



**WEST HANTS REGIONAL MUNICIPALITY REPORT**

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Members of the Planning and Heritage Advisory Committee (PAC/HAC)

**Submitted by:** \_\_\_\_\_  
Sara Poirier, Director of Planning and Development

**Date:** 2023-07-13

**Subject:** Public Participation Program Policy; File 23-08B

**LEGISLATIVE AUTHORITY**

Municipal Government Act (MGA) s. 204 Public Participation Program and s. 204A Engagement Program

**RECOMMENDATION**

Should PAC/HAC wish to forward a positive recommendation, the following motion would be in order:

...that PAC/HAC recommends that Council approve the Public Participation Program Policy in a manner substantively the same as Attachment A to the July 13, 2023 report File 23-08B “Public Participation Program Policy”.

**BACKGROUND**

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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During the PAC/HAC meeting on March 9, 2023 the Committee discussed the current process for notification of Public Information Meetings (PIMs) and ways this could be improved, including larger sized signage on site, notification in local community centres and/or post offices, and hosting the PIM in the community where the subject property is located. Council approved the following motion on March 28, 2023:

## COUNCIL HAVE STAFF EXPLORE AMENDING THE PPPP TO INCLUDE STRENGTHENED PUBLIC NOTICE OF INFORMATION MEETINGS.

An information report was provided to the PAC/HAC on May 11, 2023 which outlined the Municipal Government Act requirements, the current WHRM Public Participation Program Policy and Fees Policy, and policies in other jurisdictions (Attachment B). The report was discussed at the May 11, 2023 PAC/HAC meeting and the Committee provided feedback to staff. The revised Public Participation Program Policy in Attachment A was created based on feedback from the Committee.

### **DISCUSSION**

During the PAC/HAC meeting on May 11, 2023 the Committee discussed the current practice for public notification of meetings. The Committee requested certain changes to the practice and staff comments on the impact of those changes on cost to applicant, timelines for applications and staff resources. The Committee's requested changes included:

- Increased notification distance to 1000 ft. (300 m.) for all areas of WHRM;
- Increased notification lead time of 14-days for mail outs, advertisement in the newspaper and signage on site;
- Increased sized signage, with the suggestion of creating a template that the applicants will use to print and post the signs themselves; and
- Hosting the PIMs on a separate night from PAC/HAC, preferably in the community where the application is located.

#### **Increase notification distance**

The current practice is to notify property owners within 300 ft. (91.44 m.) of a subject property in Windsor and Hantsport, and notify property owners within 500 ft. (152.4 m.) outside of those areas for any PIM or Public Hearing. Applicants are currently expected to pay the cost of notification for public meetings, which includes the cost of mailing letters to surrounding properties. The cost is currently \$0.92 per letter.

Staff reviewed mail lists for applications since 2020. For applications in Windsor the lowest number of letters sent for an application was 14, the highest amount was 188, and the average was 42 letters being sent per application. For applications outside of Windsor or Hantsport the lowest number of letters sent for an application was 7, the highest was 154, and the average was 34 letters being sent per application. It is expected that increasing the notification distance to 1,000 ft. (300 m.) would increase the number of residents notified as well as the cost to the applicant.

Staff investigated bulk mailing options through Canada Post. There are options for mail to be sent to mail routes, however mail routes are not restricted to a specific community, district or municipality therefore there may be confusion for property owners who receive a notice for an application that is nowhere near them. Additionally, Municipal staff would still need to print and prepare the envelopes if using this option.

Staff will continue to determine the appropriate mail list based on the distance specified in the Public Participation Program Policy and mail the individual letters. For some of the larger mail lists this will require more time of staff to print, stuff, label and mail the letters, however this process ensures residents are receiving accurate notice.

The proposed amendment to increase the notification distance to 1,000 ft. (300 m.) has been added to the draft Public Participation Program Policy in Attachment A.

