

## REPORT

### Planning and Development Council

Meeting Date: September 13, 2021

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**FROM:** Planning Services Department

**DATE:** August 31, 2021

**SUBJECT:** Development Application Notice Report

**LOCATION:** Town-wide

**WARD:** Town-wide

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#### RECOMMENDATION:

That the Development Application Notice Report prepared by the Planning Services Department dated August 31, 2021, be received for information.

#### KEY FACTS:

The following are key points for consideration with respect to this report:

- This report is prepared in response to a “Request for Report” made by Council at the December 21, 2020 Town of Oakville Council meeting, requesting a review of the distribution of public meeting notice for Planning applications.
- In accordance with the provisions of the *Planning Act* and applicable Provincial policies, the Livable Oakville Plan outlines the multiple ways in which public input is obtained and notification for development applications is provided.
- The non-legislative standards set by the Town are outlined in this report as they relate to general notice provided to the public for all types of public notice and engagement conducted by the Town. This includes the Public Notice and Engagement Policy in addition to social media and open houses.
- The Town of Oakville’s Planning Department meets all *Planning Act* requirements relating to the provision of notice for Statutory Public Meetings and goes beyond those requirements by requiring Public Information Meetings be held before the applicant submits their application, and by providing all application materials online to anyone who can search and find them on the Town’s website.

- Other Ontario Municipalities largely only provide notice in keeping with *Planning Act* requirements. Areas where the requirements are exceeded include: extending the notice circulation area upwards of 240 metres; providing application materials and additional information online; and requiring of an information meeting, either held by applicant or by Councillor, prior to the submission of an application.
- While more research would have to be performed to come to any conclusions, a theoretical increase in notice circulation distance from 120 metres to 240 metres would mean an approximate 255.17% increase in both the number of notices provided, as well as the cost associated with mailing notice letters.

## **BACKGROUND:**

### **Request for Report**

This report is prepared and provided to Council in response to a "Request for Report" made at the December 21<sup>st</sup>, 2020, Town of Oakville Council meeting. The resolution carried by Council was as follows:

*"That staff report back with a review and update to the by-law that requires the distribution of 'notice of public meeting' for all developments to include a greater radius."*

### **Scope and Intent of Report**

Planning Staff, in preparing this report, performed a review of Oakville Planning's current processes for providing notice, and reached out to nearby Municipalities of similar sizes to request information on how they provide notice for Planning Applications.

There is no by-law or amendments being proposed at this time, and is provided to Council for information purposes only.

## **PLANNING POLICY & ANALYSIS:**

Planning policy and legislative requirements are provided in the following documents:

- *Planning Act*, R.S.O 1990
- Provincial Policy Statement (2020)
- A Place to Grow - Growth Plan for the Greater Golden Horseshoe (2020)
- Halton Region Official Plan
- Oakville Official Plan (2006)
- Livable Oakville Plan

## **Ontario Planning Act**

The *Planning Act* establishes and sets out the framework and regulatory regime for land use planning and development in the Province of Ontario. It contains specific direction in Section 2(n) - Provincial interest, which decision making authorities shall have regard for when dealing with an application that requires *Planning Act* approval. Further to this, the Act contains a “step-by-step” chronology for approval authorities to follow, which is supplemented by Regulations (O. Regs.) that provide further precise details for implementing items such as Public Notice requirements. For example, in the case of a Zoning By-law Amendment (ZBA) application submitted under Section 34 of the Act, the planning application process is outlined in the *Planning Act* and accompanying O. Reg 545/06, which identifies the consultation details for the following matters:

- Notices for Statutory Public Meetings (i.e. 20 days prior to Statutory Meeting, subject to alternative notice requirements)
- radius for notification to surrounding property owners (i.e. 120 m offset from the subject lands)
- type of Public Notice required (i.e. newspaper posting, paper mail with a sign of newspaper posting to provide notice beyond the mailing area)
- timing of a decision (i.e. 90 days) and rights of appeal to the Ontario Land Tribunal (OLT).

