



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: May 15, 2020

To: Mayor and Council

Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

RE: Planning Application Processing – Part II

Report No.: PS 2020-033

AIM

To provide the Mayor and Council with details on the suggested process to continue the approval of Planning Act applications.

BACKGROUND

At the April 27, 2020, Regular Meeting of Council the Manager of Planning of Services outlined a number of options for Council to consider for the continued processing and approval of Planning Act applications. The option that Council endorsed, subject to further details on the process, was option three, “proceed with basic applications utilizing an electronic or virtual format.”

One concern expressed about this option was the potential discretionary nature of what would be considered basic. This would include applications which are not subject to public notice such as site plans (not associated with recent zoning changes) and part lot control exemptions. It could also include more routine severance applications for items such as lot additions, easements/rights-of-way and surplus dwelling severances. Minor variance applications would also be potentially considered. There are three safeguards in place to address any concern related to discretion on any application:

- i) During the review process and after public notice is issued it may be determined that the application(s) have underlying issues that warrant delaying the application(s) until the regular public meeting process returns, at which point the Manager would advise the applicant and re-schedule the application for a later date.

- ii) The approval authority, Council or Committee of Adjustment, based on several different factors, can defer an application to a later date when public meetings return to the standard format.
- iii) Applications that are submitted and not consistent with local, County or Provincial policy are generally not presented to the applicable approval authority.

DISCUSSION

At present, the method for holding meetings is via electronic format using the video streaming through e-Scribe and the use of Zoom for Council and presenters to interact. To date, only matters not subject to public notice have been addressed using this method. This could be extended for use to hear basic applications as outlined above for Council. Notices of public meeting would be circulated as per the Planning Act requirements. In order to enhance public access to information on any given application the following is suggested:

- i) that circulated notices include expanded details;
- ii) notice be circulated earlier than mandated by the Planning Act;
- iii) all notices continue to be posted on the Town website;
- iv) that the final reports be prepared earlier for circulation to Council and posted to the website;
- v) the public be encouraged to forward comment in advance to be included with reports, circulated to Council as received and included with the final agenda;
- vi) those still wishing to speak would be invited to participate via Zoom, and
- vii) participation electronically would follow the similar rules and regulations for in-person attendance.

Any in-person attendance by Council or the public will be subject to the regulations in place at the time for public gatherings.

Committee of Adjustment meetings would operate as follows:

- i) that circulated notices include expanded details;
- ii) notice be circulated earlier than mandated by the Planning Act;
- iii) all notices be posted on the Town website;
- iv) that the final reports be prepared earlier for circulation to Committee members and posted to the website;
- v) the public be encouraged to forward comment in advance to be included with reports, circulated to Committee members as received and included with the final agenda;
- vi) those still wishing to speak would be invited to participate via Zoom, and
- vii) participation electronically would follow the similar rules and regulations for in-person attendance.

The one difference with Council versus Committee is that streaming via e-Scribe is not currently available so viewing and participation are limited to Zoom via invitation. This

would be highlighted in the public notices. In-person attendance will be subject to the regulations in place at the time for public gatherings.

Until public gathering restrictions are no longer in place, it is recommended that Planning Advisory Committee meetings not be held as PAC is not an approval authority. Applications before PAC generally tend to be of considerable public interest which is currently not realistically manageable via electronic participation.

LINK TO STRATEGIC PLAN

Effectively manage corporate resources and maximize performance in day-to-day operations.

FINANCIAL CONSIDERATIONS

There are no financial implications resulting from this report.

CONSULTATIONS

Management staff

RECOMMENDATION

That Council:

Approve proceeding with the processing of basic Planning Act applications, until restrictions on public gatherings are lifted, including:

those not subject to public notification and not the subject of a recent zoning amendment;

consent applications for lot additions, the establishment of easements or rights-of-way, the subdivision of an existing semi-detached or townhouse dwelling and the severance of surplus dwellings;

minor variances for changes to an existing development,

all subject to the outlined meeting, public participation and notification protocol, and final discretion of the applicable approval authority, outlined this report.

Robert Brown

Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

Jennifer Astrologo

Jennifer Astrologo, B.H.K (hons), LL.B
Director of Corporate Services