

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
24 January 2019 / 24 janvier 2019**

**and Council  
et au Conseil  
30 January 2019 / 30 janvier 2019**

**Submitted on January 4, 2019  
Soumis le 4 janvier 2019**

**Submitted by  
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**Ward: City Wide / À l'échelle de la ville      File Number: ACS2019-CCS-GEN-0001  
(0)**

**SUBJECT: Planning Committee Terms of Reference**

**OBJET: Mandat du Comité de l'urbanisme**

#### **REPORT RECOMMENDATIONS**

**That the Planning Committee recommend Council approve its Terms of Reference, as outlined in this report and attached as Document 1.**

#### **RECOMMANDATIONS DU RAPPORT**

**Que le Comité de l'urbanisme recommande au Conseil d'approuver son mandat, tel qu'il est énoncé dans le présent rapport et dans le document 1 ci-joint.**

## BACKGROUND

At its meeting of December 5, 2018, Ottawa City Council considered a report titled 2018-2022 Council Governance Review (ACS2018-CCS-GEN-0028). In approving this report, Council approved “That the revised Terms of Reference for Standing Committees, Sub-Committees and the Transit Commission be submitted in draft form to the respective Committees/Commission at their first meeting in 2019 for consideration and recommendation to Council for approval.” Accordingly, this report is presented to the Planning Committee for its consideration and approval.

## DISCUSSION

The 2018-2022 Council Governance Review report recommended the following changes to the mandate of the Planning Committee:

- That the Chair of the Agriculture and Rural Affairs Committee be added to the Planning Committee membership, as an additional, *ex officio*, member, and vice versa.

This would provide for specific rural representation from the ARAC Chair at Planning Committee meetings when matters considered by the Committee have a significant rural component. The ARAC Chair would be able to provide input from a rural perspective in this formalized role, and directly move motions and vote, when the Planning Committee considers such matters. Similarly, the Planning Committee Chair’s formal participation and input as an *ex officio* member of ARAC would provide ARAC with a broader perspective on planning-related issues when any matters that fall under ARAC’s mandate have effects that would largely affect suburban and urban areas.

Pursuant to Council’s approval of the above-referenced change, the Terms of Reference for the Planning Committee have been amended so that the text under the heading “Membership” has been amended by the addition of the words “and the Chair of the Agriculture and Rural Affairs Committee” so that it now reads as follows:

“Membership of the Planning Committee shall consist of Members of Council, as approved by Council. The Mayor and the Chair of the Agriculture and Rural Affairs Committee are *ex-officio* members.”

Corresponding changes are being proposed to the Terms of Reference of the Agriculture and Rural Affairs Committee.

- That Front-Ending Agreements relating to transportation matters will be considered by Planning Committee.

Planning Committee's Terms of Reference specifically describe the Committee's carriage on issues pertaining to the *Development Charges Act* and *Development Charges By-law*. Since Front-Ending Agreements are tied to specific planning/development files, and are always associated with development charges, these types of developer contracts would remain under the authority of Planning Committee – regardless of whether they are related to transportation.

Pursuant to Council's approval of the above-referenced change, the Terms of Reference for the Planning Committee have been amended so that bullet 10 under the heading "Development Charges" has been amended by the addition of the words "including transportation matters" so that it now reads as follows:

"10. Review and make recommendations to Council on all front-ending agreements pertaining to items within the mandate of this Committee, including transportation matters"

Corresponding changes are being proposed to the Terms of Reference of the Transportation Committee

- That the Built Heritage Sub-Committee (BHSC) be provided with the ability to make recommendations directly to Council regarding *Ontario Heritage Act* reports approved by the Sub-Committee that do not include an accompanying *Zoning By-law* or Official Plan amendment, instead of having such routine heritage matters rise to Planning Committee or the Agriculture and Rural Affairs Committee.

This would mean that the BHSC would have the authority to recommend the following matters to Council:

- Approval of additions to the Heritage Register;
- Approval for alteration, demolition, or new construction for buildings designated under Part IV or V of the *Ontario Heritage Act* where there are no associated *Zoning By-law* or Official Plan amendments;
- Approval of a staff recommendation for Part IV designations where there are no associated *Planning Act* applications; and

- Approval of a staff recommendation for the creation of new Heritage Conservation Districts.

Pursuant to Council's approval of the above-referenced change, the Terms of Reference for the Planning Committee have been amended so that bullet 17 under the heading "Heritage" has been amended by the addition of the words "where there is an associated *Planning Act* application" so that it now reads as follows:

"17. Make recommendations to Council on heritage protection within the urban boundary through applications and proposals brought forward by the Built Heritage Sub-Committee for designation under the *Ontario Heritage Act* as well as other heritage applications, where there is an associated *Planning Act* application."

The section also specifies which items the Built Heritage Sub-committee would have the authority to transmit directly to Council

Corresponding changes are being proposed to the Terms of Reference of the Built Heritage Sub-committee.

- That the pilot process used by the Planning Committee (and Agriculture and Rural Affairs Committee), for the advanced agenda distribution of zoning and Official Plan Amendment reports, be formalized.

