

Public Consultation Policy

Policy Number: 61/211 (09)
Adopted: August 10, 2009
RES: # 09-235

Purpose:

To increase public involvement in planning and development decisions in order to result in more informed decisions, greater public understanding, acceptance and more enduring solutions.

Overview:

Council believes that land development is a partnership. They acknowledge that consultation is a roundabout process that requires time and effort from all participants. It may require circling back to repeat previous stages, integrate feedback and revisit certain elements. The time invested in respectful and meaningful consultation up front will likely save a good deal of adversity and expense in the long run.

The Town shall conduct public consultation processes as part of proposed intermunicipal and municipal development plans, area structure and redevelopment plans initiated by the Town, and other special planning studies that may have an impact on the greater public, as well as significant amendments or reviews to statutory plans.

Developers/applicants shall pro-actively seek public input to minimize the potential impacts and opposition from the community through effective consultation. They shall conduct public consultation processes as part of their proposed area structure or redevelopment plan technical reports and redistricting applications. They are also responsible for conducting public consultation processes regarding development permit applications, as deemed necessary by the Development Officer.

Applicants shall conduct public consultation processes regarding the proposed siting of telecommunications towers prior to making application to Industry Canada.



Identification Logo:

A Town initiated public participation planning process may be identified as ***Our Town: Community Outreach for Community Consensus*** and by this logo. Key goals include encouraging dialogue with a diverse range of communities” as possible, citizen participation, discussing key issues in small groups, and a greater emphasis on online and youth participation opportunities.

Obligations:

Town Council

is expected to use the Public Hearing process to listen to the issues raised by members of the public, and to consider such issues in making their decision along with the developer/applicant and administration. Council members should defer involvement or engagement in discussions on planning and development projects with either citizens or developers until the Public Hearing, as that is the appropriate time for all information, issues and concerns to be put forward. This ensures a fair process for both citizens and the developer/applicant.

Developers & Applicants

are expected to work with administration to develop and implement a Public Consultation Plan that is effective and appropriate to the project. Public Consultation should be initiated early in the process and the developer/applicant should listen to the public, acknowledge public concerns and take public input into consideration, when appropriate and feasible, in their development proposals.

Administration is expected to work with developers/applicants to ensure an effective and appropriate Public Consultation Plan is developed and implemented so that it meets the requirements of this policy. Administration will strive to ensure the Public Consultation Plan is appropriate for the type, scale and nature of each project, and undertake required notifications for each project. In addition, when the Town initiates a project, administration will develop and implement a Public Consultation Plan that is effective and appropriate to the project. Public Consultation should be initiated early in the process and Administration should listen to the public, acknowledge their concerns and take public input into consideration when making a decision.

Citizens are expected to participate in the public consultation process with the developer and use the public hearing process to provide comments and concerns to either Council or Administration. They are expected to understand the nature of the consultation, whether the public is being consulted or informed and to participate accordingly. They should learn about the issue, listen to all perspectives, and try to understand opposing viewpoints, and provide comments at the appropriate time in the process.

Definitions:

Open House a method of public consultation that involves an informal session with displays or other information available for participants to review. The developer/applicant or administration, depending on who is organizing the event, are available to answer any questions the public may have. A feedback form or survey is used to record public comment, and a sign-in sheet for names and addresses of attendees is required. This form of public consultation is often used in the second phase to present a draft report/application to the public.

Neighbouring Properties Consultation a specific consultation process for a proposed infill development or redevelopment in a mature neighbourhood. Neighbouring Properties Consultation is used primarily for the area covered by the Heart of Town Area Redevelopment Plan.

Public Consultation the process of informing and/or consulting with the public in the planning and development process. It could include:

- Informing the public with balanced and objective information to assist them in understanding the problem, alternatives and/or solutions. The role of the developer/applicant is to keep the public informed.
- Consulting the public to obtain public feedback on analysis, alternatives and/or decisions. The developer/applicant will keep the public informed, listen to and acknowledge their concerns, and provide feedback on how public input influenced the decision. The issue is defined before public input is sought.

Public Consultation Plan a written document outlining the types of public consultation, the tools to be used, and the process to be followed in conducting public consultation on a proposed planning and/or development project.

Public Hearing the portion of a regular or special meeting of Council during which any person, group or representative affected by a proposed bylaw as per Section 692 of the Municipal Government Act shall be heard.

