

Document 3 – Updated Public Notification and Consultation Policy for Development Applications



Public Notification and Consultation Policy for Development Applications

Planning, Infrastructure and Economic Development Department

Approved by City of Ottawa Council July 11, 2001 as amended by Bill 51, the Planning and Conservation Land Statute Law Amendment Act, 2006, which amended the Planning Act, and as amended by City of Ottawa Council June 25, 2014 and April 11, 2018.



Public Notification and Consultation Policy for Development Applications

Policy Statement

The Planning, Infrastructure and Economic Development Department will actively seek opinions, attitudes and advice of:

- Individuals,
- community and special interest groups,
- advisory committees, and
- public bodies

regarding development applications and ensure that there are adequate reporting mechanisms in place, which will provide all stakeholders with the complete and unbiased results of this consultation.

Objectives of the policy

- To encourage pre-application consultation by the proponent with the potentially affected public in order to consider public input prior to finalization of the proposal.
- To provide bilingual notification of development applications as early as possible to the public throughout the City.
- To provide opportunities for the public to contribute input for the use of staff in the development of recommendations, or elected representatives in decision-making.
- To provide the potentially affected public with additional opportunities to understand complex and controversial developments and to promote the resolution of issues prior to decision-making.
- To account for the feedback received from the public and to continue to inform those individuals who respond throughout the process.
- To implement the process in a cost-efficient and effective manner and one which takes advantage of technology.

Notification of the Ward Councillor

- Proponents will be encouraged to contact the Ward Councillor prior to application submission.
- The Ward Councillor will be contacted by the assigned File Lead at the same time as Community Organizations followed by the internal circulation and circulation to public bodies and other external agencies
- The Ward Councillor will be notified of all development applications located within the Ward.
- If the lands included in an application straddles two or more wards, or directly abuts two or more wards, all affected Ward Councillors will be notified.
- If delegated authority is to be withdrawn by the Ward Councillor, a written advisement is to be sent to the General Manager of Planning, Infrastructure and Economic Development Department by the end of the comment period.
- The Ward Councillor will be sent the conditions of approval for Site Plan Control, Plan of Subdivision and Plan of Condominium applications under the delegated authority of the General Manager of Planning, Infrastructure and Economic Development Department prior to their approval and is requested to respond within seven working days.
 - If no response is received:
 - for Plan of Subdivision and Plan of Condominium applications, the File Lead will contact the Ward Councillor to confirm concurrence; and
 - for Site Plan Control applications, the File Lead will proceed with the approval.
 - If the Councillor advises that he/she does not concur and subsequent discussions do not resolve any of the issues, the application will proceed to Planning Committee or Agriculture and Rural Affairs Committee, for a decision.
- The Ward Councillor will receive a copy of all staff delegated decisions.
- The Ward Councillor will be sent a notice of the Committee meeting and a copy of the Committee report, at least 10 days before the Committee meeting for applications which are not staff delegated.

Applications subject to public notification and consultation policy

The following applications are subject to the public notification and consultation:

1. Official Plan Amendments;
2. Zoning By-law Amendments, including Lifting of Interim Control and Temporary Zoning Amendments;
3. Site Plan Control applications for the development of:
 - (a) New residential buildings containing fourteen or more units, five or more storeys or with a gross floor area of 1,200 square metres or more;
 - (b) New planned unit developments;
 - (c) New mixed-use buildings containing fourteen or more units, five or more storeys or with a gross floor area of 1,400 square metres or more;
 - (d) New non-residential development of five or more storeys or with a gross floor area of 1,860 square metres or more;
 - (e) Drive-through facilities in the Site Plan Control Inner Area, as shown on Schedule C of the Site Plan Control By-law;
 - (f) Drive-through facilities abutting residential zones; and
 - (g) A revision to a previously approved site plan control application, for which the previously agreed upon conditions state the need to go through the public consultation process for such revisions.
4. Draft Plan of Subdivision Approval;
5. Plan of Condominium – Vacant Land or Common Element Descriptions only (Bill 51);
6. Demolition Control; and
7. Road Closure as per By-law 2002-522, as amended.