All of these matters are prescribed legislative requirements that must be met in order for a decision to be rendered under the authority of the Act. Furthermore, the *Planning Act* contains direction on the contents of an Official Plan with respect to public input through decision making as noted below, which is elaborated on in this report within the Town’s Official Plan policies:

### **“Official plan Contents of official plan**

**16** (1) *An official plan shall contain,*

*(a) goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic, built and natural environment of the municipality or part of it, or an area that is without municipal organization;*

*(a.1) such policies and measures as are practicable to ensure the adequate provision of affordable housing;*

***(b) a description of the measures and procedures for informing and obtaining the views of the public in respect of,***

- (i) proposed amendments to the official plan or proposed revisions of the plan,**
- (ii) proposed zoning by-laws,**
- (iii) proposed plans of subdivision, and**
- (iv) proposed consents under section 53; and**
- (c) such other matters as may be prescribed. 2015, c. 26, s. 17; 2017, c. 23, Sched. 3, s. 5**

**Same**

**(2) An official plan may contain,**

- (a) a description of the measures and procedures proposed to attain the objectives of the plan;**
- (b) a description of the measures and procedures for informing and obtaining the views of the public in respect of planning matters not mentioned in clause (1) (b); and**
- (c) such other matters as may be prescribed. 2015, c. 26, s. 17.”**

## Public Notice Sign Improvements

As part of ongoing initiatives to enhance public consultation through the development application review process, Staff created a new design for the Public Notice Signs to be posted as per the provisions *Planning Act* in 2016 as seen below:



The new and improved signage incorporates the same required content with more illustrative and simplistic information for the public to understand. In 2017, the Town of Oakville won a [Dazzling Notice Award](#) for increasing civic engagement by improving government communications and outreach.

## **Provincial Policy Statement (2020)**

The 2020 Provincial Policy Statement (PPS) came into effect May 1, 2020, wherein all Planning decisions must comply with the updated PPS. Section 3 of the *Planning Act* requires that any decisions rendered under the authority of the Act “shall be consistent with” the PPS.

While the PPS does not contain specific details as to the requirements for public consultation as set out in the *Planning Act*, it does emphasize the policy foundation for regulating the development and use of land throughout the Province. This is done by encouraging an effective and efficient policy-led planning system, which is implemented through up-to-date Municipal Official Plans and Zoning By-laws. This is noted in Part III of the PPS as follows:

### ***“Policies Represent Minimum Standards***

*The policies of the Provincial Policy Statement represent minimum standards.*

*Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Policy Statement.”*

As noted above, Municipalities may establish certain standards that go above and beyond that of the PPS, which allows for enhanced public consultation measures as part of the community building planning process.

## **A Place to Grow - Growth Plan for the Greater Golden Horseshoe (2020)**

The Growth Plan is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment. The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services.

Similar to the PPS, the Growth Plan provides direction in terms of land use compatibility with specific population and job targets for each Municipality. Where and how to grow, infrastructure, natural systems and other resources are the main components of the document. This establishes a unique land use planning framework for the Greater Golden Horseshoe that supports the achievement of complete communities, a healthy economy, a clean and healthy environment, and social equity. Decisions made on *Planning Act* applications must be consistent with and conform to the policies contained in the Growth Plan.

Upon review, the Growth Plan does not specifically comment on *how* to consult with the public on *Planning Act* applications, but does have some related information. In order to achieve the Growth Plan objectives, Municipal Comprehensive Reviews are required by each Municipality every 10 years in order to keep Official Plan and Zoning By-laws up-to-date with the Growth Plan and implement the PPS direction, goal and objectives on growth and development. These reviews are the responsibility of the Town in coordination with the Region of Halton in conjunction with Policy 5.2.3.3. of the Growth Plan:

*“5.2.3.3. Municipalities are encouraged to engage the public and stakeholders in local efforts to implement this Plan, and to provide the necessary information to ensure the informed involvement of local citizens.”*

