

City of Greater Sudbury

Planning Committee Orientation

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January 9, 2019



Our conversation today

1. What is planning?
2. What is the legal framework for planning?
3. What tools do we most commonly use?
4. How do we deliver the service?
5. Other matters (real estate, appeals)
6. How do meetings work?

What is land use planning?

Planning ...

- Is strategic and operational
 - Set goals for growth and development
 - Provides tools to manage change
- Is also about balance
 - Economic, environmental and social
 - Provincial and local
 - Individual and the public interest

What is land use planning?

It's about managing land and resources

It helps decide where:

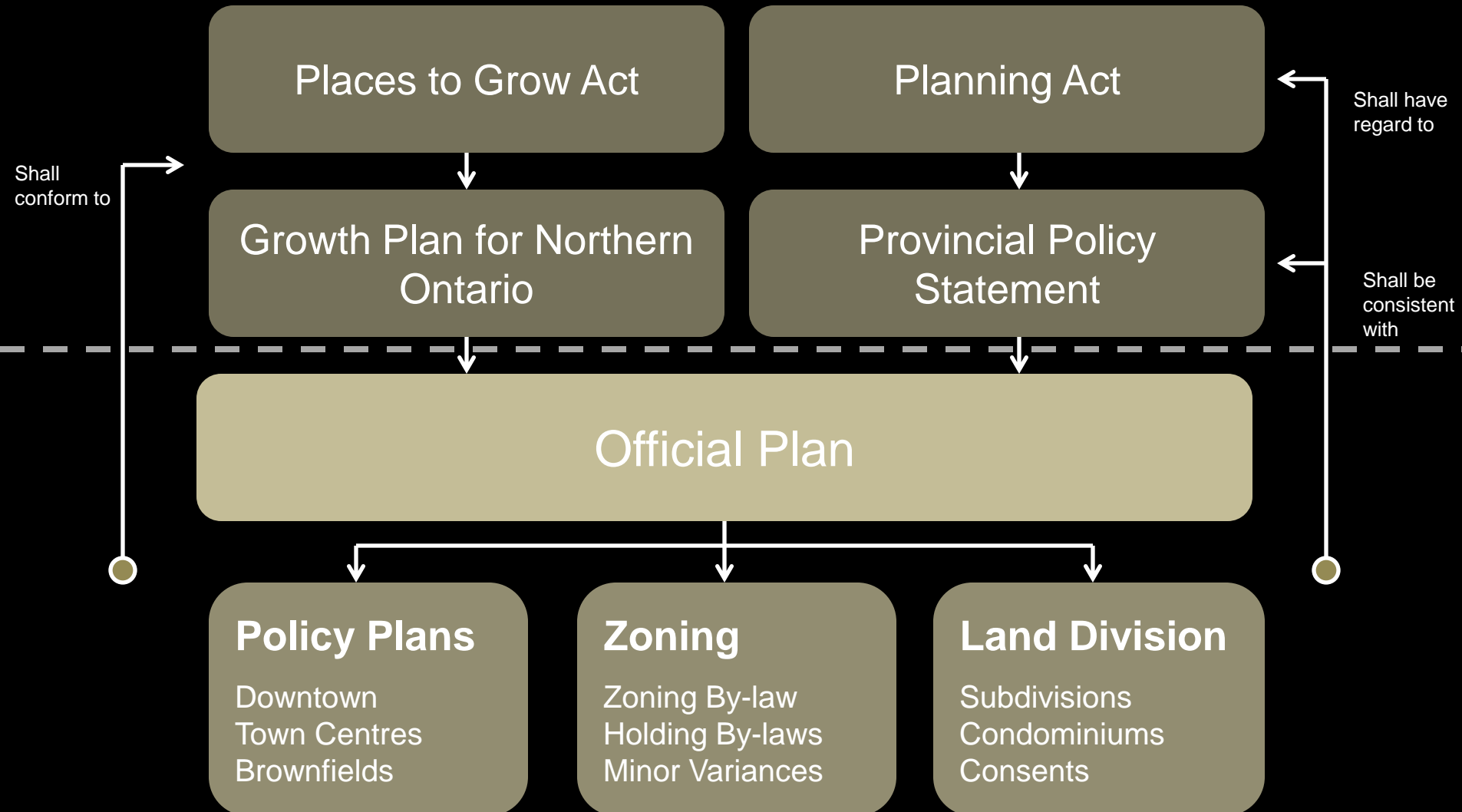
- homes and industry should be built
- parks and schools should be located
- essential public services should be provided

It shapes the 'character' of the city

It influences outcomes (e.g. climate change, population health and fiscal health)

Questions?

