

To: COUNCIL

Meeting Date: 9/17/2024

Subject: Comprehensive Public Notice Policy

Submitted By: Danielle Manton, City Clerk

Prepared By: Jennifer Shaw, Deputy City Clerk / Manager of Council & Committee Services

Report No.: 24-045-CRS

File No.: C11

Wards Affected: All Wards

RECOMMENDATION(S):

THAT Report 24-045-CRS Comprehensive Public Notice Policy be received;

AND THAT _____ metres be established as Council's preferred circulation radius for all Official Plan and Zoning By-law Amendment notices;

AND THAT the Chief Planner be directed to report back to Council by the end of the first quarter of 2025 with a plan and timeframe for implementation of the preferred circulation radius for Official Plan and Zoning By-law Amendment notices that includes consideration of any necessary policy changes;

AND THAT the Public Notice Policy and templates attached as Schedule A to Report 24-045-CRS be approved.

AND FURTHER THAT the City Clerk be delegated the authority to update the templates, as required, to ensure compliance with changes in legislation.

EXECUTIVE SUMMARY:

Purpose

To report back to Council on notice provisions and options to increase awareness for citizens of public meetings for Official Plan and Zoning By-law Amendment applications and to bring forward a comprehensive public notice policy and standardized templates that will guide the manner, form and timing of public notice for matters affecting the public that are prescribed by legislation or deemed by the City to warrant public notice.

Key Findings

- The *Municipal Act*, 2001, S.O. 2001, c. 25 requires municipalities to adopt and maintain policies with respect to the circumstances under which notice will be provided to the public.
- While certain policies of the Corporation stipulate notice requirements for various matters, a comprehensive Public Notice Policy such as the one contemplated by the *Municipal Act*, 2001 has not been adopted to date by the city of Cambridge.
- The Clerk's Division has included the establishment of a Public Notice Policy as part of its workplan for 2024.
- At the January 30, 2024 Planning – Statutory Public Meeting Committee, staff were directed to report back to Council on enhancements to notice provisions around planning applications as part of the report on the Public Notice Policy.
- Staff are recommending adoption of the Public Notice Policy and related templates which are included as an Appendix A to this report and have provided cost estimates for Council's consideration should it wish to increase the circulation radius for planning applications.
- In preparing this report, staff performed a review of the City's current Planning process for providing notice, and reached out to surrounding municipalities to request information on how they provide notice for Official Plan and Zoning By-law Amendment applications and the circulation radius used.
- A change to the current circulation radius for Official Plan and Zoning By-law Amendment applications would require an Official Plan Amendment and the holding of a public meeting before the new radius could be implemented.

Financial Implications

There are no financial implications associated with Council's approval of the Public Notice Policy; however, increased costs are associated with a change in the circulation radius of Planning related notices and increased size for on-site signage requirements for Committee of Adjustment and Official Plan and Zoning By-law Amendment applications. These costs are discussed in detail within the Analysis section of this report.

STRATEGIC ALIGNMENT:

☒ Strategic Action

Objective(s): WELLBEING - Connect people to services that support individual and community wellbeing

Strategic Action: Not Applicable

☒ Core Service

Program: Governance

Core Service: Corporate Policy

The establishment of a comprehensive corporate Public Notice Policy aligns with the Strategic Plan and the Objective of Wellbeing by ensuring consistency when it comes to the various types of both legislated and non-legislated notice that are routinely provided to the public. Through the design of consistent messaging, the public will be better aware of issues affecting them and the ways in which they can engage with their local government and in the decision-making process.

BACKGROUND:

As part of the Clerk's Division's 2024 Work plan, staff have been preparing a comprehensive Public Notice Policy that would fulfill the requirements of Section 270(1)(4) of the *Municipal Act*, 2001, S.O. 2001, c. 25 which provides that "a municipality shall adopt and maintain a policy with respect to the circumstances in which the municipality shall provide notice to the public, and if notices is to be provided, the form, manner and times notice shall be given."

