Dear Stephanie Kwast,

405 Planning Consultants is pleased to submit our final report regarding the Role of Community and Stakeholder Engagement in Planning and Development Without an Ontario Municipal Board. We are happy to say that this project was completed on time and on budget.

We believe our report addresses all tasks and deliverables outlined in the Request for Proposal and subsequently our Proposal, and provides ULI with insightful research regarding the role of public consultation throughout the development process outside of the Ontario context. The following items have been included as part of the final deliverable:

- An executive summary;
- A final report containing additional research regarding the two identified priority case studies (Lorena Plaza and 1500 West Georgia);
- Our mid-project report, updated based on feedback received from ULI; and
- Appendices, with additional details regarding the research process.

We would like to thank ULI Toronto for helping us establish contacts in many of our case study cities. Your support throughout the duration of this project was invaluable. If you have further questions, do not hesitate to contact Regan Zink at 519-616-0155, or by email regan.zink@gmail.com.

Respectfully submitted,

Regan Zink
Project Manager, ULI Associate Member

cc. Doctor Carrie Mitchell (University of Waterloo, School of Planning)  
Emma West (Bousfields Inc.)
The Role of Community and Stakeholder Engagement in Planning and Development Without an Ontario Municipal Board

Report prepared for:
Urban Land Institute
Toronto
2018.03.27
Acknowledgements

405 Planning Consultants would like to thank Stephanie Kwast, Emma West, and ULI Toronto for their direction on this project. We would also like to thank Dr. Carrie Mitchell, our mentor, for her guidance regarding research methods.
Executive Summary

405 Planning Consultants was retained by the Urban Land Institute (ULI) Toronto chapter to conduct research regarding how Bill 139 might or should change the role of public consultation in the planning and development process. The planning process in Ontario largely fails to recognize that public consultation is a tool that can be used to increase predictability throughout the development process. Turning to other Canadian, US, and international case studies will provide valuable insight for Ontario planners during the transition period from the OMB to the LPAT.

Research Methods

In collaboration with ULI Toronto, seven Canadian, US, and international case study cities were selected to investigate how public consultation is used as part of the development process. These cities are: Vancouver, Halifax, Edmonton, Salt Lake City, Philadelphia, Los Angeles, and Sydney, Australia.

For each city the following research methods were used to collect data:
1. Grey literature review;
2. Semi-structured interviews; and
3. Case study investigations.

Summary of Findings and Recommendations

In total 20 interviews, 9 case studies, and over 50 municipal documents were compiled as part of this report. Our sample size for this project is quite small and spread over a large geographic area, and, as a result, our findings are not generalizable to the whole planning community. That being said, our findings offer a unique perspective on the use and role of public consultation in seven Canadian, US, and international locations. The following five recommendations are based on a thematic analysis of our findings.

Theme 1: Lessons learned from 1500 West Georgia, Vancouver case study

The first recommendation is to create and seek out opinions from community groups and advisory committees in the development application process to gain insight on neighbourhood impacts. In Vancouver, the public was able to participate in both formal public consultation, such as open houses and public hearings, and also informal public consultation, such as the Urban Design Panel (UDP) and the Development Permit Board (DPB). Additionally, community members who possess the necessary expertise may apply and serve on advisory committees, panels, or public working groups that oversee and provide recommendations on development applications. The City of Vancouver has also put forward the mandate to increase the number of participants in these working groups who represent a broader range of diversity population, such as personal with disabilities, persons of colour, immigrants, and individuals who normally wouldn’t engage in the development approval process. These committees and working groups play an important role in the decision-making processes and their recommendations often reflect community concerns and values.
Theme 2: Different ways of communicating

The second recommendation is to make public consultation more accessible to a range of participants. We recommend this is done by ensuring public consultation sessions are done in different languages so that stakeholders from different cultures and ethnicities can participate and provide input. Vancouver provided notices and postcards in 8 different languages, while Los Angeles provides information in both Spanish and English. Other measures to improve accessibility such as using social media and other online platforms should be explored. Including online resources as part of the public consultation strategy improves accessibility for stakeholders who are unable to physically attend the meetings, while accommodating users of all ages. By improving the accessibility of public consultation sessions, applicants and the city can better address public concerns before it becomes a formal appeal.

Theme 3: Lessons learned from Lorena Plaza, Los Angeles case study

The third theme that we identified is that the quality of public consultation is much more important than the quantity. The Lorena Plaza project in the City of Los Angeles is an example of a development process that involved extensive public consultation, however, the consultation was described as ineffective. While the development was able to gain approval after 4 years of consultation, that approval was appealed. The appeal stalled the development application for an additional 16 months before it was finally able to progress forward. Professionals involved in the Lorena Plaza approval process reflected that perhaps smaller focus groups may have been more effective than the large public meetings used. A more focused, collaborative form of public consultation would have allowed the applicant to better identify and understand the root of the public concerns. This will ensure that the consultation held is indeed effective and not simply just extensive.

Theme 4: Consultation before submission

In four of the seven case studies, it was observed that applicants carried out additional public participation beyond statutory requirements. For example, in Sydney, developers proportionally used more public consultation with larger-scale developments. In Halifax, informal meetings were conducted before submission of development applications. In both Vancouver and Edmonton, developers were always encouraged to hold consultation prior to development application submission. It is recommended that public consultation be used as a tool to gauge public acceptance and support for a development prior to initiating the application process.

Theme 5: Changes to public consultation as a result of Bill 139

The introduction of Bill 139 will place a greater emphasis on public consultation if developers wish to achieve consistent development application approvals. Bill 139 reduces appeal rights available to the applicant and introduces a more rigorous test for appeals to council’s decision. As a result, if a development does not have council support, either for political reasons or through voter pressure, it will be harder to appeal council’s decision, regardless of planning justification. The changes as a result of Bill 139 place a greater onus on the applicant to ensure the public and council is in support of their development. In light of Bill 139 public consultation should be used as a tool to monitor public concerns and overall support for the project.
Table of Contents

1.0 Introduction
   1.1 Changes to Appeal Rights
   1.2 Public Consultation in Ontario

2.0 Research Design
   2.1 Priority Case Study Research

3.0 Policy Summary Chart

4.0 Priority Case Studies
   4.1 1500 W Georgia St, Vancouver
   4.2 3401 E 1st St, Los Angeles

5.0 Case Studies
   5.1 Vancouver, British Columbia
      5.1.1 5469-5507 Willow St, Vancouver
   5.2 Halifax, Nova Scotia
      5.2.1 827 Bedford Hwy, Halifax
      5.2.2 636 Bedford Hwy, Halifax
   5.3 Edmonton, Alberta
      5.3.1 1404 Hermitage Rd NW, Edmonton
      5.3.2 9505 105 Ave NW, Edmonton
   5.4 Salt Lake City, Utah
      5.4.1 111 S Main St, Salt Lake City
   5.5 Philadelphia, Pennsylvania
      5.5.1 S Broad St & Washington Ave, Philadelphia
   5.6 Los Angeles, California
   5.7 Sydney, New South Wales, Australia

6.0 Analysis and Recommendations
# Table of Contents

**Appendix A**  
Case Study Summary

**Appendix B**  
Updated Mid-Point Report

**Appendix C**  
Contacts List and References

**Appendix D**  
Semi-Structured Interview Schedule
1.0 Introduction

405 Planning Consultants was retained by the Urban Land Institute (ULI) Toronto Chapter to conduct research regarding how Bill 139 might or should change the role of public consultation in the planning and development process. Among other things, Bill 139 replaces the Ontario Municipal Board (OMB) Act with the Local Planning Appeal Tribunal (LPAT) Act. The shift from OMB to LPAT changes the practices and procedures of the Tribunal, as well as reduces the scope of involvement and power of the Tribunal. LPAT will give municipalities and the public a stronger voice and significantly shifts the decision-making dynamic for planning in Ontario.

The implications of Bill 139 are far reaching and it impacts many provincial policies and acts including, but not limited to, the Planning Act, the Ontario Planning and Development Act, and the Conservation Authorities Act. Many actors and organizations involved in the planning and development process in Ontario are still grappling with what exactly the impending changes will mean for the industry. Conversations regarding how the development industry will or should respond to these changes are ongoing and this research is designed to contribute to this discourse.

1.1 Changes to Appeal Rights

One change that has raised concern for a number of actors in the development industry is the reduced appeal rights available under the Local Planning Appeal Tribunal (LPAT) regime (Advocates, 2017; CELA, 2017; Squires, 2017; Flynn-Guglietti, 2018). It will be more desirable and perhaps necessary in the future for development projects to receive council endorsement at the onset, as appealing to the OMB will no longer be as viable as it once was. Appeals to the LPAT will be tested by the New Test and Joint Test which limits appeals to decisions that fail to conform with or conflicts with a provincial plan, provincial policy, or municipal plan. Bill 139 also places limits on appeals relating to Major Transit Station Areas, Secondary Plan, Ministerial Zoning Orders, and Interim Control By-laws, in addition to limiting the Tribunal’s power to overturn councils decision (OPPI, 2017; Squires, 2017). While all of these changes exist on paper, how they translate into practice is unknown.

Specific to the development industry, it is anticipated that developers will require more time to prepare their initial application, including more complete site statistics, more detailed site plans, and additional supporting studies that are beyond what is required in the current application process (CELA, 2017; Rau, 2018). It may also be advantageous to engage in more meaningful public engagement early on in the development process to address the needs and desires of the public (Rau, 2018). Taking every measure possible to ensure councils support will be fundamental to ensuring a project’s success.
1.2 Public Consultation in Ontario

The Planning Act R.S.O. 1990 is the legislative document that states statutory requirements for public consultation in Ontario. Specific to the development application process, the Planning Act requires public consultation for any development that requires a Zoning By-Law Amendment (ZBA), an Official Plan Amendment (OPA), or a Plan of Subdivision (Planning Act, 2017). Depending on the type of application, either a public meeting or both a public meeting and open house are required to engage the public. The Planning Act requires public meetings and open houses to occur after an application has been submitted.

The planning process in Ontario largely fails to realize that public consultation is a tool that can increase predictability throughout the development process. Turning to other Canadian, US, and international case studies will provide valuable insight for Ontario planners during the transition period from the OMB to the LPAT. Additionally, examining cases where public participation was not successful will provide insight regarding which public participation tactics and methods should be avoided.
2.0 Research Design

In collaboration with ULI Toronto, seven Canadian, US, and international case study cities were selected to investigate how public consultation is used as part of the development process. These cities are: Vancouver, Halifax, Edmonton, Salt Lake City, Philadelphia, Los Angeles, and Sydney, Australia.

Cities were generally selected based on their size, the presence of a ULI Chapter, and interest in existing knowledge of the current public consultation process. A detailed description of how case-study cities were selected can be found in Appendix B - Updated Mid-project Report.

For each city, a municipal planner was contacted to discuss the use of public consultation as part of the development process. The municipal planners who were consulted varied widely by location. For all cities, the first point of contact was sending an email explaining our project to the planning department. Based on the received responses, we were able to contact and arrange interviews with junior, senior, as well as intermediate level planners. A complete list of contacts established for this project can be found in Appendix C.

A semi-structured interview schedule was used to guide the conversation and ensure that the same information was being collected for each city. The semi-structured interview schedule can be found in Appendix D.

In addition to interviewing municipal planners regarding the public consultation process in their City, municipal documents and policies were reviewed. Accuracy and consistency was evaluated by triangulating municipal documents (grey literature), information gathered during interviews, and the public consultation used in the development case studies.
2.1 Priority Case Study Research

After reviewing our Mid-project Report, ULI Toronto selected two “priority case studies”. For the priority case studies additional interviews with municipal staff, the developer, ULI district members, and involved community associations were conducted. Questions asked during these interviews were designed to gain additional insight regarding the role of public consultation in shaping the development concept and gaining approval. Appendix C contains a list of all contacts used for this project.

A more detailed description of our research methods and findings can be found in Appendix B - Updated Mid-project Report.
### 3.0 Policy Summary Chart

This chart summarizes the relevant policies for each case study. A complete discussion of these findings can be found in Section 4.0 of this report and Appendix B.

<table>
<thead>
<tr>
<th>Location</th>
<th>Definition of public consultation</th>
<th>Is public consultation required?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vancouver, BC</td>
<td>Vancouver strives to achieve an &quot;Engaged City&quot;, with a premise rooted in public consultation. This is defined as: &quot;...bring[ing] people together for conversations to address issues of common importance, to solve shared problems, and to bring about positive social change. It involves people in the decision-making process such that it improves the resulting decision and, over time, builds the trust that is needed for fully empowered communities to actively create a common future&quot; (Engaged City Task Force, 2016).</td>
<td>Public consultation throughout the rezoning and development permit application is best practice. There is no legislation that exists requiring public consultation, but it is standard practice under the City’s Public Engagement Guiding Principles to have consultation sessions for planning projects. Consultation is legally required for Public Hearings according to s.566 (4) of the Vancouver Charter: At the hearing all persons who deem themselves affected by the proposed by-law shall be afforded an opportunity to be heard in matters contained in the proposed by-law. Development applications and ZBA make note of public consultation and notification steps in its processes for approval. In s.566 of the Vancouver Charter, public notification requirements for bylaw changes are outlined (date, time, and location).</td>
</tr>
<tr>
<td>Edmonton, AB</td>
<td>&quot;Public Engagement is a process that creates opportunities for people to contribute to decision making by City Council and Administration about the City's policies, programs, projects, and services, and communicates how public input is collected and used&quot; (According to the Edmonton Public Engagement Policy, 2017). Community consultation is defined to be the act of consulting with the diverse communities of the region regarding the identification of distinctive community values and is used to survey potential heritage conservation districts and cultural landscapes (Regional Centre Plan, 2017).</td>
<td>Public consultation is required for a new development application or amendment if it does not meet the regulations stated in Zoning By-law 12800. The applicant has 21 days to notify the residents and receive feedback before the development officer makes a decision on whether the application will be approved.</td>
</tr>
<tr>
<td>Halifax, NS</td>
<td>Public consultation within Salt Lake City is considered to be an aspect of good regional planning (Coffey, 2018). The purpose of which is to ensure regional planning decisions and development proposals are consistent with the vision of the community and that the community has the ability to have their voices heard concerning a planning decision or development proposal (Coffey, 2018).</td>
<td>Public consultation is required. A public hearing must be conducted for every development application if the proposal does not conform to its zoning and requires an amendment.</td>
</tr>
<tr>
<td>Los Angeles, CA</td>
<td>Public consultation within Salt Lake City is considered to be an aspect of good regional planning (Coffey, 2018). The purpose of which is to ensure regional planning decisions and development proposals are consistent with the vision of the community and that the community has the ability to have their voices heard concerning a planning decision or development proposal (Coffey, 2018).</td>
<td>Public consultation is required. The geographic &quot;Community Organization(s)&quot; are required to be notified of all new development proposals. Further public consultation is required if the local &quot;Community Organization&quot; group indicate they would like to be involved in the application.</td>
</tr>
<tr>
<td>Salt Lake City, UT</td>
<td>Public consultation within Salt Lake City is considered to be an aspect of good regional planning (Coffey, 2018). The purpose of which is to ensure regional planning decisions and development proposals are consistent with the vision of the community and that the community has the ability to have their voices heard concerning a planning decision or development proposal (Coffey, 2018).</td>
<td>Public consultation is required. The City has two agencies who focus on public consultation: the Citizens Planning Institute (CPI) focuses on reviewing District Plans, the &quot;Registered Community Organization&quot; (RCO’s) focus on reviewing local zoning cases and development applications (CPI, 2016).</td>
</tr>
<tr>
<td>Philadelphia, PA</td>
<td>Public consultation within Salt Lake City is considered to be an aspect of good regional planning (Coffey, 2018). The purpose of which is to ensure regional planning decisions and development proposals are consistent with the vision of the community and that the community has the ability to have their voices heard concerning a planning decision or development proposal (Coffey, 2018).</td>
<td>Public consultation is required. The City has two agencies who focus on public consultation: the Citizens Planning Institute (CPI) focuses on reviewing District Plans, the &quot;Registered Community Organization&quot; (RCO’s) focus on reviewing local zoning cases and development applications (CPI, 2016).</td>
</tr>
<tr>
<td>Sydney, NSW, Australia</td>
<td>Public consultation in Sydney is defined as &quot;the process of involving people in the decisions that affect their lives. It enables good governance and informed decision making by promoting shared responsibilities for decisions. Public Participation also supports an open approach to managing risk by providing a strong foundation for understanding decisions and building trust within our community about the decision-making process&quot; (City of Sydney, 2017).</td>
<td>Public consultation is not required for every application, however informing the public is. In Sydney, the majority of development applications require the public to be informed, however some cases will have different levels of consultation and may include active participation (City of Sydney, 2017).</td>
</tr>
<tr>
<td>Location</td>
<td>Public Engagement Policy (IAP2)</td>
<td>Planning legislation that requires public consultation (Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000)</td>
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</tr>
<tr>
<td>Vancouver, BC</td>
<td>The Public Engagement Policy is used as a framework for public consultation through collaborative, transparent and consistent approaches when engaging residents and businesses in the decision making process.</td>
<td>Planning legislation that requires public consultation include the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. Both policies contain guidelines for public consultation throughout development applications and planning assessments. The Sydney Development Control Plan 2012 also requires notifications and advertisement of specific development applications to the local government area.</td>
</tr>
<tr>
<td>Edmonton, AB</td>
<td>The Municipal Government Act of Alberta and the City of Edmonton’s Zoning Bylaw Regulations also require public notifications for statutory plan amendments, rezoning applications, road closures, and subdivision applications (Punvis &amp; Rutherford, 2018).</td>
<td>- Planning legislation that requires public consultation include the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. Both policies contain guidelines for public consultation throughout development applications and planning assessments. The Sydney Development Control Plan 2012 also requires notifications and advertisement of specific development applications to the local government area.</td>
</tr>
<tr>
<td>Halifax, NS</td>
<td>There are over 23 different planning frameworks for the Regional Municipality of Halifax - we have reviewed the Halifax Regional Municipality Charter and the Halifax Regional Municipal Planning Strategy.</td>
<td>- Planning legislation that requires public consultation include the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. Both policies contain guidelines for public consultation throughout development applications and planning assessments. The Sydney Development Control Plan 2012 also requires notifications and advertisement of specific development applications to the local government area.</td>
</tr>
<tr>
<td>Los Angeles, CA</td>
<td>In the state of California, the “Ralph M. Brown Act”, listed as sections 54950-54963 in the California Government Code, otherwise known as the “Brown Act” guarantees the public’s right to attend and participate in meetings of occasional bodies, which applies to the City of Los Angeles.</td>
<td>- Planning legislation that requires public consultation include the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. Both policies contain guidelines for public consultation throughout development applications and planning assessments. The Sydney Development Control Plan 2012 also requires notifications and advertisement of specific development applications to the local government area.</td>
</tr>
<tr>
<td>Salt Lake City, UT</td>
<td>The framework for public consultation in Salt Lake City is the Salt Lake City Code (The Code). Chapter 2.60 Recognized Community Organizations outlines the framework for public consultation.</td>
<td>Planning legislation that requires public consultation include the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. Both policies contain guidelines for public consultation throughout development applications and planning assessments. The Sydney Development Control Plan 2012 also requires notifications and advertisement of specific development applications to the local government area.</td>
</tr>
<tr>
<td>Philadelphia, PA</td>
<td>Public consultation within the City of Philadelphia is organized and operated by the Philadelphia City Planning Commission (PCPC) who is an agency of the Philadelphia City government (PCPC, 2016).</td>
<td>Planning legislation that requires public consultation include the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. Both policies contain guidelines for public consultation throughout development applications and planning assessments. The Sydney Development Control Plan 2012 also requires notifications and advertisement of specific development applications to the local government area.</td>
</tr>
<tr>
<td>Sydney, NSW, Australia</td>
<td>The Public Engagement Policy of Sydney includes guidelines for public consultation (Sydney Development Control Plan 2012).</td>
<td>Planning legislation that requires public consultation include the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. Both policies contain guidelines for public consultation throughout development applications and planning assessments. The Sydney Development Control Plan 2012 also requires notifications and advertisement of specific development applications to the local government area.</td>
</tr>
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**How many and what type of public consultation is required?**

