SUBJECT: Development Review – Pre-application Community Meeting Protocol

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning, with Corporate Communications and Government Relations

Report Number: PL-23-20

Wards Affected: all wards

File Numbers: 502-01

Date to Committee: September 15, 2020

Date to Council: September 28, 2020

Recommendation:

Endorse staff implementation of the document titled Pre-application Community Meeting Protocol attached as Appendix A to community planning report PL-23-20.

PURPOSE:

The purpose of this report is to introduce a revised protocol for implementing Pre-application Community Meetings in response to Mayor's office Report No. MO-21-19, which has the following council direction:

> Direct the Director of Community Planning to review the Mayor's Proposed Protocol attached as Appendix A to mayor's office report MO-21-19, incorporate any feedback from Committee and bring a revised protocol for approval in February 2020.

The objectives of the Recommended Protocol are to establish an opportunity for public input to proponents early in the development process; to provide proponents with instructions and tools to facilitate a consistent approach to Pre-Application Community Meetings; and to give clarity to the roles of proponents, staff, council and the public in advance of a development application being received by the City.

The Pre-application Community Meeting Protocol (Recommended 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 site plan control, variances, consents or zoning clearances.

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
- Building more citizen engagement, community health and culture

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Executive Summary:

This report introduces a revised protocol (Recommended Protocol) for implementing Pre-application Community Meetings, to replace the *Current Applicant's Guide to Pre-application Public Consultation* (Current Applicant's Guide).

Pre-application Community Meetings are held by proponents of development in advance of formal applications to the City for Official Plan amendment, Zoning By-law amendment and/or Plans of subdivision applications.

Pre-application Community Meetings provide the opportunity for proponents of development to obtain early input from the public, foster a collaborative approach to city building and facilitate an efficient application review process.

While not legislatively required, to date there has been a 100% participation rate from proponents. Staff's survey of other mid-sized communities in Ontario found that most other communities are only consulting the public once an application is received, although a few have implemented proponent-led, pre-application public meetings. In recognition of the voluntary nature of Pre-application Community Meetings, staff's Recommended Protocol is intended to reflect the sensitive and conceptual nature of the information that is shared by proponents before a formal application is made, and not result in an overly onerous process that discourages proponents from participating.

The objectives of the Recommended Protocol are: to establish an opportunity for public input to applicants early in the development process; to provide applicants with instructions and tools to facilitate a consistent approach to Pre-Application Community Meetings; 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 report summarizes each stage of the Pre-application Community Meeting as described in the Current Applicant's Guide and the Mayor's Proposed Protocol and provide comment that informs the Recommended Protocol.

The Recommended Protocol does not apply to other development application types, such as site plan control, variances, consents or zoning clearances.

Background and Discussion:

Since February 2019 the City of Burlington has implemented Pre-application Community Meetings to provide proponents of development with an opportunity to hear and incorporate public feedback into their development proposals before the proponent makes a formal application. This early public input is intended to improve the efficiency of the application review process by reducing the need for revisions during the application process, in response to public comments. At the time that this process was implemented an internal document, titled *Applicant's Guide to Pre-Application Public Consultation* (Current Applicant's Guide, Appendix B) was created to provide proponents with City staff's expectations for these meetings.

On December 16, 2019 Council approved the staff direction of Report No. MO-21-19, to review the proposed protocol that is provided in that report (Mayor's Proposed Protocol). Report No. MO-21-19 identified the following objectives for Pre-application Community Meetings:

- Impartiality;
- Clarity of roles and responsibilities for residents;
- Neutral moderation;
- Early communication to the public of proposed development;
- Respectful dialogue by all participants;
- Standardization of communication; and,
- Standardized collection of feedback.

Staff support and have aimed to achieve these objectives in the Recommended Protocol.

Current Legislative and City Requirements for Public Engagement

The following is an overview of the current legislative and City requirements for public engagement as they relate to development applications.

<u>Planning Act</u>

Based on legislation, the current effectiveness of this stage of engagement is dependent upon the willing participation of a proponent. Section 22 of the *Planning Act*, regarding amending an Official Plan, states the following:

> Prescribed information
>
> (4) A person or public body that requests an amendment to the official plan of a municipality or planning board shall provide the prescribed information and material to the council or planning board. 1996, c. 4, s. 13.
>
> Other information
>
> (5) A council or a planning board may require that a person or public body that requests an amendment to its official plan provide any other information or material that the council or planning board considers it may need, but only if the official plan contains provisions relating to requirements under this subsection. 2006, c. 23, s. 11 (4).