Pursuant to a requirement of the City's Official Plan to provide public notification of Zoning By-law and Official Plan Amendments ten calendar days in advance of the meeting at which they are to be considered, a pilot process commenced in February 2018 whereby such reports were made available to Members of Council and all members of the public on ottawa.ca 10 calendar days before the associated meeting. The full agenda, including the remaining reports, were published seven calendar days in advance of the meeting. As part of its 2018-2022 Governance review, Council approved that this pilot process be formalized.

In considering the Governance report, Council also approved the following motion:

"...THEREFORE BE IT RESOLVED that Subsection 81(10) of the *Procedure By-law* be amended to provide that seven business days' notice of a regular Committee/Commission meeting shall be given to the Members of a

Committee/Commission and an agenda shall be provided to the Members seven business days in advance of the meeting; and

BE IT FURTHER RESOLVED that regular Committee/Commission meeting agendas and agenda documents shall also be made available to members of the public on ottawa.ca seven business days in advance of the meeting.”

With the formalization of the advanced agenda process for the Planning Committee (and Agriculture and Rural Affairs Committee), this would generally result in an advanced agenda release only one day prior to the full agenda release. As such, the Office and the City Clerk and Solicitor is recommending that that the full agenda (for the two aforementioned committees) be provided ten calendar days in advance of the meeting, rather than a dual release process. The Terms of Reference for the Planning Committee have been amended so that Bullet 3 under the heading ‘General Responsibilities’ now reads as follows:

“3. Ensure that the meeting Agendas are provided to members and the public ten calendar days in advance of the Planning Committee meeting (except where an observed holiday necessitates release earlier than ten calendar days).”

Corresponding changes are being proposed to the Terms of Reference of the Agriculture and Rural Affairs Committee.

The draft revised Terms of Reference for the Planning Committee are attached at Document 1.

## **RURAL IMPLICATIONS**

There are no specific rural implications associated with this report.

## **CONSULTATION**

As part of the preparation for the 2018-2022 Council Governance Review report, the City Clerk and Solicitor consulted with elected representatives, citizen members of the Transit Commission, Chairs and Vice-Chairs of Advisory Committees, the Extended Senior Leadership Team, as well as staff in the City Clerk’s Branch, Legal Services and the City Manager’s Office who work most closely with the legislative process.

The public was notified of this report through the meeting advertisement in community newspapers and on Ottawa.ca, and the publication of the agenda. Public delegations may be received by the Committee.

**COMMENTS BY THE WARD COUNCILLOR(S)**

This is a city wide report.

**ADVISORY COMMITTEE(S) COMMENTS**

There are no associated Advisory Committee comments.

**LEGAL IMPLICATIONS**

There are no legal impediments to approving the recommendation contained in this report.

**RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

**ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this report.

**TERM OF COUNCIL PRIORITIES**

This report supports the Term of Council Priority related to Governance, Planning and Decision Making.

**SUPPORTING DOCUMENTATION**

Document 1 – Draft Planning Committee Terms of Reference (proposed changes are underlined for ease of reference)

**DISPOSITION**

Upon approval of the report by Council, the Terms of Reference will become the mandate and governing authority for the Planning Committee to be implemented by the Office of the City Clerk and Solicitor.

## Document 1

### PLANNING COMMITTEE

#### Terms of Reference

The Planning Committee is responsible for overseeing all development and planning within the urban boundary in accordance with the City's Official Plan document, including zoning designations, community planning, site design requirements and affordable housing.

#### MEMBERSHIP

Membership of the Planning Committee shall consist of Members of Council, as approved by Council. The Mayor and the Chair of the Agriculture and Rural Affairs Committee are *ex-officio* members.

#### GENERAL RESPONSIBILITIES

The Planning Committee shall:

1. Be responsible directly to Council for those items emanating from:
  - a) Applicable services and branches within the, Planning, Infrastructure and Economic Development Department ;
  - b) Applicable services and branches within the Community and Social Services Department, specifically Housing Services;
  - c) Any Advisory Committees or Sub-committees that are within the area of responsibility of the Planning Committee;
  - d) The two urban panels of the Committee of Adjustment; and
  - e) Local boards, agencies and corporations that are created by, and report to, this Committee.
2. Ensure co-ordination and consultation with other Standing Committees and departments where responsibilities overlap on planning matters and on issues relevant to the mandate of more than one Committee.
3. Ensure that the meeting Agendas are provided to Members and the public ten calendar days in advance of the Planning Committee meeting (except where an observed holiday necessitates release earlier than ten calendar days).

