

## **Northern Bruce Peninsula Official Plan Update 2017 Topic Papers**

Prepared by the Bruce County Planning and Development Department

### **Topic 1: Public Consultation and Process**

The Planning Act lays out statutory requirements for public consultation including Open Houses, Public Notice, and Meetings. As of July 1, 2016, the Act requires that Official Plans include policies for public consultation. Regulations under the Act have also been amended to require that complete applications for Zoning by-law amendments, Plans of Subdivision, and Official Plan amendments include a "proposed strategy for consulting with the public in respect of the application"

### ***Planning Act: Contents of official plan***

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

*(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;*

*(2) An official plan may contain,*

*(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);*

### **What we do right now:**

#### **All Amendments:**

- Notice sent to statutory circulation list (agencies, first nations) and posted at Municipal Office.
- Staff has not maintained a database of requests from the public for notices about specific application types, but are beginning to do so by Municipality.

#### **General Amendments (changes to the plan document):**

- Notice published in a newspaper (typically Tobermory Press)
- Minimum 3 weeks ahead of Public Meeting
- Typically consult with landowners affected by a site-specific change (ie to address an error)
- Typically have not directly / specifically consulted in respect of changes in general mapping such as updated EH Environmental Hazard areas.

#### **Site-Specific Amendments:**

- Notice posted on property (11" x 17" orange poster) a minimum of 3 weeks ahead of the public meeting
- Application form (2017) includes a section about public consultation
- Mail out notice to properties within 60m (consent / minor variance) and 120m (Zoning, Official Plan Amendment).

#### **Additional Practices**

- Staff work with library branches to make drafts of new planning documents (Official Plan, Zoning By-Law, Community Improvement Plan) available to the public, in addition to their being available at the Municipal Office and Peninsula Hub office.

#### **Some Possible Approaches to Official Plan Policies for Public Consultation:**

- a. Can be identical to the requirements under the *Planning Act*
- b. Can outline specific additional policies for various application types
- c. Can include "alternative notice" procedures such as:
  - Timing of public meetings

- Ways of giving notice
- Who receives notice (circulation distance)

Alternative Notice procedures and enhanced public consultation can provide opportunities to obtain broader public input on important Planning decisions; however these also have the potential to make the process for simpler planning matters more time-consuming and expensive than necessary.

Alternative or enhanced consultation measures could have specific criteria under which they apply, such as proposals for more than a specific number of dwelling units or square feet; or could be strongly encouraged or recommended as an initiative for applicants / proponents to pursue as part of an application.

It may be appropriate to increase the circulation distance for applications that could have impacts far beyond the standard circulation distance; for example, The South Bruce Peninsula Official Plan currently establishes a notification distance of 240m for Quarries vs the *Planning Act* requirement of 120m. A similar approach could be established for changes related to other forms of industrial uses; although it is ideal for setbacks to be from an industrial use to a residential *zone*, in some situations the setback may be proposed to the *use*. In such scenarios notice could be extended to include all lands within the setbacks recommended by the Ministry of the Environment.