The prescribed information and material are outlined in *Ontario Regulation 543/06* Official Plans and Plan Amendments, Section 10 and Schedule 1. This regulation requires that a proponent submit a proposed strategy for consulting with the public with respect to the requested amendment. It does not contain any requirement for a proponent to consult the public prior to an application to amend an Official Plan.

Very similar language exists in Section 34 of the *Planning Act*, and *Ontario Regulation 545/06* regarding amending a Zoning By-law, and in Section 51 of the *Planning Act*, and *Ontario Regulation 544/06* regarding Plans of Subdivision.

These regulations require that a proponent submit a proposed strategy for consulting with the public with respect to the requested amendment. It does not contain any requirement for a proponent to consult the public prior to an application to amend a Zoning By-law or for Subdivision application.

<u>City of Burlington Official Plan</u>

Part VI, Section 1.3 e) of the City's Official Plan requires a proponent to pre-consult with the City prior to the submission of an application and encourages pre-consultation with other affected agencies such as Halton Region and Conservation Halton, where appropriate. Part VI, Section 1.3 f) lists the additional information that the City may require for consideration of an Official Plan amendment, Zoning By-law amendment, plans of subdivision and consents.

The Official Plan does not contain any requirement for a proponent to consult the public prior to an amendment application. Further, these Subsections are currently under appeal to the Local Planning Appeal Tribunal (LPAT). As such, public consultation by a proponent prior to an application has and continues to be voluntary and has witnessed 100% participation since this process was implemented. If the City were to establish an overly onerous process the effect may be a diminished willingness by proponents to engage the public prior to an application, and diminished sharing of information that might otherwise allow the public to engage with the proponent at this early stage.

City of Burlington Adopted Official Plan, 2018

The proposed new Official Plan was adopted by Council on April 26, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. Halton Region has identified areas of non-conformity, and as such, the adopted Official Plan will be subject to additional review and revision prior to its approval. Further, City Council directed a new staff review and public engagement process to consider potential modifications, largely focused on the policies of the Downtown Urban Centre.

Regional Staff are currently reviewing the adopted Official Plan and are working with City staff to develop modifications to put the Region in a position to approve the adopted Official Plan (2018). These modifications will be presented to Burlington City Council in the form of the draft decision in the fourth quarter of 2020. The modifications will include a wide range of changes and have considered changes related to the requirements for development application processes.

When are Our Peer Municipalities Consulting the Public?

Planning staff reached out to other mid-sized communities in Ontario to find out whether they are consulting the public in advance of an application, and if so, in what format. Most municipalities are only consulting the public once an application has been received, although some have implemented proponent-led public consultation in advance of an application, similar to Burlington's current process. The responses are summarized below.

Municipality	**Comment**
Kingston	No public meeting is held in advance of a complete application.
Mississauga	Proponents are advised to contact the Ward Councilor to discuss the need for a Community meeting before an application is filed.
Niagara Falls	No public meeting is held in advance of a complete application.
Oakville	Proponents are strongly encouraged to hold a Public Information Meeting for properties within 120 m of the development site. Proponents are to provide meeting notes as part of a complete application.
Halton Hills	No public meeting is held in advance of a complete application.
Milton	No public meeting is held in advance of a complete application.

Vaughan	No public meeting is held in advance of a complete application.
Kitchener	No public meeting is held in advance of a complete application.
London	Proponents are encouraged to hold a pre-application community meeting.
Hamilton	Public meetings are not required in advance of an application submission. In specific instances applicants may be encouraged to work with the neighbourhood meeting in advance of an application.

Strategy/process

The following tables summarize each stage of the Pre-application Community Meeting as described in the Current Applicant's Guide and the Mayor's Proposed Protocol and provide comment that informs the recommended Protocol.

As a result of the COVID-19 virus, safety provisions are required to protect the health of staff and the public. These provisions impact the processes and nature of Pre-application Community Meetings. These have been addressed and identified as "Alternate recommendation" throughout the report.

<u>Before the Pre-application Community Meeting</u>

A technical preconsultation is held prior to a formal application, attended by City and agency staff to advise the proponent of submission requirements. Agency staff are not expected to participate in any pre-application community meetings.