Public Meeting a method of public consultation that involves a formal presentation by the organizer on the issues and options. Members of the public are able to ask questions and provide input in a public forum, and a Record of the proceedings is kept. This form of public consultation is often used in the first phase, prior to or just after an application is submitted.

Public Notification a method of informing the public of either a subdivision or development decision; an upcoming public hearing; any proposed bylaw to adopt a statutory plan or land use bylaw; or amendments to any such documents. Notified landowners include those located within the site for which the application has been made (not including the applicant) and other landowners within a defined area.

Record Accurate summary of a meeting or event prepared by a recording secretary or detailed minutes prepared by the Town's Legislative Officer or Communications Officer.

Communications Tower *Communications Tower* is defined in Part 6 of the Land Use Bylaw and are classified as either major or minor as follows:

"communications tower – major" means an antenna and /or supporting structure for the transmission and/or receiving of radio communication, including but not limited to radio and television transmission, two-way radio, land-mobile systems, fixed-point microwave and amateur radio systems, in excess of fifteen (15) metres in height measured from grade;

"communications tower – minor" means an antenna and /or supporting structure for the transmission and/or receiving of radio communication, including but not limited to radio and television transmission, two-way radio, land-mobile systems, fixed-point microwave and amateur radio systems, less than fifteen (15) metres in height measured from grade or otherwise included in Section 6 of Industry Canada's publication Client Procedures Circular (CPC-2-0-03);

Notification Requirements:

These are minimum requirements. These requirements may be exceeded depending on the nature of the application.

Type of application	Notification requirements and distance
Intermunicipal Development Plans, Municipal Development Plans	All citizens (newspaper ads) neighbouring municipalities, school authorities (mailed notices)
Area Structure Plans, Area Redevelopment Plans	All citizens (newspaper ads) Neighbouring municipalities (if adjacent to ASP/ARP areas), school authorities (mailed notices and full ASP) Landowners within area and within 60 m of the site (mailed notices)
Amendments to Area Structure Plans and Area Redevelopment Plans	All citizens (newspaper ads) Landowners within area and within 60 m of the site (direct mail notices) Neighbouring municipalities (if adjacent to ASP/ARP areas), School authorities (mailed notices)
Redistricting	Landowners within 60 m (mailed notices) of subject site
Subdivision	Landowners contiguous to titled parcel boundary (mailed notices) Neighbouring municipalities (if adjacent to subdivision), School authorities (mailed notices)
Development permit for Direct Control District	60 m *
Communications Tower	All citizens (newspaper ads) Landowners within six times the height of the proposed tower or 60 m, whichever is greater (direct mail notices)
Neighbouring Properties Consultation Development permits for: <ul style="list-style-type: none"> • Home Occupation 2 • Secondary Suite • Infill development/ redevelopment in mature or existing residential neighbourhoods 	Property owners and/or tenants within 30 m * of the subject property and across the street (See Figure 1) Neighbouring Properties Consultation is used primarily for the area covered by the Heart of Town Area Redevelopment Plan for infill development permits.

* Greater distance at Development Officer's or Planner's discretion

Public Consultations by Developer/Applicant

A Public Consultation plan shall be prepared by the Developer/Applicant and implemented to the satisfaction of the Manager of Planning & Development Services.

A minimum of two opportunities for Public Consultation, (Open House and Public Hearing) coordinated by the developer/applicant, shall be required for:

- Area Structure Plans initiated by applicant
- Area Redevelopment Plans initiated by applicant

Additional opportunities for Public Consultation, coordinated by the developer/applicant, may be required at the discretion of the Manager of Planning and Development Services for:

- Proposed amendments to Area Structure, Area Redevelopment, Municipal Development Plans
- Redesignation/Redistricting and Outline Plans (new and amendments)
- Development permits for Home Occupations 2 and Secondary Suites

Each opportunity for Public Consultation requires the following be provided to the Town:

1. Written summary of record of their community consultation (at the cost of the applicant), and copies of all comment forms by participants from the Open House
2. Written report outlining issues raised at the consultation and how the applicant intends to address each

A Neighbouring Properties consultation shall be required for an application for a:

- Development Permit for
 - Home Occupation 2 (home-based business)
 - Secondary Suite
 - Infill development consisting of any medium or high density development or redevelopment, which includes but is not limited to the following: semi-detached, duplex, rowhousing, adult care residences, apartments and multiple housing developments in a mature neighbourhood, primarily within the area covered by the Heart of Town Area Redevelopment Plan.

