

Councillors are well-informed about application

Last Tuesday (May 28), the Town held a Public Information Meeting (PIM) as prescribed by the Planning Act. PIMs are formal meetings that follow a set procedure. Town staff makes a presentation on the subject development application. This is followed by a further presentation by the applicant. The public is then invited to ask questions or make comments. After all public questions and comments are made, council members may ask questions of clarification. As noted in the prepared statement read by the chair at every PIM, councillors are not to give any positive or negative comments on the application or answer questions. Council members are present to hear the concerns and questions of residents and the answers offered by staff and the applicant or the applicant's consultants.

Regular attendees of PIMs would know that sometimes members of council ask questions of clarification and on other occasions they do not. At the Canadian Tire PIM of May 28, no councillor posed a question of clarification. This was the second PIM held on this application as a result of a request from the public for more public input and more information from the applicant. Councillors have had the opportunity to attend two PIMs as well as informal community meetings since this application was made to the Town. Councillors are very well informed on this application.

The public questions were at times not relevant to a Planning Act application. For instance, council cannot make requirements for local employment or consider the potential deterioration of a purpose built truck route. The moderator often noted that the question being posed was beyond the scope of a planning application evaluation.

Good public input often results in changes to the application, changes which are seen as reasonable by the Town and the applicant. Comments from the PIM may also focus staff's attention on data and statements of applicant which will cause staff to take a closer look at what has been presented.

Unfortunately what occurred at the May 28 meeting was the spectacle of some members of the public in attendance repeatedly interrupting the proceedings with shouts and jeers often with irrelevant requests. Members of the public continually shouted to councillors to state their opinion, disregarding the rules as set out at the onset of the meeting which included that councillors were not to answer questions. This requirement is in place to protect all parties from comments that prejudice a process that requires a judgment after all input has occurred and been evaluated.

Staff will now take all questions and answers from both PIMs and insure that all of this public input is included in the staff report that will be written for presentation to council. This report will include a recommendation to either approve the application or deny it. It is at the meeting where the staff report is presented that members of council are given the opportunity to freely question and comment on the application and on the report. Staff will evaluate the report on the basis of Town and provincial policies. A key part of staff's analyses is an evaluation of all reports and the peer reviews or staff review of reports that has occurred. Ultimately, it is council's decision to approve or deny, but this must be done in the context of whether or not the applicant has met all the requirements of the Town and the Province. The public is welcome to delegate the council meeting to ask further questions or state their opinion.

As a councillor, I value public participation. But as in any conversation, calm and respect need to be part of the process. Good decisions are not made in the midst of a shouting match. They are made calmly, with reflection on what the rules of the process are, what can and cannot be part of the evaluation and with respect to the rights of all parties. We cannot change the rules because we do not like an application. Council and staff are obligated to reflect on an application in the context of meeting the relevant policies that are in force. The rule of planning law relies on fairness of process and fairness in deliberation of the merits of a given matter. I hope we all agree on that.

Richard Paterak
Regional Councillor, Ward 1
Town of Caledon