While the Public Notice Policy was being drafted, direction to staff came forward at the at the January 30, 2024 Meeting of the Planning – Statutory Public Meeting Committee, as follows:

THAT the City Clerk work with the Chief Planner on notice provisions and options to increase awareness for citizens of public meetings;

AND THAT the City Clerk and Chief Planner report back to Council on options to increase the notice provisions for planning applications as part of the Public Notice Policy report that is forthcoming;

AND THAT the City ensure that the same notice be provided to all occupants, tenants and residents within the required notification area in addition to the registered property owners for anything effective immediately.

This report is prepared to bring forward the completed Public Notice Policy for Council's consideration and potential adoption and addresses the direction to staff around Planning notifications. At this time, only the Public Notice Policy is being recommended for approval by Council for reasons outlined within the Analysis section of this report.

ANALYSIS:

A. Public Notice Policy as a Legislative Requirement

Municipalities are established by the provincial government and as ‘children of the province’ are subject to numerous provincial statutes. These statutes not only guide municipalities in the services they deliver to their communities but contain a number of provisions around when and how the public is to be notified of important decisions that are made by their local government.

In 2006, the *Municipal Act*, 2001 was amended by the provincial government through Bill 130, also known as the *Municipal Statute Law Amendment Act*, 2006. Bill 130 introduced a number of significant accountability and transparency focused measures that municipalities were required to adopt. Among the changes introduced through Bill 130 was the requirement for municipalities to adopt and maintain various policies, including a Public Notice Policy:

“Adoption of policies

270. (1) A municipality shall adopt and maintain policies with respect to the following matters:

1. Its sale and other disposition of land.
2. Its hiring of employees.
3. Its procurement of goods and services.

4. The circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given.

5. The manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.

6. The delegation of its powers and duties.”

While the *Municipal Act* provision requiring municipalities to adopt a Public Notice Policy has been in effect for some time, staff have determined that the City of Cambridge has not previously adopted such a policy.

Providing Notice Where Newspaper is the Prescribed Method

In 2023 Metroland Media Group ceased the print publication of 71 community newspapers across the province, including The Cambridge Times. Although these publications have continued to publish news content online, the ceasing of the print

publication of The Cambridge Times specifically, has had a significant impact on the City's ability to provide public notice to the community. Whereas the *Municipal Act*, 2001 allows municipalities more flexibility, other legislation is very prescriptive in the use of printed newspaper notice requirements and alternatives to print newspaper options are not currently permitted by legislation.

To eliminate any risk of non-compliance where there exists the legislative requirement to post notices in a newspaper, staff have explored other available newspaper options within the City and Region. Section 87 of the *Legislation Act*, 2006 defines newspaper as follows: "newspaper", in a provision requiring publication, means a document that, (a) is printed in sheet form, published at regular intervals of a week or less and circulated to the general public, and (b) consists primarily of news of current events of general interest; ("journal"). Based on the above definition and the definition included in the policy, The Waterloo Region Record has been determined as the paper of record for the City of Cambridge in the absence of a locally printed newspaper and has been used by staff this past year for the purpose of providing notice where a newspaper notice requirement exists within legislation.

Proposed Policy

Included as Appendix A to this report is a draft Public Notice Policy that staff are proposing be adopted by Council. Per the requirements of the *Municipal Act* and other legislation where notice is prescribed, the Policy sets out the form, manner and timing for when various types of notice will be provided by the City and which Division is responsible for providing the notice.

While some notice types are legislated, others are non-legislated but to date there has been a lack of consistency in how non-legislated notices are provided. One of the objectives of the Policy is to formalize non-legislated notices so that they follow the same requirements as legislated notices, where feasible.

Standardized Templates and General Addressing

A significant challenge that staff face in getting notice to the public, specifically for development related applications, is that the current notice method of a printed letter in a stamped envelope only goes to the property owner and typically does not reach tenants who are unable to open mail addressed to their landlord. This has resulted in complaints that not all residents are being made aware of developments that may affect them and that they may wish to comment on as part of the Statutory Public Meeting process. As a solution to this challenge, staff have developed standardized postcard templates which can be generally addressed to the owner / occupant of a multi-unit building ensuring all occupants, tenants and residents, not just the landlord, receive notice and are able to view it and attend the public meeting, should they wish.