- Typically three public consultation sessions are held:
  - Pre-application open house
  - Open house
  - Public hearing

- One public consultation session is required, however complex development proposals may hold two:
  - Usually a public open house

- One public consultation session is required:
  - Public information meeting

- One public consultation session is required:
  - Public hearing

- Typically one or two public consultation sessions are required based on the magnitude of the development proposal:
  - Public hearing
  - Public consultation

- Typically one public consultation session is required:
  - Public meeting

- n/a

**How is the public notified?**

- Property owners within two blocks of the sites are notified through mailed out postcards from municipal staff.
- Applicant installs a yellow information sign on site to inform public of the official Open House.
- Public consultation sessions are posted on the City’s website under Calendar Events and the Rezoning webpage.
- Types of notification include sending out notices of permit applications, posting information on webpages, public notices through newsletters, meetings and information sessions. Who is identified depends on the nature of the application.
- Required notification includes sending out flyers, posting on the Halifax website, and inviting community groups.
- Public hearing notices are mailed to the local Neighborhood Council and residents/businesses generally within a 500 foot radius. However, this can depend on the scale of the project. 72 hours notice must be given before a public hearing.
- The Community Organization groups contacted directly by the applicant to arrange public consultation.
- The RCO’s groups are contacted directly by the applicant to arrange public consultation.
- Types of notification include sending out mailed letters, along with notices on the property site. Some documents are also available for a period of time on the Sydney website.

**Who is responsible for facilitating required public consultation?**

- Planning staff decides what consultation is necessary. Public consultation sessions are often delegated to development officers that work with applications directly.
- City Planners facilitate the public information meetings.
- If the Community Organization deems a development is something which they wish to comment on, the Planning Division must ensure that the developer meets with these groups, with the project planner in attendance, to present information and gather feedback.
- If the Community Organization deems a development is something which they wish to comment on, it is the responsibility of the applicant/developer to organize the consultation session.
- City Council as the consent authority is often responsible for notifying and advertising development applications.
What public consultation typically occurs beyond what is required?

Dependent on size and scope of application and initial public reaction. Particular applications that generate interest may require subsequent meetings, Open Houses, and other types of engagement. Each application is treated in a case-specific context. City and applicant discretion is used to determine adequate rounds of consultation (Howard, 2018). Developers will conduct additional meetings with neighbourhood associations and major stakeholders that are interested in the project (typically prior to application or throughout the process).

During the application review phase of the process, occasionally an applicant may also host their own session where planners may attend as a City representative. Developers and the administration may choose to consult more with the public depending on the application (Purvis & Rutherford, 2018). Developers are encouraged to host more meetings however it is not a requirement.

There are generally three scenarios that warrant further consultation:

- In situations where there is strong opposition from the community either through written submissions or during the initial consultation process, the planner will establish a Planning Advisory Committee to help facilitate public input. If the municipal planner decides that the complexity of the project proposed warrants more discussion a second consultation meeting is held. It is fairly common for developers to host an informal public consultation meeting prior to the submission of the proposal.
- Although the Brown Act is a "floor", not a "ceiling" for required public consultation, typically very little public consultation occurs. For more complex development, Consultation or Collaboration might be needed; the Consult category involves getting the community groups feedback on the development; Collaboration involves the community group for the beginning and collaborating with them to create the development plan.
- Typically, if a public consultation is required, it will fall under the first category of consultation; inform (one consultation session). Typically this would involve additional consultation and collaboration early on in the planning and application process. Extended consultation is required when the RCO groups involved in the development indicate they wish to be involved in the development beyond simply consult and inform. Some developers will facilitate additional information sessions for large scale developments prior to submitting an application. Once an application is submitted the City of Sydney follows the guidelines in the Act and Regulations to conduct their own information sessions (McMullan, 2018; Hand, 2018).

Who runs these additional public consultation sessions?

- The applicant.
- The applicant, developer and city planners.
- City planner if they are due to complexity. Developer if the public is strongly opposed.
- The applicant/developer.
- The applicant/developer.
- The applicant/developer.
- Developers, city staff.
4.0 Priority Case Studies

4.1: 1500 W Georgia St, Vancouver

Location
1500 West Georgia Street is located in the West End of Vancouver. The subject property acts as a gateway between Downtown Vancouver and Stanley Park. The location is referred to as an urban pivot being the junction between a park, downtown, waterfront, and several surrounding neighbourhoods. The proposed development is adjacent to a heritage building that is located within a plaza. The neighbourhood consists of commercial, residential, and office buildings and includes both high- and low-rise developments. Several high-rise residential towers have been proposed and are at various stages in the development application process.

Policy Context
The subject site is within the West Georgia Corridor, which is a newer part of the community with housing and transit being built in the past 40 years. The West End Community Plan and the Rezoning Policy for the West End were accounted for during the application process. The West End Community Plan provides a framework to manage and guide development in a way that maximizes benefits for the entire community. According to the Rezoning Policy, rezoned developments that exceed density requirements are subject to providing community benefits in accordance to the West End Community Plan and Public Benefits Strategy. Council determined that the proposed development is in compliance with the Plan's allowable height and density, and will encourage growth.

Neighbourhood Context

- N - 1576 W. Georgia St. & 620 Cardero St. – permit for 26-storey mixed-use development
- E - 1420 and 1450 West Georgia St. – 23-storey residential building
- S - 1500 Alberani St., 26-storey residential tower & proposal for 43-storey mixed use development
- W - Office building “Crown Life Place” (Class “A” heritage resource) located on the subject property

Proposed Development
On May 4, 2016, the City of Vancouver received a rezoning application from Francl Architecture to rezone 1500 West Georgia Street from DD (Downtown) District to CD-1 (Comprehensive Development) District to permit a 43-storey high-rise mixed-use development. The subject property is 43,350 sq. ft. and is currently occupied by a one-storey building in addition to the Crown Life Place office building. The twenty-storey Crown Life Place office building to the west will be retained, while the reflecting pool in the middle of the site will be reconstructed once parking is established.

The initial proposal included:
- 417 strata residential units (totalling 282,452 sq.ft.) and retail at grade;
- a floor space ratio of 11.47 and a total floor area of 496,452 sq.ft.;
- a restaurant at the corner of Georgia and Nicola streets; and
- seven levels of underground parking.
The development proposal is a collaborative effort amongst five key players that includes developers, designers, and architects: Bosa Properties, Kingswood Properties, Büro Ole Schreen, Frac1 Architecture, and PFS Studio.

Public Consultation Summary
A Pre-App Open House was hosted by the applicant on February 4, 2016 at the Empire Landmark Hotel (1400 Robson Street). Over 200 citizens along with municipal staff and the applicant were present to discuss the development. The city sent out 4,119 notifications in the form of post cards, to residents in the neighbouring area that may be impacted or interested in the development application and received 81 comment sheets.

An Open House was hosted by the City on September 29, 2016 from 5-8pm at the same location as the Pre-App Open House. Prior to the consultation session, 10,155 postcards were distributed in the West Georgia neighbourhood and a rezoning sign was installed on the site to inform citizens of the Open House. Excluding staff and the applicant team, 247 people attended the Open House.

The general themes of support were for the innovative building design and interest in the public realm component of the rehabilitation of the pool on site. Concerns were primarily over traffic congestion, affordability, noise, and building design not complementing the area. The comments received during the Open House, as well as from the Vancouver Heritage Commission and Urban Design Panel, prompted the applicant to revise the rezoning application which was re-submitted on February 14, 2017. An additional Open House was not required for this project as the applicants revised their application to take into account feedback from the first Open House. The community was alerted of the changes that were made to the application through a rezoning sign, the City’s webpage, and by postcard.
A Public Hearing was held by Council at City Hall on January 16, 2018. Unable to get through all the agenda items in time, the hearing was reconvened on January 18, 2018 where registered speakers continued to express their interest or opposition of 1500 West Georgia. Correspondence via email was briefly discussed by councillors: 19 pieces in support and 14 in opposition. There was general support of the application by councillors given the $57M in Cash Community Contributions to the West End neighbourhood (used for green spaces, infrastructure, cultural facilities, etc.) and $4M in Development Cost Levies. Council unanimously approved the rezoning application.

**Feedback Received**
Feedback at the Pre-App Open House and formal Open House were similar to recommendations provided by the Vancouver Heritage Commission (VHC) and Urban Design Panel (UDP). The VHC was in favour of the development as it would support the heritage designation of the adjacent Crown Life Place building and the applicant team was willing to maintain the integrity of the water feature on site by using sustainable materials in its reconstruction, as well as an zero-energy design building. Residents supported the rehabilitation of the pool and water-conserving technologies to be used in its design, as it would serve to enhance the public realm of the plaza.

*Figure 2: Previous massing (top), new massing after revision (bottom) (City of Vancouver, 2017).*
Residents from 1500 Alberani Street, south of the proposed development, raised issues in regard to privacy, view, and sunlight impacts due to the tower. Similarly, at the initial UDP meeting, the bulky design was critiqued and consideration was given to a thinner design that would reduce massing and density. UDP’s evaluation did not support the proposal and recommended a resubmission satisfying the proposed requirements. Changes and additional technical view studies for 1500 Alberani Street were incorporated into the revised 1500 West Georgia rezoning application. Another comment raised by concerned residents was the lack of affordable units in the new tower. In response, the applicant team offered $8.5M in lieu of cash payments for the City’s Affordable Housing Reserve. The second UDP meeting held to review the applicant team’s resubmission had a final evaluation in support of the application.

The revisions made to the application include slimming the design of the tower cantilevers, reducing floorplate size and density, and support of adding the site to the Vancouver Heritage Register. The building was moved 2 ft. to the north and 3 ft. to the west away from Alberani Street to improve the view cone. Additionally, the developer increased the proposed residential units from 417 to 420.
Role of Public Consultation in Shaping the Development:
• Reduction of overall massing from 76 ft. to 72 ft.;
• Reduction of height from 134.07m to 133.98m;
• Reduction of cantilever by 5.4 ft.;
• Reduction of floor space ratio from 11.47 to 10.82 (smaller floorplates of 5,899 sq. ft.);
• Reduction of density excluding balconies from 496,452 sq. ft. to 468,170 sq. ft.;
• Increased separation between Crown Life Place by 3.4m;
• Redesign of tower base to better compliment the plaza;
• Re-establishment of original pool design; and
• Limit over-height elements on proposed rooftop terraces to mitigate view impacts at 1500 Alberani Street.

Figure 4: The reduction of the proposed floor plate after public consultation. (City of Vancouver, 2017).
4.2: 3401 E 1st St, Los Angeles

Location
The proposed Lorena Plaza development is located east of the Los Angeles downtown core, in the neighbourhood known as Boyle Heights. The proposed project is considerably denser than existing developments in the surrounding community. The site is located near a newly constructed Light Rail Transit station that services an extension of the existing Gold Line (LA Metro, 2018). There are low-rise commercial buildings located to the East and South of the project site, and a low-density residential subdivision to the west.

Neighbourhood Context

- N – 3301 East 1st Street – Los Angeles County Crematorium Cemetery
- E – 3425 1st Street – El Mercado Marketplace – commercial building
- S – 3400 East 1st Street – commercial building
- W – Low-density residential neighbourhood

Figure 5: Lorena Plaza development site (LA Metro, 2018).

Proposed Development
A Community of Friends (ACOF), a non-profit public benefit corporation, submitted the Lorena Plaza proposal for the construction one four-storey and one five-storey mixed-use building (City of Los Angeles, 2016). The proposal included 49 residential units and 10,000 sq. ft. of retail space (City of Los Angeles, 2016). The proposed development contains: twenty two 1-bedroom units, eighteen 2-bedroom units, and nine 3-bedroom units (Mejías-Rentas, 2015). The proposal also stated that 50% of the units would be provided for people with special needs (City of Los Angeles, 2016).
Public Consultation Summary

This project is located adjacent to the Boyle Heights Community, a single-use residential area in the City of Los Angeles. Following the extension of the Gold Line and the acquisition of lands by Metro, a Joint Development Agreement was formed between the Boyle Heights Community and the City of Los Angeles (LA Metro, 2018). The proposal by ACOF for Lorena Plaza drew significant controversy and discussion from the surrounding community, which ultimately led to extensive public consultation.

Lorena Plaza is a good example of how conducting extensive public consultation does not automatically ensure the success of a project. Beginning in 2012, ACOF held numerous public consultation sessions to inform the public of the project and to gain public support. However little was done to adapt the proposal based on feedback received and as a result, this project endured years of debate and deliberation and was stalled in 2017.

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**Public Consultation Timeline**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 2012</td>
<td>Community meeting</td>
</tr>
<tr>
<td>February 2014</td>
<td>Two community meetings</td>
</tr>
<tr>
<td>January 2015</td>
<td>Public meeting</td>
</tr>
<tr>
<td>Jun 6, 2015</td>
<td>Community meeting at Salesian High School</td>
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<tr>
<td>Jun 13, 2015</td>
<td>Open House at Amistad Apartments</td>
</tr>
<tr>
<td>Jul 14, 2015</td>
<td>Boyle Heights Neighborhood Council Planning and Land Use Committee Meeting</td>
</tr>
<tr>
<td>Jul 22, 2015</td>
<td>Boyle Heights Neighborhood Council Meeting, non-binding vote of approval</td>
</tr>
<tr>
<td>Aug 24, 2015</td>
<td>Metro Design Review Advisory Council Meeting</td>
</tr>
<tr>
<td>November 2015</td>
<td>Metro Board of Commissioners Meeting</td>
</tr>
</tbody>
</table>

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Figure 6: Initial (top) and most recent (bottom) renderings of Lorena Plaza (A Community of Friends, 2018).
In this case the quantity and form of public consultation was determined by the City Councilor based on the interest of the public. Jose Torres, Assistant Housing Director at ACOF, described the meetings as effective overall, however, he felt that it was more difficult to hear the concerns of each individual in a large structured meeting, as opposed to smaller focus groups.

The Boyle Heights Community, felt that overall their concerns had not been adequately heard by ACOF. The Chair of the Boyle Heights Neighborhood Council (BHNC), Jason Gallegos, described the public meetings as a structured “meet and greet” rather than an opportunity for extensive community input.

Feedback Received
The majority of the feedback received for the Lorena Plaza proposal was from the BHNC Planning and Land Use Committee who frequently spoke on behalf of the community. Jason Gallegos explained that the reasons for public opposition varied over the course of the project. He explained that a primary concern had to do with safety in terms of integrating family housing with affordable housing, as well as the placement of the proposed park near a railway line. In addition, there were soil contamination issues present on the site, which are believed to have spread from a property located southeast of the Boyle Heights Community. Some other issues that were raised during the course of the project included the potential loss of nearby property value, the height of the proposed development, traffic and parking accommodations, and the character of the community.

BHNC Planning and Land Use Committee also raised concerns regarding the portion of units that would be provided to homeless veterans. The community strongly opposed this part of the project because of the distance these veterans would have to travel to receive support services and treatment (Koehler, 2017).

Project Stalled
Jason explained that even though ACOF’s development proposal met all local guidelines in December 2016, the dissatisfaction and push back from the community continued to grow. Immediately following the non-binding approval of the project in December, neighboring property owners - the Los Angeles County Crematorium Cemetery and El Mercado- appealed the decision under the California Environmental Quality Act, resulting in the City Council’s Planning and Land Use Management (PLUM) Committee decision to stall the project.

While the project was technically delayed as a result of an appeal under the California Environmental Quality Act, it was suggested that residents would have done anything to prevent Lorena Plaza from advancing (Sherman, 2018). The project was stalled due to inadequate public consultation that did not address the concerns of the public and did not alter the development based on feedback (Gallegos, 2018). Additionally, council was under a lot of pressure from a select group of very vocal residents whose concerns were largely not related to planning issues (Sherman, 2018). As of March 7, 2018, 16 months following the appeal, the proposal for the Lorena Plaza has been approved and may proceed (LA Times, 2018).
When asked how ACOF overcame the stalled project, Jose Torres suggested that in March of 2018, there was an increase in pressure on the City of Los Angeles and Council to address the issues of homelessness and gentrification in the City. This pressure, in conjunction with the City Council’s inability to reach affordable housing targets were two vital factors in the decision to move the Lorena Plaza project forward. In addition, Jose explains that there were many resources to assist ACOF in overcoming the stalled project. Some of the resources he discussed include ACOF’s Board of Directors with their various levels of expertise, ACOF’s strong connection with LA Metro, and the support of stakeholders within the community that wanted to contribute to the fight against homelessness in Los Angeles. To supplement these resources, Jose explained that ACOF did not request a density bonus or more parking, which they were legally entitled to, for providing affordable housing.