Setup and Scheduling

Current Applicant's Guide	Mayor's Proposed Protocol (report MO-21-19)	Staff Comments
No web page is created at this stage. The meeting invitation is posted along with contact information on the City's Get Involved calendar.	A web page is created on the Current Development Projects section of the City website. All material associated with the meeting will be posted along with contact information.	No webpage is created at this stage because there is a great deal of uncertainty. In some cases, once proponents have been informed of the requirements, a proponent

		elects not to proceed with an application. Further, materials viewed by staff at the technical preconsultation stage are confidential and proprietary to the proponent.
Proponent must conduct an independent consultation meeting. Costs of display materials, mailing, venue and equipment are paid for by the proponent. The City provides guidelines.	Meeting space to be coordinated by staff, including venue, appropriate seating, equipment, and paid for by the proponent.	To date there have been no issues with proponents booking inappropriate venues. Allowing the proponent to continue to make these arrangements, in accordance with criteria such as accessibility, capacity, etc., will save staff time and reduce administrative costs.
Available dates of Ward Councilor, the Mayor and City staff are to be confirmed for meeting scheduling. Holidays and school vacations should be avoided.	Meeting scheduling to allow for attendance of Ward Councilor and Mayor.	No change is required.

Recommendation

- A development webpage is not created at the stage of Pre-application Community Meetings.
- The proponent is to host a Pre-application Community Meeting.
- Alternate recommendation: The City will offer technical support for a virtual meeting upon request. All other aspects of the meeting, as described herein, remain the responsibility of the proponent.
- Scheduling of the meeting by the proponent is to be coordinated with City staff, Ward Councilor and the Mayor’s availability and appropriateness of the date.
- All costs of the meeting are to be borne by the proponent.
- Alternate recommendation: While social distancing procedures are in place the City will host virtual meetings using existing platform licenses.

Meeting Invitation

Current Applicant's Guide	Mayor's Proposed Protocol (report MO-21-19)	Staff Comments
The City provides a list of required information to include in the invitation. Invitation format is not prescribed. The proponent provides the City with the invitation for circulation on proponent's behalf.	Notices follow a standard City of Burlington notice format on City letterhead that mirrors the mailouts sent after an application is received.	Using Burlington letterhead, city notice format and Burlington branded envelopes may cause confusion of a proposal's status, despite clarifying text. Providing a standard format and clear content guidance for a proponent-created invitation may improve consistency of information that public can expect.
Invitations identify the purpose of the meeting, including development location, to seek feedback on applications intended to be made, and concept plan, elevations or other illustrations showing proposed development.	Notice contains a detailed description of the development and required changes to the Official Plan and Zoning By-law to facilitate the development.	Details of the required amendments are not available at this early stage. In general, a conceptual design has greater potential to be revised by the proponent to address comments from the public.
	Notice to contain: • location map; • rendering of the proposed development, if available; • an overview of the roles of council, staff and the proponent at the meeting; • statement that no application has been received and that no decision has been made by the City; and, • description of purpose of the meeting as being to receive public input	This can be incorporated into an invitation template.

	to shape development application submission.	
Meeting invitation contains contact information for the proponent only. Since there is no formal application yet staff are not assigned to the project at this time.	Notice contains contact information of City planner, Ward Councilor and Mayor as well as the proponent.	Providing contact information of the Community Planning Department and elected officials may result in feedback not reaching the proponent, who has the ability to respond to comments prior to making a submission. It risks placing onus on staff resources to relay information to the proponent, thereby adding to administrative costs to the City prior to having received an application. Comments submitted to staff prior to an application do not become part of the record as no application file has been setup prior to formal applications are submitted. Staff have no ability to consider comments outside of the formal application process. Further, it risks confusing the public of the purpose or effect of their comments at this stage. The intent is that the proponent receives all comments directly so that they may be addressed as part of a future application.
Invitations are mailed out by the City, at the cost of the proponent, to property owners and residents, based on a circulation distance of 120 metres from the proposed	Notices are mailed out to homes within 120 m by the City, at the cost of the proponent.	Previously, invitations have been mailed out in City branded envelopes, which has been a source of confusion by the public. Going forward invitations should be mailed out in

development site in the urban area, and 300 metres in the rural area and North Aldershot.		unbranded envelopes, which will contain only the City's mailing address for returned mail.
Invitations must be sent out a minimum of 10 days before the meeting and should be provided to the City a minimum of three weeks prior to the meeting.	Notice is provided at least two-weeks prior to the meeting.	This adjustment can be incorporated.
	Notice is included on City Get Involved calendar and provided in social feeds.	Notices can be incorporated in the Get Involved calendar, in alignment with notices being mailed out. Subscribers to the Get Involved calendar will receive notifications about upcoming development application public meetings Subscribing to the Get Involved calendar to receive updates is promoted through social media.
	Notice is provided in newsletters of Ward Councilor and Mayor, with special newsletter created when timing does not coincide.	This is to the discretion of the Ward Councilor and Mayor.
It is not standard to create an application webpage in advance of a complete application.	Creation of a webpage has been suggested to occur earlier in the process.	The risk to the City is in creating a webpage prior to submission of a formal application is that the public may receive inconsistent information from the City. This is due to proponent's individual willingness to share materials, and the potential that no application will be submitted. Further, materials are subject to