Plain Language by Design

A goal in creating the notice templates was to incorporate the use of plain language and to address Council's concerns about the consistent use of overly wordy and technical jargon in City issued notices. Criticism has been received that notices issued by the City are often overwhelming in the volume of information and unclear in their messaging in terms of how the subject of the notice affects residents. To this end, the templates have been designed in a way that will assist staff in focusing on the key information and messaging that needs to be conveyed to residents and to fit the most pertinent details into set fields with character limits. For Planning notices, a larger version of the same design is proposed to be used for onsite signage where a Committee of Adjustment, Zoning By-law or Official Plan Amendment have been applied for.

Door hanger templates have been included within the Policy at the request of the Environmental Services and Operations Divisions. Due to the nature of their work, these Divisions most commonly use door hangers to notify residents of temporary work specific to tree removal/pruning and restoration/repairs work due to utility and water/sewer repairs and other construction works. In these cases, door hangers are hand delivered by staff to immediately affected residents as work is generally of a short-term duration and is dependent on factors such as weather and the availability of contractors making advanced or more formal notice unfeasible.

An additional door hanger template has been developed for use in Emergency situations where there may be a risk to public health or safety and there is not sufficient time to mail a postcard notice to residents. Example scenarios could include notifications about a hazard within the area or Boil Water / Drinking Water Advisories.

Colour Coding

Colour coding of notices is designed to enable the City to more effectively communicate the purpose, and in certain circumstances, time sensitivity around a notice with the colours red and yellow being used to convey emergency and construction related matters that may have a direct and/or immediate impact on residents. The Colour green has been selected for Forestry related notices, including tree inspection, pruning, and planting work while light blue has been selected for Planning and Heritage related notices. Dark blue has been selected as the colour for general governance matters which could range from Elections and Ward Boundary Reviews to Finance and Taxation matters, including Development Charges in addition to Cemetery matters and Building Code fee changes. The below table provides an overview of the colour coding matrix for notices and categories to be used:

Colour	Division	Subject of Notice
Green	Forestry	<ul style="list-style-type: none"> • Forestry general – by-law reviews and/or policy changes – Postcard Template • Tree planting – Door Hanger Template • Tree inspections – pruning and/or removal – Door Hanger Template
Yellow	Engineering, Environmental Services, Operations	<ul style="list-style-type: none"> • Local improvements – Postcard Template • Roads – restoration work (concrete, asphalt, grass, seed or sod) – Door Hanger Template • Water and Waste Water – Water/Sanitary repairs and restoration work (driveway, lawns, walkways, gardens) – Door Hanger Template • Temporary road closures, closure or removal of park/park amenity, temporary / permanent trail closure – Postcard Template and On-site Signage
Light Blue	Planning and Heritage	<ul style="list-style-type: none"> • Committee of Adjustment – Postcard Template and On-site Signage (as required) • Zoning By-law and Official Plan Amendments – Postcard Template and On-site Signage (as required) • Interim Control By-laws – Postcard Template • Heritage (Part IV and Part V matters) – Postcard Template
Red	Emergency Services and Environmental Services	Any matters with high priority, time sensitivity and where there is risk to public safety or health – Door Hanger Template
Dark Blue	General City Matters	Any matters related to cemeteries, elections, financial matters (including development charges and budgets), licensing, building code fees, Council meetings, etc.)

Table 1 – Colour coding matrix for new notice template system.

On-Site Development Notices

Larger on-site signage is commonly used to inform the public when a municipality has received Committee of Adjustment and Official Plan and Zoning By-law Amendment applications. One of the criticisms of the signage used by the City of Cambridge is that it is too small and is hard for residents to see, becoming lost when placed at a larger development site. In preparing the draft Public Notice Policy, staff considered how this

signage could be enhanced and reviewed the signage requirements of other municipalities for similar types of applications. The Planning Notice template within the Public Notice Policy is proposed to also be used for on-site development signage with enlarged dimensions of 24x36 inches for Committee of Adjustment applications (currently required to be 24x32 inches) and 48x72 inches for Official Plan and Zoning By-law Applications (currently 24x36 inches).