What is the legislative framework?



Questions?

What tools do we use?

1. Official Plan
2. Official Plan Amendments
3. Community Improvement Plans
 - Affordable Housing
 - Downtown and Town Centres
 - Brownfields
4. Other plans and strategies
 - Community Energy and Emissions Plan
 - LaSalle Corridor Study

What tools do we use?

1. Zoning By-law
2. Zoning By-law amendments
3. Holding by-laws
4. Temporary use by-laws (incl. garden suites)
5. Minor variances
6. Site plan control

What tools do we use?

1. Draft Plans of Subdivision
2. Draft Plans of Condominium
3. Consents
4. Validation of title
5. Parkland dedication
6. Other matters (e.g. cost sharing, heritage)

Questions?

Province



City Council



Planning Committee

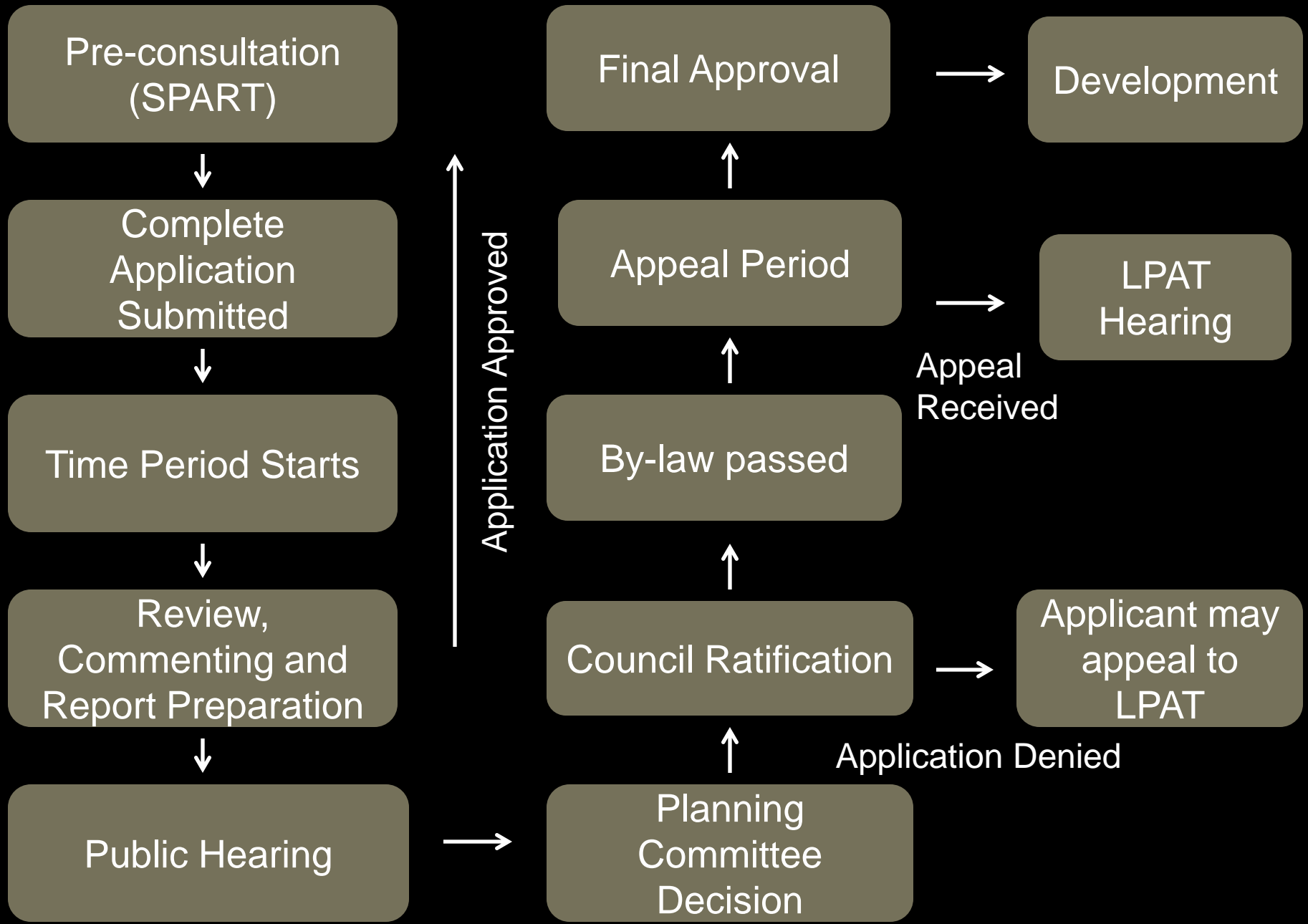
- Official plan
- Official plan amendments
- CIPs
- Other strategic studies
- Zoning by-law
- Re-zonings
- Holding by-laws
- Temporary use by-laws
- Subdivision/Condominium
- Cost sharing
- Real estate

