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 sitting 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 undertaking 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.

<table>
<thead>
<tr>
<th>Type of application</th>
<th>Notification requirements and distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intermunicipal Development Plans, Municipal Development Plans</td>
<td>All citizens (newspaper ads) neighbouring municipalities, school authorities (mailed notices)</td>
</tr>
<tr>
<td>Area Structure Plans, Area Redevelopment Plans</td>
<td>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)</td>
</tr>
<tr>
<td>Amendments to Area Structure Plans and Area Redevelopment Plans</td>
<td>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)</td>
</tr>
<tr>
<td>Redistricting</td>
<td>Landowners within 60 m (mailed notices) of subject site</td>
</tr>
<tr>
<td>Subdivision</td>
<td>Landowners contiguous to titled parcel boundary (mailed notices) Neighbouring municipalities (if adjacent to subdivision), School authorities (mailed notices)</td>
</tr>
<tr>
<td>Development permit for Direct Control District</td>
<td>60 m *</td>
</tr>
<tr>
<td>Communications Tower</td>
<td>All citizens (newspaper ads) Landowners within six times the height of the proposed tower or 60 m, whichever is greater (direct mail notices)</td>
</tr>
<tr>
<td>Neighbouring Properties Consultation Development permits for:</td>
<td>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.</td>
</tr>
</tbody>
</table>

*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
<table>
<thead>
<tr>
<th>Type of Application</th>
<th>Form of Public Consultation*</th>
<th>Purpose</th>
<th>Responsible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intermunicipal Development Plan, Municipal Development Plan (Will likely require a greater level of public consultation)</td>
<td>Public Meeting prior to plan development</td>
<td>Consult public input/feedback on issues/options from interested parties</td>
<td>Planning</td>
</tr>
<tr>
<td></td>
<td>Open House on draft plan</td>
<td>Inform public of plan and recommendations incorporating changes arising from public feedback in first public consultation</td>
<td>Planning</td>
</tr>
<tr>
<td></td>
<td>Public Hearing</td>
<td>Inform public of formal hearing before Council, as per Municipal Government Act and this policy</td>
<td>Communication Officer</td>
</tr>
<tr>
<td>Area Structure Plans, Area Redevelopment Plans, or major amendments to any statutory plan</td>
<td>Public Meeting prior to technical report development</td>
<td>Consult public input/feedback on issues/options from interested parties</td>
<td>Planning or Developer/Applicant</td>
</tr>
<tr>
<td></td>
<td>Public notification of Application</td>
<td>Inform public an application has been received and invite feedback, as per this policy</td>
<td>Planning</td>
</tr>
<tr>
<td></td>
<td>Open House on draft technical report</td>
<td>Inform public of plan and recommendations incorporating changes arising from public feedback in first public consultation</td>
<td>Planning or Developer/Applicant</td>
</tr>
<tr>
<td></td>
<td>Public Hearing</td>
<td>Inform public of formal hearing before Council, as per Municipal Government Act and this policy</td>
<td>Communication Officer</td>
</tr>
<tr>
<td>Redistricting/Redesignations or Outline Plans</td>
<td>Public notification of Application</td>
<td>Inform public an application (direct mail notification) has been received and invite feedback, as per this policy</td>
<td>Planning</td>
</tr>
<tr>
<td></td>
<td>Open House follow up after application submission</td>
<td>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</td>
<td>Developer/Applicant</td>
</tr>
<tr>
<td></td>
<td>Public hearing notification</td>
<td>Inform public of formal hearing before Council, as per Municipal Government Act and this policy</td>
<td>Communication Officer</td>
</tr>
<tr>
<td>Subdivisions</td>
<td>Public notification of Application</td>
<td>Inform public an application has been received and invite feedback, as per this policy</td>
<td>Planning</td>
</tr>
<tr>
<td>Development permit for Direct Control District</td>
<td>Public Meeting</td>
<td>Consult public input/feedback on issues/options from interested parties</td>
<td>Developer/Applicant</td>
</tr>
<tr>
<td></td>
<td>Public notification of decision (if within already approved DC district)</td>
<td>Inform public of development permit decisions, as per Municipal Government Act and this policy</td>
<td>Planning</td>
</tr>
<tr>
<td></td>
<td>Public hearing</td>
<td>Inform public of formal hearing before Council, as per Municipal Government Act and this policy</td>
<td>Communication Officer</td>
</tr>
<tr>
<td>Development permit for major project or a discretionary use</td>
<td>Neighbouring Properties consultation</td>
<td>Inform neighbouring property owners and occupants of the proposed development</td>
<td>Developer/Applicant</td>
</tr>
<tr>
<td></td>
<td>Public notification of decision</td>
<td>Inform public of development permit decisions, as per Municipal Government Act and this policy</td>
<td>Planning</td>
</tr>
<tr>
<td>Communications Towers – Letter of support</td>
<td>Public Meeting prior to application submission</td>
<td>Consult public input/feedback on issues/options from interested parties</td>
<td>Applicant</td>
</tr>
<tr>
<td></td>
<td>Open House follow up after application submission</td>
<td>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</td>
<td>Applicant</td>
</tr>
<tr>
<td>Specialized Development : Home Occupations 2 permits, Secondary Suites, and/or Infill Development or redevelopment in Mature neighbourhoods</td>
<td>Neighbouring Properties consultation</td>
<td>Inform neighbouring property owners and occupants of the proposed development</td>
<td>Applicant</td>
</tr>
</tbody>
</table>

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

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

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:

<table>
<thead>
<tr>
<th>Plan or Application</th>
<th>Result</th>
<th>Initiator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intermunicipal Development Plans</td>
<td>Plan</td>
<td>Town</td>
</tr>
<tr>
<td>Municipal Development Plans</td>
<td>Plan</td>
<td>Town</td>
</tr>
<tr>
<td>Area Structure and Redevelopment Plans</td>
<td>Technical Report/Plan</td>
<td>Town or Developer/Landowner/Applicant</td>
</tr>
<tr>
<td>Amendment to IDP, MDP, ASP or ARP</td>
<td>Amendment to Plan</td>
<td>Town or Developer/Landowner/Applicant</td>
</tr>
<tr>
<td>Outline Plan and amendments</td>
<td>Approved Outline Plan</td>
<td>Town or Developer/Landowner/Applicant</td>
</tr>
<tr>
<td>Redistricting</td>
<td>Approved redistricting</td>
<td>Developer/Landowner/Applicant</td>
</tr>
<tr>
<td>Subdivision</td>
<td>Approved subdivision</td>
<td>Developer/Landowner/Applicant</td>
</tr>
<tr>
<td>Development Permits</td>
<td>Approved development permit</td>
<td>Developer/Landowner/Applicant</td>
</tr>
<tr>
<td>Communications Towers</td>
<td>Approved development permit for Communications Towers - minor or Request for Letter of support for Communications Towers - major</td>
<td>Applicant</td>
</tr>
</tbody>
</table>

**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

| Neighbouring Properties Consultation: | Approved Development permit | Applicant |
Neighbouring Properties Consultation

**Figure 1**

<table>
<thead>
<tr>
<th>Street</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>4</td>
<td>6</td>
<td>8</td>
<td>10</td>
<td>12</td>
<td></td>
</tr>
</tbody>
</table>

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.

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**Process**

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

DATE: August 10, 2009

Mayor

RES: 09-235

Chief Administrative Officer
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.

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 __________________________