Committee of Adjustment signs are paid for by the City and provided to applicants when an application is filed. These signs are black and white with a cost of \$14 per sign. Signs are ordered in bulk, typically 50 per order. The cost to order 50 signs at current dimensions is approximately \$690.00. The increased cost associated with enlarged (24x36 inches) and colourized Committee of Adjustment signs is about \$1.00 more per sign for a difference of \$60.00 per year or a total of \$750.00 for 50 signs. This difference is considered minimal and can be easily accommodated within the Division's Operating Budget.

Developers are responsible for signage associated with Official Plan and Zoning By-law Amendments and the full costs, including installation and removal are unknown; however, the cost for signage at the increased dimensions of 48x72 inches is estimated to be \$375 per sign exclusive of tax and installation / removal fees. The below picture illustrates the expanded size for Official Plan and Zoning By-law Amendment signage which complies with current signage dimensions used by other municipalities.



QR Codes and Posting of Notices

Each notice template, including the door hanger templates, has been designed to include a QR code. While it is recognized that not all residents may be able to access the QR code option, this does provide another way for residents to quickly obtain additional information about a notice. All notices will be posted electronically on a newly established Public Notice webpage which the QR code will link directly to. On the Public Notice webpage, all City issued notices will be archived by their colour coding for ease of reference.

As part of the implementation of the Public Notice Policy, Clerk's staff will investigate options for a physical Public Notice board that could be placed at City Hall and ensure that all notices are distributed to City facilities for posting on bulletin boards in public areas.

Staff Training

Should Council approve the Public Notice Policy, implementation will include a thorough training program with City staff so that those Divisions that provide both legislated and non-legislated forms of notice are aware of their responsibilities under the new Policy and are informed of how the templates are to be used. Training will include emphasis on Plain Language writing techniques and how to communicate information to the public in a clear and concise manner, which will be essential to the success of the templates. Training will address the need to transition away from sending notice to named individuals and to address notices more generally to owners/occupants of properties to ensure a wider segment of residents are notified.

B. Legislative and Policy Considerations in Extending the Circulation Radius of Planning Act Related Notices

As part of the direction to staff, the options to increase the notice provisions for Planning applications were reviewed in the context of the existing legislative and policy framework in Ontario. The second part of this report addresses those findings and provides Council with options for moving forward, should it wish to expand the legislated 120 metre notification radius for Zoning and Official Plan Amendments.

The Planning Act Requirements

The *Planning Act*, R.S.O. 1990, c. P.13 establishes and sets out the framework and regulatory regime for land use planning and development in the Province of Ontario. Section 2(n) – Provincial interest, provides specific direction that decision making authorities shall have regard for the resolution of planning conflicts involving public and private interest when dealing with an application that requires approval. In processing

applications under the *Planning Act*, municipalities are required to follow a detailed, step-by-step procedure when it comes to Public Notice requirements. These procedures are outlined in greater detail within the *Planning Act* regulations. For a Zoning By-law Amendment application, the planning process requires the below criteria to be met for a decision to be rendered under the authority of the Act:

- Notices for Statutory Public Meetings are provided 20 days prior to the Statutory Meeting;
- A minimum circulation radius of 120 metres for notification to surrounding property owners;
- Type of Public Notice required (i.e. newspaper posting, paper mail with a sign); and
- Timing of decision and rights of appeal to the Ontario Land Tribunal (OLT).

The *Planning Act* also contains direction on the contents of an Official Plan in regard to public input through decision making as provided below. These requirements are detailed further in the section of this report that outlines the City's Official Plan policies:

“Official plan

Contents of official plan

16 (1) An official plan shall contain,

- (a) goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic, built and natural environment of the municipality or part of it, or an area that is without municipal organization;
- (a.1) such policies and measures as are practicable to ensure the adequate provision of affordable housing;
- (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; and**
- (c) such other matters as may be prescribed. 2015, c. 26, s. 17; 2017, c. 23, Sched. 3, s. 5 (1).