Committee of Adjustment

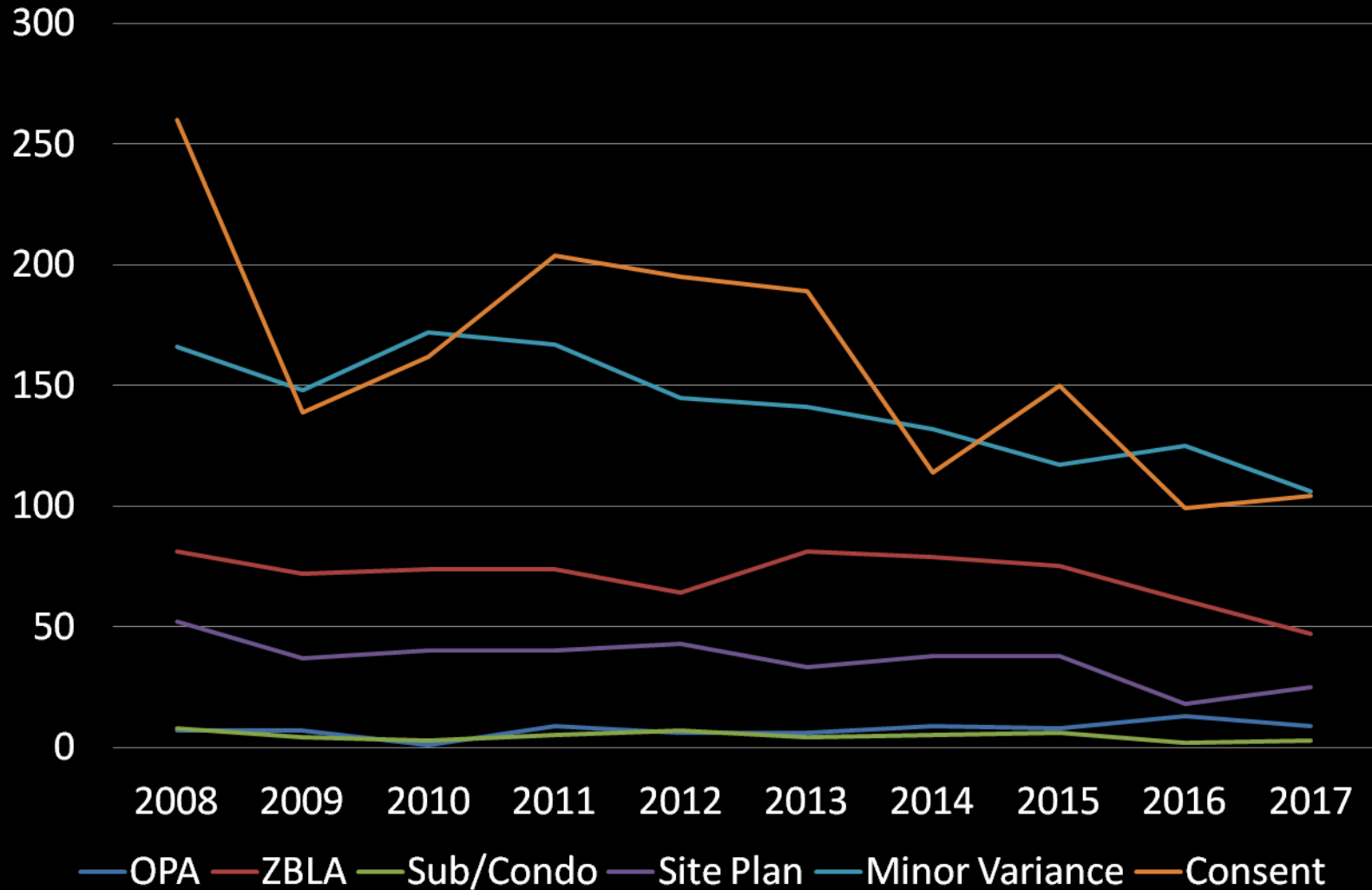
- Minor variances
- Sign variances
- Legal non-conforming use
- Undefined uses