**Role of Public Consultation in Shaping the Development**

The BHNC feels that through written submissions to the City of Los Angeles and voicing their concerns at public meetings they were somewhat effective in shaping the development. Jason Gallegos explained that BHNC was able to slightly alter the project from what was originally proposed. Jose Torres stated that the public did shape the project in terms of its aesthetic design, as well as in its form, particularly the adjustment in the setback of the building, which is now proposed to be used for outdoor seating.

BHNC further described the public consultation aspect of the project as ineffective and opaque, often leaving the community members feeling as though “corners were being cut” and promises weren’t being kept.
5.0 Case Studies

This section contains a summary of our findings regarding public consultation and case studies in each of the selected cities: Vancouver, Halifax, Edmonton, Salt Lake City, Philadelphia, Los Angeles, and Sydney, Australia. A more detailed description of our research methods and findings can be found in Appendix B - Updated Mid-project Report.

5.1 Vancouver, British Columbia

The public consultation process in the City of Vancouver is often cited to be progressive and proactive throughout the development application process. Vancouver’s commitment to public consultation is exemplified by the creation of the Engaged City Task Force (ECTF) in 2011. ECTF is located within the Corporate Communications department and is tasked with overseeing public projects where citizens are directly or indirectly impacted and improving the decision-making process through increased public consultation. The ECTF supports City staff with consultation strategies, recommendations, and tactics to improve and monitor engagement when they work with the public.

The City of Vancouver is bound by the Vancouver Charter, a unique governing legislation given the nature and complexity of the city. The charter outlines zoning and public notice requirements. It is standard practice under the City’s Public Engagement Guiding Principles to carry out public consultation for planning projects (Figure 7). The Guiding Principles include a modified version of the International Association for Public Participation (IAP2) framework to be more reflective of Vancouver’s needs. The IAP2 framework consists of different levels of participation that can be used at varying stages of a project based on the engagement objective and level of decision-making required. IAP2 core values hold the City accountable for having transparent and open dialogue with citizens and allowing them to effectively contribute to the decision-making process.

![Figure 7: Principles for Public Participation Practices (City of Vancouver, 2018).](image)
Public Consultation in Planning Projects

The City of Vancouver rezoning process is separate from its development application process and includes:

1. **Pre-App Open House**: Before applicants are able to apply for a rezoning, there are pre-application steps to take in order to receive guidance from planners. Part of this process is for the developer and applicant to consult neighbours of the proposal to get a general sense of feedback from the community. This engagement process is optional but is good practice and is typically conducted by developers.

2. **Open House**: Following a successful Pre-App Open House, the rezoning application is formally submitted to the City. An official Open House then occurs, in which property owners within two blocks of the sites are notified through mailed out postcards from municipal staff. The applicant installs a yellow information sign on the site to inform the public of the official Open House. Site-specific information is also posted on the City of Vancouver Rezoning Centre webpage. A typical presentation at an Open House...
House includes models, boards, a speech from the applicant team, and an opportunity to ask questions. Residents that are unable to attend the meeting in person can submit comments to the rezoning planner involved in the project.

3. **Public Hearing:** The Public Hearing takes place once the application has been reviewed by Planning staff and is set to be approved by Council. According to s.566(4) of the Charter, individuals affected by a proposed zoning by-law have the opportunity to be heard at public hearings. One to two weeks prior to the hearing, legal notices are advertised in the local newspaper notifying the public of the date, time, and location of the hearing. Residents can register on the City’s website if to speak to an item. At the hearing, a municipal planner presents to City Council the recommendations of the proposal. At this point, the public has the opportunity to provide input regarding anything they feel the municipal manner omitted or misrepresented in their presentation.

Following approval of a rezoning application, the applicant will pursue a development permit. The City of Vancouver development application process includes:

1. **Neighbourhood notification:** The City is responsible for conducting an initial review of the permit application before neighbours are notified of the development via an online posting to the City’s website and by a notice installed on the subject property by the applicant.
2. **Advisory groups:** Staff seeks feedback from various internal departments, other staff, and advisory panels and committees. Residents can apply to serve on advisory panels and committees where they have the opportunity to provide insight and recommendations to development applications. Examples of advisory panels that oversee planning issues:
   - Vancouver Heritage Commission
   - Urban Design Panel (meetings are open to the public)
   - Chinatown History Area Planning Committee
   - Gastown Historic Area Planning Committee
   - First Shaughnessy Advisory Design Panel

3. **Development Permit Board:** In cases where a proposal is complex or contentious in nature, design of a project will be reviewed by the Development Permit Board. Development Permit Board meetings are open to the public and neighbours impacted by the project can attend and make a presentation regarding their concerns. The Board has the power to approve or refuse an application and depends on the advice of the members on the Development Permit Board Advisory Panel. The Advisory Panel comprises of four representatives of the general public, one of whom is a student that represents the younger community. A motion is determined after the development planner of the project outlines recommendations, the applicant is questioned, the public voices their concerns, and the panel members provide their opinions.
5.1.1: 5469-5507 Willow St, Vancouver

Location
The Oakridge neighbourhood is a multicultural area, widely known to be home to Vancouver’s Jewish community. The site is situated east of the Oakridge Transit Centre site, which includes a Jewish community centre. The Oakridge Langara Policy Statement (OLPS) applies to the site as it is located in a high priority area of the neighbourhood. The purpose of the Policy Statement is to support consistent residential density targets in the neighbourhood, while maintaining affordability and minimizing impacts to the neighbourhood during the zoning by-law amendment process.

Neighbourhood Context

- N – Townhouses zoned CD-1
- E – 39th Avenue and École Rose-des Vents School
- S – Townhouses zoned CD-1
- W – Oakridge Transit Centre site (Translink Bus Yard)

Figure 9: 5469-5507 Willow Street location and development proposal (City of Vancouver, 2016).

Proposed Development
In October 2016, the City of Vancouver received a rezoning application from Yamamoto Architecture to amend the zoning of 5469-5507 Willow Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, in order to permit three, 3-storey residential buildings. The proposed zoning would change the land use from single-family residential to multi-family residential with increased building floor space and floor space ratio.

The subject property is 2,006.7 sq. ft. located on the west side of Willow Street in between 38th Avenue and 41st Avenue. The proposal includes:
- 20 three-bedroom residential units;
- a net floor ratio of 1.2; and
- underground parking and bicycle spaces.
Public Consultation Summary

- Application submitted to the City* – July 21, 2016
- Open House – October 26, 2016
- Urban Design Panel reviewing application – November 30, 2016
- Rezoning report and recommendations to Council – April 11, 2017
- Public Hearing – May 16, 2017

*No recorded Pre-App Open House prior to formal application

A total of 220 postcards regarding the rezoning application and Open House was distributed in the Oakridge neighbourhood. The public was also able to comment on the proposal via an online comment form. One email was submitted to the City in strong support of the proposed development and need for more overall housing in Vancouver. Eight people attended the Open House. A Public Hearing was held on May 16, 2017 where the application was approved by Council. There were no registered speakers at the Public Hearing given the small-scale nature of the development.

Feedback Received
Feedback from the public at the Open House concerned the density and height of the proposed building. However, the proposed development conformed to the height and setback requirements outlined in the OLPS.

There was overall support of the application from staff that assessed the application as it met the intent of the OLPS for 3-6 storey residential developments in high priority sub-areas along concentrated transit routes and respected the character of the neighbourhood. The Urban Design Panel unanimously voted in favour of the proposal, while suggesting improvement of the courtyard design on site, as well as better laneway connection between the site and the Oakridge Transit Centre.

Role of Public Consultation in Shaping the Development
Comments from the public coincided with the recommendations provided by UDP. Shadowing complaints from neighbouring properties brought up at the Open House were addressed in the draft zoning by-law amendment presented at the public hearing. An urban design condition of approval was to mitigate view impacts on the property to the south. Additionally, vegetation between neighbouring lots were recommended to address setback and privacy concerns.
5.2 Halifax, Nova Scotia

The development process for the Regional Municipality of Halifax typically goes through two phases. The first phase in the process is known as a development agreement. A development agreement is a contract between the Regional Municipality of Halifax and the owner of the property, stating the obligations of both parties and specifying all standards and conditions that will govern the development of the site (HRMC, 2008). The second phase of the process is the development application.

The public has an opportunity to provide their input on both the development agreement and the development application at public information meetings (Bone, 2018). Public meetings are open to all members of the public and the structure of the meeting varies depending on the number of attendees (Bone, 2018).

The development agreement process in Halifax includes the completion of an application form, followed by a preliminary review of the proposal at a public information meeting, and is finalized with the decision made by community council (HRM, 2016). The public information meeting provides the public with an opportunity to hear from city planners, Council and the developer about the submitted proposal (Bone, 2018). Input at this point is in regards to the contractual agreement between the developer and the city (HRM, 2016).

After the development agreement is established, the development application process begins. The development application process is required to include at least one public information meeting. A typical public meeting includes a presentation from the city planner about the proposed development followed by a presentation from Council and the developer (Bone, 2018). At this point the public is asked to provide their input on the development and state any suggestions they may have (HRMPS, 2015). Suggestions from the public are recorded and become part of the development application (HRMPS, 2015).

It should be noted that it is fairly common for developers to host an informal public consultation meeting prior to the submission of the proposal (Bone, 2018). This preliminary meeting is believed to be most effective when the developer feels that the general public will oppose the development.

Although only one public information meeting is required during the development application process, there are instances where further consultation is conducted. In situations where there is strong opposition from the community either through written submissions or during the initial public meeting, the planner will establish a Planning Advisory Committee, which includes city staff and one appointed representative from the public, to help facilitate public input (HRMC, 2008). Another instance where more public consultation may be facilitated is when the municipal planner decides that the complexity of the proposed project warrants more discussion (HRMPS, 2015). At this point, the planner will inform the community of the second consultation session and will host a structured meeting (HRMPS, 2015).
5.2.1: 827 Bedford Hwy, Halifax

Location
This site is located in a stable neighbourhood in the Town of Bedford. The site is situated between a major arterial, the Bedford Basin, and Crosby Island, and as a result is very shallow. In addition to the presence of natural features, there are a variety of low to mid-rise mixed-use developments surrounding the site.

Neighbourhood Context

- N – Railway Line and Crosby Island
- E – Railway Line and the Bedford Basin
- S – Low-rise Mixed-Use Development
- W – Mid-rise Mixed-Use Development

Proposed Development
In August 2010, a three-storey mixed-use office, retail, and residential development was proposed. The design of the building was the most interesting aspect of this development, as the architect drew inspiration from historic buildings in downtown Halifax. Some of these features included an arched style roof and concrete foundation. The proposed design of the building garnered an interesting response from the community.

![Figure 10: 827 Bedford Highway rendering and actual photo (Cushman and Wakefield, 2014).](image)

Public Consultation Summary

- Development Agreement Approved – July 26, 2010
- Application submitted to the City – August 20, 2010
- Public Information Meeting – September 1, 2010
The public information meeting held on September 1, 2010 was advertised two weeks in advance through flyers and a posting on the municipality’s website. The input collected during the public information meeting on September 1st was extensive, and therefore the application did not require any further consultation with the public (Bone, 2018).

Feedback Received
The feedback received at the public information meeting revealed that the public did not feel the design of the building respected the existing character of the community. The concerns were largely directed at the features that the architect had designed out of inspiration of the historic buildings. Many neighbours felt these architectural features were not consistent with the character of the neighbourhood. That being said, the public generally expressed their support for the use and form of the building.

Role of Public Consultation in Shaping the Development
The public’s input on the proposed development altered the architectural features and the overall aesthetic of the building. The approved building was more traditional and no longer incorporated the historic features initially proposed.

5.2.2: 636 Bedford Hwy, Halifax

Location
This development is also located in the Town of Bedford, however, this area of the town is much more dense and has experienced considerable change over the past decade. The site is located at the intersection of the Bedford Highway and Larry Uteck Boulevard and is in close proximity to several mid-rise mixed use buildings. The site is zoned for Highway Commercial Development (C-2B).

Neighbourhood Context

- N – Proposed 5-storey mixed-use building
- E – Bedford Highway and 5-storey mixed-use building
- S – Larry Uteck Boulevard and 5-storey mixed-use building
- W – 5-storey mixed-use building

Proposed Development
The proposed development is a 99,241 sq. ft., 11-storey mixed-use condominium tower. The building contains 102 residential units and 7,000 sq. ft. of retail space on the main floor.

Public Consultation Summary

- Development Agreement Approved, October 24, 2016
- Application submitted to the City, November 23, 2016
- Public Information Meeting #1, January 9, 2017
- Public Information Meeting #2, February 6, 2017
Role of Public Consultation in Shaping the Development

Public input played an important role in shaping this development. While the developer and the city planning staff felt that the building height did not severely impact existing views, the public was strongly opposed to the height. The development was approved with a reduced height of eight storeys.

This development required additional consultation with the public because of its location and the proposed height. Neighbouring residents expressed concerns regarding the proximity of the proposed development to natural features and the obstruction of views.

Both public information meetings were advertised two weeks in advance. The Regional Municipality of Halifax posted an online notice with the details for the meeting on their official website, as well as posted flyers and coordinated with the Northwest Planning Advisory Committee who contacted members of the public directly.

Feedback Received

On January 9, the public voiced their concerns with the height of the proposed building, and the potential for the development to impact their view of Bedford Basin. Based on this feedback, City planning staff felt it was necessary to facilitate a second public information meeting. At the second public meeting city staff presented visuals such as a 3-D model of the building, digital renderings and LiDAR data. Again, the public voiced their concern regarding the height of the building, which was documented by council and strongly considered in the final decision.

Figure 11: Massing model of 636 Bedford Highway (DADP, 2016).
5.3 Edmonton, Alberta

The framework for public consultation in Edmonton is based on the Public Engagement Policy (PEP). The PEP outlines that the purpose of public consultation is to understand the perspectives and opinions of affected residents and business owners regarding planning issues and new development proposals (Public Engagement Policy, 2017). Legislative requirements for public consultation come from The Municipal Government Act of Alberta and the Edmonton Zoning By-law, which require public consultation for statutory plan amendments, zoning by-law amendment applications, and subdivision applications (Purvis & Rutherford, 2018).

Section 814.5 from the Zoning By-law requires public notice and consultation when applications do not comply with the by-law. Table 814.5(2) of Section 814.5 lists the types of variances that are being amended, as well as examples of who must be notified from the public based on the nature of the amendment (City of Edmonton Bylaw 12800, 2017).

Additionally planning staff reviewing the rezoning case can require additional public consultation for complex and controversial developments (Purvis & Rutherford, 2018). Public consultation sessions are often delegated to development officers that work with applications directly (Vasquez, 2018).

For complex proposals, the applicant is required to notify and accept comments from all affected residents 21 days before making a formal application to the City (Purvis & Rutherford, 2018). The number, duration and approach of working group sessions varies depending on community resources available and interest expressed by the public (Purvis & Rutherford, 2018).
5.3.1: 1404 Hermitage Rd NW, Edmonton

Location
The subject property is located within the Canon Ridge neighbourhood in the northwest quadrant of Edmonton. The existing neighbourhood is characterized by curved streets, cul-de-sacs and recreational spaces including access to parks and rivers.

Neighbourhood Context

- N – Hooke Road NW, Single detached homes
- E – Stocked Trout Pond and greenspace
- S – Hermitage Road NW, Townhomes
- W – Canon Ridge Park, Townhouses and single detached units

Proposed Development
First Place is a home ownership and revitalization program established by the City of Edmonton to assist first time home buyers by building affordable townhomes on surplus school sites. 1404 Hermitage Road NW was selected as the location for the Canon Ridge Town Homes pilot project. The proposed development contains 42 townhouse units.

Public Consultation Summary

- Council Discussion and Direction
- Community Liaison Group
- Public Meetings
- Design and Construction Meeting

Feedback Received
Unfortunately, there was limited information regarding the specific dates of the meetings as well as any changes to the project based on what the public suggested. That being said, it was a successful pilot project and all the units are currently occupied.
5.3.2: 9505 105 Ave NW, Edmonton

Location
Boyle Street Neighbourhood is located within The Quarters Downtown, beside Downtown Edmonton. The neighbourhood consists of mainly commercial and industrial buildings with small areas of residential and institutional uses. The Boyle Renaissance is located between 95 Street and 96 Street, extending from 103A Avenue north to the LRT tracks and Renaissance Tower is at the northwest corner of 104 Avenue and 95 Street.

Neighbourhood Context
- N – 105 Ave NW, Commercial building
- E – 95 Street, Residential building
- S – 104 Ave NW, Affordable YMCA housing units
- W – Boyle Renaissance buildings, Residential housing society

Proposed development
The Boyle Renaissance is part of a Revitalization Plan in the Quarters Downtown. This redevelopment project began in 2008, and was led by the City of Edmonton Boyle Renaissance Advisory Committee (BRAC) and consists of 3 phases. Phase 1 of the project in partnership with YMCA of Northern Alberta, consists of a Child Care Centre, Family Resource center, office and recreational space for Boyle Street Community League as well as a public park. Renaissance Tower is Phase 2 of the project and was completed in 2014 as a 7 storey building with 90 residential units for indigenous people, seniors and people with disabilities. It also has 15 units of transitional housing and commercial space on the lower floor.
Public Consultation Summary

- Formal report submission to the City of Edmonton - October 31, 2008
- 11 meetings by BRAC - Spring of 2009
- Draft Master Plan discussion with Edmonton Design Committee - September 2009
- 3 public meetings regarding rezoning - Fall of 2009
- DC1 provisions presentation to Edmonton Design Committee - March 16, 2010
- City Hall public hearing - March 23, 2010

Feedback Received
Feedback from the public identified the need for a mixed use development in the neighbourhood. Additionally the public expressed support for the creation of more affordable units.

