning advisory committee will be. Planning staff will provide future updates to the Planning and Community Development Committee once further details are known on this matter.

## Financial/Staffing/Legal/Information Technology Considerations

There are no immediate financial, staffing, legal, or information technology considerations stemming from this report. The public meeting processes described above are essentially the processes which are already utilized, with some minor tweaks



to terminology, and some further consultation recommended between County Planning staff and the County Planning and Community Development Committee Chair.

Should the County wish to use more robust public consultation techniques, it may mean additional staff time or financial resources on strategic initiatives in the future. Should similar techniques be utilized for private development applications it may also mean increased application fees and revising the Fees and Services By-law accordingly.

## Link to Strategic Goals/Priorities

Clarifying roles regarding public meetings and facilitating discussion on planning initiatives is crucial to the planning process. Public meetings are legislatively required by the *Planning Act*, however the County has the option of going beyond the minimum legislative requirements. Further public outreach will hopefully lead to more informed recommendations and decisions being made. The above report is aligned with goals 2, 5, and 6 of the County's Strategic Plan.

## Attachments

None

Respectfully submitted by,

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Director Sign Off: *Randy Scherzer*