### **Halton Region Official Plan**

The Regional Official Plan (ROP) is a policy document which the City of Burlington, Halton Hills, Milton and the Town rely on to guide land use decisions made by Council. It contains wide spread goals and objectives aligned with Provincial direction and policies, which ensures that new development meets the needs of each municipality and its residents as a whole, and as part of the Region of Halton. This enables consistent decision making throughout the Region in terms of the collective vision of Regional Council, made-up of the four separate lower-tier municipalities. As stated in the ROP, in order to maintain a steady approach to reviewing applications submitted under the authority of the *Planning Act*, the Region promotes the following in regards to public consultation:

#### ***“Involvement in Public Decision-Making***

**159.** *The objective of the Region is to promote public awareness of Regional affairs and services and to provide opportunities for all sectors of the community to participate in municipal decision making.*

**160.** *It is the policy of the Region to:*

*(1) Ensure an effective public information and communication program to increase the public's knowledge of and participation in Regional affairs and Regional services.*

*(2) Continue to incorporate public consultation in Regional decision-making processes.*

*(3) Recognize community diversity and develop a communication strategy to involve all sectors of the public in decision-making processes.*

*(4) Recognize linguistic diversity within the community and towards this end: a) continuously improve the use of multi-lingual telephone services; b) consider the production of Regional materials in multi-languages; c) encourage Regional staff to perform sign language and cultural interpretation services; d) support local community agencies providing cultural interpretation and translation services; and e) implement an Inclusion Strategy to ensure that the Region's customer services and business practices respond to the growing diversity in the Halton community.*

*...(6) Provide that meetings of Regional advisory committees be open to the public and be held, where possible, during the evenings.*

*(7) Maintain citizen representation on advisory committees.*

*(8) Encourage and foster public participation, by all sectors of the public, in all aspects of physical and social development, at all stages of the process, including policy formulation, service delivery and program evaluation."*

## **Livable Oakville Plan**

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011 and is currently undergoing a 5 year Official Plan Review to ensure the policies are consistent with the latest Provincial and Regional legislation, support the Town's strategic goals, and reflect the visions and needs of the community.

As stated in the PPS:

*"4.6 The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.*

*Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.*

*In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan."*

As Section 28.18 of the Livable Oakville Plan describes, although the *Planning Act* provides the framework for how notice shall be provided to the public, the notice procedures listed in Section 28.18 of the Livable Oakville Plan may be used as an

alternative to those requirements. While not required, these policies allow Town Council to establish additional notice procedures that differ from the *Planning Act* requirements, where it is determined to be appropriate to do so.

The alternative notice procedures are provided as follow:

***“28.18 Alternative Notice Procedures***

*The Planning Act enables the establishment of alternative notice procedures, for informing and obtaining the views of the public in respect of certain applications and proposals that require approval under the Planning Act. The following notice procedures may be used as an alternative to the notice procedures established by the Planning Act, where permitted.*

- 28.18.1 A public information meeting may be hosted by the Town to inform the public of a proposed Official Plan amendment, Zoning By-law amendment, draft plan of subdivision or draft plan of condominium.*
- 28.18.2 Notice of a public information meeting shall be provided no later than 14 days prior to the date of the meeting.*
- 28.18.3 At least one public meeting shall be hosted by Council to obtain input from the public with respect to a proposed Official Plan amendment, Zoning By-law amendment, draft plan of subdivision or draft plan of condominium.*
- 28.18.4 Notice regarding a proposed Official Plan amendment and/or Zoning By-law amendment where a public information meeting is to be, or has been, held shall be given in accordance with the Planning Act, except where in conflict with the following policies which shall prevail:*
  - a) Notice of a public meeting shall be provided no later than 14 days prior to the date of the meeting.*
  - b) Notice given regarding a proposal that applies generally to the Town shall be placed in the local newspaper(s).*
  - c) Notice given regarding a site-specific proposal shall be placed in the local newspaper(s) or sent by personal service, ordinary mail, e-mail or fax to every owner of land within 120 metres of the subject land.*