### **Increase notification lead time**

The current Public Participation Program Policy requires notices for PIMs to be placed in the newspaper and sent to surrounding property owners at least seven (7) days prior to any PIM. The Committee requested this to be increased to at least 14 days prior to the meeting. This will increase the lead time required to schedule a PIM by one week, meaning that meeting advertisements will have to be created and sent to the newspaper one month prior to the meeting date. This amendment is not anticipated to add any cost the applicant.

This proposed amendment to increase the notification time to 14 days has been added to the draft Public Participation Program Policy in Attachment A.

### **Increased signage size**

A requirement for signage to be posted on application sites was added during the pandemic to increase awareness of applications. The current practice is for staff to create an approximately 22 in. x 17 in. sign in office and request that the Building Officials post it on site while they are in the community for their regular inspections. PAC/HAC requested an increase in signage size, with the suggestion of creating a template that the applicants will use to print and post on the site themselves.

Following the PAC/HAC meeting, staff requested quotes from three separate print shops regarding signage. For a 24 in. x 36 in. sign the cost was an average of \$67.92 per sign. For a 48 in. x 56 in. sign the cost was an average of \$214.60. The print shops typically need a few days lead time for a sign to be made.

It is anticipated that the process for signage would change to put the responsibility on the applicant to print and post the signage. Staff would create a sign template and provide this to the applicant. The applicant will add the necessary information to the template and have the sign printed and posted on site prior to staff being able to schedule a PIM. This process will

slightly reduce workload for staff as they will no longer have to create, print, laminate and post the signs on site. It will however increase the cost and process for the applicant.

A minimum signage requirement of 24 in. x 36 in. has been included in the draft Public Participation Program Policy in Attachment A. The signage is to include at a minimum the property address, information about the proposal and contact information for the Municipal Planning and Development Department.

### **Public Information Meetings**

The Committee discussed hosting the PIM in the Community where the subject property is located to increase public participation and moving the PIM to a separate night from the PAC/HAC meeting to reduce meeting length for the Committee members.

#### In the Community

Hosting the PIM in the community where the subject property is located may increase public participation especially from those residents that may be most impacted by an application. It was noted that in the event that the community did not have a community hall, the next closest suitable location should be used.

The Committee discussed the ability for the meeting to be recorded and posted online following the meeting in the community. Staff requested information from the IT Department to determine if this was possible. The IT Department noted that the Municipality does not currently have the mobile technology to be able to record both audio and video, at a quality the that the public have come to expect, from each community meeting and then upload that to the Municipal public social media locations. This type of technology would be very costly and was not budgeted for. If the Committee would like the meeting recorded the best option is to host the meeting in Council Chambers.

For each PIM, a minimum of two staff members would need to attend. Those staff members would get paid for travel to and from the meeting location, as well as kilometers travelled, and a meal allowance. Additional costs would also be incurred to rent the meeting space.

Every month staff typically attend the PAC/HAC and Council meetings. Occasionally staff also have to attend the Committee of the Whole meeting and other evening meetings such as the Tregothic Marshbody meetings and Diversity and Inclusive Communities Committee meetings. In a single month, that could mean each staff member is attending three evening meetings.

With the current influx of applications each month, staff would need to work multiple additional nights per month to be able to keep up the current pace of work if the meetings were to be held in the community where the application is located. The other option would be to delay the PIMs for a few months to ensure a reasonable number of evening meetings per month for each staff member. The more evening meetings staff work, the less time they have

to work on applications, inquiries and Council projects. It is not recommended that staff host meetings in the community where the application is located at this time.

On a Separate night

The current Public Participation Program Policy states that a public meeting shall be held for any application for development agreement, amendments to a development agreement, and adoption of revised documents or amendments to the West Hants, Hantsport and Windsor Planning Documents or Land Use By-laws. This meeting is usually held immediately prior to a PAC/HAC meeting. The Committee requested moving the meeting to a separate night from the PAC/HAC meeting to reduce meeting length for the Committee members.