Same

(2) An official plan may contain,

(a) a description of the measures and procedures proposed to attain the objectives of the plan;

(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); and

(c) such other matters as may be prescribed. 2015, c. 26, s. 17.”

The current practice followed by the Planning Division at the City of Cambridge meets the above noted criteria under the *Planning Act*.

Provincial Policy Statement (2020)

Section 3 of the *Planning Act* requires that decisions made under the authority of the Act “shall be consistent” with the Provincial Policy Statement (PPS), which took effect on May 1, 2020. The PPS emphasizes the policy foundation for regulating the development and use of land throughout the Province, which is achieved by encouraging an effective and efficient policy-led planning system that includes up-to-date municipal Official Plans and Zoning By-laws. While the PPS does not specifically address the requirements for public consultation, it does state that the policies of the PPS represent **minimum standards** and grants planning authorities and decision-makers that authority to go beyond the minimum standards to address matters that are of importance to the community provided the additional measures do not conflict with the PPS. Enhancements to the notice provisions for planning notifications designed to increase public awareness therefore align with the PPS, which allows for enhanced public consultation measures as part of the community building planning process.

A Place to Grow - Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment. It provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services. Similar to the PPS, the Growth Plan provides direction in terms of land use compatibility with specific population and job targets for each municipality. Where and how to grow, infrastructure, natural systems and other resources are the main components of the document. This establishes a unique land use planning framework for the Greater Golden Horseshoe that supports the

achievement of complete communities, a healthy economy, a clean and healthy environment, and social equity. Decisions made on *Planning Act* applications at the City of Cambridge must be consistent with and conform to the policies contained in the Growth Plan.

Although the Growth Plan does not specifically comment on how to consult with the public on *Planning Act* applications, it does speak to the Growth Plan objectives, which include the requirement for Municipal Comprehensive Reviews. Comprehensive Review must occur every 10 years in order to keep municipal Official Plan and Zoning By-laws up-to-date with the Growth Plan and implement the PPS directions, goals and objectives on growth and development. Policy 5.2.3.3. of the Growth Plan provides that Municipalities are encouraged to engage the public and stakeholders in local efforts to implement this Plan, and to provide the necessary information to ensure the informed involvement of local citizens.”

Waterloo Region Official Plan

The Regional Official Plan (ROP) is a policy document which the City of Cambridge and other lower tier regional municipalities rely on to guide land use decisions made by Council. It contains wide-spread goals and objectives aligned with Provincial direction and policies, which ensures that new development meets the needs of each municipality and its residents as a whole, and as part of the Region of Waterloo. This enables consistent decision making throughout the Region in terms of the collective vision of Regional Council, comprised of representation from the separate lower-tier municipalities. Chapter 10, Policy 10.A of the Plan is entitled “Public Consultation” and speaks to the various ways in which the Region will provide opportunities for public participation in the development, implementation and monitoring of the decision-making process when it comes to regional planning policies:

“10.A.1 The Region will provide opportunities for public participation in the development, implementation and monitoring of Regional planning policies in accordance with this Plan, the Planning Act, the Environmental Assessment Act and other relevant legislation and policy.

10.A.2 The Region will co-operate with Area Municipalities in public participation programs, including the holding of joint public meetings, where appropriate, during the processing of amendments to this Plan and Area Municipal official plans, and for other initiatives where interests are common.

10.A.3 In public participation programs associated with a municipal comprehensive review of this Plan, or major amendments hereto, the Region will endeavour to:

- (a) establish realistic objectives and timelines for public participation programs;
- (b) solicit public input through a variety of enhanced public participation programs;
- (c) demonstrate how comments from the public have been considered in the planning policy and development decisions; and
- (d) ensure appropriate opportunities exist for public input into the development and approval of planning policies and programs.”

While the Region’s Official Plan speaks to how it will engage with the public and Area Municipalities, it does not inhibit the Area Municipalities from changing the ways in which they engage with or communicate with their local residents.