*d) Notice given regarding a site-specific proposal shall include the erection by the applicant of notice of application signage on the lands subject to the application in accordance with Town guidelines and applicable requirements.*

*e) Notice given to an organization or public body shall be sent by personal service, ordinary mail, e-mail or fax.*

*28.18.5 The content and effective date of any notice shall otherwise be in accordance with the applicable provisions of the Planning Act, or the regulations thereto."*

In summation, the Town of Oakville's Planning Services Department provides notice of meetings in compliance with the *Planning Act* provisions. In order to submit a development application identified through the pre-consultation process, the Town requires the Applicant to hold a Public Information Meeting providing general information about the application prior to submission. When the development application is deemed complete, the Town requires:

- a letter of Complete Application mailed out to landowners within 120 m
- a Notice of Statutory Public Meeting mailed out to landowners within 120 m
- a sign posted on the property containing the date and time of the meeting, including a brief description of the proposal and illustrative plan of the application
- a Notice of Recommendation Meeting to those who provided a written or oral submission

Furthermore, development application submission materials and a description of the application is posted to the Town's website (Oakville.ca) for the public's information.

### **Oakville Official Plan (2006)**

The Town utilises two Official Plans – the *Livable Oakville* Plan and the Oakville Official Plan. The latter was adopted by the Council of the Corporation of the Town of Oakville on July 5, 1983, by By-law 1983-114 and is one of the Town's two Official Plans. The older OP remains relevant since the North Oakville East Secondary Plan was adopted under this OP and is not yet consolidated with the *Livable Oakville* Plan. The Oakville Official Plan was approved by the Minister of Municipal Affairs and Housing on December 21, 1984, with modifications, certain parts referred to the Ontario Municipal Board and certain parts deferred for further consideration. It should be noted that the North Oakville East Secondary Plan will be consolidated with the *Livable Oakville* Plan, as the North Oakville West Secondary Plan migration has recently been adopted. The consolidated version of the Plan incorporates all amendments and modifications approved by the Minister up to September 30, 2006.

It provides direction for official bodies, private interests, and the community at-large to ensure proper coordination of decisions and activities of both the public and private sectors of the community.

As such, the Plan provides the framework within which Council will carry out successive and more detailed steps in the planning process as it applies to the area. In regards to obtaining input from the public, the Section 14 states:

## ***“PART B – GOALS AND OBJECTIVES***

### ***14. PUBLIC INPUT***

#### *Goal*

- *To obtain public and agency input on planning and development matters.*

#### *Objectives*

- *To provide for effective notice procedures to promote public awareness.*
- *To design consultation processes that enable the public to participate in key stages of the planning process including Official Plan Reviews, Secondary Plans, and similar major planning studies. This consultation process may result in the establishment of a stakeholder’s advisory committee.*
- *To strive for balanced representation in all consultation processes.*
- *To encourage developers to consult with the public prior to submitting a development application that may generate public interest.”*

Similar to the *Livable Oakville* Plan, the Oakville Official Plan as noted above contains general terms that are consistent with the Provincial legislation and direction on engaging with the public on *Planning Act* applications. Noting that the goal of obtaining public input is broad and not specific in relation to the Provincial requirements for providing public notice, Council may determine, create and impose when additional consultation methods should be utilized in order to meet the objectives above.

## **NON-LEGISLATIVE REQUIREMENTS:**

The Town has established additional non-legislative public notice and consultation requirements, which include the following:

- **Public Information Meetings**

- Applicant Initiated Public Information Meetings (PIM) are required for all development applications through the pre-consultation process.
- A PIM allows for introduction of the proposal to the public with related Q&A. The Meeting Minutes and a list of attendees are required to be submitted with the application.
- Hosted by the Applicants to introduce the development proposal to the public and gain preliminary comments, questions and concerns.
- Required prior to a Statutory Public Meeting.