Method and timing of notification and consultation

The method of notification and consultation for most application types will follow a standard procedure, as illustrated in Table 1: Requirements for Pre-Application Consultation and Public Notification and Consultation.

Pre-application consultation

1. Pre-application consultation by the proponent with City Staff is required for all:
 - a. Official Plan Amendments;

- b. Major Zoning By-law Amendments;
 - c. Plans of Subdivision;
 - d. Plans of Condominium (Vacant Land or Common Element Descriptions only); and
 - e. Site Plan Control applications subject to public consultation.
2. Pre-application consultation by the proponent with registered community groups who represent the area of potential impact of the proposed development (only groups who have requested to participate in pre-application consultation) is discretionary, but should be strongly encouraged, particularly if it involves the types of application described above.
 3. Proponents should be encouraged to contact the Ward Councillor prior to the submission.

Community heads up

File Lead provides community heads up by telephone, facsimile or e-mail to those community groups if no pre-application consultation is undertaken, immediately after application deemed complete or reviewed for adequacy (only for groups who have requested pre-application consultation).

As a result of the community heads up, and except for Site Plan Control applications, a meeting with the proponent and staff can be requested by community groups within three working days, the meeting must be held within one week of community heads up contact prior to application circulation.

Notice to Property Owners

Despite the Alternative Measures of the Official Plan for the following applications, a notice will be sent to abutting property owners to provide information and solicit comments in accordance with the requirements and regulations of the Planning Act:

1. Site specific Official Plan amendments
2. Site specific Zoning By-law amendments
3. Plan of Subdivision
4. Vacant Land and Common Elements Plan of Condominium
5. Removal of Holding Symbol

Posting of on-site signs

On-site sign posting and written notice to all community organizations registered with the Department given usually within 2.5 weeks of application

submission, deadline for comments is 28 calendar days and comments to be considered during issue resolution and decision making.

Enhanced notification

In any case not noted in **Notice to Property Owners** above an enhanced notification can also be given in addition to the on-site sign posting and notice to community groups in the form of a notice sent to abutting property owners in the following situations:

- site is located in an undeveloped area or abutting large parcels of land where property owners would not likely to be able to see the sign; and
- there are no registered community groups in the area.

Road Closure

In the case of road closure applications, notice in community newspaper, registered mail to affected person or registered mail to abutting owners is required as the case may be in accordance with By-law 2002-522 as amended.

Community information and comment session

A community information and comment session (public meeting in the community) will be organized by staff for those development applications that are considered controversial, except for Site Plan Control Applications. These will be advertised in the community newspaper and notice sent to community organizations and respondents to the on-site sign.

Notification to public of decisions under delegated authority

Respondents will be advised of decisions made on applications where approval authority is with staff. This notice will include the staff report providing an explanation of the decision and a response to comments received from the public.

Notification of the Planning Committee

If staff do not have the authority to approve an application or delegated authority is removed by the Ward Councillor, the matter proceeds to Planning Committee or Agricultural and Rural Affairs Committee.

- Notice of the meeting is given to respondents of the public notification, with copy of report, sent at least 10 days prior to the Committee meeting.

- An advertisement is placed in one English and one French newspaper the week before the Committee meeting (by the City Clerk's office). The meeting agenda and related documents are posted to Ottawa.ca at least one week before the meeting.
- An additional advertisement listing the application type, the address, the assigned File Leads phone number and e-mail is placed in the daily English and French newspapers at least 10 days before the meeting (usually on the second Friday before the Committee meeting – that is, 13 days before the meeting).

City or Area Wide Amendments or Technical Modifications

For Official Plan or Zoning By-law amendments that are city or area-wide or are technical modifications only, the standard procedure described above would not apply.

- Staff will determine on a case-by-case basis the most appropriate method of notification and consultation with the public.
- As for technical modifications, and for the Lifting of Holding Zones, notification will be limited to the statutory requirements.