Role of Public Consultation in Shaping the Development
As suggested at the public consultation sessions, office and commercial space was approved on the lower level and the site was rezoned to allow mixed use. The Boyle Renaissance was completed in 2014 to accommodate the needs of indigenous people as well as people with disabilities at an affordable cost.
5.4 Salt Lake City, Utah

The framework for public consultation in Salt Lake City is not like that typically found in Ontario, where public meetings are held, and members of the public show up and respond as an individual. Instead, public consultation in Salt Lake City is fostered through “community organization” groups (Salt Lake City Code, 2017). These “community organizations” are voluntary groups of citizens coordinated around community interest for the purpose of collectively addressing planning issues. Community interests could be geographic, or related to a singular planning issue (e.g. affordable housing, energy, gang violence, etc.). Though the community groups are not a subsidiary of Salt Lake City government, the City has given legislative power to these groups through Section 2.60 of the Salt Lake City Code (the Code), enabling the people to effectively organize and represent their neighbourhoods (Salt Lake City Code, 2017). Salt Lake City takes the opinion of multiple community organizations very seriously and holds each in equal regard.

Salt Lake City requires public consultation early in the planning process for all development projects. Section 2.60.050 of the Code requires developers to work with the Planning Division to provide notice of new development proposals to the Community Organization groups in identified geographic areas (Coffey, 2018). The recognized community organization chair(s) have forty five (45) days to provide comments, from the date the notice was sent. A public hearing will not be held, nor will a final decision be made about the project within the forty-five (45) day period (Coffey, 2018). The 45 day time frame was chosen because these groups meet once a month and 45 days is enough time for them to list the item on their agenda and hold a meeting to discuss the project (Coffey, 2018).

Public consultation is organized by the city’s Civic Engagement Team who work with a developer to identify the most effective consultation strategies for the proposed project. Choosing a public consultation strategy is done using the “Engagement Matrix” which outlines the tools which the developer and Civic Engagement Team select depending on the scale and type of project (slcdocs, 2017).

If the Community Organization deems a development is something which they wish to comment on, the Planning Division must ensure that the developer meets with these groups, with the project planner in attendance, to present information and gather feedback (Coffey, 2018). This process ensures that public consultation is placed at the forefront of every development project as it is the responsibility of the Planning Division and the applicant to contact and meet with the neighbourhood groups to get final approval (Coffey, 2018).
If the Community Organization deems a development is something which they wish to comment on, the Planning Division must ensure that the developer meets with these groups, with the project planner in attendance, to present information and gather feedback (Coffey, 2018). This process ensures that public consultation is placed at the forefront of every development project as it is the responsibility of the Planning Division and the applicant to contact and meet with the neighbourhood groups to get final approval (Coffey, 2018).

5.4.1: 111 S Main St, Salt Lake City

![Figure 14: Salt Lake City Civic Engagement Matrix (slcdocs, 2017).](image)

If the Community Organization deems a development is something which they wish to comment on, the Planning Division must ensure that the developer meets with these groups, with the project planner in attendance, to present information and gather feedback (Coffey, 2018). This process ensures that public consultation is placed at the forefront of every development project as it is the responsibility of the Planning Division and the applicant to contact and meet with the neighbourhood groups to get final approval (Coffey, 2018).

**5.4.1: 111 S Main St, Salt Lake City**

![Figure 15: Rendering of 111 South Main Street (Google Images, 2018) and photo from Open House (Salt Lake Tribunal, 2016).](image)

**Location**
The site is located in the heart of Salt Lake City’s downtown. The area is zoned D-1, Central Business District. The D-1 zone consists of a mix of business, office, retail, entertainment, cultural and residential; most notably the Dolores Dore Eccles Theatre which is directly adjacent to the site.
Neighbourhood Context

- N - 79 Main Street, Wells Fargo Bank
- E - 115 Regent Street, Commercial Offices
- S - 131 Main Street, Eccles Theater
- W - 102 Main Street, Zions Bank First South

Proposed Development

October 1, 2016 was the opening of the 3rd tallest high-rise in Salt Lake City, Utah: a 24 storey mixed-commercial building (residential, office, and retail commercial), developed by City Creek Reserve, Inc (Figure 1). 111 South Main Street is a significant addition to the City’s skyline and adds an impressive 440,452 sq. ft. of new office space and 75 residential units to the core.

Public Consultation Summary

Public consultation was organized by the Civic Engagement Team who worked with the developer to identify the most effective consultation strategies for the proposed project. 111 South Main Street fell within the “Development Project” project type, and so it was recommended that the developer “Inform and Consult” with the public to achieve a complete development approval. This was done simultaneously through a public open house.

Feedback Received

The general feedback from the public regarding the development proposal was positive with many stakeholders happy with the type and design of the project. Though no opposition was raised, the open house resulted in a dialogue between the developers, City, and stakeholders regarding the future of the first floor retail uses.

Role of Public Consultation in Shaping the Development

As a result of minimal public opposition, there were no changes to the original development plan.
5.5 Philadelphia, Pennsylvania

The City of Philadelphia advocates and promotes public consultation in both regional and local planning decisions. The City has two agencies who focus on public consultation; the first agency focuses on reviewing District Plans, the other focuses on reviewing local zoning cases and development applications (PCPC, 2016).

The first agency is the Citizens Planning Institute (CPI). The CPI plays an active role in shaping the future of Philadelphia's neighbourhoods through its involvement in District Plan reviews. The CPI is also involved in citizen advocacy, and was a major stakeholder in providing public opinion and input for the City's 2016 Comprehensive Plan update (CPI, 2016). The Institute is organized through the City Planning Commission but has independence when it comes to planning opinion and feedback. As such, it is required that the City consult with the agency when reviewing District Plans and changes to regional planning legislation.

The second agency is the Registered Community Organizations (phila.gov, 2016). The RCO encourages residents to participate in their local civic association that reviews neighbourhood zoning cases; which often include development applications, zoning by-law amendments, and comprehensive plan amendments (phila.gov, 2016). Similar to the CPI, the City of Philadelphia has a legislative responsibility under Section 14-303 (11A) and (12) of the Philadelphia Zoning Code to involve those RCO groups in all development projects (phila.gov, 2016). As such, public consultation in the development approval process for the City of Philadelphia is heavily reliant on public comment, and actively seeks to involve it's citizens.

5.5.1: S Broad St & Washington Ave, Philadelphia

Location
The site is located on the corner of South Broad St & Washington Ave, close to the heart of Philadelphia's downtown. The site, known as Lincoln Square, is a historic location and holds significant cultural and national heritage value because of of the 1842 railway station on site and its connection to President Lincoln. The area is predominantly residential with a mix of commercial and industrial to the South and West.

Neighbourhood Context

- N - 1410 to 1438 Montrose Street, Medium Density Residential townhouses
- E - 1001 South Broad Street, Vacant lands
- S - 1100 South Broad Street, Marine Club Condominiums
- W - 1501 Washington Avenue, Construction Mall Corporation
Proposed Development
Lincoln Square is 3.4 acres in size. The proposed development is a 9 storey transit oriented, mixed-use development that features 322 apartments, 400 parking spaces, and over 100,000 sq ft of retail space (Alterra, nd). The proposed development is somewhat controversial as the 18 century railroad passenger station will be redesigned into a grocery store.

Public Consultation Summary
Public consultation was organized by the Philadelphia Planning division and the developers who contacted the local Registered Community Organization (the South of South community organization). The developer presented to the community group at a public meeting to inform them about the development and to receive feedback.

Feedback Received
Generally the feedback from the public was positive. Many community members were excited to see the site being revitalized and repurposed. However there was some concern regarding the massing of the redesign, which the public felt was too “monolithic”.

Role of Public Consultation in Shaping the Development
As a result of public feedback, the overall design of the train station (which would be used as a grocery store) was changed in the final design to be more modern instead of the monolithic style proposed during the public meeting.
5.6 Los Angeles, California

Public engagement is required for most development projects and zoning changes in Los Angeles. The mandatory minimum public engagement is a “public hearing”, which is a quasi-judicial meeting in which a decision-maker decides whether to approve a proposal or not. The decision makers decision, in the form of a recommendation, is directed to the Regional Planning Commission who will make the final decision.

Municipal planners are responsible for organizing and facilitating public hearings. Planners must notify members of the public who reside/ have a business within a certain radius of the project. This radius is determined by the city planner, and they must give at least 72 hours of written notice.

The decision maker is a regional planning staff member who is appointed by the Director of Planning to conduct the public hearing (Los Angeles County, 2009). The decision maker is responsible for making a recommendation to the Regional Planning Commission based on the materials and evidence presented to them at the public hearing (Los Angeles County, 2009).

Since the LA model of public engagement is more judicial rather than grassroots in nature, the frustration felt by stakeholders can often lead to appeals and litigation of development decisions. As a result, some developers independently opt for more participative models of public consultation. However, this is uncommon as there does not seem to be regard for public consultation in the Los Angeles context.
5.7 Sydney, New South Wales, Australia

Public consultation in Sydney consists of a variety of activities that can range between informing the public through a low level of engagement, to active participation with collaborative methods of consultation and discussion. In Sydney, the majority of development applications require the public to be informed, however there are cases such as large, complex, or contentious developments, where public consultation may be required (City of Sydney, 2017).

Informing the public allows residents, business owners, and community members to be aware of the changes and development proposals that are taking place. The City of Sydney is responsible for informing the public when action is required or when a decision has been made.

Consultation occurs when the city and/or applicant would like to obtain different views and opinions from the public, as well as concerns, feedback and advice prior to making a decision. Active participation allows the City and/or applicant to collaborate with various stakeholder groups and involve the community throughout the decision making process. This improves efficiency of the development and amendment process by cooperatively creating solutions, delegating responsibilities, and planning out work schedules and timelines (City of Sydney, 2018).

The public is notified of development applications through mailed letters, along with notices on the property site. Larger scale applications and amendments are advertised for 28 days and are published in the daily metropolitan newspaper, as well as local newspapers. Some documents are also available for a period of time on the Sydney website. City Council, as the consent authority is often responsible for notifying and advertising development applications (McMullan, 2018).

Some applicants facilitate additional information sessions for large scale developments prior to submitting an application. It is speculated that the motives for facilitating additional information sessions are generally to reduce the number of public inquiries and concerns about the project. Once an application is submitted, the City of Sydney follows the legislated guidelines to conduct their own information sessions (McMullan, 2018; Hand, 2018).
6.0 Analysis and Recommendations

In total, 20 people were interviewed as part of this project. The following thematic analysis is based on our interview findings and our web-based research. Our sample size for this project is quite small and spread over a large geographic area, and, as a result, our findings are not generalizable to the whole planning community. That being said, our findings offer unique perspectives on the use and role of public consultation in seven Canadian, US, and international locations.

Theme One: Lessons learned from 1500 West Georgia, Vancouver case study

In the 1500 West Georgia case study, both direct and indirect forms of consultation were available to participants. The direct forms, including open houses and public hearings, were apparent through the notification process that correlated to a typical rezoning process. However, the Urban Design Panel (UDP) and Development Permit Board (DPB) meetings are also open to the public. The UDP and DPB provide another, less formal platform for residents to voice their concerns. Alternatively, community members possessing the necessary expertise may apply and serve on a variety of advisory committees, panels, or working groups that oversee and provide recommendations to development applications. Applicants that represent Vancouver’s diverse population are encouraged to apply (e.g. disabilities, gender identities, income level). Eligibly requirements include, but are not limited to, being a Metro Vancouver resident for at least six months, ability to speak multiple languages (asset), relevant experience, ability to serve a full term of appointment, and other criteria established by specific agencies and boards. Typically, there may be one member of an advisory panel that represents the young people in the community.

Recommendation One:
Create and seek out opinions from community groups and advisory committees in the development application process to gain insight on neighbourhood impacts.

Theme Two: Different ways of knowing and communicating

Vancouver is the only city that provides notice in many different languages; notice postcards contain information in eight different languages. Additionally translators are present at public consultation sessions based on the geographic location of the proposed development. Additional efforts to make public consultation sessions more accessible in Vancouver include live tweet updates (@VanCityClerk), and video submissions. The city has also circulated a survey for suggestions to make hearings more efficient for the public to speak at Council meetings.
Theme Three: Lessons learned from Lorena Plaza, Los Angeles case study

The Lorena Plaza project was a contentious development due to less effective public consultation, therefore faced strong pushback from the public. While the development was able to gain approval after 4 years of consultation, that approval was appealed. The appeal stalled the development application for an additional 16 months before it was finally able to progress forward. In theory, this 16-month stall of the project could have been avoided by more thoughtfully addressing public concern. Professionals involved in the Lorena Plaza approval process reflected that perhaps smaller focus groups may have been more effective than the large public meetings used. A more focused, collaborative form of public consultation would have allowed ACOF to better identify and understand the root of the public concerns (Gallegos, 2018). Additionally, clearly communicating how public feedback was used to shape and alter the development would have assured the public that they were being heard (Gallegos, 2018, Torres, 2018).

Recommendation Three:
The quality of public consultation sessions are more important than the quantity. Clearly communicate how public consultation will be used to shape and alter the project.

Recommendation Four:
Use public consultation as a tool to gauge public acceptance/support of a project and to address the public concerns prior to initiating the official application process.

Theme Four: Consultation before submission

Four out of the seven cities indicated that it was not uncommon for developers to hold public consultation prior to submitting an application if they perceived that there might be public opposition. In Sydney, it was found that some developers facilitate additional information sessions for large scale developments prior to submitting an application. In Halifax, developers host informal meetings before the submission of the proposal if they sense that the public may be in opposition. In Vancouver and Edmonton, developers are encouraged to host consultation sessions prior to submitting their application.

Recommendation Two:
Make consultation more accessible to non-English speakers and stakeholders that are unable to physically attend by incorporating social media and cultural considerations.
Theme Five: Changes to public consultation as a result of Bill 139

The introduction of Bill 139 will place a greater emphasis on public consultation to achieve a successful development application approval. Bill 139 reduces appeal rights available to the applicant and introduces a more rigorous test for appeals to council decisions. In the case where council denies an application and the applicant wishes to appeal, the applicant will be required to prove not only that the proposed amendments are consistent with provincial policy and conform to relevant provincial plans and municipal official plans, but also that the existing policies or provisions are not consistent with provincial policy or do not conform to relevant provincial plans and/or the regional official plan (Squires, 2017). This test places a huge onus on the applicant and makes appealing council decisions nearly impossible (Advocates, 2017; Flynn-Guglietti, 2018).

Recommendation Five:
It may be advantageous for applicants to conduct additional consultation sessions to mitigate and manage public objection.

Theme Six: Who is responsible for facilitating public consultation sessions?

When public consultation was required by law, city staff in all seven cities were responsible for facilitating the public consultation sessions. However, public consultation beyond statutory requirements was often facilitated either by the applicant alone or in cooperation with city staff. In just three case studies (Halifax, Edmonton, and Sydney), additional consultation was facilitated by city staff in partnership with the applicant. In the other four cities (Vancouver, Philadelphia, Salt Lake City, and Los Angeles), the applicant facilitated public consultation beyond what was required. Five of the seven cities that were interviewed indicated that public consultation was typically limited to what was required by law.

Recommendation Six:
Legislation is important. It is uncommon for consultation to be facilitated beyond what is required. The most effective way of increasing the frequency and role of public consultation is to increase minimum requirements in provincial legislation.
Theme Seven: Notifying the public

The amount of time required for notice prior to consultation varied widely between the case studies. The amount of notice required ranges from 72 hours in Los Angeles to 45 days in Salt Lake City. Between these two extremes is Edmonton with 21 days, and Vancouver with 3-4 weeks (1-2 weeks of notice in newspapers). In Sydney, public consultation notice is given 14, 21, or 28 days prior to the public meeting depending on the size and complexity of the application. In Halifax there was no required notice time explicitly mentioned at all.

Recommendation Seven:
Consider increasing the length of the comment and notice window.

Theme Eight: More complex projects result in more consultation

Most development projects that typically did not involve vulnerable sectors or significant natural heritage features warranted more consultation than was required by law. In the Los Angeles context, several meetings were held for a mixed-use development with half of the residential units geared towards the homeless and people with special needs. Similarly, 9505 105 Avenue in Edmonton proposed a diverse mix of units for indigenous people, seniors, and people with disabilities and the applicant held numerous public meetings. 1500 West Georgia in Vancouver and 636 Bedford Highway in Halifax involved natural heritage features where multiple public consultation sessions were held to address public concerns.