4. Have the authority to hear briefings on litigious matters of a planning and development nature and to give direction to the City Clerk and Solicitor on such matters where it is consistent with current Council direction or policy.
5. Subsequent to the approval of the budget, consider, for recommendation to Council, all operating and capital budget adjustments pertaining to items within the Committee mandate.
6. Consult with the Agricultural and Rural Affairs Committee on issues having an effect on the City's rural residents and businesses, or relating to items of interest for the agricultural and associated industries.
7. Receive reports from staff regarding the exercise of delegated authority (By-law 2018-397) on items within the Committee's mandate.
8. Receive public delegations on matters affecting general land use planning in the City of Ottawa and hold public hearings, as required by the *Planning Act*, the *Ontario Heritage Act* and the *Municipal Act, 2001*.
9. Review and recommend to Council revisions to the Planning Committee Terms of Reference, as required.
10. Address all matters related to, and arising from, Advisory Committees or Sub-Committees under the Standing Committee's responsibility and that are in line with the established Committee and Council Strategic Plans.
11. Have the delegated authority to decide matters that are consistent with the application of federal and/or provincial statutes and/or regulations.
12. Recommend to Council, the City of Ottawa's participation in federal or provincial cost-sharing programs for matters within the mandate of the Committee.
13. Monitor federal and provincial legislation with a distinct impact on planning matters.
14. Recommend to Council proposed by-laws that are under the Committee's jurisdiction.
15. Pursuant with the *Delegation of Authority By-law* (Section – Conferences and Conventions), approve Councillors travel and attendance at conferences that are related to the Committee's mandate.

## SPECIFIC RESPONSIBILITIES

The Planning Committee shall:

### **Planning**

1. Provide direction to staff for the implementation of the planning and development goals and policies as outlined in the City's Official Plan document.
2. Make recommendations to Council with respect to all Official Plan matters.
3. Ensure the proper investigation and survey of the physical, social, economic and environmental conditions in relation to the development and redevelopment of land within the urban boundary.
4. Consult with applicable local boards having jurisdiction within the City of Ottawa and whose mandates deal with items pertaining to this Committee.
5. Make recommendations to Council on items related to the delegation by the Ontario Ministry of Municipal Affairs, as set out in the *Planning Act*, for those matters not delegated to staff.
6. Review and make recommendations to Council concerning other planning matters of the City, including neighbourhood area studies, special studies, aerial photography and mapping, development control matters and planning policy matters.
7. Make recommendations to Council on appointments to the urban panels of the Committee of Adjustment.
8. When applicable, and where delegation of authority has been lifted, review and consider reports on the following matters that are consistent with an adopted Council policy and fall within the mandate of the Committee:
  - Subdivision and condominium applications;
  - Extensions of draft plan approvals;
  - Site Plan Control applications;
  - Approval of Zoning By-laws;
  - Land severance applications and minor variances granted by the two urban panels of the Committee of Adjustment;
  - Official Plan amendments;

- Street openings and closings;
  - Street name changes;
  - Municipal addressing;
  - Administration and enforcement of the Ontario Building Code;
  - Lifting of 30 cm reserves;
  - Lifting of Holding Provisions;
  - Signs By-laws, Variances and Amendments; and
  - Cash-in-lieu of Parking agreements.
9. Review and make recommendations to Council on the planning, design and implementation of infrastructure for developing communities, specifically Environmental Assessments that relate to infrastructure required for future subdivision growth.

### **Development Charges**

10. Review and make recommendations to Council on all front-ending agreements pertaining to items within the mandate of this Committee, including transportation matters.
11. Review and make recommendations to Council on all issues pertaining to the *Development Charges Act*.
12. Review and make recommendations to Council on the general enactment of the *Development Charges By-law*.
13. Review and consider recommendations from the Agriculture and Rural Affairs Committee with respect to the *Development Charges Act* and on the general enactment of the *Development Charges By-law* as they relate to the rural area.

### **Affordable Housing**

14. Make recommendations to Council on housing policies for the City's Official Plan, based on:
- (a) housing requirements and targets for the City of Ottawa;
  - (b) federal and provincial housing policies and other related policy initiatives;

- (c) reports outlining the periodic review and evaluation of the housing situation in the City; and
  - (d) the implementation of the City of Ottawa Housing Strategy and related housing policy initiatives.
15. Make recommendations to Council on how to adequately and affordably house Ottawa residents, and provide options for increasing the supply of affordable housing.
  16. Make recommendations to Council on all issues related to any funding opportunities from other levels of government or other sources, supporting projects along the spectrum of housing-related needs from new construction, to renovations to supportive housing.

(Note that Community and Protective Services Committee (CPSC) is responsible for housing policies related to the ongoing administration and funding of existing social housing programs, emergency shelters, supportive housing and homelessness programs – see CPSC Terms of Reference)

### **Heritage**

17. Make recommendations to Council on heritage protection within the urban boundary through applications and proposals brought forward by the Built Heritage Sub-Committee for designation under the *Ontario Heritage Act* as well as other heritage applications, where there is an associated *Planning Act* application.
18. Make recommendations to Council on general heritage matters including the development and implementation of heritage policies, by-laws, strategies and programs applicable to the urban and suburban areas of the City.

(Note that the Built Heritage Sub-committee would have the authority to recommend the following matters directly to Council, without consideration by the Planning Committee or Agriculture and Rural Affairs Committee:

- Approval of additions to the Heritage Register;
- Approval for alteration, demolition, or new construction for buildings designated under Part IV or V of the *Ontario Heritage Act* where there are no associated *Zoning By-law* or *Official Plan* amendments;
- Approval of a staff recommendation for Part IV designations where there are no associated *Planning Act* applications; and

- Approval of a staff recommendation for the creation of new Heritage Conservation Districts)