Staff held PIMs for five (5) applications on a separate night from the PAC/HAC meeting during the months of June and July on a trial basis. This included:

<b>Date</b>	<b>Staff Time</b>	<b>Application</b>	<b>No. of Residents in Attendance</b>
Tuesday, June 6	5:45 – 7:30 p.m.	Hwy 215, Summerville PID 45180635 Proposed paintball facility	25
		Cole Dr., Windsor PID 45056447 Proposed mixed use, multi-unit apartment building	0
Monday, June 19	5:45 – 6:45 p.m.	Nesbit St., Windsor PID 45056447 Proposed mixed use, multi-unit apartment building	8
Wednesday, July 5	5:45 – 6:45 p.m.	Community Way, Windsor PID 45276441 Proposed community centre	2
		8 Water St., Windsor PID 45333291 Proposed mixed use, multi-unit apartment building	0

Hosting the PIMs on separate nights from the June PAC/HAC meant the Committee meeting was reduced to a 2-hour meeting.

If the Committee and Council were to require PIMs to be held on a separate night from the PAC/HAC meeting, staff would allocate one night per month as a “PIM night” and host all PIMs

on that night. That creates consistency for staff, applicants and members of the public, and ensures staff do not get burnt out with an influx of evening meetings.

No changes have been proposed in the draft Public Participation Program Policy in Attachment A in relation to PIM location and date.

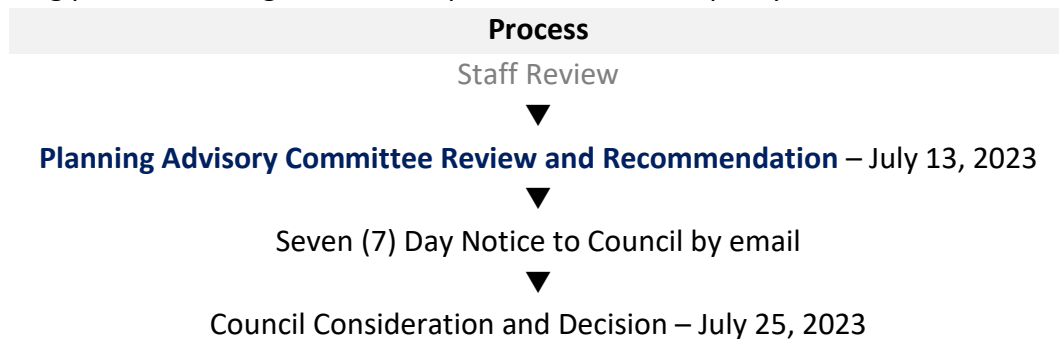
### **Policy Amendments**

The draft Public Participation Program Policy is included in Attachment A. The amendments proposed ensure there is consistency for any application requiring a PIM. The policy has been amended to:

- increase the notification distance of mail letters to 1,000 ft. (300 m.);
- increase the notification time to at least 14 days prior to the meeting; and
- specify signage requirements.

### **NEXT STEPS**

The following process is being used for adoption of the revised policy:



### **FINANCIAL IMPLICATIONS**

The WHRM Public Participation Program Policy states that “Any fees related to any action required by the Public Participation Program Policy will be established by policy of Council.” The WHRM Fees Policy outlines the cost for any Land Use By-law or development agreement application. The fees are currently set at \$1,600 which includes a \$500.00 processing fee and \$1100.00 deposit for direct costs such as notice. Application fees are charged up front with the excess of the deposit for direct costs being refunded following completion of the application process.

The fees cover all advertising in the newspaper for PIMs, Public Hearings and the notice of approval, and any postage to mail meeting notification letters to nearby property owners. If the application is a for a development agreement, the fee also covers the recording fee charged by

the Land Registry Office. Where possible, staff combine newspaper advertisements to reduce fees to applicants.

The requested changes to the Public Participation Program Policy have financial implications to the applicant and to the Municipality. Increasing the distance for notification by mail will increase the fees charged to the applicant and requiring the applicant to print and post the signage on site will be an additional cost. Changing the location of PIMs to the community where the application is located or to a separate night from PAC/HAC would increase the cost to the municipality in relation to staff time for meetings, kilometers travelled, meal allowances and rental costs for the meeting space.

