



TOWN OF BROOKS

POLICY NO: E-002-020

REFERENCE:

ADOPTED BY:

SUPERSEDES:

Resolution #03/157

PREPARED BY:

DATE ADOPTED: APRIL 21, 2003

Planning Services Department

TITLE: PUBLIC NOTIFICATION PROCEDURES FOR MUNICIPAL APPLICATIONS

POLICY STATEMENT:

The Town of Brooks values clear and consistent notification procedures by which the general public may be informed of, and comment on, municipal applications within their neighborhood that may affect them.

1. THE PURPOSE OF THIS POLICY IS TO:

- a) establish a consistent approach to notification of municipal applications that apply to planning or development proposals.
- b) ensure that landowners are informed of proposed changes in their neighborhood through the use of advertising, direct mail or posting of a site.

2. DEFINITIONS:

Words and phrases used in this policy shall have the same meaning as provided for in the Land Use Bylaw and/or the Municipal Government Act or any successor or parallel legislation.

3. ROLES AND RESPONSIBILITIES:

Manager of Planning Services

The Manager of Planning Services is responsible of the following:

- i) advising Administration and Town Council on the development of public notification policies relative to planning applications.
- ii) advising an applicant at the time of a planning application or when an inquiry is made of the need for notification of the general public, the form that notification must take and the process by which notification should occur.
- iii) reviewing and assessing the outcome of the public notification and report these findings to the Community Development Services Committee (CDSC), or other council committees or boards as needed, and to Town Council when a planning application is reviewed by each body that requires notification.
- iv) designating others, when required, to coordinate public notification of planning applications with the applicant.



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Planning Officer

The Planning Officer is responsible of the following:

- i) advising an applicant at the time of a planning application or when an inquiry is made of the need for notification of the general public, the form that notification must take and the process by which notification should occur.
- ii) reviewing and assessing the outcome of the public notification and report these findings to the Community Development Services Committee (CDSC) or to other council committees or boards as needed.

Development Officer

The Development Officer is responsible of the following:

- i) advising Administration and Town Council on the development of public notification policies relative to development applications.
- ii) advising an applicant at the time of application or when an inquiry is made of the possible need for notification of the general public, the form that notification must take and the process by which notification should occur. Development applications within the commercial/residential interface are subject to the provisions of the Land Use Bylaw.
- iii) Reviewing and assessing the outcome of the public notification and report these findings to the Municipal Planning Commission (CDSC) or Town Council when a development application is required to be reviewed by each body.
- iv) designating others, as required, to coordinate the public notification of development applications with the applicant.

Applicant

The applicant is responsible for all costs associated with the mailing/delivery of letters, advertising of a public information session, hosting of a public information session or posting of a site, as required. The applicant is also responsible for the door-to-door delivery of notices of public information sessions within a neighbourhood.



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4. CIRCULATION GUIDELINES

In order to ensure that all appropriate applications follow this procedure, the following guideline may be used by administration to determine when an application should be circulated to affected residents prior to legislative requirements:

- Applications involving a change in intensity of land use;
- Applications that result in a change from one land use to another;
- Applications with land uses that may negatively affect residents of an area;
- Applications with land uses that vary from the proposed use of an established statutory or concept plan;
- Applications within the commercial/residential interface area.

5. NOTIFICATION PROCEDURES

The *Municipal Government Act* specifies requirements that must be fulfilled in the public notification of an application legislated under that Act. The municipality will follow these requirements for all applicable applications. The municipality may, however, require an applicant to circulate an application prior to it being considered by a council committee or Town Council in order to ensure public input is obtained as early as possible in the review process. The municipality will determine which applications may merit consideration for circulation prior to a formal review.

5.1 The following notification procedures may be applicable to:

- Proposed statutory plans and pertaining amendments;
- Proposed concept plans and outline plans and pertaining amendments;
- Proposed land use bylaw re-designations and pertaining amendments; and
- Disposal of environmental, municipal and/or school reserves;
- Development applications within the commercial/residential interface or at the discretion of the Development Officer.