Recommendation Eight:
Public consultation for complex projects can lead to significant community response. Consider who and what the project affects in deciding how best to consult with the public.
### Appendix A - Case Study Summary

<table>
<thead>
<tr>
<th>Name of Project, and/or address</th>
<th>Vancouver, BC</th>
<th>Vancouver, BC</th>
<th>Edmonton, AB</th>
<th>Edmonton, AB</th>
<th>Halifax, NS</th>
<th>Halifax, NS</th>
<th>Los Angeles, CA</th>
<th>Salt Lake City, UT</th>
<th>Philadelphia, PA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Project, and/or address</td>
<td>1500 West Georgia Street</td>
<td>5469-5507 Willow Street</td>
<td>1404 Hermitage Road</td>
<td>9050 105 Avenue</td>
<td>827 Bedford Highway, Halifax</td>
<td>636 Bedford Highway, Halifax</td>
<td>Lorena Plaza, 3401 East 1st Street, Los Angeles</td>
<td>111 South Main Condo</td>
<td>Lincoln Square, South Broad Street and Washington Avenue</td>
</tr>
<tr>
<td>Nature of the project</td>
<td>43-storey high-rise mixed-use development (220 residential units and retail commercial at grade)</td>
<td>Three, 3-storey residential buildings (20 three-bedroom units)</td>
<td>42 townhouse units</td>
<td>90 residential units for indigenous people, seniors and people with disabilities and 15 units of transitional housing in a 7 storey building</td>
<td>Three storey mixed-use building (residential, office)</td>
<td>Shallow property (not much space to work with)</td>
<td>11-storey mixed-use condominium tower</td>
<td>4-6 storey buildings with 49 apartment units, and 10,000 sq ft of retail. 50% of units are targeted for people with special needs. 22 are 1-bedroom units, 18 2-bedroom, and 9 3-bed.</td>
<td>24 storey mixed-commercial building (office, residential, and retail commercial)</td>
</tr>
<tr>
<td>Neighbourhood Context</td>
<td>The site is located adjacent to the Crown Life Place that has been recommended by the Vancouver Heritage Commission to be classified as a heritage resource. There are multiple proposed tower residential developments at various stages of the approval process in the area.</td>
<td>Within the Oakridge neighbourhood (predominantly a Jewish area) and is situated east of the Oakridge Transit Centre site.</td>
<td>The subject property within the Canon Ridge neighbourhood is located in the northwest quadrant of Edmonton. The existing neighbourhood characterized by curved streets, cul-de-sacs and recreational spaces including access to parks and rivers. The proposed townhouse units are located at the intersection of Hooke Road NW and Hooke Court NW next to Canon Ridge Park and Stocked Trout Pond.</td>
<td>Boyle Street Neighbourhood is located within The Quarters Downtown, beside Downtown Edmonton. The neighbourhood consists of mainly commercial and industrial buildings with small areas of residential and institutional uses. The Boyle Renaissance is located between 95 Street and 96 Street, extending from 103A Avenue north to the LRT tracks and Renaissance Tower is at the northwest corner of 104 Avenue and 95 Street.</td>
<td>Surrounding developments are predominantly single detached residential. Located between an arterial road and a railway line, which overtops the Bedford Basin.</td>
<td>Surrounding neighbourhood is primarily mixed-use mid-rise developments. Located along a major arterial, known as Bedford Highway, and adjacent to natural features including the Bedford Basin and the Hemlock Ravine Park.</td>
<td>Low-income neighbourhood east of DTLA. Very large Mexican community. Located on an LRT corridor with an extension that is currently under construction. Station nearby. At the end of a commercial strip on a main arterial in a stable, primarily residential area.</td>
<td>The site is located in the heart of Salt Lake City’s downtown. The area surrounding the development consists of a mix of commercial, civic, residential, and office buildings; most notably the Dolores Dore Ecoles Theatre which is directly adjacent to the site.</td>
<td>The site is located on the corner of South Broad St &amp; Washington Ave, close to the heart of Philadelphia’s downtown. The site, known as Lincoln Square, is a historic location and holds significant cultural and national heritage value because of of the 1842 railway station on site and its connection to President Lincoln. The area is predominantly residential with a mix of commercial and industrial to the South and West.</td>
</tr>
<tr>
<td>Number of public consultation sessions</td>
<td>Four</td>
<td>Two</td>
<td>Four</td>
<td>Various</td>
<td>One</td>
<td>Two</td>
<td>8+ community meetings</td>
<td>One (combined Inform and Consult)</td>
<td>One</td>
</tr>
<tr>
<td>Form of public consultation sessions</td>
<td>1. Pre-Application Open House</td>
<td>1. Council Discussion and Direction</td>
<td>1. Council Discussion and Direction</td>
<td>Community league meetings, public consultation working group, design committees, public meetings</td>
<td>Public information meeting</td>
<td>Public information meeting</td>
<td>Developer held community meetings in local high schools and community engagement centres. Meet and greet along with presentation as well as Q&amp;A session.</td>
<td>Open House - Public consultation was organized by the Civic Engagement Team who worked with the developer to identify the most effective consultation strategies for the proposed project.</td>
<td>Public Meeting - Public consultation was organized by the Philadelphia Planning division and the developers who contacted the local Registered Community Organization (the South of South community organization). The developer presented to the community group at</td>
</tr>
<tr>
<td>Evidence that public consultation influenced the outcome of the project. (yes or no)</td>
<td>What aspects of the project were influenced/changed? (be specific - eg. massing, building height, proposed uses)</td>
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<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Yes</td>
<td>Yes</td>
<td>No evidence</td>
<td>Yes</td>
<td></td>
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<tr>
<td>No evidence</td>
<td>Yes</td>
<td>No evidence</td>
<td>No evidence that the consultation influenced the decision regarding the first floor retail.</td>
<td>Yes</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Reduced massing, height, cantilever, FSR. Increased separation between adjacent buildings and re-established original pool design to preserve heritage value.</td>
<td>Urban design condition to mitigate view impacts on property to the south and recommended to incorporate vegetation as a buffer to address privacy concerns.</td>
<td>Unchanged.</td>
<td>After the public consultations, office and commercial space was approved on the lower level and the site was rezoned to allow mixed use development.</td>
<td>Unchanged.</td>
<td>The condominium was denied by council and approved one year later at an adjusted height of 8-stories, as opposed to the 11-storey building proposed.</td>
<td>Unchanged.</td>
<td>As a result of public feedback, the overall design of the train station (to-be grocery store) was changed in the final design to be more modern instead of the monolithic style proposed during the public consultation meeting.</td>
<td></td>
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</table>
The Role of Community and Stakeholder Engagement in Planning and Development Without an Ontario Municipal Board
# TABLE OF CONTENTS

1.0 Research Design .......................................................................................................................... 1

1.1 Canadian case-study cities ........................................................................................................... 1

1.2 US/International case-study cities ................................................................................................. 1

1.3 Consultation with municipal planners ......................................................................................... 3

1.4 Semi-structured interviews ......................................................................................................... 3

1.5 Grey literature review .................................................................................................................. 4

2.0 Vancouver, British Columbia, Canada ............................................................................................ 4

2.1 Vancouver Low-rise Case Study - 5469-5507 Willow Street, Vancouver ........................................ 10

2.2 Vancouver High-rise Case Study - 1500 West Georgia Street, Vancouver ....................................... 12

3.0 Halifax, Nova Scotia, Canada ........................................................................................................ 16

3.1 Halifax Low-rise Case Study - 827 Bedford Highway, Halifax ......................................................... 18

3.2 Halifax High-rise Case Study - 636 Bedford Highway, Halifax ....................................................... 20

4.0 Edmonton, Alberta, Canada .......................................................................................................... 24

4.1 Edmonton Low-rise Case Study - 1404 Hermitage Road NW, Edmonton ....................................... 26

4.2 Edmonton High-rise Case Study - 9505 105 Avenue NW, Edmonton ............................................ 29

5.0 Salt Lake City, Utah, United States of America ............................................................................. 33

5.1 Salt Lake City High-Rise Case Study - 111 South Main Street, Salt Lake City ............................... 36

6.0 Philadelphia, Pennsylvania, United States of America .................................................................. 39

6.1 Philadelphia, Case Study - Lincoln Square, Philadelphia ............................................................... 40

7.0 Los Angeles, California, United States of America ...................................................................... 42

7.1 Los Angeles High-rise Case Study - 3401 East 1st Street, Los Angeles ......................................... 44

8.0 Sydney, New South Wales, Australia ............................................................................................. 46
1.0 RESEARCH DESIGN

In collaboration with ULI Toronto, seven Canadian, US, and international case study cities were selected to investigate how public consultation is used as part of the development process. Cities were generally selected based on their size, the presence of a ULI Chapter, and in some cases, previous knowledge of the public consultation process.

1.1 CANADIAN CASE-STUDY CITIES

Canadian case studies include: Vancouver, British Columbia; Halifax, Nova Scotia; and Edmonton, Alberta. Vancouver was required by ULI Toronto based on interest and existing knowledge of the current public consultation process. Both Halifax and Edmonton were selected based on the following criteria:

- a) Location outside of Ontario
- b) Planning documents are easily accessible in English
- c) Must be considered a 'large' city*

*Large in this context refers to the population size relative to other Canadian cities. Based on population size, Edmonton is the 5th largest city in Canada, Vancouver 8th, and Halifax 14th.

For each Canadian case study, a municipal planner was contacted to discuss the use of public consultation as part of the development process. A semi-structured interview schedule was used to guide the conversation and ensure that the same information was being collected for each city. The semi-structured interview schedule can be found in Appendix D.

Based on information gathered from the aforementioned interviews, two development case studies in each city were selected to conduct further research. For each Canadian city, both a high-rise and low-rise development case study were selected. Priority was given to case studies involving a zoning by-law amendment as part of the approval process. For low-rise developments, the case studies selected are located in or adjacent to a stable neighbourhood, and for high-rise developments they are located outside of a stable residential area.

1.2 US/INTERNATIONAL CASE-STUDY CITIES

US and international case studies include: Salt Lake City, Utah; Philadelphia, Pennsylvania; Los Angeles, California; and Sydney, Australia. Sydney, Australia was chosen due to the project teams previous knowledge of the planning process. Los Angeles, California was suggested by ULI Toronto during the first meeting as a city of interest. The remaining two US cities were selected using a "Search Matrix" to identify cities that would be of high value for the report.

The first criterion for US/International cities was the presence of a ULI chapter. After a list of cities with ULI chapters was created, a search protocol was used to evaluate each city based on a list of key themes, including:
a) High prevalence of community participation language in municipal legislation;
b) Community engagement linked to development approvals;
c) Positive municipal option towards public consultation; and
d) Transparent local public consultation strategies.

The cities were then placed in a matrix, based on their relevance to the project (Figure 1). Cities closer to the centre of the matrix are identified as being more desirable based on the search protocol.

Figure 1: US case study research matrix

For each US/international case study city, a municipal planner was contacted to discuss the use of public consultation as part of the development process. Since zoning was not used in every case study, less emphasis was put on the zoning by-law amendment process. The same semi-structured interview schedule used for Canadian cities was used to guide the conversation and ensure that the
same information was being collected. The semi-structured interview schedule can be found in Appendix D.

Based on information gathered from the aforementioned interviews, one development case study (either high-rise or low-rise) in each city was selected to conduct further research. For low-rise developments the case studies selected are located in or adjacent to a stable neighbourhood and for high-rise developments they are located outside of a stable residential area.

### 1.3 Consultation with Municipal Planners

The municipal planners who were consulted varied widely by location. For all cities, the first point of contact was sending an email explaining our project to the planning department. Based on the responses we received, we were able to contact and arrange interviews with junior, senior, or intermediate level planners.

Appendix C contains a list of all contacts used for this project. Specifics regarding our communication efforts, and interactions with each municipality are detailed in the Methodology section for each city.

### 1.4 Semi-Structured Interviews

A semi-structured interview schedule was used to guide the conversation and ensure that the same information was being collected for each city. The main questions asked include:

- Is public participation throughout the development approval/zoning by-law amendment approval process required?
- What piece of legislation requires public participation during these processes?
- When does public consultation typically occur during the development process?
- In what other ways does the public contribute to the development application process?
- Who is responsible for running public participation sessions?
- We are looking for case studies of recent* high/low-rise** developments applications where the applicant chose to run more public consultation that was required. Are there any projects where the required public participation was successful in influencing the final product?
- Do you have any other comments or suggestions about public participation throughout the development approval process?

*Recent for the purposes of this research was considered to be post 2010. This cut off year was proposed during the first meeting with ULI Toronto.

**High-rise was defined as any building over 5 storeys. Low-rise was defined as any building under 3 storeys.

The complete semi-structured interview schedule can be found in Appendix D.
1.5 GREY LITERATURE REVIEW

In addition to interviewing municipal planners regarding the public consultation process in their City, municipal documents and policies were reviewed. Accuracy and consistency was evaluated by triangulating municipal documents (grey literature), information gathered during interviews, and what public consultation was used in the development case studies.

Grey literature sources reviewed for this project include:

- Staff reports;
- Municipal planning documents;
- Provincial or State policy; and
- Municipal web content, as well as other relevant internet sources

2.0 VANCOUVER, BRITISH COLUMBIA, CANADA

Methodology

On February 2, 2018, 405 Consultants called the City of Vancouver's Planner of the Day and left a voicemail message. After playing "phone tag" for a few days, we were connected with Karen Campbell, a Development Planner with the Planning, Urban Design and Sustainability Department. We emailed her the interview questions on February 6, 2018 and she replied by phone on February 14, 2018. She sent us a follow-up email with the City's development application tool to search case studies that fell under our search criteria. Additionally, she contacted a Rezoning Planner for more information about language barriers during public consultation and legislative requirements.

Vancouver’s Definition of Public Consultation

The public consultation process in the City of Vancouver is often referred to as public engagement, as Council has made a conscious effort to take consultation a step further by engaging citizens in planning issues and policies. However, the terms "public engagement", "public consultation", and "public involvement" are used interchangeably when referring to community engagement. Vancouver strives to achieve an "Engaged City" which is defined as:

"...bring[ing] people together for conversations to address issues of common importance, to solve shared problems, and to bring about positive social change. It involves people in the decision-making process such that it improves the resulting decision and, over time, builds the trust that is needed for fully empowered communities to actively create a common future” (Engaged City Task Force, 2016).

Vancouver's commitment to public consultation is exemplified by the creation of the Engaged City Task Force (ECTF) in 2011. ECTF is located within the Corporate Communications department and is tasked with overseeing public projects where citizens are directly or indirectly impacted and improving the the decision-making process through increased public consultation. The ECTF supports City staff with consultation strategies, recommendations, and tactics to improve and monitor engagement when they work with the public.
Guiding Principles for Public Consultation

There is no legislation that exists requiring public consultation, but it is standard practice under the City's Public Engagement Guiding Principles to have consultation sessions for planning projects. ECTF has created six principles for evaluating good public consultation practices (Figure 1):

1. Mandating the process: outlines and clarifies the roles and objectives of the public engagement process to all participants.
2. Resourcing the process: the public and staff are provided with the necessary resources to engage in consultation based on the scale and nature of a project.
3. Process participants: anyone interested or impacted by a project has equal opportunity to participate. Additional effort is given to reach out and meet the needs of under-represented communities.
4. Communication strategies: public has access to communication material at all stages of a project that uses clear and concise language.
5. Involvement strategies: process is transparent and considers both reactive and proactive techniques to gain input.
6. Closure: results are communicated to participants while maintaining integrity and privacy of public feedback for formal record.

Figure 1: Principles for Public Participation Practices (City of Vancouver, 2018)

Framework for Public Consultation

Updated in 2016 to incorporate a modified version of the International Association for Public Participation (IAP2) framework, the revamped Guiding Principles are more reflective of community needs. Figure 2 depicts the IAP2 framework which consists of different levels of participation that can be used at varying stages of a project based on the engagement objective and level of decision-making required. The framework specifically outlines the promise the City makes to its citizens, as a result, responsibilities are clearly laid out for participants and decision makers.
The first step of the original framework involved "Inform", which has been revised to be "Listen and Learn" in the new framework. This encourages more research and feedback during the initial stages rather than simply sharing objective information. IAP2 core values holds the City accountable for having transparent and open dialogue with citizens and allowing them to effectively contribute to the decision making process.

IAP2 Core Values for the Practice of Public Participation (Engaged City Task Force, 2016):

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. Public participation includes the promise that the public's contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
4. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the decision.
Public Consultation in the Rezoning Process

The City of Vancouver rezoning process is separate from its development application process. An applicant that applies for a rezoning application will expect the process to take approximately twelve months. Figure 3 depicts public consultation at the various stages in the rezoning process. There are three types of rezoning to a property: create a custom site-specific zone, change zoning from one standard district to another, or change the land use regulations permitted within a specific zone.

Before applicants are able to apply for rezoning, there are pre-application steps to take in order to receive guidance from planners. This process is for the developer and applicant to consult with neighbours of the proposal in order to get a general sense of feedback from the community. This is known as the "Pre-App Open House" and is run independently by the developer. Municipal staff and the applicant are present at the Pre-App open house to answer questions and to avoid highly
contentious issues during the formal process. This engagement process is optional, but is good practice and is typically always conducted by developers.

Following a successful Pre-App Open House, the rezoning application is formally submitted to the City. An official Open House then occurs, in which property owners within two blocks of the sites are notified through mailed out postcards from municipal staff. The back of the post card contains information in multiple languages depending on the location and demographic of the proposal. Policy translation is also available for those who need it.

Additionally, the applicant installs a yellow information sign on site to inform the public of the official Open House. At the Open House, citizens have the opportunity to view models and boards with additional information about the specific changes to the property. City staff are also present to answer questions. Rezoning applications are posted on the City’s website under Calendar Events as well as the Rezoning webpage for the public to submit comments online, if they are unable to attend the meeting in person.

The final form of public consultation during the zoning by-law amendment process is a Public Hearing. The Public Hearing takes place once the application has been reviewed by Planning staff and is set to be approved by council. One to two weeks before the hearing, legal notices are advertised in the local newspaper notifying the public of the date, time, and location of the hearing. At the hearing, a municipal planner presents to City Council the recommendations of the proposal. At this point the public has the opportunity to provide input regarding anything they feel the municipal planner omitted or misrepresented in their presentation.

It should be noted that once Council has reached a final decision, there is no appeal process for a zoning by-law amendment decision. It can take up to 14 weeks when a rezoning application is received by the City for a formal application to be submitted to Council with comments.
Figure 3: Vancouver’s Rezoning Process (City of Vancouver, 2018)
Public Consultation in the Development Process

The consultation process for development permit application differs slightly from a rezoning application. The City is responsible for conducting an initial review of the permit application before neighbours are notified of the development via an online posting and by a notice installed on the subject property. The project coordinator is responsible for notifying the public, following the application through the municipal portion of the application process, and overseeing its technical review.

Through the application process citizens have the chance to directly contact planners with comments. Highly contentious applications are required to go to the Devolvement Permit Board (an advisory panel of senior staff and four members of the general public). Concerns can be voiced to the Development Permit Board who review large or highly contentious development applications.

2.1 VANCOUVER LOW-RISE CASE STUDY - 5469-5507 WILLOW STREET, VANCOUVER

Development Proposal

In October 2016, the City of Vancouver received a rezoning application from Yamamoto Architecture to amend zoning of 5469-5507 Willow Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit 3, three-storey residential buildings.

The subject property is 2,006.7 sq. ft located on the west side of Willow Street in between 38th Avenue and 41st Avenue. The proposal includes:

- 20 three-bedroom residential units;
- a net floor ratio of 1.2; and
- underground parking and bicycle spaces.

The proposed zoning would change the land use from single-family residential to multi-family residential with increased building floor space and floor space ratio. A rendering of the proposed development is shown in Figure 4.
Neighbourhood Context

The Oakridge neighbourhood is a multicultural area, widely known to be home to Vancouver’s Jewish community. Figure 5 maps out the properties surrounding the site, which are primarily single-family dwellings and 3 storey townhouses, similar to the proposed development. The site is situated east of the Oakridge Transit Centre site, which includes a Jewish community centre. The Oakridge Langara Policy Statement (OLPS) applies to the site as it is located in a high priority area of the neighbourhood. The purpose of the Policy Statement is to support consistent residential density targets in the neighbourhood, as well maintain affordability and minimize impacts to the neighbourhood during the zoning by-law amendment process.
Public Consultation Summary

There is no record for a Pre-App Open House for 5469-5507 Willow Street. An Open House was hosted by the city on October 26, 2016 at the Jewish Community Centre, 950 W 41st Avenue. Neighbouring property owners were notified of the consultation session through the rezoning webpage and a rezoning information sign posted on site. A total of 220 postcards regarding the rezoning application were distributed. The public was also able to comment on the proposal via an online comment form. One email was submitted to the City in strong support of the proposed development and need for more overall housing in Vancouver. In total, 37 comment sheets were received from citizens with concerns over height and shadow issues. However, the proposed development conformed to the height and setback requirements outlined in the OLPS.

