To Chair and Members
Planning Advisory Committee

From Lucy Hives, MCIP, RPP
Director of Planning, Planning Department, Community Development

1.0 Type of Report

Consent Item [ ]
Item For Consideration [ ]

2.0 Topic Planning Advisory Committee – Modifications to Schedule ‘10’ – the Economic Development Advisory Committee (Chapter 26 of the City of Brantford Municipal Code) [Financial Impact – None]

3.0 Recommendation

THAT the Planning Advisory Committee receive Staff Report 2020-122 as information and provide any comments so that they can be included in the related Report to Committee of the Whole – Community Development.

4.0 Purpose and Overview

The purpose of this Report is to provide the Economic Development Advisory Committee (which also functions as the Planning Advisory Committee) with information regarding proposed revisions to Schedule ‘10’ – The Economic Development Advisory Committee as set out in Chapter 26 of the City of Brantford Municipal Code. The proposed revisions will reflect the mandate of the Planning Advisory Committee as originally intended and will also clarify which
department will provide administrative support and how the advice from the Advisory Committee shall be provided to Council.

5.0 Background

Committee members may recall that in response to the passage of the Province’s *Smart Growth for our Communities Act, 2015* (Bill 73), there was a mandatory requirement for each municipality to establish a ‘Planning Advisory Committee’ (PAC). These are advisory committees that are established to ensure citizen representation and are intended to provide Council with advice and another perspective on land use planning issues. Planning Staff recommended modifying the mandate of the Economic Development Advisory Committee (EDAC) since the purpose of EDAC is to give advice and recommendations to Council in respect of the development and expansion of the City’s economy. Council was in agreement with this approach and at the Council meeting on September 27, 2016, Council directed that the mandate of the Economic Development Advisory Committee be expanded to take on this new role, initially on an interim basis and then made permanent in November 2017.

The mandate for the Economic Development Advisory Committee was amended on September 27, 2016 and since that time, Planning Staff have presented multiple reports to the Planning Advisory Committee and have attended approximately 15-20 meetings to seek input and advice from PAC in regard to several City initiated applications to amend the Zoning By-law as well as to update Committee with respect to the Official Plan project. A copy of Schedule ‘10’ – The Economic Development Advisory Committee as found in Chapter 26 of the City of Brantford Municipal Code is attached as Appendix A.

In the fall of last year, Staff from Planning, Economic Development and Tourism and Clerk Services met to discuss how the Planning Advisory Committee was functioning in light of the description set out in Appendix A. Three areas set out in Schedule ‘10’ were identified that warrant attention as described below:

1) Section 3, the Mandate of Board or Advisory Committee, specifically the description under “Part 2” does not reflect the original intent;
2) Section 7 identifies which department provides administrative support and this has now changed; and
3) Section 8 sets out how the Committee’s advice is provided to Council when performing “Part 2” of its mandate and it is no longer current. (This relates specifically to how comments relating to matters before the Planning Advisory Committee are provided to Council).
These are discussed further in Section 7.0 of this Report.

6.0 Input From Other Sources

Planning Staff met with Staff from the Economic Development and Tourism Department and Clerk Services in the fall of 2019 to review the mandate and how the Committee was functioning, both in terms of the types of applications brought forward and how the Committee was supported. The discussion which ensued is reflected in Section 7.0 of this Report.

7.0 Analysis

When the Planning Advisory Committee was initially established, Staff had anticipated that adding the PAC function to the responsibilities of the Economic Development Advisory Committee would result in the addition of approximately one to three planning related matters to the EDAC agenda in any calendar year. Since that time, Staff have presented multiple reports to PAC and the committee members have provided invaluable input, sometimes generating further analysis and research resulting in changes to the final staff reports and recommendations that have been presented to Council.

However, the mandate of the Planning Advisory Committee as set out in “Part 2” of Section 3 of Schedule ‘10’ covers a broader range of applications than originally anticipated. This section of the mandate reads as follows:

“Part 2 is to give advice and guidance on land use planning matters to the Council of the City with respect to:

(a) The development of a new Official Plan and Zoning By-law including any related comprehensive reviews of said documents as well as any City initiated amendments to the Official Plan and Zoning By-law.”