- **Workshops**

- Utilised for Official Plan, Secondary Plan, land use policy studies, and Growth Area reviews
- Includes Open House information sessions for Planning-related studies (i.e. Scenic Corridors Study)

- **Public Notice and Engagement Policy [G-COM-001](#)**

- The Public Notice and Engagement Policy (PNEP) is a general one, which applies to all types of public notice and engagement conducted by the Town. The purpose of this policy is to establish procedures for public notice and engagement that promote open and transparent governance of the town with the goal of informing, consulting, involving, collaborating with, and empowering the public
- The PNEP does not provide any specific requirements to the Planning Department, but instead provides for a general procedure that should be considered when notifying the public:
  - *Statutory requirements* – legislation that specifies notice requirements
  - *Financial considerations* – budget availability/allocation will be a high priority consideration
  - *Geographic area of impact* – town-wide or area-specific impacts
  - *Community impact* – town-wide impact or impact limited to certain groups
  - *Target audience* – individuals who are directly or indirectly affected
  - *Timeframe of notification* – ensure sufficient lead time and recognize seasonal constraints
  - *Nature of issue/initiative* – may be high profile, controversial or routine in nature
  - *Type of engagement* – ranges from inform to empower

- *Form of notice* – online and electronic means will be used as the primary form of notification, other forms of notification may be considered to reflect the scope of the initiative
- *Health and public safety risk* – demand the highest standard
- *Accessibility* – in accordance with the Accessibility for Ontarians with Disabilities Act, 2005 requirements

- **Social Media**

- The Town currently operates social media accounts on many social media services, including Facebook, Twitter, and Instagram.
- Staff explored the potential to create a “Planning and Development” Twitter account as a child account to the Town’s centralized social media model. This was determined not feasible based on the following rationale:
  - It is best practice not to give a “silo” approach (i.e. individual department accounts) to social media in order for residents know which account is the official information for the Town of Oakville, noting the corporate account promotes various department programs/services.
  - The Oakville Centre for the Performing Arts, Oakville Transit, and the Oakville Museum all have their own Twitter accounts based on successful business cases, which determined that the audience they deal with is different from the Town’s audience on a whole. They are also seen as separate from the Town with their audience.
  - A new account starts with zero followers. Currently the corporate Twitter account has over 23,000 which means a bigger audience to take advantage of.
  - Social media takes a lot of time to be effective and as such, resourcing may be an issue since it requires a full time Staff complement.
  - It may be more efficient and effective to promote new notices on the corporate account.
  - Monitoring and responding takes a lot of time and social media users expect a response and is not a notification system, but a two-way communication.

- **Town Standards**

- Public engagement efforts undertaken on behalf of the town should reflect the magnitude and complexity of the issue/initiative and the desired goal or outcome. The five broadly recognized types of public engagement the town undertakes are:

- *To inform* – provide information to assist in understanding the issue/initiative, alternatives, opportunities and/or solutions
- *To consult* – obtain feedback on analysis, alternatives and/or decisions
- *To involve* – work directly with the community throughout the process to ensure concerns and aspirations are understood
- *To collaborate* – partner with the community in the development of a decision to seek alternatives and/or a preferred solution
- *To empower* – place final decision-making in the hands of the community

## BEST PRACTICES:

The *Planning Act* establishes minimum requirements for the giving of Public Notice, but many municipalities (including Oakville) go above and beyond the *Planning Act* requirements where it is appropriate to do so, in order to ensure their communities are well informed and to encourage an increased level of consultation and engagement on development applications. Therefore, to get a better understanding of the local Planning standards outside of the Town, emails were sent out to multiple nearby municipalities of similar sizes to Oakville. The email template sent out included the following:

*Oakville's Planning Department is conducting research on public notice, and I am reaching out to ask about your Notice circulation for Planning Act applications (i.e. ZBA, Condominium, Subdivision, OPA, etc.).*

*Aside from statutory requirements such as a Notice Sign and mail-out notices to property owners within 120m of the subject lands, are there any additional channels through which the public is advised of a development proposal that go above-and-beyond the requirements of the Planning Act? Do you extend the 120m radius for mail-out notices?*

Municipalities were very helpful and forthright in responding to our emails and follow-up questions. Their responses will be provided in individual sections as follows and summarized in a table provided in Appendix A.