Registration of community organizations in the development review process

The intent of the registration process is to provide an automatic notification to those community organizations who wish to participate in the process. Organizations who are eligible should be representative of the local community and can include Condominium Corporations and Church Groups. Other interest groups such as, housing co-operatives or community school councils for example, will have to rely on the on-site sign posting and be mailed an information package (same information that is provided to community organizations) on request.

Criteria for registration

Notification will be given to those organizations who register with the Department and who meet the following criteria:

- The Community Organization must hold an annual general meeting where representatives, directors, or officers are elected in a democratic fashion by the organization's membership. The membership must be given proper advance notice of this meeting and its purpose through a door-to-door flyer or letter, community or daily newspaper or telephone, facsimile or electronic mail; and

- A minimum of 10 members of the organization must attend the annual general meeting in order for the group to be eligible for automatic notification.

The following types of Community Organizations are eligible to automatically receive notification of development applications, upon registration with the Department:

- Residents', ratepayers', homeowners', property owners' and tenants associations which have membership boundaries that are neighbourhood or ward-specific;
- Business improvement areas, merchants' associations and business groups which have boundaries that are neighbourhood or site specific
- Condominium boards of directors and church groups; and
- Community-based recreation associations, such as snowmobile clubs.

Additionally, neighbourhood-based community newspapers can register to receive notification of development applications only.

Procedures for registration of community organizations

Community organizations will either be contacted or an advertisement will be placed in the English and French daily newspapers on an annual basis to confirm their status for continuing notification of development applications or to be added or deleted from the list.

- Community organizations will receive notification of applications that are within their boundaries, or directly adjacent to the boundaries of the geographic area which the organization represents.
- Community organizations have the option of requesting to participate in pre-application consultation or the community heads up.
- It is the community organization's responsibility to contact the Department to update contact information.
- Information is available on the City's web site, which will provide this information.
- Contact person is Maria Campagna at 613-580-2424 ext. 13618.

Table 1 – Requirements for Pre-Application Consultation and Public Notification and Consultation • Mandatory requirement + Discretionary requirement|

	City Policy Requirements							Statutory Requirements						
	P0	P1	P2	P3	P4	P5	P6	S1	S2	S3	S4	S5	S6	S7
Application types	Pre-application consultation meeting by applicant with staff	Pre-application consultation meeting with community groups and Ward Councillor	Community heads-up email; and meeting if requested	Notice of application: on-site signs; notice to community organizations	Notice of application to property owners and community groups, or newspaper	Posting application supporting documents on-line	Community information and comment session	Notice of public meeting: at on-site signs, to property owners; community groups; in newspaper	Public meeting in the community	Notice of committee meeting: in newspaper; and notice to those requested	Notice of decision: to those requested	Notice of intent to pass a by-law: notice in newspaper; to property owners	Notice of passing a by-law: notice in newspaper and to those requested notice	Notice of passing a by-law: notice to property owners and to those requested
Official Plan Amendment - City wide					+					•			•	
Official Plan Amendment - Site specific	•	+	•	•	•	•	+			•				•
Official Plan Amendment - Technical amendment										•			•	
Zoning By-law Amendment - City or area-wide					+					•			•	
Zoning By-law Amendment - Site specific	•	+	•	•	•	•	+			•				•
Zoning By-law Amendment - Technical Amendment				+	+	+				•			•*	•*
Zoning By-law Amendment - Lifting of holding	+			•	•	•					•	•		
Site Plan Control - Complex	•	+	•	•		•				• ¹	•			
Site Plan Control - Standard	+					•				• ¹	+			
Site Plan Control - All other types	+					+				• ¹	+			
Plan of Subdivision	•	+	•	•	•	•	+	•	•	• ¹	•			
Plan of Condominium - Vacant Lands and Common Elements	•	+	•	•	•	•	+	•	•	• ¹	•			
Road closing	+	+	•	+	•	•	+					+		+
Demolition control	+			•	•						•			

*can choose most appropriate of the two, ¹ only if delegated authority is withdrawn