

# City of Mississauga Corporate Report



<p>Date: May 27, 2020</p> <p>To: Mayor and Members of Council</p>	<p>Originator's files:</p>
<p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning &amp; Building</p>	<p>Meeting date: June 3, 2020</p>

## Subject

Planning and Development Committee Operations During COVID-19 Pandemic Recovery

## Recommendation

That Council endorse the resumption of Planning and Development Committee in a virtual meeting format in accordance with the recommendations contained in the report from the Commissioner of Planning and Building, dated May 27, 2020 titled "Planning and Development Committee Operations During COVID-19 Pandemic Recovery".

## Background

Many city services rely on community engagement as part of a legislative process or as best practice. Community engagement presents an opportunity for public participation in contributing to a project decision. Public engagement often includes information booths, town hall meetings, engagement websites, surveys, pop up displays, open houses, workshops, and community meetings. Following the outbreak of the COVID-19 pandemic, formal community engagement associated with City projects and applications was halted with the closure of City facilities and provincial restrictions on in-person gatherings.

On April 22, 2020 Council suspended future Planning and Development Committee (PDC) and Committee of Adjustment meetings, which effectively stalled the advancement of many planning applications and city initiated projects that require a statutory public meeting in accordance with the provisions of the *Planning Act*. Provincial legislation that restricts the number of people gathering has also prevented Councillors from holding in-person community meetings associated with development applications and city initiated projects.

At that time, Council agreed to receive non-controversial Recommendation Reports on development applications and city-led planning projects where a statutory public meeting had already been completed. While this has helped to advance some projects, an increasing backlog of applications remains.

Since the initial closure of City Hall, Planning and Building Department services have remained fully operational, albeit remotely. This includes the acceptance and processing of development

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and building permit applications with our existing on-line submission processes including fee payments as well as scheduling building and site inspections.

The Planning and Building Department is currently processing 94 official plan amendment, rezoning and draft plan of subdivision applications. We have received five new applications since the beginning of the year. There are 34 development proposals that could be scheduled for a statutory public meeting including 25 Information Reports and 9 Recommendation Reports in the next few months. Planning staff have prepared 8 Information Reports that are able to be scheduled for a PDC meeting. In the absence of scheduled Planning and Development Committee meetings, the backlog of applications for Committee's consideration continues to increase.

## Comments

At the time Council elected to suspend PDC meetings for the foreseeable future, there was no way of anticipating the length of time before the Committee could resume its 'business as usual' in-person schedule. While the Provincial Re-opening Plan has allowed most construction projects to resume, it does not allow for the resumption of large gatherings as is typical at PDC. If the province allows gatherings in the future, modifications to Council Chamber and/or overflow space(s) may be needed to accommodate larger crowds.

The province amended the *Municipal Act, 2001* (Bill 187) to allow municipalities to conduct virtual meetings of a committee of council, which includes PDC. While there is no obligation to facilitate electronic meetings, should a municipality determine it to be desirable and appropriate, they may proceed. The provincial regulation allows the implementation of planning decisions if no appeal is filed, however, if an appeal to an application is filed, the matter will remain dormant for the duration of the provincial emergency.

## Other Municipalities

The City of Kingston and Niagara Region have already held virtual planning committee meetings. The Cities of Brampton and Vaughan have scheduled virtual meetings. These and a few other municipalities have moved their Committee of Adjustment meetings to a virtual format.

## Resumption of PDC

Recognizing the importance of development and construction to our local, provincial and national economy, the resumption of development application approvals is important. Therefore, the resumption of PDC in a virtual format for some development applications, at the discretion of the Ward Councillor, is recommended by staff.

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## Enhanced Public Notices

PDC meeting notices already provide a range of options for residents and businesses to access additional information, how to contact the city planner, how to provide written comments by mail or email. Mail and/or newspaper notices can be further modified to include where to watch PDC meetings on the City's website, where to submit questions / comments electronically and how to register as a deputant in order to provide comments directly to Committee. This enhanced public notification will increase the amount of meaningful public engagement should PDC resume virtually. It should also be noted that a notice of complete application is already provided to residents, which includes city planner contact information and links to submitted studies and reports. The city and Ward Councillors may further supplement meeting notice through social media channels.

## Which Applications / City Initiated Projects Can Proceed to a Virtual PDC meeting?

Development applications and city initiated projects that are determined to be eligible following a discussion between staff and the applicable Ward Councillor can be scheduled for a virtual PDC meeting. If it is decided that based on the nature of the proposed development that limited public interest will be generated, an Information Report with enhanced public notice should be allowed to proceed to a PDC meeting. If Committee subsequently determines that additional public engagement is warranted during the public meeting, Committee may direct staff to either hold a second public meeting once operations normalize to in-person meetings or provide full public notice when the Recommendation Report is presented at a later PDC meeting.

As well, Recommendation Reports for development applications and/or city initiated projects that have already had a public meeting and which generated minimal resident concern should also be scheduled for a virtual PDC meeting at the discretion of the Ward Councillor. If Committee subsequently determines that additional public engagement is warranted during the Recommendation Report meeting, Committee may defer the matter to a later meeting once operations normalize and return to in-person meetings.

## Virtual PDC Meeting Format

Virtual PDC meetings can occur in the same manner that Council is currently meeting on the WebEx application platform, which allows for public engagement through home telephone, computer or mobile device. Applicants will be able to present their development proposals to PDC and the public and then respond to questions/comments from Council and registered deputants. Information Reports will outline resident concerns received up until the report is prepared. Recommendation Reports will continue to summarize and respond to resident concerns.

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The number of items per PDC agenda can be limited based upon the anticipated amount of time each application is likely to require. As well, residents will be able to watch past PDC meetings which are posted on the City's website. Therefore, it is recommended that PDC meetings be scheduled for Monday afternoon sessions starting at 1:30 pm. An amendment to the City's Procedural By-law will be required to conduct afternoon sessions. Due to *Planning Act* notice requirements, the first virtual PDC meeting could be held on July 13, 2020.

## Financial Impact

There may be some additional costs associated with providing additional mail notification and newspaper advertisement fees in instances where more than one public meeting per development application is required. Most of these costs can be passed onto applicants.

## Conclusion

In order to advance development applications and city initiated projects, Planning and Development Committee meetings should resume in a virtual format supported by enhanced public notification.



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Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Chris Rouse, Director, Development and Design