A public hearing was held on May 16, 2017 where the application was approved by Council. The Urban Design Panel and staff reviewed and supported the application given its conformity to the Oakridge Langara Policy Statement.

The shadowing complaints brought up at the open house were addressed in the draft zoning by-law amendment presented at the public hearing. There were no registered speakers at the public hearing given the small-scale nature of the development.

2.2 VANCOUVER HIGH-RISE CASE STUDY - 1500 WEST GEORGIA STREET, VANCOUVER

Development Proposal

On May 4, 2016, the City of Vancouver received a rezoning application from Francl Architecture to rezone 1500 West Georgia Street from DD (Downtown) District to CD-1 (Comprehensive Development) District to permit a 43-storey high-rise market residential development. The rezoning amended Lots 7 (see 42783L) and 8 (see 42783L), and Lots 9 and 10, all of Block 43, District Lot 185, Plan 92; PIDs 015-738-663, 015-738-680, 015-738-701 and 015-738-710 respectively.

The subject property is 43,350 sq. ft. and comprises the whole city block centred between West Georgia Street, Alberani Street, Cardero Street, and Nicola Street. The proposal includes:

- 217 market residential units with 282,452 sq.ft of new floor area;
- a floor space ratio of 11.47 and a total floor area of 496,452 sq.ft;
- a restaurant at the corner of Georgia and Nicola streets; and
- seven levels of underground parking.

The development proposal is a collaborative effort amongst five key players that include developers, designers, and architects: Bosa Properties, Kingswood Properties, Büro Ole Schreen, Francl Architecture, and PFS Studio. Figure 6 is a rendering of the proposed development.
Neighbourhood Context

The site is located in the West End of Vancouver on the main avenue of West Georgia. It serves as a gateway between Downtown Vancouver and Stanley Park. The location is referred to as an urban pivot being the junction between a park, downtown, waterfront, and several surrounding neighbourhoods. The proposed development is adjacent to a heritage building and plaza.

The neighbourhood consists of commercial, residential, and office buildings varying from one storey to 43 storeys. The West End Community Plan and the Rezoning Policy for the West End were accounted for during the application process. The West End Community Plan provides a framework to manage and guide development in the neighbourhood that maximizes benefits for the entire community. Figure 7 indicates the subject site in relation to the Georgia Corridor, which is a newer part of the community with housing and transit being built in the past 40 years.
Public Consultation Summary

A Pre App Open House was hosted by the applicant on February 4, 2016 at the Empire Landmark Hotel (1400 Robson Street). Over 200 citizens along with municipal staff and the applicant were present at Pre App Open House. The city sent out 4,119 post cards, to residents in the neighbouring area that may be impacted or interested in the development application, and received 81 comment sheets. Figure 8 illustrates the typical template used by the City for postcard notifications for open houses, a similar one is used for public hearings.

An Open House was hosted by the city on September 29, 2016 from 5-8pm at the same location. Prior to the consultation session, on September 1, 2016 10,155 post cards were distributed in the West Georgia neighbourhood and a rezoning sign was installed on the site on September 9, 2016. Excluding staff and the applicant, 247 people attended the consultation session. The comments received during this session prompted the applicant to revise the rezoning application which was submitted on February 14, 2017.

In total 10152 notifications (postcards) were distributed and 75 written comments received. The general themes of support were for the innovative building design and interest in the public realm component of the rehabilitation of a pool on site. Concerns were primarily over traffic congestion, affordability, noise, and building design not complementing the area.
Figure 8: Rezoning postcard notice for 1500 West Georgia Street (City of Vancouver, 2016)

An additional open house was not required for this project as the applicants revised their application to take into account feedback from the first Open House. The community was alerted of the changes that were made through a rezoning sign, the webpage, and by postcard. The revisions made to the application include slimming down the design of the tower and cantilevers, reducing the floorplate, and reducing density.

The Public Hearing to consider the amended draft by-law was held on January 16, 2018 at 6:00pm in the Council Chambers at Vancouver City Hall, 453 West 12th Avenue. The public had the opportunity to register to speak at this hearing from January 5-15. The hearing regarding the development took approximately two hours with 15 public speakers in both favour and opposition of the development. Questions were answered by the councillors in the city and the applicant team. The rezoning application had unanimous support from Council and was approved at the public hearing.
Methodology

On February 1, 2018, 405 Consultants sent an email to the Regional Municipality of Halifax Planning Department. On February 4, 2018, we received a response from a Rural Policy and Applications Planner named Jesse Morton, MCIP. Jesse inquired about the types of case studies and directed us to one of the municipality’s most experienced land use planners, Andrew Bone, Planner III. On February 13, 2018, a phone interview with Andrew Bone was conducted regarding the municipality’s development application process and specific case study examples.

Halifax’s Definition of Public Consultation

Community consultation is defined by the Regional Centre Plan as the act of consulting with diverse communities regarding the identification of distinctive community values, and is used to survey potential heritage conservation districts and cultural landscapes (Centre Plan, 2017).

Guiding Principles for Public Consultation

The public consultation process allows the community to shape the development in some manner. Andrew Bone, Planner III from the Regional Municipality of Halifax explained that the public consultation process frequently influences the final decision regarding development projects (Bone, 2018). Public input has altered recent developments in both form and design to ensure that the proposed building enhances the character of the community (Bone, 2018).

Framework for Public Consultation

The updated Halifax Regional Municipality Charter (HRMC) states that public consultation is a mandatory component of the development application process (HRMC, 2008).

12.4 The City shall develop procedures for consulting with the public on decisions which will affect the planning or development of the City. These procedures shall pay particular attention to the timing of public access to information, the methods for providing it, and the need of the individuals and groups to have an adequate time period for review prior to final City Council decisions.

12.5 The City shall encourage citizens to make written submission on planning issues or items of neighborhood concern. These briefs will accompany staff reports to City Council, but in any case shall be submitted to Council for their information.

The HRMC states that the Municipality will conduct one official consultation with the public prior to preparing a staff report (HRMC, 2008). Public consultation throughout the remainder of the development application process is at the discretion of the lead planner to initiate. Additional consultation sessions are usually only held for highly contentious or complex development proposals.
Public Consultation in the Development Process

The development process for the Regional Municipality of Halifax typically goes through two phases. The initial phase in the process is known as a development agreement. A development agreement is a contract between the Regional Municipality of Halifax and the owner of the property, stating the obligations of both parties and specifying all standards and conditions that will govern the development of the site (HRMC, 2008). The public has an opportunity to provide their input on both the development agreement and the development application at public information meetings (Bone, 2018). Public meetings are open to all members of the public and the structure of the meeting varies depending on the number of attendees (Bone, 2018).

Public Consultation in the Development Agreement Process

The development agreement process in Halifax includes the completion of an application form, followed by a preliminary review of the proposal at a public information meeting, and is finalized with the decision made by community council (HRM, 2016). The public information meeting provides the public with an opportunity to hear from city planners, Council and the developer about the submitted proposal (Bone, 2018). Input at this point is in regards to the contractual agreement between the developer and the city (HRM, 2016).

Public Consultation in the Development Application Process

After the development agreement is established, the development application process begins. The development application process is required to include at least one public information meeting. At these information meetings, the city planner will provide the public with visuals and information about the proposed development, followed by a presentation from Council and the developer (Bone, 2018). After all presentations have been made, the public is asked to provide their input on the development and state any suggestions they may have (HRMPS, 2015). Suggestions from the public are recorded and become part of the development application (HRMPS, 2015).

Although only one public information meeting is required during the development application process, there are instances where further consultation is conducted. In situations where there is strong opposition from the community either through written submissions or during the initial consultation process, the planner will establish a Planning Advisory Committee to help facilitate public input (HRMC, 2008). The committee will include city staff, one appointed representative from the public and members of the public (HRMC, 2008). The appointed representative from the public will have the responsibility of speaking on behalf of the public in meetings with stakeholders.

Another instance where more public consultation may be facilitated is when the municipal planner decides that the complexity of the proposed project warrants more discussion (HRMPS, 2015). At this point in time, the planner will inform the community of the second consultation session and will host a structured meeting (HRMPS, 2015).
Andrew Bone also mentioned that it is fairly common for developers to host an informal public consultation meeting prior to the submission of the proposal (Bone, 2018). This preliminary meeting is believed to be most effective when the developer feels that the general public will oppose the development.

### 3.1 Halifax Low-Rise Case Study - 827 Bedford Highway, Halifax

#### Development Proposal

In August of 2010, a three storey mixed-use building was proposed on 827 Bedford Highway in the Regional Municipality of Halifax (NWCCM, 2010). The initial proposal for the development included a site plan, architectural rendering, and a series of elevations. Figure 1 depicts one of the elevation drawings submitted for this project.

As required under the HRMC, this proposal requires a public consultation session to provide the community with an opportunity to give their input (HRMC, 2008).

![Figure 1: Elevation of the proposed three storey mixed-use building (NWCCM, 2010)](image)

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**Figure 1: Elevation of the proposed three storey mixed-use building (NWCCM, 2010)**
Neighbourhood Context

The project site is located between an arterial road and a railway line, which overlooks the Bedford Basin (Bone, 2018). The surrounding developments are predominantly single detached residential, as this development was situated in the suburbs of the Town of Bedford (Cushman and Wakefield, 2014). The subject property is quiet, narrow and presented many architectural challenges due to its shallow depth and elongated frontage (Bone, 2018). Figure 2 depicts the neighbourhood context of the proposed development.

![Figure 2: Neighbourhood context (Cushman and Wakefield, 2013)](image)

Development Application Process

A development agreement was signed between the owner of the property and the Regional Municipality of Halifax. The development agreement for this suburban neighborhood required that one additional consultation meeting be held with the public (HRMC, 2008).

At this meeting the developer presented their development concept, highlighted the benefits of their proposal to the community, and displayed some conceptual images. Following this presentation, a question and answer period was provided where the public could express any comments or concerns (Bone, 2018). All input was documented by council and taken into consideration for the final decision.

Public Consultation Summary

During the public consultation session the community expressed concerns regarding the design of the building. The architect was inspired by the local historic buildings located in the city centre, which primarily consisted of arched roofs and concrete foundations (NWCCM, 2010). Although, there are no specific design guidelines in the legislation that restrict the creativity of an architect, the public largely felt that the building did not meet the “Bedford aesthetic” (NWCCM, 2010).
The public played significant role in the adjustments made to the proposed development. The approved building was more traditional in nature, while incorporating the modern elements that the public requested in the meeting (Bone, 2018). The form and general footprint of the building remained relatively the same (NWCCM, 2010). Figure 3 depicts the proposed mixed-use building and the constructed building.

Figure 3: Rendering of the proposed mixed-use building (left), and the residential use of the building (right) (Cushman and Wakefield, 2014)

3.2 HALIFAX HIGH-RISE CASE STUDY - 636 BEDFORD HIGHWAY, HALIFAX

Development Proposal

In 2016, the Regional Municipality of Halifax planning department received a proposal for an 11-storey condominium tower (DADP, 2016). The subject property is located at 636 Bedford Highway. The submitted application included a detailed site plan, various elevations and a floor plan in the application (DADP, 2016). The proposed development required a floor plan in the submission of the proposal because of the condominium’s unique architectural style. Typically a floor plan is not required as part of a development application submission. Figure 3 shows the detailed site plan that was submitted in the initial development application.
Neighbourhood Context

The surround neighbourhood is primarily mixed-use mid-rise developments. Figure 5 shows the existing heights of the nearby developments (DADP, 2016). The project site was located along a major arterial, known as Bedford Highway, and adjacent to natural features including the Bedford Basin and the Hemlock Ravine Park (Bone, 2018). Due to the significance of the surrounding natural features, this development required extensive community consultation to ensure the views and features would not be impacted (Bone, 2018).

Figure 4: Site plan for the proposed condominium tower (DADP, 2016)

Figure 5: Proposed development (star), adjacent buildings currently under construction (pink) and height of surrounding buildings in storeys (DADP, 2016)
Development Application Process

The proposed development is considerably taller than adjacent buildings (See Figure 5). This aspect in conjunction with the presence of natural features justifies more extensive public consultation than is typically required. Figure 6 displays the conceptual rendering of the 11-storey building presented at the initial public meeting (DADP, 2016).

![Figure 6: Rendering of the proposed high-rise condominium (DADP, 2016)](image)

Public Consultation Summary

As stated previously, the Regional Municipality of Halifax typically requires one public consultation session during the development application process. However, there are instances where two consultation sessions are facilitated, particularly when the proposed site is complex in nature or is highly contentious (HRMC, 2008). In this case, the proposed development is in close proximity to natural features, and is six storeys taller than adjacent buildings. As a result, the developer was required to host two public meetings.

During the initial public meeting, the public had difficulty visualizing the condominium and looked to council and the municipal planners for assistance. The municipal staff created a 3-D model of the building, as well as digital renderings to show how the building would look from adjacent buildings (See Figures 7 and 8). These visuals were presented in the second public meeting, accompanied with data from the LiDAR which was used to provide aerial imagery (Bone, 2018).

Council and the public strongly opposed the height of the development, while the developer and city planning staff felt it conformed to the vision for the future development of the area (Bone, 2018). The condominium was denied by council and approved one year later at an adjusted height of 8-storeys (DADP, 2016). The public input drastically shaped the form of the development in this case.
Figure 7: 3D model created for the public information meeting (DADP, 2016)

Figure 8: View of the proposed development from surrounding buildings (DADP, 2016)
Methodology

An initial email was sent to the City of Edmonton Planning Department on February 1st, 2018. We received a detailed reply on February 15th, 2018 from Robert Rutherford, a Principal Planner in Development and Zoning Services, and Jane Purvis, a Public Engagement Advisor in Communications and Engagement. 405 Consultants conducted a phone interview on February 13th, 2018 with Marty Vasquez, a Senior Planner, regarding the development application and public consultation process and with Kenneth Yeung, a Development Officer regarding potential case studies.

Edmonton’s Definition of Public Consultation

According to the Edmonton Public Engagement Policy (2017, p.2), “[Public Consultation] is a process that creates opportunities for people to contribute to decision making by City Council and Administration about the City’s policies, programs, projects, and services, and communicates how public input is collected and used.”

Framework for Public Consultation

The framework for public consultation in Edmonton is based on the Public Engagement Policy (PEP). The PEP outlines that the purpose of public consultation is to understand the perspectives and opinions of affected residents and business owners regarding planning issues and new development proposals (Public Engagement Policy, 2017). The policy document explains that consistent, organized, and transparent public consultation approaches should be used to collaborate the ideas and empower the public to share their thoughts (Public Engagement Policy, 2017).

Legislative requirements for public consultation comes from The Municipal Government Act of Alberta and the Edmonton Zoning By-law which require public consultation for statutory plan amendments, zoning by-law amendment applications, and subdivision applications (Purvis & Rutherford, 2018). Other documents within the City of Edmonton’s website which outline public consultation included: Edmonton Public Engagement Policy, Public Engagement Procedure, Public Engagement Framework, and the New Public Engagement Practice. It is clear after reviewing the above documents that the City values the feedback gathered through public consultation and avidly seeks to involve the public in the decision making process.
Public Consultation in the Rezoning Process

Public consultation is required for a new development application if the development application or amendment does not meet the regulations stated in Zoning by-law 12800 (Vasquez, 2008):

- Section 814 regulates residential development in Edmonton’s mature residential neighbourhoods;
- Section 816 regulates the development of high density housing in established areas of the City with existing forms of lower and medium density; and
- Section 823 that regulates medium density infill housing in Edmonton’s mature residential neighbourhoods.

Section 814.5 from the Zoning By-law for Proposed Variances state the requirements regarding public notifications is required when applications do not comply with the by-law. Table 814.5(2) of Section 814.5 lists the types of variances that are being amended, as well as examples of who may need to be notified from the public based on the nature of the amendment (City of Edmonton Bylaw 12800, 2017).

Additionally planning staff reviewing the rezoning case can require public consultation for complex and controversial developments (Purvis & Rutherford, 2018). These complex development proposals will often be required to include at least one if not two consultation sessions hosted by the City during the planning process (Purvis & Rutherford, 2018). Public consultation sessions are often delegated to development officers that work with applications directly (Vasquez, 2018).

Development officers are often the ones who decide what type of consultation is necessary and how public feedback must be addressed by the applicant (Vasquez, 2018). Possible types of public consultation sessions that may be required include:

- Posting the development proposal documents on the municipalities webpage;
- Public open houses;
- Meetings; and
- Information sessions.

For all zoning by-law amendments, a public notice is required with an online agenda 10 days before a formal public hearing at Council (Purvis & Rutherford, 2018). In some cases the developer goes beyond this requirement and may carry out initial consultation prior to the application being filed (Purvis & Rutherford, 2018).

For complex proposals, the applicant is required to notify and accept comments from all affected residents 21 days before making a formal application to the City (Purvis & Rutherford, 2018). Submitted applications are required to explain how they have responded to public input received from their notice (Purvis & Rutherford, 2018). Additionally consultation in the form of working group sessions is required. The number, duration and approach of working group sessions varies depending on community resources available and interest expressed by the public (Purvis & Rutherford, 2018).
Public Consultation in the Development Process

In Edmonton, there is no public consultation requirement provided that the proposed development is a permitted use and meets all other development regulations (Purvis & Rutherford, 2018). This is similar to Ontario’s Site Plan Approval Process since applicants can submit their application after consulting with local municipalities or provincial approval authorities for planning review, without public consultation (OMMAH 2015). That being said, the approved development can be appealed by members of the public. In the case of an appeal, a hearing in front of the Subdivision and Development Appeal Board will be held. The board will hear from both parties and issue a judgement on the permit decision (Purvis & Rutherford, 2018).