### City of Brampton

Brampton follows a similar process for development applications as Oakville does. Like the Town, applicants are required to install a notice sign on the property for Official Plan or Zoning By-law Amendment applications. While it isn't a standard requirement prior to making a submission like Oakville's Public Information Meeting, Brampton holds Community Informal Open House Meetings at request of Councillors or the applicant.

For the required Statutory Public Meeting, Brampton goes beyond the 120 metre *Planning Act* requirement by providing a mail-out notice to all properties within 240 metres of the subject property. They also provide notice through the local newspaper, and provide Planning reports and materials online to everyone accessing the city's website.

#### City of Burlington

The City of Burlington holds a Pre-Application Community Meeting for development applications and creates webpages for individual applications that provide application details, supporting materials, and details for future meetings, similar to the Town

For the required Statutory Public Meeting, a 120 metre radius mail-out is required in the urban area, per *Planning Act* requirements, and is extended to 300 metres for properties in the rural area of Burlington. Distance can also be extended on a case-by-case basis, if deemed to be appropriate. For Committee of Adjustment applications there is a standard 60 metre mail-out radius, with a notification sign posted on the property and notice provided in the local newspaper.

#### City of Guelph

The City of Guelph does not have any development notice requirements beyond what is required by the *Planning Act*, which is a 120 metre mail-out notice for the required Public Meeting and a sign placed on the property informing of the application. Notice is also provided in the local newspaper, and applications are provided on the City website listing active development applications and providing a webpage for each that lists all submitted materials and any reports that are provided to Council.

#### Town of Halton Hills

Like the City of Guelph, the Town of Halton Hills relies only on the *Planning Act* requirements for Development Applications. All applications are posted to a list on the website, with links to a map showing the application boundaries and some high-level details. Larger and higher profile applications will receive a dedicated page on the website, where relevant materials like reports, application materials, updates, and FAQs are provided to the public.

With Site Plan applications, the town of Halton Hills also uniquely requires the property owner to post a notice sign of similar size and style to what is required during a minor variance application, informing the public of the application, however it should be noted that there are no notice requirements or appeal rights for a Site

Plan application under the *Planning Act* and a notice sign is only placed on the property as an additional method of informing the public.

#### City of Hamilton

The City of Hamilton also only maintains the *Planning Act* requirements and does not extend the distance at which notice of the application is provided. While there is a map to reference which shows all Development Applications, Site Plan applications, and Minor Variances, no application materials are provided online that staff could find.

#### City of Kingston

Kingston provides notice in keeping with the *Planning Act* requirements, which is on-site signage, mail-out notice of Public Meeting within 120 metres, notice online and in the local newspaper. Kingston has recently transitioned to receiving application submissions fully digitally through their system they call "DASH - Development and Services Hub". DASH allows the public to search for and view a large amount of information about every application and every application type in the City, including the applicant, planner, application materials, status of the application, and all available property information.

For complex Planning applications, Kingston requires the applicant to hold a public open house to engage the public prior to the Statutory Public Meeting. City Staff attend these meetings as well, and the intent is to give the public information in a less formal setting prior to taking formal comments at the public meeting held by Council.

#### City of Kitchener

The City of Kitchener just concluded a Development Service Review project, which reviewed all consultation processes they had in place for Development Applications. While they will continue to follow the statutory requirements for notice under the *Planning Act*, some changes are currently underway. Kitchener is extending notice distance to 240 metres as part of a pilot project, doubling the 120 metre requirement, and are choosing to send out simplified, graphical post-cards instead of letters, intended to remove barriers to engagement with the community.

All application materials are provided online within a mapping application, where the status of projects can be seen in real-time by any member of the public.

### City of London

The City of London mainly follows statutory requirements, which is to mail notice of the Public Meeting to landowners within 120 metres, provide notice in the newspaper, place a development sign on the property and create application specific webpages that are linked in materials provided to the public. While the application is described on these webpages, the City of London does not appear to provide submission materials (i.e. drawings, reports) to the public, and only provides copies of the notices on the webpage.

