

Subject: Review of the City of Burlington's Public Participation Process – Development Applications**Recommendation:**

BE IT RESOLVED THAT Council receive Report #2021-0027 for information.

Background:

This report is provided to Council for information. On November 2nd, 2020, Council requested that Staff review the City of Burlington's public participation process for development applications and report back. The City of Burlington's development process is similar to that followed here at the Town of Pelham, however, the City of Burlington has implemented an additional meeting. This meeting is a Pre-Application Community Meeting, that is not legislatively required and is voluntary. These meetings have been implemented as an additional mechanism to receive public feedback on development proposals early on in the process.

The Pre-Application Community Meeting Protocol applies only to development projects requiring Official Plan amendments, Zoning By-law amendments, and/or Plan of Subdivision applications. It does not apply to other development application types, such as variances, consents, site plans or minor zoning by-law amendments. *Please note that Secondary Plans follow a process that requires a Public Open House in addition to the statutory public meeting under the Planning Act.* The objectives of Burlington's Protocol is to establish an opportunity for public input early in the development process and to give clarity to the roles of applicants, staff, council and the public in advance of a development application being received by the City.

The Pre-Application Community Meeting is held by the applicant for all residents and businesses within 120 metres of the proposed development location (300 metres in the agricultural/rural area) to provide those interested in the proposed development with information about the application. The meeting also facilitates conversations between the interested residents and businesses and applicant to gather input and feedback necessary to make any adjustments (if needed) to the proposal before a development application is submitted to the City. The applicant is required to summarize the feedback received at the Pre-Application Community Meeting in their Planning Justification Report and outline how the feedback has influenced the development proposal.

Analysis:

The City of Burlington started this process at the beginning of 2019 as an additional mechanism to receive public feedback early on in the process. The goal of these meetings are to improve efficiency, reduce the need for revisions during the application process and advance a collaborative approach to development. Since implementation, the City of Burlington has recorded a 100% participation rate from proponents. Those that voluntarily participate and Planning Staff, said that it has shortened the development approval process by decreasing the number of revisions and iterations to studies and plans. Town staff spoke with Planning staff at the City of Burlington to understand the overall objective of facilitating these meetings. City Planning staff feel that these meetings provide for impartiality, neutral moderation, respectful dialogue by all participants, standardization of communication and collection of feedback.

Pre-Application Community Meeting

The meeting is the responsibility of the applicant and at their expense include the costs for display materials, mailings and venue rental. Municipal staff create the mailing list of addresses within the prescribed 120 metre radius (300 metres in agricultural area) of the proposed site and complete the mail out at the expense of the proponent. Invitation to the meeting is required to be provided to the municipality a minimum of four (4) weeks prior to the meeting for staff to complete the mail out to ensure that invitations are received a minimum of 14 days before the meeting.

Given the current pandemic, these meetings have been held via zoom. City staff provide technical support should the proponent wish to proceed using the City's zoom account. If another virtual platform is requested, the proponent provides an overview of the technology a minimum of five (5) weeks prior to the meeting to ensure things will run smoothly. The virtual meeting is to be run by the proponent who is to also provide their own moderator and facilitator, at their own expense. The Moderator needs to make it clear to those in attendance that no application has been submitted and that no decision has been made.

City staff attend the Pre-Application Community Meeting to provide background information on the application process, identify opportunities for public input, and a description of the existing policies and zoning regulations of the site and a high-level description of the amendments that may be required. IT staff are also required to be available for these meetings to be able to address technical issues if they arise while using the City's zoom account.

After the meeting has been completed, the proponent is responsible to:

- Provide the meeting minutes to staff for project file.

- Consider the feedback received and how the proposed development might be adjusted to respond to this feedback.
- Include an additional public consultation section in the Planning Justification Report. This will provide information about the notification process, date and location of the meeting, a summary of the discussion, and how the public feedback was used to refine the development proposal.

While the Town of Pelham does not have a formal process for a Pre-Application Community Meeting, Town staff do encourage proponents to meet with and discuss their proposals with neighbours and the surrounding community prior to submitting an application. Some examples where this has occurred include the redevelopment of the former Fonthill Lumber Yard, 770 Foss Road, 1 Pancake Lane and 3 Hurricane Lane.

Conclusion:

Implementing a Pre-Application Community Meeting Protocol similar to the City of Burlington, will require further analysis regarding implementation requirements, staff and meeting room resources, a policy amendment given that the Pre-Application Meeting has no legislative authority and consultation with the development community. Town Staff currently participate in a number of meetings, therefore the introduction of new processes and meetings will have implications on work load and staff resources.

Prepared and Recommended by:

Tara Lynn O'Toole, B.A (Hons.)
Policy Planner

Barbara Wiens, MCIP, RPP
Director of Community Planning and Development

Prepared and Submitted by:

David Cribbs, BA, MA, JD, MPA
Chief Administrative Officer