		change and should therefore not be posted on the City's website, due to risk of creating confusion regarding what is or will be proposed. However, residents have come to expect there will be documents and information on the development as early as possible. Once a proponent has circulated an invitation to the public there is greater certainty that a formal application will be submitted to the City in the future. As such, there is merit in creating a webpage at this stage. For the reasons noted above, the webpage should not include details of the proposal which are proprietary and subject to change. A webpage created at this stage should include the proponent's contact information so that residents may inquire or provide comments to the appropriate entity about the proposed development.

Recommendation

- A Pre-application Community Meeting invitation template has been developed (Appendix C), which is clearly distinct from formal application notice issued by the City;
- The invitation template will include: location map; rendering of the proposed development, if available; an overview of the roles of council, staff and the proponent at the meeting; proponent contact information; statement that no

application has been submitted and that no decision has been made by the City; a description of purpose of the meeting being for the proponent to receive public input to shape development application submission; instruction to subscribe to the webpage of the proposed development.

- The notice will identify the current policies and zoning of a site.
- The City will mail the invitation in unbranded envelopes to residents and property owners within 120 m (300 m in rural areas or in North Aldershot), in unbranded envelopes, at the cost of the proponent.
- The invitation will be sent 2 weeks prior to the meeting date, under the applicant's letter head and unbranded envelopes.
- A webpage will be created and located under the City's Current Development Projects website umbrella, including a description of the proposed development and contact information of the proponent.

<u>At the Pre-application Community Meeting</u>

Presentation

Current Applicant's Guide	Mayor's Proposed Protocol (report MO-21-19)	Staff Comments
Proponent is to provide an opportunity for the Ward Councilor to be involved, as determined through discussion with the Ward Councilor. Elected official's role may include making introductions or moderating question and answer session.	Ward Councilor or an independent, internal or external, facilitator moderate the meeting.	After consulting further with staff, it has been determined that not enough staff are appropriately trained to moderate this type of meeting. Staff are generally trained in facilitation of a process, (e.g. Innovation in a Box), which is not a tool for moderating this form of meeting. Staff do not advise that the Ward Councilor moderate the meeting. The responsibility of moderating is to maintain neutrality. The risk to the Ward Councilor is that they may experience pressure to take a position at this stage.

		Based on this, an independent moderator sourced by the proponent is required.
Moderator typically provides clarity of roles. This is emphasized by City staff presentation of the process.	A moderator outlines roles of City staff, elected officials and the proponent and describes expectation of decorum.	No change is required.
Planning staff provide background information about the review process and opportunities to get involved.	Planning staff present the planning process and explain that no application has been submitted and that no decision has been made.	No change is required.
Planning staff provide a brief overview of the current Official Plan and zoning on the site and identify whether changes would be required	Planning staff describe changes needed to Official Plan and Zoning By-law if the proposed application is submitted.	Comprehensive details of the required amendments are not available at this early stage, and the proposal is subject to change. Staff are able to provide a high-level description of the amendments that may be required. In general, a conceptual stage of design has greater potential to be revised to address comments from the public.
Proponent presents proposed concept. Display materials to illustrate concept are encouraged. Proponent and/or proponent's experts are present to respond to questions of the public.	Proponent presents proposed concept.	No change is required.

Recommendation

- Staff will provide an agenda template for the proponent;

- Proponents are encouraged to invite Ward Councilor and Mayor to make a statement during the meeting;
- Proponents are required to provide their own moderator for the meeting, at their expense;
- Moderator is to explain that no application has been submitted at this time, and that no City decision has been made;
- Moderator is to describe roles of the proponent, staff, elected officials and public;
- Planning staff will describe the application process, 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;
- The proponent will describe the proposed development and display materials. They will also respond to questions and receive comments made by the public;