Public Consultations by Town

A Public Consultation plan shall be outlined in the Terms of Reference for any plan or plan review undertaken by Planning and Development Services.

A minimum of two opportunities for Public Consultation (Open House and Public Hearing), coordinated by the Town, shall be required for:

- Intermunicipal Development Plans and amendments thereto
- Municipal Development Plans and amendments thereto
- Area Structure Plans and Area Redevelopment Plans and amendments thereto
- Any Outline Plan amendments, at the discretion of the Manager of Planning & Development Services

In accordance with the *Municipal Government Act*, public notification by the Town to all landowners adjacent to the affected area and those within 60 m of its boundary, shall be required for:

- Redistricting applications

Each opportunity for Public Consultation requires:

1. Written record of a Public Meeting, or copies of all comment forms by participants in an Open House
2. Written report outlining issues raised at the consultation and how the Town intends to address each

Type of Application	Form of Public Consultation*	Purpose	Responsible
Intermunicipal Development Plan, Municipal Development Plan <i>(Will likely require a greater level of public consultation)</i>	Public Meeting prior to plan development	Consult public input/feedback on issues/options from interested parties	Planning
	Open House on draft plan	Inform public of plan and recommendations incorporating changes arising from public feedback in first public consultation	Planning
	Public Hearing	Inform public of formal hearing before Council, as per Municipal Government Act and this policy	Communications Officer
Area Structure Plans, Area Redevelopment Plans, or major amendments to any statutory plan	Public Meeting prior to technical report development	Consult public input/feedback on issues/options from interested parties	Planning or Developer/Applicant
	Public notification of Application	Inform public an application has been received and invite feedback, as per this policy	Planning
	Open House on draft technical report	Inform public of plan and recommendations incorporating changes arising from public feedback in first public consultation	Planning or Developer/Applicant
	Public Hearing	Inform public of formal hearing before Council, as per Municipal Government Act and this policy	Communications Officer
Redistricting/Redesignations or Outline Plans	Public notification of Application	Inform public an application (direct mail notification) has been received and invite feedback, as per this policy	Planning
	Open House follow up after application submission	Inform public of proposed redistricting incorporating changes arising from public feedback in first public consultation. This second consultation may be waived by Town if no major issues were raised in the first	Developer/Applicant
	Public hearing notification	Inform public of formal hearing before Council, as per Municipal Government Act and this policy	Communications Officer
Subdivisions	Public notification of Application	Inform public an application has been received and invite feedback, as per this policy	Planning
Development permit for Direct Control District	Public Meeting	Consult public input/feedback on issues/options from interested parties	Developer/Applicant
	Public notification of decision (if within already approved DC district)	Inform public of development permit decisions, as per Municipal Government Act and this policy	Planning
	Public hearing	Inform public of formal hearing before Council, as per Municipal Government Act and this policy	Communications Officer
Development permit for major project or a discretionary use	Neighbouring Properties consultation	Inform neighbouring property owners and occupants of the proposed development	Developer/Applicant
	Public notification of decision	Inform public of development permit decisions, as per Municipal Government Act and this policy	Planning
Communications Towers – Letter of support	Public Meeting prior to application submission	Consult public input/feedback on issues/options from interested parties	Applicant
	Open House follow up after application submission	Present proposed sitting incorporating changes arising from public feedback in first public consultation. This second consultation may be waived by Town if no major issues were raised in the first	Applicant
Specialized Development : Home Occupations 2 permits, Secondary Suites, and/or Infill Development or redevelopment in Mature neighbourhoods)	Neighbouring Properties consultation	Inform neighbouring property owners and occupants of the proposed development	Applicant

Table 1 - Summary of minimum Public Consultation requirements

* Other public consultation mechanisms may be used in addition to the minimum required and outlined in this table.

