

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 8, 2014

Item 10, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 8, 2014.

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**OFFICIAL PLAN AMENDMENT FILE OP.13.016
CITY OF VAUGHAN - NOTIFICATION PROCEDURES FOR PUBLIC HEARINGS
ALL WARDS - CITY WIDE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning and the Interim Director of Planning/Director of Development Planning, dated March 25, 2014:

Recommendation

The Commissioner of Planning and the Interim Director of Planning/Director of Development Planning recommend:

1. THAT Official Plan Amendment File OP.13.016 (City of Vaughan - Notification Procedures for Public Hearings) BE APPROVED, to amend OPA #478 (Notification Procedures for Public Hearings) specifically to automatically require a new Public Hearing for planning applications when any of the following circumstances occurs:
 - a. Any application that has not been considered by the Committee of the Whole within 2 years after being considered at a previous Public Hearing; and/or,
 - b. Where the nature of the application has been significantly amended including any increase to the proposed density and/or building height beyond what was proposed at a previous Public Hearing.
2. THAT the implementing Official Plan Amendment be forwarded to the Council meeting of April 8, 2014, for adoption.

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

On December 16, 2013, a Notice of Public Hearing was mailed to City of Vaughan Registered Community Ratepayer Associations and the Building Industry and Land Development Association (BILD). On December 19, 2013, a Notice of Public Hearing was placed in the Vaughan Liberal and Vaughan Citizen Newspapers, and on the City Page Online. No comments were received by the Planning Department through the notice circulation. The recommendation of the Committee of the Whole to receive the Public Hearing report of January 14, 2014, was ratified by Vaughan Council on January 28, 2014.

At the Public Hearing, deputations were made from 2 individuals respecting the newspaper publication. Specifically, the individuals advised that they did not understand the technical language used to describe the subject amendment, and questioned whether or not the newspaper notification was an effective form of notice to the public.

The Planning Department makes every effort to simplify the language used in public notifications to effectively communicate the intent and purpose of the planning applications to the public in a reader friendly format. It should be noted that the *Planning Act* also prescribes language that is required to be included in the statutory notices (ie. Legislative Regulation (O.Reg.543/06), the Ontario Municipal Board appeal requirements, contact information, location, etc.). Specifically, for

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city-wide planning applications, the *Planning Act* requires that a notice of public hearing be published in a local newspaper in order to notify all residents city-wide. In addition to the statutory requirements prescribed by the *Planning Act*, notice was also provided on the City's website (City Page Online) and to all City Registered Community Ratepayer Associations.

On March 14, 2014, a courtesy notice of this Committee of the Whole meeting was mailed to City of Vaughan Registered Community Ratepayer Associations, BILD, and to the 2 individuals who made a deputation at the Public Hearing.

Purpose

To seek approval from the Committee of the Whole to amend City of Vaughan OPA #478 (Notification Procedures for Public Hearings), specifically to automatically require a new Public Hearing for planning applications when any of the following circumstances occurs:

1. Any application that has not been considered by the Committee of the Whole within 2 years after being considered at a previous Public Hearing; and/or,
2. Where the nature of the application has been significantly amended including any increase to the proposed density and/or building height beyond what was proposed at a previous Public Hearing.

Background - Analysis and Options

On December 3, 2013, the Committee of the Whole (Working Session) recommended approval of the following, which was ratified by Vaughan Council on December 10, 2013 (in part):

- “2. THAT a Committee of the Whole (Public Hearing) be scheduled to consider an amendment to Official Plan Amendment No. 478 respecting Notification Procedures for Public Meetings, to delete the provision requiring staff to prepare a report requesting direction from Council for a second Public Hearing, and replace it with a provision requiring staff to schedule a Public Hearing when proposals do not meet the established criteria of being considered within 2 years, or when the nature of the application has been amended to increase the proposed density or building height beyond what is permitted by the Official Plan and/or Zoning By-law.”

Planning Considerations

Official Plan Amendment #478 (Notification Procedures for Public Hearings) provides policies that deal with the notification to the public of public hearings to consider Official Plans and Zoning By-laws, and amendments thereto. The policies in OPA #478 implement the legislative requirements for notification pursuant to the *Planning Act*.

The current OPA #478 policy states the following (in part):

- “7. Where a change is made in a proposal after the holding of a public meeting, but before the adoption of an Official Plan Amendment or enactment of a Zoning By-law or amendments thereto, Council shall determine whether or not the extent of the change requires that further notice be given in respect of the proposal and that a further public meeting be held”.

