



Staff Report for Council Meeting

Date of Meeting: March 22, 2023

Report Number: SRPI.23.028

Department: Planning and Infrastructure

Division: Policy Planning

Subject: SRPI.23.028 Extension of Non-Competitive Public Engagement Contract for the Official Plan Update

Purpose:

This report seeks Council's approval to extend the non-competitive contract the City has with LURA Consulting for the Official Plan update. This report also seeks Council approval to increase the contract upset limit by \$55,000 (exclusive of taxes) in accordance with Council's approval of the 2023 Capital Budget.

Recommendation(s):

- a) That Council approve the extension of the contract with LURA Consulting until such time as engagement regarding all amendments to the Official Plan as itemized in the Council endorsed City Plan Key Directions Report are adopted by Council.
- b) That additional funds in the amount of \$55,000 (exclusive of taxes) be approved for addition to the contract with LURA Consulting (SS-1910330) in accordance with Council's approval of the 2023 Capital budget.
- c) That the Commissioner of Planning and Infrastructure be authorized to execute any necessary documentation to effect the amendment to the existing contract with LURA Consulting.

Contact Person:

Sybelle von Kursell, Manager, Policy 905-771-2472

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

Approved by: Darlene Joslin, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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Background:

In November 2019, Council approved staff report SRPRS.19.053 regarding the initiation of the City's Official Plan review. In so doing and through a non-competitive process, Council awarded the contract for the provision of consultation services throughout the Official Plan update process to LURA Consulting with an upset limit of \$200,000, exclusive of taxes. At that time, the staff report estimated that the Official Plan update work would conclude within 2 years. Accordingly, when entering into the agreement with LURA Consulting the contract expiry date was so noted.

Benefits to using consultants for the Official Plan update consultation process is that the consultants are able to (a) provide advice to staff and conduct their work based on a wide range of experience related to engagement, and (b) provide an unbiased, objective perspective at engagement meetings and in their reports.

In accordance with the City's Procurement By-law, when a change to a non-competitive contract that was approved by Council is needed, that change must also be approved by Council. It is for this reason the above noted recommendations are proposed.

Reasons for the extension and increase in contract upset limit

Since the approval of the 2019 staff report, several extenuating circumstances have resulted in prolonging the completion of the Official Plan update. These circumstances include:

- the COVID 19 pandemic (which caused a pause in the City's engagement work as we pivoted to a virtual engagement process);
- the prolonged completion and approval of the Regional Official Plan (approved in November 2022);
- awaiting proclamation of elements of More Homes Built Faster Act (Bill 23) regarding Regional planning authority and the status of the new Regional Official Plan (as explained in staff report SRPI.23.018 regarding Bill 23); and
- awaiting a new policy document from the Province which is intended to merge the Provincial Policy Statement 2020 and A Place to Grow - Growth Plan for the Greater Golden Horseshoe (2020) (an additional Provincial initiative related to More Homes Built Faster).

Furthermore, after having completed Phase 1 (Vision and Pillars of the Official Plan Update) and Phase 2 (City Plan Key Directions) of the Official Plan update, Council approved an approach to updating the Official Plan through a series of Official Plan Amendments which would occur in three or more batches. The reason for undertaking the update via batches of amendments was to enable the City to proceed with certain amendments in advance of finalizing the new Regional Official Plan and proposed Provincial policy updates, as was the case with Amendments 18.3- *Vision and City Structure* and 18.4 - *Neighbourhoods*, adopted in the summer of 2022 and in effect as of September 2022.

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This approach also allows for more fulsome public engagement on updates to the Official Plan on a thematic basis. However, this multi-official plan amendment process had not been contemplated in the 2019 staff report and the related terms of reference for the LURA Consulting contract. The 2019 Terms of Reference anticipated that the consultant would deliver, among other things, 11 to 14 workshops/open houses along with associated online surveys, one statutory open house, one Council Public Meeting, summary memos following engagement events and one consultation summary report. To date, among other deliverables, the Consultant has worked with City staff to deliver: three open house sessions (one of which was a statutory open house), eleven workshops, ten online surveys, and five “What We Heard Reports” (consultation summaries), and one Council Public Meeting.

Based on the revised work plan for the Official Plan update, as outlined at the March 7, 2023 Official Plan Update Committee meeting, staff anticipate undertaking: three more workshops, three more open houses, three more Council Public Meetings, up to 15 more online surveys or comment forms associated with those events and the amendments to the Official Plan that are proposed, and up to four more consultation reports. As such, to cover this increase in time and deliverables, staff in consultation with the consultant, estimate that an increase of \$55,000 to the upset limit for this contract is needed. It is anticipated that to undertake this work, and depending on the timing of Provincial initiatives noted above, the adoption of all of the proposed Official Plan amendments should conclude in 2024.

Financial/Staffing/Other Implications:

At the February 8, 2023 Council Meeting, Council approved the 2023 Capital Budget which recognizes this change in the Official Plan update approach and the need to increase funding in support of this robust public engagement approach. As such, there are no additional financial or staffing implications in supporting the recommendations of this report.

In the alternative, however, should Council not support extending the LURA Consulting contract and increasing the upset limit for it, staff will need to revise how public consultation will be delivered and reported on for the upcoming Official Plan Amendments. This will likely result in a scaled down approach that is wholly led by staff and/or result in a more prolonged delivery of the upcoming amendments as staff will be tasked with undertaking the work that would otherwise have been provided by the consultant.

Relationship to Council’s Strategic Priorities 2020-2022:

The Official Plan update is identified as a major project in support of the following Council Strategic priorities: Balancing Growth and Green, Strong Sense of Belonging, and Getting Around the City. A robust public engagement process when undertaking this work is particularly relevant to the Strong Sense of Belonging priority. Utilizing a

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consultant for that engagement process assures the public and stakeholders that their feedback in relation to this initiative is received and reported on in an unbiased manner.

Climate Change Considerations:

Climate change considerations are not applicable to this staff report.

Conclusion:

This report seeks Council’s approval to extend the LURA Consulting contract for the duration of the Official Plan update engagement process and to increase the upset limit for this contract by an additional \$55,000, exclusive of taxes. This Council approval is required in accordance with the City’s Procurement By-law given that Council has previously approved this non-competitive contract. By continuing to use the services of LURA Consulting, less staff resources are required to engage with the public and stakeholders and the City maintains a consistent and unbiased engagement process for undertaking the Official Plan update. The extension and budget increase allows the consultants to, among other matters, deliver planned engagement events as noted in the table below.

Comparison of Key Planned Public Engagement Deliverables 2019 Terms of Reference vs. 2023 Update

Key Deliverables (not exhaustive)	2019 Terms of Reference	2023 Updated Terms of Reference		
	Planned Engagement	Engagement to Date 2021 - 2022	Engagement to come 2023 - 2024	Total Engagement 2019 - 2024
Open House/Workshop	11 - 14	13	3	16
Statutory Open House	1	1	3	4
Council Public Meeting	1	1	3	4
Online Surveys/Comment forms	11-14	10	up to 15	up to 25
Summary Memos	11 -14	6 “What We Heard Reports”	4 “What We Heard Reports”	10 “What We Heard Reports”
Consultation Report	1			

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Report Approval Details

Document Title:	SRPI.23.028 - Extension of Non-Competitive Contract.docx
Attachments:	
Final Approval Date:	Mar 2, 2023

This report and all of its attachments were approved and signed as outlined below:

Maria Flores - Mar 1, 2023 - 11:14 AM

Kelvin Kwan - Mar 1, 2023 - 11:20 AM

Darlene Joslin - Mar 2, 2023 - 11:03 AM