Documentation

Current Applicant's Guide	Mayor's Proposed Protocol (report MO-21-19)	Staff Comments
Sign-in sheets are optional, and proponent should ensure that personal information is kept in a secure place.	City staff circulate signup sheet for residents who wish to be notified of any future steps in the planning process.	These meetings take place outside of the statutory planning process. Mailing lists are established by the City once an application has been received in order to secure an individual's appeal rights of *Planning Act* applications. The City provides the ability for the public to subscribe to Ward specific Current Development Projects webpages so that they receive notification when an application has been updated. Residents may also subscribe to the City's Get Involved calendar to be notified of any upcoming meetings. The proponent may collect contact information, at their discretion and to the discretion of individual members of the public, to

		seek feedback prior to making an application.
City staff do not formally record public feedback, questions and answers. Proponent to provide detailed note-taker to document feedback received at the meeting. Comment sheet should be provided for residents.	City staff and Ward Councilor record public feedback, questions and answers. Proponent to record feedback and questions to addressing these through their application.	The objective of consultation at this stage is for public comment to inform the future development application and should therefore be documented by the proponent. Comments collected by staff or elected officials will not have the intended effect prior to an application being made. Comments collected by staff prior to an application may not be relevant in the evaluation of the application, as the proposed development may have changed significantly.

Recommendation

- Staff will not collect attendance sheets. At the meeting, and through other communications channels, staff will encourage the public to subscribe to the City's current development webpage.
- The proponent is to record public comments and questions to be addressed during the meeting and through a future application.

<u>After the Pre-application Community Meeting</u>

Documentation

Current Applicant's Guide	Mayor's Proposed Protocol (report MO-21-19)	Staff Comments
Typically, no web page is created.	City staff to post meeting materials and a meeting minutes on the project web page.	Creating a webpage, as described above, is warranted at the time that a Pre-application

		Community Meeting is scheduled.
From the City's Current Development Projects webpage the public can subscribe to a link to the Get Involved calendar.	Members of the public who signed up at the meeting are invited to subscribe to the project web page.	At the meeting, and through other communications channels, staff will encourage the public to subscribe to the webpage.

Recommendation

- The project webpage for the proposed development will be maintained until a formal application has been received, or until it has been determined that the proposal will not result in an application.

Application

Current Applicant's Guide	Mayor's Proposed Protocol (report MO-21-19)	Staff Comments
Proponent must summarize the setup of the meeting, including how notification was provided, as well as summarize feedback and discuss how this public consultation has influenced the development proposal.	Proponent must demonstrate how they have incorporated public feedback into formal submission.	No change required.
A project webpage is created on the City's website, containing all materials that have been submitted as part of the complete application, as well as contact information for proponent, City staff, and other pertinent information. Residents are able to subscribe to the individual project page for notifications of updates to that page.		Where a project webpage has been created prior to an application, this page will be updated to the current standard of active applications.

Recommendation

- Where a project webpage has been created prior to the application, once a formal application has been deemed complete, the webpage will be updated to the current standard. This includes making all application materials available to the public, including planning staff contact information and upcoming steps in the planning application process.

Options Considered

Other options that can be considered are as follows:

- Direct staff to continue to implement the current Applicant's Guide, without modification;
- Direct staff to implement the Mayor's Proposed Protocol of MO-21-19, without modification; or,
- Discontinue the practice of Pre-application Community Meetings.

These options are not recommended as they do not provide the desired clarity of roles, they do not provide proponents with the ability to present their proposal and seek feedback from the public, nor do they sufficiently provide opportunity for the public to be informed and give input to proponents early in the development process. Further, the Mayor's Proposed Protocol of MO-21-19 would require additional staff and financial resources to administer.

Financial Matters:

Total Financial Impact

Not applicable.

Source of Funding

Not Applicable.

Other Resource Impacts

For the duration of the COVID-19 related safety provisions the "Alternative recommendation" measures will be implemented. These measures require some additional resources including staff and technology. Existing resources will be

redeployed to support these measures and impacts to other operations will be monitored.

No additional resources are required to implement the Recommended Protocol.

Climate Implications

Not applicable.

Engagement Matters:

Corporate Communications staff have worked with Community Planning, Capital Works and Transportation to ensure that residents are engaged and kept informed during the entire process of a development (from pre-application to construction). During the Pre-application stage, all community meetings are posted on the City's calendar. Residents can search in the "Get Involved" section of the calendar for all community meetings. Residents are also able to subscribe to this section where they will receive notices for all development related meetings across the City.

A City webpage is created where all relevant documents are posted, along with a rendering (if supplied), a development ward map, a status of the development and other key information. A webpage may also be created for pending applications if a pre-application community meeting has been confirmed or there are staff reports or council directions. Residents will also have the ability to subscribe to this page.