4.1 EDMONTON LOW-RISE CASE STUDY - 1404 HERMITAGE ROAD NW, EDMONTON

Development Proposal

First Place was established in 2006 as a home ownership and revitalization program to help first time home buyers purchase affordable housing by redeveloping surplus school sites.

In 2008, Canon Ridge Town Homes was selected as a pilot project and 42 townhouse units were approved to be built on a surplus school site located at 1404 Hermitage Road NW (City of Edmonton, 2018).

Neighbourhood Context

The subject property within the Canon Ridge neighbourhood is located in the northwest quadrant of Edmonton. Figure 1 depicts the existing neighbourhood characterized by curved streets, cul-de-sacs and recreational spaces including access to parks and rivers (Edmonton Neighbourhood Interactive Map, 2018). The proposed townhouse units are located at the intersection of Hooke Road NW and Hooke Court NW next to Canon Ridge Park and Stocked Trout Pond (Figure 2).

Figure 1: Canon Ridge Neighbourhood (Edmonton Neighbourhood Interactive Map, 2018)
Development Application Process

The First Place program was established in 2006. City Council approved the development proposal for 20 First Place houses on underdeveloped school land as a way to address the need for greater affordable housing alternatives for Edmonton residents. A Provincial Order-In-Council allowed all sites to be rezoned at once without needing a public hearing process that is normally required for rezoning applications (City of Edmonton, 2018).

A Community Liaison Group was created from community volunteers who would receive updates from the City and distribute information back to their communities as the project developed. The City's project team met with community league groups, homeowner association executives, and other interested stakeholders to provide an overview of program rationale, outcomes and possible timelines for initial soil testing and future development. The City's project team recorded issues, questions, recommendations and opinions regarding the time and location for a larger public meeting. Additionally a Design Engagement Group was formed to review any concerns regarding the impacts on the landscape and design layout (City of Edmonton, 2018).

Public Consultation Summary

Part of First Place’s mission statement states that all of their projects will involve public consultations in order to allow residents and community members to provide input (First Place, 2013). In this case study the City was responsible for distributing relevant information regarding public concerns, inquiries and feedback. The consultation process generally occurred in 4 steps (City of Edmonton, 2018):
1) Council Discussion and Direction

After City Council had approved the First Place initiative, administrative staff were directed to place notification signs on all surplus school sites that would indicate the location and magnitude of the construction site, surrounding open spaces, and additional features.

2) Community Liaison Group

Community Liaison Groups were created of volunteers from each community who focused on communicating with City staff. These volunteers meet with the City to receive updates, share community interests, and inquiries about schedules, timelines and next steps. The purpose of these groups is to allow greater understanding of the approved developments on each site, while resolving concerns from the public.

3) Public meetings

Public consultations provided the City the opportunity to share more information regarding the program rationale, results and potential timelines. The City's project team was responsible for organizing the public meeting and mailing an invitation to every home in the community. The Cannon Ridge Community League and other associations posted on their website if they believe their members would be interested. Public concerns and feedback were recorded at the meetings. Additionally participants were able to leave their name and e-mail addresses in order to subscribe to future updates.

4) Design and Construction

Further public consultation was held in order to ensure all concerns were addressed. The meetings allowed residents to form the Design Engagement Group to represent their neighbourhood in regards to matters related to site design and construction. The Design Engagement Group regularly meet with Landmark Homes to discuss issues related to parking, security, fencing, landscaping, trees and architectural details.
4.2 EDMONTON HIGH-RISE CASE STUDY - 9505 105 AVENUE NW, EDMONTON

Development Proposal

The Boyle Renaissance development is located within The Quarters Downtown Community Revitalization Levy Plan area for affordable housing, social spaces, and recreational opportunities for the community. This redevelopment project began in 2008, and was led by the City of Edmonton through the Boyle Renaissance Advisory Committee (BRAC) and consists of 3 phases. Phase 1 of the project in partnership with YMCA of Northern Alberta consists of a Child Care Centre, Family Resource center, office and recreational space for Boyle Street Community League as well as a public park. Phase 2 was completed in May 2014 with 90 residential units for indigenous people, seniors and people with disabilities. It also has 15 units of transitional housing in a 7 storey building. Phase 3 is still ongoing.

Discussions regarding the development on 95th Street property with Metis Urban Housing Corporation, Canadian Paraplegic Association, Canadian Native Friendship Centre Board of Trustees, and Wichitowin Circle of Shared Responsibility resulted in a collaborative plan for office and commercial space on the lower floor on Renaissance Tower.

Neighbourhood Context

The Quarters Downtown is a 100 acre parcel that spans from 97 Street to 92 Street, and from 103A Avenue to the top of the North Saskatchewan River Valley (Figure 3). Currently it houses approximately 2,400 residents. The area is undergoing redevelopment led by the City of Edmonton, and is expected to accommodate 18,000 to 20,000 residents in the next 20 years with sustainable designs, mixed use, and public spaces.

Figure 3: The Quarters Downtown neighbourhood (City of Edmonton, 2018)
Boyle Street Neighbourhood is located within The Quarters Downtown, beside Downtown Edmonton. The neighbourhood consists of mainly commercial and industrial buildings with small areas of residential and institutional uses. The Boyle Renaissance is located between 95 Street and 96 Street, extending from 103A Avenue north to the LRT tracks and Renaissance Tower is at the northwest corner of 104 Avenue and 95 Street (Figure 4).

Figure 4: Revised Site Plan with location of Renaissance Tower (McKay Finnigan & Associates, 2010)
Public Participation in the Development Process

In 2008, the City of Edmonton’s Mayor and former councilor met with community groups, social services and health care organizations to plan for future growth of the Boyle Street Neighbourhood. Planners and urban designers created the initial concept with 4 to 10 storey buildings since it was considered an appropriate building height and density for a location near the downtown area.

The Boyle Renaissance Advisory Committee (BRAC) consists of thirty-five members including residents, business owners and project partners that met nine times over five months beginning May 2008. BRAC submitted a formal report to the City of Edmonton on October 31, 2008 with minor changes and recommendations to the development proposal. BRAC emphasized the importance of encouraging participation between all stakeholder parties, including community groups, residents, and relevant organizations, while encouraging City Staff to attend public meetings so that residents can offer valuable insights.

BRAC held eleven meetings beginning in April 2009 with the Boyle Street Community League to discuss main objectives and other suggestions. This included a Special General Meeting on June 18th, 2009 where the Boyle Renaissance concept and urban design master plan was presented to 50 residents who contributed alternative designs and expressed concerns about relocation for existing residents. A Public Consultation/Communications Working Group was also established to discuss neighbourhood agreements, public consultations and communicate advice to the City.

A draft Master Plan was discussed with the Edmonton Design Committee (EDC) in September 2009 with suggested changes regarding sustainable and eco friendly design components. A Green Working Group was established shortly after.

In the fall of 2009, three public meetings regarding the proposed development and rezoning of the area were held to inform the public and to gather additional feedback. In accordance with the City’s notification requirements, approximately 2800 meeting notices were mailed to residents of the McCauley and Boyle Street neighbourhoods. Additional notices were posted in local newspapers and the Boyle Street Community League and public newsletters were distributed. The proposed Master Plan, DC1 Provisions and the Area Redevelopment Plan (ARP) Amendment were presented to acquire input from the public and the 20 members who attended indicated general support for the plan after discussions at the meeting.

Figure 4 depicts the revised plan that was submitted to the City’s planning department in January 2010 by StastnyBrun Architects. The DC 1 Provisions were presented to the Edmonton Design Committee on March 16, 2010 and a formal public hearing was held at City Hall on March 23, 2010, where approval was granted.
Public Consultation Summary

In June 2009, BRAC created a Public Consultation/Communications Working Group, where residents provided recommendations during various meetings on topics such as residential relocation programs, heritage assessments and increasing commercial spaces. Additionally, “The Boyle Renaissance Report” was a monthly newsletter that was emailed to interested stakeholders and is available on the City’s website. Articles from this report were often re-published in the local newspaper Boyle McCauley News, to incorporate a greater audience.

After many public meetings and considerations of mixed use development within the site-specific Direct Control (DC1) zone, Phase 2 was approved to include a proposal for an Aboriginal Center and residential housing facility. The Boyle Renaissance was completed in 2014 to accommodate the needs of indigenous people, as well as people with disabilities at an affordable cost.
Methodology

On February 1, 2018 an email was sent to the Salt Lake City’s Planning Department outlining the ULI project that 405 Consulting have undertaken, and included a list of questions developed by the project team in regards to the role of public consultation in their city. That day, we received a response from the City’s Assistant Planning Director, Cheri Coffey. In her email, Ms. Coffey outlined the role public consultation plays within the planning jurisdiction of Salt Lake City (The City), how consultation is regulated, and how the City defines public consultation. A follow-up call was arranged with Ms. Coffey on February 7th to discuss a relevant high-rise case-study.

Salt Lake City’s Definition of Public Consultation

Public consultation within Salt Lake City is considered to be an aspect of good regional planning (Coffey, 2018). The purpose of which is to ensure regional planning decisions and development proposals are consistent with the vision of the community and that the community has the ability to have their voices heard concerning a planning decision or development proposal (Coffey, 2018).

Guiding Principles for Public Consultation

Majority of research was from the city's website and a senior planner. Public consultation is organized under three themes: inform, consult, collaborate and scales based on the size of a development application - the larger the development challenges, the further along the calculation matrix the planning division recommends. Public consultation is an integral part of city planning in Salt Lake City with public consultation as a requirement for all development applications.

The framework for public consultation in Salt Lake City is the Salt Lake City Code (The Code). The Code, is a parallel document to an Ontario city’s Official Plan (OP). The Code is the core planning document which is influenced by the legislative requirements set out by the State of Utah, much like an OP acting to guide municipal planning based on the legislative planning requirements of the Province in Ontario.

The Code speaks to all aspects of regional planning for Salt Lake City, and chapter 2.60 Recognized Community Organizations outlines the framework for public consultation (Salt Lake City Code, 2017). Specifically, section 2.60.050 of The Code details the following public consultation objectives which Salt Lake City must strive to achieve:

a) **Education:** The City shall adequately educate the public on city policy, procedures, and actions.

b) **Public Engagement:** Each City department shall strive to utilize best public engagement practices to educate, engage, and receive input from the public at a level that is consistent with the scope of impact of a proposal or project.
c) **Recognized Community Organization Notification And Response:** The city will send a notice to the applicable recognized community organization chair(s) for the following types of projects:

- Alley vacation
- City code amendments
- Conditional use
- Demolition of contributing structures located within a local historic district or landmark sites
- Major changes to street capacity or travel modes
- Major upgrades to public facilities and structures
- Master plan amendment or policy amendments to be adopted by the city council
- Master plan or policies to be adopted by the city council
- New construction of major public facilities and structures
- Planned development
- Zoning map amendment

**Framework for Public Consultation**

Salt Lake City conducts public consultation through a unique approach. The framework for public consultation in the City is not like that typically found in Ontario, where public meetings are held, and members of the public show up and respond as an individual. Instead, public consultation in Salt Lake City is fostered through "community organization" groups (Salt Lake City Code, 2017). These "community organizations" are voluntary groups of citizens coordinated around community interest for the purpose of collectively addressing planning issues. Community interests could be geographic, or related to a singular planning issue (eg. affordable housing, energy, gang violence, etc.). Though the community groups are not a subsidiary of Salt Lake City government, the City has given legislative power to these groups through Section 2.60 of The Code, enabling everyone effectively organize and represent their neighbourhoods (Salt Lake City Code, 2017). This form of public consultation allows participation in civic affairs, while improving the livability and character of the city and its neighbourhoods (Salt Lake City Code, 2017). Salt Lake City takes the opinion of multiple community organizations very seriously and holds each in equal regard.

Section 2.60.060 of The Code outlines the responsibilities of the Community Organizations to uphold a standard in their practices of public consultation (Salt Lake City Code, 2017). The responsibilities are as follows:

a) **Establish orderly and democratic means for forming representative public input through civil and respectful dialogue;**

b) **Establish and follow a clear method for reporting to the city actions which accurately reflect their position. Include the means by which a recommendation or decision was reached, how many members were involved and what the outcome was; and,**

c) **By interaction with its members, residents, and the city, foster open and respectful communication between the community organization and representatives of city departments on plans, proposals and activities affecting the interests of the community organization.**
Public Consultation in the Development Process

Salt Lake City requires public consultation early in the planning process for all development projects (Coffey, 2018). Section 2.60.050 of The Code requires developers to work with the Planning Division to provide notice of new development proposals to the Community Organization groups in identified geographic areas (Coffey, 2018). The recognized community organization chair(s) have forty five (45) days to provide comments, from the date the notice was sent. A public hearing will not be held, nor will a final decision be made about the project within the forty-five (45) day period (Coffey, 2018). The 45 day time frame was chosen because these groups meet once a month and 45 days is enough time for them to list the item on their agenda and hold a meeting to discuss the project (Coffey, 2018).

If the Community Organization deems a development is something which they wish to comment on, the Planning Division must ensure that the developer meets with these groups, with the project planner in attendance, to present information and gather feedback (Coffey, 2018). This process ensures that public consultation is placed at the forefront of every development project as it’s the responsibility of the Planning Division and the applicant to contact and meet with the neighbourhood groups to get final approval (Coffey, 2018).

This method of putting the public first and actively seeking their consultation is a significant difference from the public consultation methods seen in Ontario, where the onus is upon an individual to be involved in the development approval process. As seen in Ontario, this method of public consultation is quite flawed as many people simply are not aware of passing development applications or the steps to be involved in the commenting process. Contrarily, Salt Lake City realizes that the public and other stakeholders might not be able to be active in the development approval process, and created the Community Organization groups, requiring developers to seek out comments from the public for development applications (Coffey, 2018). This ensures that neighbourhood public consultation is ubiquitous among all development applications and that the public are engaged throughout the development approval process.
5.1 SALT LAKE CITY HIGH-RISE CASE STUDY - 111 SOUTH MAIN STREET, SALT LAKE CITY

Proposed Development

October 1, 2016 was the opening of the 3rd tallest high-rise in Salt Lake City, Utah: a 24 storey mixed-commercial building (residential, office, and retail commercial), developed by City Creek Reserve, Inc (Figure 1). 111 South Main Street is a significant addition to the City’s skyline, the urban downtown, and its business district, as it adds an impressive 440,452 square feet of new office space, and 75 residential units, to the core. But the significance of the development lies in the fact that it was the first high-rise mixed-use building in the downtown core to be Gold LEED certified, and as a result, has become a major attraction for businesses to come into the area. The core of the proposal included:

• Gold LEED certification
• On site parking (basement and above ground)
• 24 storeys (387 ft)
• 9,153 rentable square feet (RSF) main street retail
• Over 440,452 square feet of office area
• 75 residential units

Figure 1: Rendering of 111 South Main Street (Google Images, 2018)
Not only is the development a notable example of urban growth and infill, but it also represents a shining example of Salt Lake City's framework for engaging public consultation and the high standard the City places on community involvement throughout a major development project.

Neighbourhood Context

The site is located in the heart of Salt Lake City's downtown. The area surrounding the development consists of a mix of commercial, civic, residential, and office buildings; most notably the Dolores Dore Eccles Theatre which is directly adjacent to the site. Key stakeholders in the area were the local business, residents, and developers in the region. Two significant stakeholders who were intimately involved in the public consultation of the site, are The Church of Jesus Christ of Latter-day Saints (perish and minister), and the Mormon Church, who owned the City Creek Reserve development corporation.

Public Consultation Summary

Public consultation was organized by the Civic Engagement Team who worked with the developer to identify the most effective consultation strategies for the proposed project. Choosing a public consultation strategy was done using an “Engagement Matrix (Figure 2) which outlines the tools which the developer and Civic Engagement Team would select depending on the scale and type of project (slcdocs, 2017). 111 South Main Street fell within the “Development Project” project type, and so it was recommended that the developer “Inform and Consult” the public to achieve a complete development approval (Coffey, 2018).

![Engagement Matrix](https://example.com/image.png)

**Figure 2: Salt Lake City Civic Engagement Matrix (slcdocs, 2017)**
Inform - A public notice was posted with links for the public to access additional information about the development over the web. Next, an E-Notification was sent to the Community Organization groups in addition to the two church groups in the neighbourhood to inform them of the high-rise development. They were also asked if they would want to be involved in the development approval process. With responses from the Community Organization groups, local stakeholders, and the churches, an Open House was scheduled to consult with the members of the public.

Consult - An Open House was arranged to bring together the interested residents, Community Organization groups, and stakeholders to inform the community members about the development project, while asking for ideas and feedback about various design options for the development. No major concerns regarding the development were raised during the public consultation session. Though no concerns were raised, the open house resulted in a dialogue between the developers, City, and stakeholders regarding the future of the first floor retail uses (Figure 3).

![Figure 3: Image from Open House (Salt Lake Tribunal, 2016)](image-url)
Philadelphia’s Definition of Public Consultation

Public consultation within Philadelphia is defined as a “constructive dialogue between decision-makers, planners and the public to share [their] opinions and mutually shape a vision for a community” (DVRCP, 2008).

Guiding Principles for Public Consultation

The City of Philadelphia’s guiding principles for public consultation is outlined within their “Public Participation Plan: A Strategy for Improved Citizen Involvement” that mandates when implementing any plan, “there needs to be cooperative and coordinated action among the public, private and non-profit sectors and the general public [...] and that the City of Philadelphia shall work with a variety of stakeholders throughout the region, from elected officials to business owners, local Registered Community Organizations, and the general public” (DVRCP, 2008).

Framework for Public Consultation

Public consultation within the City of Philadelphia is organized and operated by the Philadelphia City Planning Commission (PCPC) who is an agency of the Philadelphia City government (PCPC, 2016).

The framework for regulating public consultation in Philadelphia is found in Sections 14-303 (11A) and (12) of the Philadelphia Zoning Code (Philadelphia City Code, 2012). These sections revolve around the provision which gives legal right to neighbours of proposed development sites to be consulted regarding the development (Philadelphia City Code, 2012). Similar to the public consultation framework of Salt Lake City, neighbourhoods are organized into Registered Community Organizations (RCOs) who collectively address issues and interests common to the community based on a geographical area. Thus, when a development is proposed in a neighbourhood, the applicant is legally required to contact all applicable RCOs in the area to notify them of the development (Philadelphia City Code, 2012).