These notification procedures are not intended to replace the statutory requirements as outlined under the *Municipal Government Act*. They are a requirement of the municipality to ensure the community has an opportunity to review applications early in the review process.



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5.1 (a) Written Notification of a Public Information Session

If required by the municipality, an applicant will either hand deliver or arrange for the mailing of notices advising of a public information session to landowners deemed to be affected by the proposal. The written notification will contain all of the information outlined in Schedule A of this policy and be produced on 8 ½ x 11” paper and include a site diagram of the proposed area affected by the application. The applicant will provide a copy of the notification to the Manager of Planning Services or the Development Officer, or their designate, on the same day that it is circulated to landowners in the affected area.

- i) The applicant must provide written notification to affected landowners at least two weeks before the date of a public information session. Failure to do so will result in the municipality reconvening a public information session at the expense of the applicant.
- ii) Written notification must include relevant information about the application including its general purpose, address, public notification session date/place/time, map and address where the application can be reviewed as shown in Schedule “A”.
- iii) If a written notification is to be mailed, the applicant will be responsible for providing to the municipality the required number of notifications in envelopes with a return address. The applicant will be responsible for all costs associated with the mailing of a notification by the municipality.
- iv) If a written notification is hand delivered, the applicant will be responsible for ensuring that a copy of the notice is provided to each residence in the affected area. The applicant will be responsible for all costs associated with the delivery of the notification.

5.1 (b) Public Notification of a Public Information Session

The applicant is responsible for advertising a public information session in two consecutive editions of a local newspaper with circulation in the Town of Brooks. An applicant will be responsible for all costs associated with advertising a public information session.



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- i) Public notices should include relevant information about the application including its general purpose, address, public notification session date/place/time, map and address where application can be reviewed. The advertisement will include all information and be sized as shown in Schedule "B" attached to this policy.
- ii) A copy of the public notice will be provided to the Manager of Planning Services, the Planning Officer or the Development Officer on the same day that a completed draft is submitted to the local newspaper for insertion.
- iii) All costs associated with the public notice will be the applicant's responsibility.

5.1 (c) Holding a Public Information Session

A public information session is intended to allow the applicant to explain their proposal to area residents and to address concerns and/or questions from them. Municipal administration will attend the session to obtain feedback on the proposal so that it may be communicated to a council committee or Town Council. A public information session will generally be held before an application is considered by a council committee or Town Council and in addition to a public hearing, not as a substitute.

- i) Public information sessions must be advertised as indicated in 5.1 (b) of this policy.
- ii) The applicant is responsible for providing a summary of comments received at the public information session to the Manager of Planning Services, the Planning Officer or the Development Officer, within two working days of the public information session date.
- iii) The applicant/proponent is required to display plans and distribute information at the public information session that accurately describes the proposed use of the property and the proposed development contemplated for a site.
- iv) Public information sessions will be hosted by the applicant/proponent at their expense at a convenient location within the municipality. The public information session will occur from 4:00 p.m. to 8:00 p.m. unless otherwise varied by the municipality.



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5.1 (d) Posting of a Site

The municipality may also require an applicant to post a sign at a site advising area residents of a proposed change to the use or development of a property. Where this occurs, the applicant must satisfy the following requirements:

- i) All applications proposing to adopt or amend a statutory document may be required to post a sign on the subject site notifying the general public of a proposed development, change in zoning or removal of municipal reserve or environmental reserve designation.
- ii) The sign must be weatherproof with a minimum area of 1.1 m² (12 ft²) and will include all information as shown in Schedule "C" attached to this policy. The sign will be positioned in a visible location at a minimum of 1.2 m (4 ft) above ground level and attached to two (10 cm x 10 cm (4 in x 4 in) preserved wood posts mounted in the ground.
- (iii) The sign must be posted within one (1) week of a first reading by Town Council of a bylaw proposing to change the land use of a site, the zoning of it or removal of a municipal reserve or environmental reserve designation. All signs must be posted by the applicant/proponent at their own expense. Where a sign is required to advise of a development application, the applicant will be responsible for ensuring that it is erected at least two weeks before a decision date.
- (iv) All signs required under this policy must be removed by the applicant/proponent within one (1) week of a decision. Failure to do so will result in the municipality removing the sign at the applicant/proponent's expense.