### **ALTERNATIVES**

In response to the report, the PAC/HAC may:

- recommend that Council approve the draft revisions to the Public Participation Program Policy based on the feedback received from the Committee; or
- provide alternative direction such as requesting further information on a specific topic.

### **ATTACHMENTS**

Attachment A	Draft Revised Public Participation Program Policy
Attachment B	2023-05-11 Information Report to PAC/HAC: Public Participation Program Policy; File 23-08

Report Prepared by: \_\_\_\_\_

Sara Poirier, Director of Planning and Development

Report Reviewed by: \_\_\_\_\_

Mark Fredericks, Senior Planner

\_\_\_\_\_

Alex Dunphy, Planner



**Attachment A**  
**DRAFT AMENDMENTS**  
**WEST HANTS REGIONAL MUNICIPALITY**  
**PROPOSED PUBLIC PARTICIPATION PROGRAM POLICY**

**RCOPL-006.00**

**1. PURPOSE**

- 1.1 Section 204 of the *Municipal Government Act* (MGA) requires Council to adopt a public participation program before undertaking the preparation or amendment of development agreements or planning documents.
- 1.2 The *Engagement Programs Content Regulations* made under Section 204A of the MGA require the public participation program to contain specific content.

**2. DEFINITIONS**

- 2.1 The terms used in this Policy have the same meaning as those found in the MGA.

**3. DEVELOPMENT AGREEMENTS and AMENDMENTS to DEVELOPMENT AGREEMENTS; ADOPTION OF REVISED PLANNING DOCUMENTS, AMENDMENTS to PLANNING DOCUMENTS and AMENDMENTS to the LAND-USE BY-LAW**

- 3.1 Council resolves to seek the views of the public and encourage public participation regarding development agreements, amendments to development agreements, and adoption of revised documents or amendments to the West Hants, Hantsport and Windsor Planning Documents or Land Use By-laws by, at a minimum:
  - holding one or more public meetings, usually held prior to a Planning and Heritage Advisory Committee meeting, prior to First Reading of any proposed development agreement or amendment;
  - advertising any public participation or information meeting regarding any proposed development agreement or site-specific amendment by: (1) placing a notice in a newspaper circulating in the local area, (2) notifying by mail the owners of all lots within **1,000 ft. (300 m.)** of the site of both the public information meeting and any public hearing, **and (3) requiring the developer to post signage on site with a minimum size of 24 in. by 36 in. in advance of the first public meeting. The signage shall include at a minimum the property address, information about the proposal and contact information for the Municipal Planning and Development Department. ~~Within a Land Use By-law Council may specify a greater distance for notification.~~**

Notices for public participation or information meetings shall be placed in the paper, sent to abutting property owners **and posted on site** at least **fourteen (14)**

days prior to any public participation or public information meeting. Notices for public hearings shall follow the MGA notification requirements.

3.2 In addition, during any comprehensive review of any planning document, Council resolves to seek the views of the public and encourage public participation by developing and implementing a public engagement plan to inform the public and receive comments from the public. The contents are at the discretion of Council but may involve committees, meetings, open houses, surveys, questionnaires, and publications.

3.3 In accordance with the requirements of the MGA, where:

- (a) a revised Municipal Planning Strategy is considered; or
- (b) where an amendment to the Municipal Planning Strategy affects policy regarding:
  - drinking water;
  - flood risk areas;
  - agricultural land;
  - infrastructure; or
  - housing,

Council shall seek input from all abutting municipalities; and

(c) where an amendment to the Municipal Planning Strategy is specific to land that lies within 2 km of an adjacent municipality, Council shall seek input from the abutting municipality.

In each case, Council shall seek input by:

- notifying abutting municipalities of the proposal. The notice shall include the date by which a response must be received in order to be considered by Council;
- ensuring that there is sufficient opportunity for a response to be received so that it may be considered before First Reading of the proposal by Council.

3.4 In addition, in accordance with MGA 206 (5), when a notice of public hearing is published, the clerk shall send a copy of the notice to the clerk of every municipality that abuts an area affected by the proposal.