This policy requires that Vaughan Council first determine if a new Public Hearing be held when a planning application has been significantly revised, for example an increase in density and or building height. The Planning Department recommends that the above noted policy be revised

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to automatically schedule an additional public hearing for planning applications that have been significantly revised, so as to give the public and Council an opportunity to be aware of and comment on a revised proposal including any that are more dense and/or have greater height, or where a proposal has been out of the public eye for more than 2 years and the public has either forgotten about the proposal or new residents have moved into the area and are not aware of the development proposal. Accordingly, the Planning Department recommends that OPA #478 be further amended, as follows:

- “7. That a new Public Hearing be required for all planning applications when any of the following circumstances occurs:
- a. Any application that has not been considered by the Committee of the Whole within 2 years after being considered at a previous Public Hearing; and/or,
 - b. Where the nature of the application has been significantly amended including any increase to the proposed density and/or building height beyond what was proposed at a previous Public Hearing.”

The Planning Department is of the opinion that these amendments will facilitate additional opportunities to engage the public, by providing notification when an application has been significantly revised or when an application has not been considered by Vaughan Council after 2 years. This amendment will provide the public with the most up-to-date information on the particular planning application, and an ability to comment on it.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Pursue Excellence in Service Delivery”.

Regional Implications

On January 10, 2014, the Region of York exempted Official Plan Amendment File OP.13.016 (City of Vaughan - Notification Procedures for Public Hearings) from Regional approval as the application is considered to be a matter of local significance. This allows the Amendment to come into effect following its adoption by the City of Vaughan and the expiration of the required appeal period, should the application be approved.

Conclusion

In consideration of the review undertaken of OPA #478 (Public Notification for Public Hearings), the Vaughan Planning Department recommends approval of the amendments as outlined in the recommendation of this report.

Attachments

N/A

Report prepared by:

Carmela Marrelli, Senior Planner, ext. 8791
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext.8407

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

COMMITTEE OF THE WHOLE MARCH 25, 2014

OFFICIAL PLAN AMENDMENT FILE OP.13.016 CITY OF VAUGHAN - NOTIFICATION PROCEDURES FOR PUBLIC HEARINGS ALL WARDS - CITY WIDE

Recommendation

The Commissioner of Planning and the Interim Director of Planning/Director of Development Planning recommend:

1. THAT Official Plan Amendment File OP.13.016 (City of Vaughan - Notification Procedures for Public Hearings) BE APPROVED, to amend OPA #478 (Notification Procedures for Public Hearings) specifically to automatically require a new Public Hearing for planning applications when any of the following circumstances occurs:
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The Planning Department makes every effort to simplify the language used in public notifications to effectively communicate the intent and purpose of the planning applications to the public in a reader friendly format. It should be noted that the *Planning Act* also prescribes language that is required to be included in the statutory notices (ie. Legislative Regulation (O.Reg.543/06), the Ontario Municipal Board appeal requirements, contact information, location, etc.). Specifically, for city-wide planning applications, the *Planning Act* requires that a notice of public hearing be published in a local newspaper in order to notify all residents city-wide. In addition to the statutory requirements prescribed by the *Planning Act*, notice was also provided on the City's website (City Page Online) and to all City Registered Community Ratepayer Associations.

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This policy requires that Vaughan Council first determine if a new Public Hearing be held when a planning application has been significantly revised, for example an increase in density and or building height. The Planning Department recommends that the above noted policy be revised to automatically schedule an additional public hearing for planning applications that have been significantly revised, so as to give the public and Council an opportunity to be aware of and comment on a revised proposal including any that are more dense and/or have greater height, or where a proposal has been out of the public eye for more than 2 years and the public has either forgotten about the proposal or new residents have moved into the area and are not aware of the

development proposal. Accordingly, the Planning Department recommends that OPA #478 be further amended, as follows:

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Conclusion

In consideration of the review undertaken of OPA #478 (Public Notification for Public Hearings), the Vaughan Planning Department recommends approval of the amendments as outlined in the recommendation of this report.

Attachments

N/A

Report prepared by:

Carmela Marrelli, Senior Planner, ext. 8791
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext.8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

/LG

GRANT UYEYAMA
Interim Director of Planning, and
Director of Development Planning