If the development is approved and moves to the construction phase, the webpage may be updated with construction related information.

This holistic end-to-end process was put into place in 2019 after feedback from the public and with the departments involved in this process. To reflect this new approach the name of this process was changed from Development Applications to Development Projects in order to capture the end-to-end engagement and communication process. Once this process was updated in 2019, Corporate Communications marketed the new page, https://www.burlington.ca/en/services-for-you/Current-Development-Projects.asp

Webpage views on the webpage and individual project pages increased substantially following the marketing campaign. Residents are now accustomed to visiting these pages where there is comprehensive information.

Staff have received correspondence from West End Home Builders' Association (WE HBA) dated April 28, 2020 which outlines their concerns with the Mayor's report MO-21-19. On July 29, 2020, Community Planning staff met with representatives of the Halton Area Development Liaison Committee (HDLC) to discuss the protocol that is

contemplated in this report. The following provides a summary of comments that were received and how they were considered by Community Planning staff in the development of this recommendation report.

- *This protocol introduces additional red tape to the process.*

The Recommended Protocol introduces procedural clarifications as well as templates for the use of proponents, which do not introduce additional steps relative to the January 2019 implemented Applicant's Guide to preapplication community meetings.

- *Engaging the public in advance should be on an as-needed basis. In some instances, a Statutory Public Meeting is sufficient. Discretion has been taken out of the process.*

The continuation of a standardized process, applicable to all Official Plan Amendments, Zoning By-law Amendments and Subdivisions improves transparency to the public as well as transparency to proponents of the process and expectations of the City. Further, a discretionary implementation of the Recommended Protocol increases the risk of perceived politicization of the development review process.

- *The current Guide is very prescriptive. Would the City be supportive of an applicant if they proceeded in a different way.*

The Recommended Protocol represents a voluntary process, in accordance with the *Planning Act*. As such, City staff would participate in a proponent led pre-application community meeting of a different format. However, staff strongly encourage proponents to engage the community in the manor outlined in the Recommended Protocol as it provides a level of certainty to the public, as well as a consistent outcome for proponents to record public comments and questions for submission in a formal application.

- *Public consultation can occur within 30 days after the application is received.*

The pre-application community meeting was introduced in consideration of the legislated timelines of the *Planning Act*. Those timelines do not allow sufficient time for an applicant to receive public comments, respond through a revised submission, and for staff to evaluate and report on a revised submission. The Recommended Protocol presents an opportunity for proponents to consider and respond to public comments with their initial submission, thereby potentially improving the efficiency of processing an application by reducing the number of revised submissions.

- *Concern that a proposed development, prior to application, is premature, as technical issues identified in the technical preconsultation with staff have not yet been addressed.*

Community Planning staff are of the opinion that a conceptual design is preferential to a detailed design for the purpose of seeking public comments, as a conceptual design has greater potential to be revised by the proponent to address the public comments received.

- *Developers would have issue of privacy, and impact land values of surrounding properties.*

The Recommended Protocol presents a proponent led process whereby the proponent retains control of the materials that are presented to the public, and the timing of the pre-application community meeting, with minor constraints limited to the City providing the invitation circulation service. The pre-application community meeting can occur within a close timeline to the submission of a formal application, at which point all application material become public.

- *In other jurisdictions Councilors run the meeting, and sometimes struggle to facilitate the dialogue in a constructive manner.*

Staff share this concern, and do not advise that the Ward Councilor moderate the meeting.

- *Concern that Stage 4 preapplication technical submission is proposed to be made mandatory.*

As noted in Report PL-06-20, as of January 1, 2020 a voluntary technical preconsultation has been implemented to assist the applicant to address any deficiencies in the required studies and reports prior to making a formal application.

Conclusion:

The objective of the Recommended Protocol is to establish an opportunity for public input to proponents early in the development process, to provide proponents with instructions and tools to facilitate a consistent approach to Pre-Application Community Meetings, and to give clarity to the roles of proponents, staff, council and the public in advance of a development application being received by the City.

Staff recommend that council endorse staff implementation of the document titled Pre-application Community Meeting Protocol (Appendix A).

Respectfully submitted,

Brynn Nheiley
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&

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Appendices:

A. Pre-application Community Meeting Protocol
B. (Current) Applicant's Guide to Pre-Application Public Consultation
C. Pre-application Community Meeting invitation template

Notifications:

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Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council. Final approval is by the City Manager.