After the appropriate Registered Community Organization(s) receive notice of the development, a public meeting is arranged to discuss the developers proposal (Philadelphia City Code, 2012)). The objective of the public meeting is to the inform the RCOs (and any present stakeholders) of the development project, and to provide an opportunity for the RCOs to give feedback and input (Philadelphia City Code, 2012).

Public Participation in the Development Process

The City of Philadelphia advocates and promotes public consultation in both regional and local planning decisions. The City has two agencies who focus on public consultation; the first agency focuses on reviewing District Plans, the other focuses on reviewing local zoning cases and development applications (PCPC, 2016).
The first agency is the Citizens Planning Institute (CPI). The CPI plays an active role in shaping the future of Philadelphia’s neighbourhoods through its involvement in District Plan reviews. The CPI is also involved in citizen advocacy, and was a major stakeholder in providing public opinion and input for the City’s 2016 Comprehensive Plan update (CPI, 2016). The Institute is organized through the City Planning Commission but has independence when it comes to planning opinion and feedback. As such, it is required that the City consult with the agency when reviewing District Plans and changes to regional planning legislation.

The second agency is the Registered Community Organizations (phila.gov, 2016). The RCO (as previously outlined in the above section) encourages residents to participate in their local civic association that reviews neighbourhood zoning cases; which often include development applications, zoning by-law amendments, and comprehensive plan amendments (phila.gov, 2016). Similar to the CPI, the City of Philadelphia has a legislative responsibility under Section 14-303 (11A) and (12) of the Philadelphia Zoning Code to involve those RCO groups in all development projects (phila.gov, 2016). As such, public consultation in the development approval process for the City of Philadelphia is heavily reliant on public comment, and actively seeks to involve its citizens.

6.1 PHILADELPHIA, CASE STUDY – SOUTH BROAD STREET & WASHINGTON AVENUE, PHILADELPHIA (LINCOLN SQUARE)

Location

The subject property is located on the corner of South Broad St & Washington Ave, close to the heart of Philadelphia’s downtown. The subject property, known as Lincoln Square, is a historic site and holds significant cultural and national value because of the 1842 railway station on site and its connection to President Lincoln. The area is predominantly residential with a mix of commercial and industrial to the South and West.

Neighbourhood Context

N - Residential townhouses
E - Residential townhouses
S - Mixed-use commercial
W - Commercial & industrial

Proposed Development

Lincoln Square is 3.4 acres in size. The proposed development is a 9 storey transit oriented, mixed-use development that features 322 apartments, 400 parking spaces, and over 100,000 sq ft of retail space (Alterra, nd). The proposed development is somewhat controversial as the 18 century railroad passenger station will be redesigned into a grocery store.
The proposed redevelopment is scheduled to be completed late 2018 by Alterra Property Group and MIS Capital.

![Figure 1: Design rendering of proposed Development project (Alterra, 2016)](image)

**Public Consultation Summary**

Public consultation was organized by the Philadelphia Planning division and the developers who contacted the local Registered Community Organization (the South of South community organization). The developer presented to the community group at a public meeting to inform the South of South community organization about the development and to receive feedback.

**Feedback Received**

Generally the feedback from the public was positive. Many community members were excited to see the site being revitalized and repurposed. However there was some concern regarding the massing of the redesign, which the public felt was too "monolithic".

**Public Consultation Summary**

As a result of public feedback, the overall design of the train station (which would be used as a grocery store) was changed in the final design to be more modern instead of the monolithic style proposed during the public consultation meeting.
Methodology

An email was sent to the Los Angeles city planning department on the 1st of February, 2018. After a week without response, several calls were made on the 7th of February, in which we were redirected to different departments and units within Los Angeles' development services and city planning departments. On the 14th of February, after calling a couple of contacts in the city planning department, we were directed to call Erick Sanchez, a city planner, who was able to answer our interview questions.

Los Angeles' Definition of Public Consultation

In Los Angeles, project proposals are brought to the City and reviewed in regards to whether or not the project meets its zoning regulations. If it does not conform to existing zoning, the applicant must apply for the necessary land use permit, which is called an entitlement. While there is no required "public consultation" in Los Angeles, a quasi-judicial process exists in which members of the public can participate in the development process.

For most projects, a public hearing is required, and all relevant locally-elected Neighborhood Councils are informed of the development proposal. A public hearing notice is mailed to the local Neighborhood Council, and residents/businesses, generally within a 500 foot radius, however, this can depend on the scale of the project. At the public hearing, any individual has the right to speak on the project proposal. A recommendation is then made by the appointed decision maker.

The decision maker is a regional planning staff member who is appointed by the Director of Planning to conduct the public hearing (Los Angeles County, 2009). The decision maker is responsible for making a recommendation to the Regional Planning Commission (who makes the final decision) based on the materials and evidence presented to them at the public hearing (Los Angeles County, 2009).
The steps in a typical public hearing are as follows:

- Staff presents a report to the decision-making body
- Staff takes questions from the decision-makers
- Public hearing is opened
- Applicant, or project proponent, makes a statement
- Other supporters and opponents make statements
- Applicant makes a rebuttal or closing statement
- Decision-maker deliberates
- Decision is made (Institute for Local Government, 2006)

Guiding Principles for Public Consultation

In this quasi-judicial form of public consultation, public hearings essentially serve as a platform for citizens to object what they may consider an “undesired” development. Public consultation in the Los Angeles setting does not seem to be as holistic in its approach compared to other cities. In this process, decision-makers apply broad California planning policies for a specific project. In the event
that a member of the public does not wish for the development to continue, they must provide a case regarding how the development does not conform to policy.

Framework for Public Consultation

In the state of California, the “Ralph M. Brown Act”, listed as sections 54950-54963 in the California Government Code, otherwise known as the “Brown Act” guarantees the public’s right to attend and participate in meetings of local legislative bodies, which applies to the City of Los Angeles (Public Law Group, 2014).

In addition, the 2005 California Government Code sections 65350-65362, or the “General Plan”, also outline that cities must hold a public hearing, and further delves into the specific format of public hearing notices (Public Law Group, 2014). This includes the length of notice required, which is at least ten days prior to the hearing in at least one newspaper in the jurisdiction of the development. In addition, it includes that the public hearing must include the date, time, and place of hearing, who the hearing body will be, and a general description of the matters under considerations.

Public Consultation in the Development Process

Municipal planners are generally responsible for organizing and facilitating public hearings. Generally speaking, members of the public often find that the public consultation process in California is insufficient, since their input at the one obligatory public hearing may not have any effect at all.

The frustration felt by stakeholders can often lead to appeals and litigation of development decisions. As a result, some developers independently opt for more participative models of decision-making. However, this is uncommon as there does not seem to be regard for public consultation in the Los Angeles context.

7.1 LOS ANGELES HIGH-RISE CASE STUDY - 3401 EAST 1ST STREET, LOS ANGELES

Development Proposal

The case study chosen for the Los Angeles context is a new construction of four- and five-storey buildings comprised of 49 apartment units with 10,000 square feet of retail space, called Lorena Plaza (Mejías-Rentas, 2015). 50% of the units are targeted for people with special needs. Of the 49 apartments, twenty two are 1-bedroom units, eighteen 2-bedroom, and nine 3-bedroom units. Lorena Plaza will be located at 3401 East 1st Street, Los Angeles, California and its developer is a non-profit public benefit corporation called A Community of Friends (ACOF).
Figure 2: A rendering of the proposed development (A Community of Friends, 2018).

Neighbourhood Context

The development is situated in Boyle Heights, which is a neighbourhood situated east of downtown LA. According to the 2000 census, 94% of the population is Latino, and the median household income was reported at $33,235 per year, which is well below the city average (LA Times, 2010).

The project is significantly denser than the surrounding neighbourhood. However, it is located within walking distance of Indiana Station, which is currently an LRT station under construction as an extension of the existing Gold Line (LA Metro, 2018). Currently, the lot is vacant and the property is located next to El Mercadito Mariachi, a well-known Mexican market.

Development Application Process

A typical development application does not see much public consultation aside from the previously-mentioned obligatory public hearing.

Public Consultation Summary

The Lorena Plaza development is a unique and intensive example of implementing different forms of public consultation outside of the requirements from California legislation. As the project is adjacent to a stable single-use residential area in Los Angeles, it drew significant controversy and discussion from the Boyle Heights community. The following significant events occurred:

- December 2012 - Community meeting
- February 2014 - Two community meetings
- January 2015 - Public meeting
- June 6th, 2015 - Community meeting and working at nearby Salesian High School
Despite an extraordinary amount of public consultation, the project has still yet to be approved due to public outcry against it. There is no evidence that public participation has influenced the development process. Rather, the community meetings held seemed to be more of a “meet and greet” rather than an input for residents of the community to aid in the project’s development. Because of this lack of involvement for the residents, the project’s disapproval grew until October 2017, when the City Council’s Planning and Land Use Management Committee decided to stall Lorena Plaza’s development for further review.

8.0 SYDNEY, NEW SOUTH WALES, AUSTRALIA

Methodology

Emails were exchanged between two planning staff from the City of Sydney on February 4th and February 18th respectively. The planning staff that were contacted include Lousia McMullan, a Student Planner and Russel Hand, a Senior Planner.

Sydney’s Definition of Public Consultation

Public consultation in Sydney is defined as “the process of involving people in the decisions that affect their lives. It enables good governance and informed decision making by promoting shared responsibilities for decisions. Public Participation also supports an open approach to managing risk by providing a strong foundation for understanding decisions and building trust within our community about the decision-making process” (City of Sydney, 2017).

Guiding Principles for Public Consultation

Public consultation in a Sydney consists of a variety of activities that can range between informing the public through a low level of engagement, to active participation where collaborative work is done to reflect higher levels of public discussions and consultation. In Sydney, the majority of development applications require the public to be informed, however some cases will have different levels of consultation and may include active participation (City of Sydney, 2017).

Informing the public allows residents, business owners and community members to be aware of the changes and development proposals that will be taking place. It occurs when a decision has already been made or action is required, and the City of Sydney will provide important information to the public.
Consultations occur when the city or developers would like to obtain different views and opinions from the public, as well as concerns, feedback and advice prior to making further decisions for the development proposal.

Active participation allows the City to collaborate with various stakeholder groups and involve the community throughout the decision making process. This would improve the efficiency of the development and amendment process by cooperatively resolving problems, delegating responsibilities and planning out work schedules and timelines (City of Sydney, 2018).

Framework for Public Consultation

Planning legislation that requires public consultation include the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. Both policies contain guidelines for public consultation throughout development applications and planning assessments. The Sydney Development Control Plan 2012 also requires notifications and advertisement of specific development applications to the local government area. This mandate ensures consistent and efficient approaches in processing applications by allowing the community to provide feedback while increasing public awareness (McMullan, 2018).

Public Consultation in the Development Process

Development applications may be notified to the public through sending out mailed letters, along with notices on the property site. According to Schedule 1 of the Sydney Development Control Plan 2012, application amendments that have an impact within 25m of the site require 14 days of notice, 21 days within 50m, and 28 days for development within 75m. Larger scale applications and amendments that are advertised for 28 days will be published in the daily metropolitan newspaper as well as local newspapers. Some documents are also available for a period of time on the Sydney website. City Council as the consent authority is often responsible for notifying and advertising development applications (McMullan, 2018).

Some developers will facilitate additional information sessions for large scale developments prior to submitting an application. It is speculated that the motives for facilitating additional information sessions are generally to reduce the number of public inquiries and concerns once the project begins. Once an application is submitted, the City of Sydney follows the guidelines in the Act and Regulations to conduct their own information sessions (McMullan, 2018; Hand, 2018). Municipal run information sessions are held early on in the application process, and notice online is posted within 14 days of lodging an application.
Appendix C

Contacts List and References
## Appendix C - Contacts List and References

<table>
<thead>
<tr>
<th>City</th>
<th>Name</th>
<th>Position</th>
<th>Date of Contact</th>
<th>Notes</th>
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</table>
| Vancouver*    | Karen Campbell        | Development Planner Planning, Urban Design and Sustainability Department, City of Vancouver | February 14, 2018 (Call) | - Semi-structured interview  
- Provided links to rezoning and development application sites |
|               | Emily Howard          | Community Relations for development projects in Vancouver                | March 8, 2018 (Call) | - ULI established contact  
- Insight on developer’s perspective of public consultation i.e. challenges, opportunities, and varying forms across the different municipalities in Vancouver  
- Provided links to City Clerk Twitter and survey to improve Public Hearings |
|               | Yan Zeng              | Rezoning Planner, Vancouver - Downtown, City of Vancouver                | March 1 - 13, 2018 (Attempted Email & Call) | - Planner responsible for 1500 West Georgia case study |
|               | Stefan Aepli          | Architect, Francl Architecture                                           | March 5, 2018 (Email) | - Applicant of 1500 West Georgia  
- Unable to comment due to ongoing nature of project and privacy concerns |
|               | Rebecca Chaster       | Municipal Planner, City of Coquitlam                                     | March 19, 2018 (Call) | - ULI established contact  
- Consultation for development permits and process at Development Permit Board |
| Los Angeles   | Erick Sanchez         | City Planner, City of Los Angeles                                       | February 14, 2018 (Call) | - Semi-structured interview |
|               | Jose Torres           | Assistant Director of Housing, ACOF                                      | March 14, 2018 (Call) | - Contacted about the Lorena Plaza Project |
|               | Jason Gallegos        | Chair of Boyle Heights Neighborhood Council                             | March 6, 2018 (Email) | - Contacted about the Lorena Plaza Project  
March 14, 2018 (Call) |
<table>
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<tr>
<th>Location</th>
<th>Name</th>
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<tbody>
<tr>
<td>Salt Lake City</td>
<td>Max Sherman</td>
<td>Craig Lawson &amp; Co, lawyer</td>
<td>March 9, 2018 (Email)</td>
<td>- ULI established contact</td>
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<td></td>
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<td>- Contacted about the Lorena Plaza Project</td>
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<td>March 14, 2018 (Call)</td>
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<td>Salt Lake City</td>
<td>Cheri Coffey</td>
<td>Assistant Planning Director</td>
<td>January 2, 2018 (Email)</td>
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<td></td>
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<td>January 18, 2018 (Call)</td>
<td>- Provide links to Salt Lake City Community Organization legislation</td>
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<td></td>
<td>and other planning documents</td>
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<td>Regional Municipality of Halifax</td>
<td>Andrew Bone</td>
<td>Senior Planner III</td>
<td>February 4, 2018 (Email)</td>
<td>- Semi-structured interview</td>
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<td>Philadelphia</td>
<td>Abby Rambo</td>
<td>ULI Philadelphia Manager</td>
<td>March 9, 2018 (Email)</td>
<td>- ULI established contact</td>
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<td>March 16, 2018 (Call)</td>
<td>- Philadelphia Civic Design Review</td>
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<td></td>
<td>Ayse Unver</td>
<td>City Planner</td>
<td>February 26, 2018 (Email)</td>
<td>- Provided background information on public consultation within</td>
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<td>March 6, 2018 (Call)</td>
<td>Philadelphia</td>
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<td>Edmonton</td>
<td>Robert Rutherford</td>
<td>Principal Planner in Development and Zoning Services</td>
<td>February 15, 2018 (Email)</td>
<td>- Semi-structured interview</td>
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<td></td>
<td>Jane Purvis</td>
<td>Public Engagement Advisor in Communications and Engagement</td>
<td>February 15, 2018 (Email)</td>
<td>- Development and Zoning Bylaw amendment process</td>
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<td>Marty Vasquez</td>
<td>Senior Planner for Development Approvals at Development and Zoning Services</td>
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<tr>
<td>Kenneth Yeung</td>
<td>Development Officer</td>
<td>February 13, 2018</td>
<td>Provided links to search for development proposals online</td>
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<td>Discussion for possible case studies</td>
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<tr>
<td>Sydney</td>
<td>Russel Hand</td>
<td>February 14, 2018</td>
<td>Semi-structured interview</td>
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<td></td>
<td>Senior Planner for Planning Assessments</td>
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<td>Public consultation during the development application process</td>
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<td></td>
<td>Lousia McMullan</td>
<td>February 4, 2018</td>
<td>Semi-structured interview questions</td>
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<tr>
<td></td>
<td>Student Planner</td>
<td></td>
<td>Planning legislation and types of participation</td>
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</table>

*Certain contact(s) wished to remain anonymous and are not listed in the chart
**Note this list is not exhaustive of everyone we contacted but rather only the people who responded and were able to contribute to this report.

**References**

**General**


Vancouver, British Columbia, Canada


Halifax, Nova Scotia, Canada


Edmonton, Alberta, Canada


Jane Purvis – Public Engagement Advisor, City of Edmonton [Email Correspondence]. (2018, February 15).

Salt Lake City, Utah, United States of America

Cheri Coffey – City’s Assistant Planning Director of Salt Lake City [email correspondence]. (2018, February 7).


Philadelphia, Pennsylvania, United States of America


Los Angeles, California, United States of America


Louisa McMullan – Student Planner, City of Sydney [Email Correspondence]. (2018, February 4).

Russel Hand – Senior Planner, City of Sydney [Email Correspondence]. (2018, February 18)
Appendix D
Semi-Structured Interview Schedule
Semi-Structured Interview Schedule

1. Is public participation throughout the development/zoning by-law amendment process required in (insert name of city)?
   - If yes, What piece of legislation requires public participation during the development/zoning by-law amendment application process?
     - What type of public participation is required during the development/zoning by-law amendment process?
     - How many public participation sessions are required?
     - When do public consultation sessions typically occur during the development process?
     - Who is responsible for running public participation sessions?
     - Do developers/applicants ever choose to facilitate more public consultation than required?
     - If so, why do you think they do this?
   - If no, is public participation ever used as part of the development application process?
     - If yes, when?

2. In what other ways does the public contribute to development application process?

3. We are looking for case studies of recent (post 2010) high/low-rise developments applications where a zoning by-law amendment was required and:
   - The applicant chose to run more public consultation that was required/expected; or
     - The required public participation was successful in influencing the final product; or
     - Good examples of status quo public participation.
   - Where do you keep online records of applications

4. Do you have any other comments or suggestions about public participation throughout the development approval process in (insert name of city)?