City Staff

- Zoning interpretation
- Site Plan Approval
- Consent Official
 - Consents
 - Validations
- Lot grading
- Municipal addressing
- Utilities in the right of way



Planning Act Applications 2008-2017



Questions?

Real Estate Matters

1. Planning Committee is responsible for all real estate matters including property acquisitions, sales and leases, roads, paths and closures.
2. Procedures for all property related matters are governed by By-laws 2008-174 and 2010-158.
3. Property acquisitions, sales and leases are discussed in camera.

What happens in an appeal situation?

- Local Planning Appeal Tribunal
 - independent administrative tribunal responsible for hearing appeals on a variety of contentious municipal matters
 - operates under the *Local Planning Appeal Tribunal Act, 2017* as well as its own rules of practice and procedure
 - certain matters **cannot** be appealed
 - in most cases, appeals must be made no later than 20 days after the notice of decision is given

First Steps

- appeals are assessed to determine validity
- where an appeal is determined to have validity, the associated documents, data and other relevant information contained in the appeal record is made available for review
- major land use planning matter appeals require a case management conference
- pre-hearing conferences **may** be scheduled for other matters

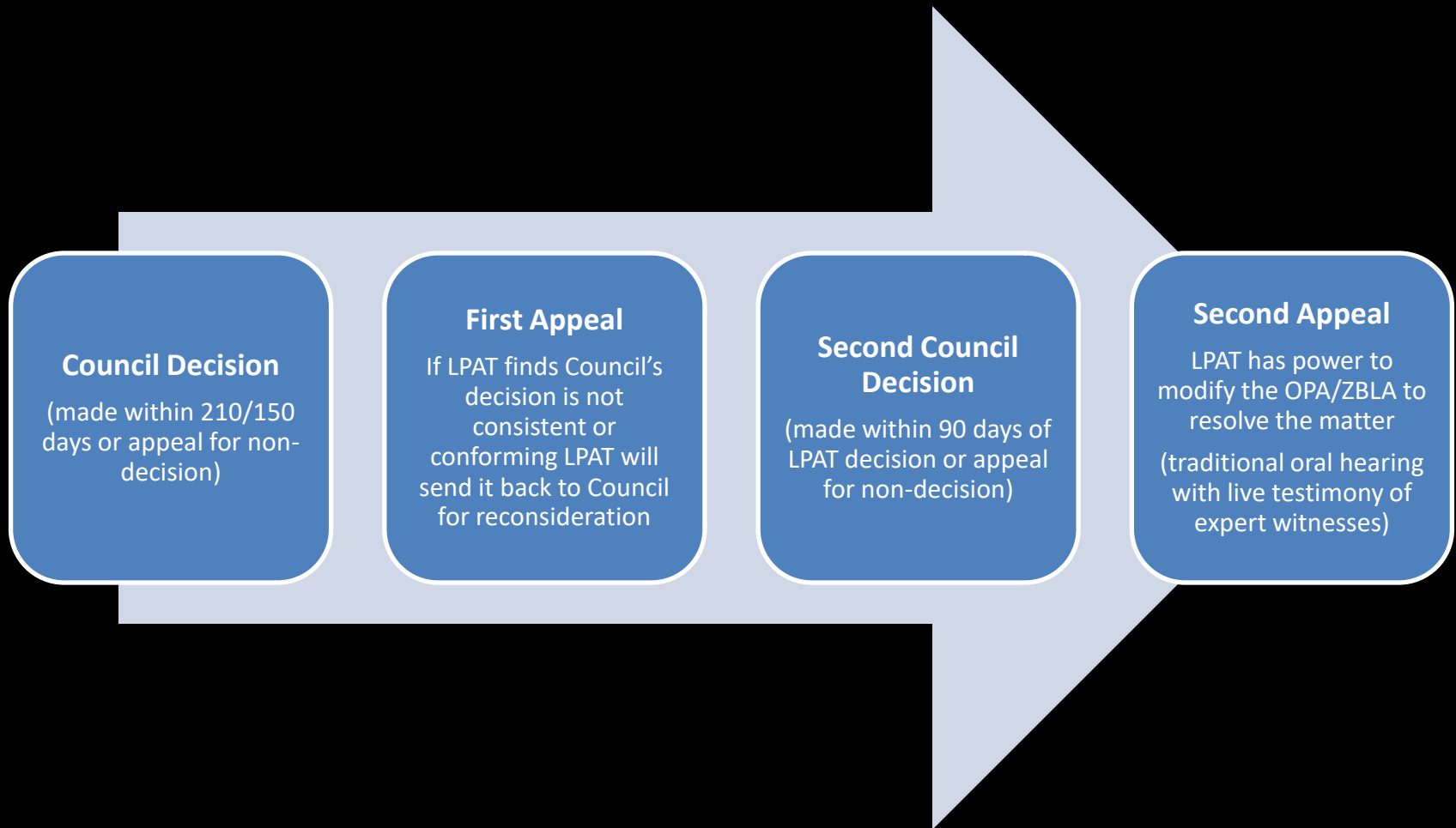
LPAT Timeframes

- O.Reg. 102/18 sets out timelines for proceedings before LPAT for land use planning matters
- timelines may be postponed to allow mediation (on consent) or if it is necessary to “fairly decide on the matter”

Evidence at Hearings

- for appeals of major land use planning matters, no party to the proceeding may put forward or call evidence at the hearing
- parties do not have the right to call or cross-examine witnesses