When Staff initially reported to Council in regard to Bill 73 and the need to establish a Planning Advisory Committee, the intention was certainly to involve and seek input from PAC regarding the development of a new Official Plan and Zoning By-law as well as City initiated technical amendments to the Official Plan and Zoning By-law. Unfortunately the word ‘technical’ was not included in the above description and as a result all City initiated applications have come forward to the Planning Advisory Committee including applications relating to rezoning specific properties owned by the City (such as the affordable housing development on Marlene Ave., and the new fire hall). This was never the intent
and Staff recommend that the mandate be amended by inserting the word ‘technical’ as follows:

“Part 2” is to give advice and guidance on land use planning matters to the Council of the City with respect to:

(a) The development of a new Official Plan and Zoning By-law including any related comprehensive reviews of said documents as well as any City initiated technical amendments to the Official Plan and Zoning By-law.”

The second area which requires an update relates to Section 7 of Schedule ‘10’ which identifies which City department is responsible for providing administrative support and / or budgetary support to the Board or Advisory Committee. Section 7 currently specifies that the Economic Development and Tourism Department is responsible for administrative support and minutes as well as budgetary support. In light of the importance of the input and advice provided by the members of the Economic Development and Advisory Committee, in their capacity as members of the Planning Advisory Committee, Clerk Services has agreed to take on the responsibility of providing administrative support and minutes for the Planning Advisory Committee meetings. Staff from the Economic Development and Tourism Department will still be responsible for providing administrative support and minutes as well as the budget for the Economic Development Advisory Committee. To reflect this change, it is recommended that Section 7 (a) be revised as follows:

“(a) Administrative Support and Minutes

Administrative Support for the Economic Development and Advisory Committee shall be provided by staff from within the Economic Development and Tourism Department. Administrative support for the Planning Advisory Committee shall be provided by staff from Clerk Services.”

Finally, the last area which requires clarification relates to Section 8, Special Provisions, specifically the last paragraph which reads as follows:

“When performing “Part 2” of its Mandate, all advice provided to Council by the Advisory Committee shall be submitted in writing in the form of a memorandum to the Director of Planning in a timely manner so that all advice provided can be included in the staff report to be presented to the Committee of the whole – Community Development.”

To ensure transparency and with the advice of Clerk Services, it is recommended that comments be formalized to reflect the discussion at the meeting and
provided in the form of a memorandum that is moved and seconded by the members of the Planning Advisory Committee and voted on as a body. Accordingly, it is recommended that this latter paragraph be revised to read as follows:

“When performing “Part 2” of its Mandate, all advice provided to Council by the Planning Advisory Committee shall be submitted in writing in the form of a memorandum which reflects the discussion at the meeting and where members of the Committee have formally voted on the content of the memorandum as a body. The Memorandum containing the advice is to be provided to the Director of Planning (or designate) following the meeting who will ensure that it is included in the staff report to be presented to the Committee of the Whole.

These proposed changes to Schedule ‘10’ will reflect the role of the Planning Advisory Committee as originally anticipated and will ensure that administrative support will continue to be provided by Clerk Services. The Clerk will also help ensure that the comments provided by the Planning Advisory Committee are supported by Committee members who will vote on the content of the memorandum which will then be provided to staff who will ensure that Committee’s comments are included in the staff report to be considered by Committee of the Whole.

8.0 Financial Implications

There are no direct Municipal financial implications related to the proposed changes to Schedule ‘10’ – the Economic Development Advisory Committee as found in Chapter 26 of the City of Brantford Municipal Code.

9.0 Conclusion

The proposed revisions to Schedule ‘10’ – The Economic Development Advisory Committee as set out in Chapter 26 of the City of Brantford Municipal Code are intended to reflect the mandate of the Planning Advisory Committee as originally intended and will address changes in the administrative support function as well as help to improve transparency in how the Committee’s comments will be relayed to Committee of the Whole. These changes will ensure that the Committee members will continue to have a positive and meaningful impact on the final staff reports that are presented to Council, which ultimately fulfills one of the objectives of Bill 73 which is to provide another forum for meaningful public participation and another perspective on land use planning matters.
Lucy Hives, MCIP, RPP
Director of Planning
Community Development

Attachments (if applicable)

Schedule ‘10’ – the Economic Development Advisory Committee, Chapter 26 of the City of Brantford Municipal Code