One unique detail the City of London brought up was efforts to provide notice to tenants in multi-residential buildings. If they have "door point" information for multi-family buildings, which is typically enabled by condominiums but not rental buildings, then notice is provided to those individual units as well. Planning Staff would need to complete further research to evaluate whether this could be implemented for the Town.

### City of Mississauga

The City of Mississauga described its process quite similarly to that of the Town's, which is notice within 120 metres, newspaper advertisements, and signs installed on the property. Development information (not including site plans) is all provided online alongside materials submitted by the applicant.

### City of Vaughan

The City of Vaughan meets all statutory requirements while also providing an easy to use website that posts all relevant information to the public about each planning application that they receive. Vaughan uniquely circulates notices at 150 metres, at a radius 30 metres wider than required. Additionally, for Official Plan Amendment and Zoning By-law Amendment applications, the City provides Councillors with an opportunity to expand the notification area further.

### City of Waterloo

Waterloo does not engage the public beyond statutory requirements; a notice sign, post in the newspaper and online, a statutory public meeting, and letters to landowners within 120 metres. The City of Waterloo also only provides application materials for Zoning By-law Amendments on their website.

One unique note Waterloo staff provided, was that a Twitter account was recently created by their team to advertise new applications and Waterloo Planning initiatives. At time of emailing, the account was not well used and had few followers, but staff mentioned they would be using it more moving forward.



## Differences in Best Practices

As expected, all municipalities meet the minimum requirements set out by the *Planning Act*. Where they differ is summarized in this section.

Some municipalities extend the notification radius for development applications as follows:

- Three different municipalities have chosen to extend their public notice circulation distances from 120 metres: Kitchener to 240 metres, Brampton to 240 metres, and Vaughan to 150 metres.
- Vaughan additionally provides Councillors the opportunity to extend notice distance when the application is a Zoning By-law or Official Plan Amendment.
- While Burlington provides notice at a standard 120 metres, they extend to 300 metres in the “rural area” presumably because properties are spaced further apart.

All Planning departments surveyed have some sort of online presence where development information is provided to the public. The Town of Oakville does go above and beyond most other municipalities in providing all application materials (only Site Plan, Elevations, and Landscape Plan for Site Plan applications) online for all development applications, whereas around half of all municipalities only provided the submission materials in certain cases (i.e. when it is “high profile”) or not at all. The City of Kingston provides a significant amount of information to the public through their DASH (Development and Services Hub), which includes: all application materials, full applicant contact information, full property information, and detailed information on the status of the application as it moves through internal review.

The Town of Oakville and City of Burlington are the only municipalities to require the applicant to hold a Public Information Meeting (Pre-application Community Meeting in Burlington’s case) as a submission requirement for Development Applications. Brampton only does so at the request of Councillors, and Kingston makes it a requirement when the application is identified as complex or high-profile.

## FEES / COST CONSIDERATIONS:

The costs associated with providing notice for two applications and their Statutory Public Meetings, including the cost of posting an ad in the newspaper (Oakville Beaver) and Mail-out notices to properties within 120 m of the subject lands are provided in the following Table 1:

File Name and Number	Notice Type	Oakville Beaver Cost	*Mailout Cost	Total Cost
Bronte GO Major Transit Station Area, File No. 42.15.58	Statutory Public Meeting	\$1,628.79	\$140.00	\$1,768.79
Kamato Holdings Limited, File No. Z.1512.09	Statutory Public Meeting	n/a	\$152.00	\$152.00

*Table 1 – Real Costs for Providing Notice for two Recent Development Applications*

The Mail-out Cost is broken down as follows, for a total of \$1 per notice provided, exclusive of labour costs for staff time who create and distribute these notices.