Table 2 - Summary of responsibility and legislative requirements for Public Consultation

Plan or application	Responsibility for Public Consultation				
	Public Consultation 1	Public Notification of application	Public Consultation 2	Public Notification of decision	Public Notification of Hearing
Intermunicipal Development Plan	PD MGA Sec 636	-	PD MGA Sec 636	-	CO MGA Sec 692 (4)
Municipal Development Plan	PD MGA Sec 636	-	PD MGA Sec 636	-	CO MGA Sec 692 (4)
Area Structure and Redevelopment Plans & Technical Reports	PD or DV MGA Sec 636	PD	PD or DV MGA Sec 636	-	CO MGA Sec 692 (4)
Amendments to IDP, MDP, ASPs and ARPs	PD or DV	PD	PD or DV	-	CO MGA Sec 692 (4)
Redistricting or Land Use Bylaw amendments	DV	PD	DV	-	CO MGA Sec 692 (4)
Direct Control Districts	PD or DV	PD	PD or DV	PD MGA Sec 692 (4), 640 (2) (c) (vii) (d) and LUB	CO MGA 642, 692 and LUB
Subdivision	-	PD MGA 653 (4)	-	-	-
Communications towers	AP	PD	AP	-	-
Specialized Development permits: Home Occupations 2 permits, Secondary Suites and/or Infill Development/redevelopment in established neighbourhoods)	DV	DV	PD/DV	See LUB for development permit notifications	See LUB for development permit notifications

PD – Planning & Development Services

DV – Developer/Applicant

AP – Applicant

CO – Communications Officer



May be required by PD

The attached exhibit *Public Consultation requirements for Planning and Development processes* dated April 6 2009, outlines the procedures and Public Consultation requirements for:

Plan or Application	Result	Initiator
Intermunicipal Development Plans	Plan	Town
Municipal Development Plans	Plan	Town
Area Structure and Redevelopment Plans	Technical Report/Plan	Town or Developer/Landowner/Applicant
Amendment to IDP, MDP, ASP or ARP	Amendment to Plan	Town or Developer/Landowner/Applicant
Outline Plan and amendments	Approved Outline Plan	Town or Developer/Landowner/Applicant
Redistricting	Approved redistricting	Developer/Landowner/Applicant
Subdivision	Approved subdivision	Developer/Landowner/Applicant
Development Permits	Approved development permit	Developer/Landowner/Applicant
Communications Towers	Approved development permit for Communications Towers - minor or Request for Letter of support for Communications Towers - major	Applicant
Neighbouring Properties Consultation: Development Permits for: Home Occupations 2 Secondary Suites and/or Infill development or redevelopment (at the discretion of PD in new areas) but is mandatory in mature neighbourhoods)	Approved Development permit	Applicant

Exhibit: *Public Consultation requirements for Planning and Development processes*

Neighbouring Properties Consultation

Figure 1

2	4	6	8	10	12
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Street

1	3	5	7	9	11
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19	21	24	26	28
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Subject Property

Neighbouring Properties –
Includes all lots less than
30 m away or across the
street

- Home Occupation 2
- Secondary Suites (not identified in an approved Outline Plan)
- Infill development or redevelopment project in a residential Mature /Established Neighbourhood

Shall require at minimum, to notify the identified neighbouring properties owners of a development permit application as part of a formal application to the Town. Applicants/Developers are encouraged to discuss their application with the Town staff as this notice to neighbouring property owners may be extended at the discretion of the Development Officer.

If it is required, the following public consultation process is to be used by the applicant:

- Both owners and occupiers of the Neighbouring Properties, as indicated on the map to the left, must be consulted. If the owner cannot be located through the tenant, information can be obtained from Alberta Land Titles
- The applicant will provide each neighbour with an elevation of the proposed development and the attached Neighbouring Properties Consultation Form
- Provide signed Neighbouring Properties Consultation Forms to the Development Officer

The Development Officer/Planner will work with the applicant to ensure concerns raised by neighbours are considered and, if feasible, addressed in the application.

Process

Every application received for a development permit for the following uses:

Mayor

DATE: August 10, 2009

Chief Administrative Officer

RES: 09-235



Town of Lacombe Neighbouring Properties Consultation

I, _____, have applied to the Town of Lacombe for:

- Redevelopment/Infill development in Mature Neighbourhood (area covered by the Heart of Town ARP)
- Home Occupation 2 (home-based business)
- Secondary Suite (within a Single Family detached dwelling only)

on the property located at _____, which I am the

- property owner developer/permit applicant general contractor. (check all that apply)

The Town of Lacombe requires that all residents and owners of neighbouring properties be informed of any of the above types of development permits to determine the acceptability of the proposal.

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Please review the plans/proposal and indicate the following:

NAME: (please print) _____

ADDRESS: _____

Are you the registered owner? Yes No

I have reviewed the plans/proposal of the applicant and have the following comments:

- I support the application as shown in the attached plans
- I support the application with the following suggestions for change _____
- I am opposed to the application

Comments:

Date

Signature