5.1 (e) Internet

Whenever possible, at the discretion of the municipality, applications proposing to adopt or amend a statutory document may be posted on the Town's web-page under the coordination of the Manager of Planning Services, the Planning Officer and/or the Development Officer or their designate.



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5.2 The following notification procedures are applicable to all discretionary land use applications:

- 5.2 (a) All discretionary land use applications will be advertised in accordance to the Municipal Government Act and the Town of Brooks Land Use Bylaw.
- 5.2 (b) Regulations established in Sections 5.1 (a), 5.1 (b) and 5.1 (c) above may be applied to certain discretionary use applications at the discretion of the municipality.

5. CONFLICT

Where there is a conflict between these regulations and any other regulation established in the Town of Brooks Land Use Bylaw or/and the Municipal Government Act, then the Bylaw and/or the Municipal Government Act shall prevail.

PUBLIC INFORMATION SESSION

PROPOSED *residential/commercial/industrial* DEVELOPMENT

Dear Sir/ Madam:

Please be advised that *name of company or proponent* is proposing to *describe undertaking* at *describe location*, Brooks, Alberta.

Name of company or proponent is hosting an information session with neighboring residents on *describe date and location*, Brooks, Alberta from 4:00 p.m. to 8:00 p.m.

The attached information package (*include a diagram showing reference points or any photos or plans*) describes the location and what is being proposed.

We welcome your input on this proposal and, if you are available, invite you to come out to the information session to share any concerns that you may have about the location and nature of the proposed development.

If you would like more information or submit your comments, please contact *contact name* at *telephone and location*.

Please note that this is not a statutory public hearing. Council will receive a report from Administration on issues raised at the public information session and will formally consider the proposal at a later date.

PUBLIC INFORMATION SESSION

PROPOSED residential/commercial/industrial DEVELOPMENT

Name of company or proponent intends to describe undertaking at describe location, Brooks, Alberta.

*diagram showing
reference points*

DATE: _____

TIME: _____

LOCATION: _____

This public information session is being held by name of company or proponent on behalf of the Town of Brooks in compliance with policy No. _____. The project manager will present details of the proposal and discuss any concerns residents may have.

Information packages are being distributed to residents within _____ metres of the site. If you would like to receive a copy or would like more information please contact contact name at telephone and location.

Please note that this is not a statutory public hearing. Council will receive a report from Administration on issues raised at the public information session and will formally consider the proposal at a later date.

PUBLIC NOTICE

PROPOSED describe undertaking

Please be advised that name of company or proponent is proposing to describe undertaking at describe location, Brooks, Alberta.

Town Council will hold a public hearing to consider bylaw No **/** to describe undertaking at a regularly scheduled meeting which will be held on describe date at 5:30 p.m. in the Council Chambers in the Town of Brooks offices at 201 – 1st Avenue West.

Any person claiming to be affected by the proposed bylaw and wishing to make either a verbal or written presentation to Town Council may register written submissions with the title of municipal official up to 12:00 noon, describe date.

At the discretion of Town Council any other person in attendance at the public hearing may be heard.

Submissions from registered presenters will be heard first, followed by submissions from persons to be heard at Town Council's discretion.

A copy of the proposed bylaw and any other relevant materials may be viewed by the public at the Town Office, Monday through Friday, during business hours.

diagram showing reference points