\$0.90 for postage  
 \$0.02 per black and white page (\$0.05 colour)  
 \$0.05 envelope  
 Total: \$1.00 CAD per Notice

To evaluate the difference between a 120 metre and a 240 metre circulation radius for providing notice, an analysis was undertaken to evaluate how many properties are picked up under both distances. Based on the formula for the area of a circle ( $\pi \cdot r^2$ ) the effect of doubling the circulation radius quadruples the circulation area. Using that formula, we can show that a circulation radius of 120 metres covers an area of about 45,238 square metres and a circulation radius of 240 metres covers an area of about 180,956 square metres, which is a 4 times increase as expected.

This may not necessarily be true in practice, and both the layout of parcels and where the property is located will have a significant effect on how many properties are picked up by the radius to receive notice. To briefly compare the potential real-world effect, a few recent notices for public meetings have been selected from different areas of the Town to capture a variety of locations and Wards.

#### **Example 1 - 1226-1230 White Oaks Blvd, 350 Lynwood Drive, Ward 6**

With a 120 metre notice radius, 227 addresses are picked up, whereas with a 240 metre notice radius 675 addresses are found. This is an increase to the cost of providing notice by a factor of about 3. Assuming a cost of \$1.00 per mailed notice, it is an increase of \$448.00, from \$227.00 to \$675.00.

#### **Example 2 - 40, 64, 86 Burnhamthorpe Road East, Ward 7**

With a 120 metre radius 281 addresses are found, whereas with a 240 metre radius 601 addresses are found. This is an increase of 320 addresses, and a \$320.00 cost increase accordingly.

**Example 3 - 1039 Dundas Street West & 3056 Neyagawa Boulevard, Ward 7**

66 addresses are found with a 120 metre radius, whereas 175 addresses are found with a 240 metre radius, for an increase of 109 addresses and a \$109.00 cost increase.

**Example 4 – 3538-3544 Wyecroft Road, Ward 1**

13 addresses are found with a 120 metre circulation radius, whereas 18 are found with a 240 metre circulation radius. This application is in an industrial area with much larger parcels which explains why so few properties are selected. The increase in circulation radius picks up an additional 5 properties with just a \$5.00 cost increase for public meeting notification.

**Example 5 - 454 Rebecca Street – Ward 2**

137 addresses are picked up with a 120 metre circulation, whereas 379 addresses are found with a 240 metre circulation radius. 242 additional properties would therefore receive notice with the increase in circulation radius, for an increase of \$242.00.

**Comparison and Analysis**

The following Table 2 shows a summary of the number of properties picked up for each example under the different circulation distances. It also shows both the numerical increase and the percentage increase, while providing averages for each.

	Ex 1	Ex 2	Ex 3	Ex 4	Ex 5	Average
<b>120m Radius</b>	227	281	66	13	137	145
<b>240m Radius</b>	675	601	175	18	379	370
<b>Increase</b>	448	320	109	5	242	225
<b>% Increase</b>	297.36%	213.88%	265.15%	138.46%	276.74%	<b>255.17%</b>

*Table 2 – Number of Properties Selected by Notice Distance*

On average, among the 5 randomly chosen properties across a few different Wards in the Town, a 120 metre circulation radius picks up 145 properties and a 240 metre radius picks up an average of 370 properties, for an average increase of about 255%. What this means is that the cost increase to double the circulation radius would be 2.55 times the current cost, for each notice provided.

The above analysis is a very basic and limited look at the cost increase associated with a wider notification radius. Additionally, the analysis does not consider the cost

increase associated with staff labour hours, which may or may not be a significant factor.

**CLIMATE CHANGE/ACTION:**

As discussed, an increase to circulation distance would increase the number of properties to receive notice. Per the above analysis, it would result in a large increase in paper notices both created and delivered, thereby increasing the resulting waste and energy use as result of providing notice for Development Applications.

**CONCLUSION:**

This report provides an overview of how public notice is provided for development applications, in response to Council's request for more information. Oakville's practice is comparable to other municipalities and uses a variety of mediums to engage the public.

**APPENDICES:**

Appendix A – Notice Comparison Table

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