- *Canadian National Railway Company v. Toronto (City)*

2-Stage Appeal Process: OPA & ZBLA



Questions?

What is the order of a committee meeting?

1. Closed session of the meeting (if applicable)

Open Meeting

2. Declaration of pecuniary interests

3. Public hearings

4. Matters arising from the closed session

5. Consent agenda items

6. Referred and deferred items

7. Manager's reports

8. Addendum, notices of motion, civic petitions

How does a public hearing work?

1. Public (open) portion of the hearing.
2. Committee (closed) portion of the hearing.
3. Decision of the committee.
4. Council ratification.

What happens in a public hearing?

1. Staff presents the application.
2. Committee hears from the applicant.
3. Committee hears from members of the public.
4. Committee asks questions of the applicant, public or staff.
5. Open portion of meeting concludes.

Closed Portion of Meeting

1. Committee may ask questions of staff.
2. The Applicant and the public are no longer able to address the Committee.
3. Committee debates application.
4. Committee votes on staff recommendation or amended recommendation.
5. Recommendation is submitted to Council for approval.

Planning Committee Considerations

1. Committee members must be present for the entire public hearing to vote on an application.
2. Once the public hearing is closed and the application is being discussed or voted on, it is not in order to:
 - hear from the applicant or the public, or
 - receive or circulate written submissions from the applicant or public.

Planning Committee Considerations

3. Significant changes to applications cannot be made at hearings without deferring the application and re-circulating the notice.
4. Members can ask for a report from City staff on a planning matter through a motion.

Questions?