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UP-DATE OF PEER REVIEW PROCESS FOR PLANNING APPROVALS

The Planning and Economic Development Committee recommends the adoption of the recommendation contained in the following report dated February 7, 2007, from the Commissioner of Planning and Development Services:

1. RECOMMENDATION

It is recommended that the base cost of Peer Reviews be increased from \$2,000.00 to \$2,500.00 with the exception of Market reviews which will be assessed on an individual basis.

2. PURPOSE

The purpose of this report is to review the Planning Department's Peer Review process which was implemented in 1998 and advise Committee and Council of proposed changes to the process.

3. BACKGROUND

This section identifies why the Peer Review process was implemented, what it consists of, and how it is being administered.

3.1 History

In 1996 the Province withdrew from reviewing site specific planning applications including local official plan amendments, and plans of subdivision and condominium. On February 26, 1998 Regional Council adopted Clause 4 of Report No. 2 of Planning Committee that established a list of private consultants to peer review technical submissions accompanying development applications on behalf of the Regional Planning Department, in the absence of the experience previously provided by Provincial staff.

3.1.1 Peer Review System

In 1998 five types, or categories, of peer review were established. These included:

- i. Hydrology, soils, communal servicing and settlement capability, mineral aggregates.
- ii. Noise, air emissions.
- iii. Market retail.
- iv. Growth and Settlement.
- v. Agriculture.

Two to four consulting firms were chosen for each category. The list of consultants is shown on *Attachment No. 1*. Consultants for individual peer reviews are selected on a rotating basis.

Since 1998, approximately 10 peer reviews have been carried out covering the areas of agriculture, soils, market retail, and noise.

3.1.2 Procedures

Procedures for carrying out a peer review are set out in *Attachment No. 2*. Key steps include:

- Identification at an early stage of the required peer review.
- Cost to be approximately \$2,000 (1998 dollars).
- Discussions and/or meetings to take place between technical consultants and include Regional staff if appropriate.
- Consultant to submit written report to Regional Planning staff providing an independent opinion of the initial technical report.

4. ANALYSIS

The Peer Review Process has worked well since its implementation in 1998 and it should be continued subject to a minor change to the base cost. As noted below, consideration has been given to how recent Provincial initiatives could impact the process.

4.1. Considerations Regarding Provincial Initiatives

Since 1998, the Province has introduced legislation for the Oak Ridges Moraine Plan, GreenBelt Plan and Growth Plan, and most recently, Bill 51. In some instances, evaluating the “transitional” provisions associated with Provincial legislation can be extremely complex. Planning staff have consulted Regional legal staff to determine if it would be appropriate to engage a peer reviewer to assist Regional Planning staff in determining if an application is “transitional”. After consultation, it was determined that peer reviews are not appropriate in respect to legal issues, as it is unlikely that a legal opinion would be submitted with a development application. However, if necessary, Regional legal staff could consult with outside legal staff that is identified in the Region’s recent RFP for outside legal services. Therefore, our list of peer review consultants will not contain any legal firms.

4.2. Costs

The basic cost of \$2,000 for a peer review was established in 1998 and should be revised to reflect current rates. Using an average of 2.5 % per year cost of living increase since 1998, the basic cost would rise to approximately \$2,500. Cost estimates provided by consultants for recent peer reviews confirm the base amount should generally be increased to \$2,500.

4.3 Environmental Peer Review

Increased demands for environmental reviews due to the Oak Ridges Moraine Plan and Greenbelt Plan may require the Region to engage peer reviewers in this area. The consultants' expertise within category 1 generally covers this requirement. Category one on *Attachment No. 1* should now include environmental reviews.

4.4 Relationship to Vision 2026

One action area of Goal 8 of Vision 2026 is "*Engaging the private sector in alternative service delivery strategies*". The use of Peer Reviewers is consistent with this action area.

5. FINANCIAL IMPLICATIONS

There are no direct financial implications to York Region. Applicants are required to pay the full costs of a peer review, and where possible, the Region partners with other public sector agencies in peer reviews.

6. LOCAL MUNICIPAL IMPACT

There are no direct impacts to the area municipalities. In some instances, Regional and local staff combine efforts and engage one peer review consultant to act on behalf of both the Region and local municipality to review specific information submitted in connection with a development application.

7. CONCLUSION

Staff will continue to use the peer review process where necessary. The list of consultants and procedures set out in Attachments 1 and 2 remain essentially the same. The base cost for most peer reviews should be increased from \$2,000 to \$2,500, except for market review which will be determined on an individual basis.

For further information about this report, please contact Paul Belton, Manager of Development Review, Community Planning Branch at (905) 830-4444 ext. 1507 or paul.belton@york.ca.

The Senior Management Group has reviewed this report.

(The attachments referred to in this clause are included with this report.)