City of Cambridge Official Plan

The City’s Official Plan was approved by The Region of Waterloo, in part, with modifications, on November 21, 2012. Section 10.1 of the Plan entitled “Public Involvement” contains the policy provision 10.1.2 setting out Council’s commitment to follow the public notification procedures regarding planning matters that are contained within the Planning Act and its regulations. Policy provisions 10.1.4 and 10.1.6 further stipulate the mechanisms the City will use to promote public participation and informed decision making as follows:

- “10.1.4 In addition to requirements specified in Policy 10.1.2, the City will use the following mechanisms to promote public participation and informed decisionmaking:
 - a) requiring the proponent to post one or more signs, clearly visible to the general public, on properties undergoing a planning approval process; and
 - b) any other means that Council deems appropriate including electronic communications.
- 10.1.6 Changes to the notification procedures in Policy 10.1.2 are permitted as specified below:
 - a) for a general amendment to the Official Plan, Zoning By-law or other planning matters for which the City deems public notice to be appropriate, notice shall be given at least 20 days prior to the public meeting by:
 - i) advertisement in a newspaper or newspapers having general circulation in the city; and

ii) personal service or prepaid first class mail to every person and agency that has given the Clerk a written request for such notice with respect to that planning matter;

b) for a site specific amendment to this Plan or Zoning By-law, notice shall be given at least 14 days prior to the public meeting by:

i) personal service or prepaid first class mail to every owner of land within **120 metres** of the area to which the amendment will apply; and

ii) personal service or prepaid first class mail to every person and agency that has given the Clerk a written request for such notice with respect to that planning matter;

c) a notice of public meeting shall contain the following information:

i) the date, time and place of the meeting;

ii) in the case of a site specific amendment, a key plan showing the location of the site or area to which the proposed amendment will apply; and

iii) the proposed amendment or an explanation of the proposed amendment.”

Change in Circulation Radius Requires Official Plan Amendment

Planning staff have confirmed that changes to the notice provisions in the Official Plan, including the circulation radius for notifications would require a City-initiated Official Plan Amendment and the holding of a public meeting under the *Planning Act*. For this reason, staff are recommending that should Council wish to expand the current circulation radius, that it select its preferred radius in the recommendation to this report and direct the Chief Planner to report back with a plan and timeframe for implementing the preferred radius which would include consideration of the required Official Plan Amendment and other policy changes.

Current Public Engagement Practices

Public engagement efforts undertaken by the City should reflect the magnitude and complexity of the issue/initiative and the desired goal or outcome. The five broadly recognized types of public engagement that municipalities generally undertake, are as follows:

- Inform – provide information to assist in understanding the issue/initiative, alternatives, opportunities and/or solutions;

- Consult – actively seek and obtain feedback on analysis, alternatives, and/or decisions;
- Involve – work directly with the community throughout the process to ensure concerns and aspirations are understood;
- Collaborate – partner with the community in the development of a decision to seek alternatives and/or a preferred solution; and
- Empower – place final decision-making in the hands of the community

In addition to the minimum legislated notification requirements, the City's Corporate Communications Division and Engagement Coordinator are resources that can be drawn on where there is a desire to explore additional communication methods to reach a broader audience. These tools follow the five public engagement principles outlined above.

Best Practices Review – Circulation Radius for Planning Notifications and Other Enhancements to the Notification Process

The *Planning Act* establishes **minimum** requirements for the giving of Public Notice; however, research has found that in recent years many municipalities have enhanced their notifications for Official Plan and Zoning By-law applications to go above and beyond the current legislated requirements. These enhancements have included an extension to the 120 metre circulation radius, improvements to on-site signage intended to inform the public of a development application and public meeting details, the roll-out of dedicated webpages where all public notice information can be found for easy access and extending notice to tenants of multi-residential buildings. These enhancements have been made in the effort of informing a wider range of the community and fostering increased citizen engagement in the development planning process. In preparing this report, staff reached out to several municipalities to inquire specifically about the current circulation radiuses being used. The below table provides a summary of staff's findings:

Municipality	Current Circulation Radius	Municipality	Current Circulation Radius
City of Brampton	240 metres	City of Kitchener	240 metres
City of Brantford	120 metres	City of London	120 metres
City of Burlington	120 metres	City of Markham	200 metres
City of Guelph	120 metres	City of Mississauga	120 metres

Town of Halton Hills	120 metres	City of Vaughn	150 metres
City of Hamilton	120 metres	City of Waterloo	120 metres
City of Kingston	120 metres	N/A	N/A

Table 2 – Survey of Circulation Radius Used by Various Municipalities for Planning Notifications

As shown in the above table, all municipalities meet the minimum requirements set out by the *Planning Act* for circulation of notices. Where they differ is summarized below:

- Extended radius – four of the municipalities surveyed have chosen to extend their public notice circulation distances from 120 metres: Brampton to 240 metres, Kitchener to 240 metres, Markham to 200 metres and Vaughn to 150 metres.
- In addition to an expanded radius used by staff, Vaughn provides its Councillors with the opportunity to extend the notice radius when the application is a Zoning By-law or Official Plan Amendment.
- While Burlington provides notice at a standard 120 metres, for some time they have extended the radius to 300 metres when an application is for a property located within a rural area due to the greater distance between properties.

Options for Increasing Circulation Radius for Planning Notifications

A potential increase to the circulation radius used for Official Plan and Zoning By-law Amendment related notifications naturally comes with increased costs which would be borne by applicants. The table below provides the real costs for providing expanded notice of a Statutory Public Meeting sampling three recent development applications. The costs within the table are inclusive of postage, printing and paper costs at a total of \$1.05 CAD per notice. The 120 metre (Statutory Requirement) column reflects the current costs that were incurred for recent mailouts completed. Cost estimates for an expanded circulation radius of 250, 400 and 500 metres are provided in the additional columns.

File Name and Address	120 m	250 m	400 m	500 m
File: OR08/23 Address: 201 Water Street & 66 Highman Ave	\$72.45	\$157.50	\$309.75	\$537.60

File: R01/24 Address: 84 Chalmers Street North	\$111.30	\$379.05	\$905.10	\$1,265.25
File: R17/23 Address: 214 & 216 Union Street N and 229 & 231 Anne Street	\$200.55	\$502.95	\$1,069.95	\$1,489.95

Table 3 – Real Costs for Providing Mailout Notice of Statutory Public Meeting for three Recent Development Applications

The Mailout cost is broken down as follows, exclusive of labour costs for staff time who create and distribute these notices.

\$0.98 for postage

\$0.02 per black and white page (\$0.05 colour)

\$0.05 per envelope

Total: \$ 1.05 CAD per Notice

For context, in 2023 the Planning Division completed 906 circulations for Official Plan Amendments, 737 circulations for Zoning By-law Amendments and 3521 circulations for Committee of Adjustment Applications.

Example 1 – 201 Water Street & 66 Highman Ave

With a 120 metre notice radius, 69 properties would have received notice of the Statutory Public Meeting at a total cost of \$72.45. If a 250 metre radius were used 150 properties would receive notice at a cost of \$157.50. At a radius of 400 metres, 295 properties would receive notice at a cost of \$309.75 and at a radius of 500 metres, 512 properties would be picked up totalling \$537.60.

Example 2 – 84 Chalmers Street North

With a 120 metre notice radius, 106 properties would have received notice of the Statutory Public Meeting at a total cost of \$111.30. If a 250 metre radius were used 361 properties would receive notice at a cost of \$379.05. At a radius of 400 metres, 862 properties would receive notice at a cost of \$905.10 and at a radius of 500 metres, 1,205 properties would be picked up totalling \$1,265.25.

Example 3 - 214 & 216 Union Street N and 229 & 231 Anne Street

With a 120 metre notice radius, 191 properties would have received notice of the Statutory Public Meeting at a total cost of \$200.55. If a 250 metre radius were used 479 properties would receive notice at a cost of \$502.95. At a radius of 400 metres, 1,019 properties would receive notice at a cost of \$1,069.95 and at a radius of 500 metres, 1,419 properties would be picked up totalling \$1,489.95.

Considerations on Circulation Radius for Non-Planning Related Notices

Should Council select a preferred circulation radius, it is important to note that the new radius would apply to Official Plan and Zoning By-law Amendment applications only and not to other types of notice that the City completes under the Public Notice policy. Due to legislation and other factors, the circulation radius used for non-Planning related notices often varies and the legislation itself is often prescriptive on who notice is to be circulated to. With the majority of non-planning notices, an expanded circulation radius would prove ineffective as the subject of the notice would not be relevant to those outside of the legislated circulation parameters.

EXISTING POLICY / BY-LAW(S):

There is no existing policy at the City that currently addresses the *Municipal Act* requirement for a Public Notice Policy. As noted within Section B of this report concerning *Planning Act* related notices, any change to the circulation radius used for planning notifications would require a City initiated Official Plan Amendment as the City's Official Plan currently stipulates that the minimum legislated radius of 120 metres will be used when providing notice to those affected by a Zoning By-law or Official Plan Amendment.

FINANCIAL IMPACT:

There are minimal financial impacts associated with this report and the adoption of the subject Public Notice Policy and related templates. Table 3 of this report provides the cost implications of an expanded circulation radius for three recent development application files. As part of the recommendations in this report, the Chief Planner would report back to Council with more specific costs associated with Council's preferred circulation radius as well as other particulars on the associated policy change requirements.

PUBLIC VALUE:

Collaboration:

Collaboration will involve working in partnership with staff across the organization who are responsible for preparing and sending out public notifications to ensure the Public

Notice Policy is being adhered to and that notices are being posted and shared in the ways prescribed by the Policy. This will require ongoing training of staff.

Transparency:

To ensure transparency, all public notices will be shared through a newly created Public Notice webpage on the City's website. The use of standardized and colour-coded templates and the emphasis on plain language in public notifications permits clearer messaging that more effectively communicates the impact of a subject on the recipient and the ways in which they can engage with their local government on the matter.

Engagement:

The Public Notice Policy and enhanced circulation radius for Official Plan and Zoning By-law Amendment applications will provide the public with a wider range of ways that they can learn about what is happening at the local government level and the ways that they can be involved in the decision-making process.

ADVISORY COMMITTEE INPUT:

As part of the preparation of the notice templates, staff circulated the draft templates via e-mail to the full Accessibility Advisory Committee for their review and comment. The Committee expressed concerns with the font size used in the initial designs and that not all members of the community would necessarily be able to read the accessibility notice that directed those needing accessibility accommodations to the QR Code or to Accessibility staff at the City to obtain a fully accessible version of the notice. Based on the Committee's comments, staff revised the notice templates to ensure the font was no smaller than 12 pt in size and increased the dimensions of the postcards.

Both the Committee and Accessibility staff expressed concerns with the colour contrasts used in the templates. As a result, the template colours for Planning and Construction related notices were changed to comply with accessibility requirements. The revised postcards are included in Appendix A of this report as part of the Notice Policy and related schedules.

PUBLIC INPUT:

Posted publicly as part of the report process.

INTERNAL / EXTERNAL CONSULTATION:

Internal consultation was undertaken with the various Departments and Divisions throughout the City that provide both legislated and non-legislated forms of notice to the public.

CONCLUSION:

Staff are recommending adoption of the attached Public Notice Policy which fulfills the outstanding *Municipal Act* requirement first implemented in 2006 as part of the Bill 130 Accountability and Transparency measures. The policy provides a consistent framework for the various types of notice the City provides and will ensure that future notices are easily understood and accessible to a wider range of Cambridge residents.

REPORT IMPACTS:

Agreement: No

By-law: No

Budget Amendment: No

Policy: Yes

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director

Deputy City Manager

Chief Financial Officer

City Solicitor

City Manager

ATTACHMENTS:

When naming attachments please use the following format:

1. 24-045-CRS Appendix A – Comprehensive Public Notice Policy