**DRAFT AMENDMENTS**  
**WEST HANTS REGIONAL MUNICIPALITY**  
**PROPOSED PUBLIC PARTICIPATION PROGRAM POLICY**

**RCOPL-006.00**

**4. GENERAL**

- 4.1 Councillors shall receive no new information regarding a planning matter once a public hearing is complete.
  
- 4.2 Any fees related to any action required by the Public Participation Program Policy will be established by policy of Council.

**5. REPEAL**

- 5.1 The Public Participation Program Policy COPL-001.00, dated April 28, 2020, of West Hants Regional Municipality is hereby repealed.

**6. RELATED LEGISLATION, POLICIES and PROCEDURES**

- 6.1 Municipal Government Act

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of West Hants Regional Municipality at a meeting duly called and held on the **XX day of MONTH, 2023.**

\_\_\_\_\_  
Deanna Snair  
Municipal Clerk

Adoption	
Notice to Council:	Not Applicable
Approval:	
Description: Initial Approval of the Public Participation Policy RCOPL-006.00	



**DRAFT AMENDMENTS**  
**WEST HANTS REGIONAL MUNICIPALITY**  
**PROPOSED PUBLIC PARTICIPATION PROGRAM POLICY**

**RCOPL-006.00**

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**Attachment B**

**WEST HANTS REGIONAL MUNICIPALITY REPORT**

Information <input checked="" type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Members of Planning and Heritage Advisory Committee (PAC/HAC)

**Submitted by:** \_\_\_\_\_  
Sara Poirier, Director of Planning and Development

**Date:** 2023-05-11

**Subject:** Public Participation Program Policy; File 23-08

**LEGISLATIVE AUTHORITY**

Municipal Government Act (MGA) s. 204 Public Participation Program and s. 204A Engagement Program

**RECOMMENDATION or DECISION REQUEST**

This report is being provided for information purposes only.

**BACKGROUND**

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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During the PAC/HAC meeting on March 9, 2023 the Committee discussed the current process for notification of Public Information Meetings and ways this could be improved, including larger sized signage on site, notification in local community centres and/or post offices, and hosting the Public Information Meeting in the community where the property is located.

Council approved the following motion on March 28, 2023:

COUNCIL HAVE STAFF EXPLORE AMENDING THE PPPP TO INCLUDE STRENGTHENED PUBLIC NOTICE OF INFORMATION MEETINGS.

## **DISCUSSION**

### ***Municipal Government Act***

The MGA outlines the powers provided to municipalities. Section 204 of the MGA states the following:

- (1) A council shall adopt, by policy, a public participation program concerning the preparation of planning documents.
- (2) A council may adopt different public participation programs for different types of planning documents.
- (3) The content of a public participation program is at the discretion of the council, but it shall identify opportunities and establish ways and means of seeking the opinions of the public concerning the proposed planning documents.

Section 204A states:

- (1) A council shall adopt, by policy, an engagement program for engaging with abutting municipalities when the council is adopting or amending a municipal planning strategy.
- (2) Subject to the regulations, the content of an engagement program is at the discretion of the council.
- (3) The Minister may make regulations respecting the content of an engagement program.
- (4) The exercise by the Minister of the authority contained in subsection (3) is regulations within the meaning of the Regulations Act.

### ***Public Participation Program Policy***

A Public Participation Program Policy for West Hants Regional Municipality was established on April 28, 2020. Revisions to the policy were approved by Council on January 24, 2023 (Attachment A). The policy requires the following as a minimum for any development agreement, amendments to a development agreement, and adoption of revised documents or amendments to the West Hants, Hantsport and Windsor planning documents or Land Use By-laws:

- Holding one or more public meetings, usually held prior to a Planning and Heritage Advisory Committee meeting, prior to First Reading.
- Advertising any Public Information Meeting by placing a notice in a newspaper circulating in the local area and notifying by mail the owners of all lots within 300 ft. of

the site of both the Public Information Meeting and any Public Hearing. Within a Land Use by-law Council may specify a greater distance for notification.

- Notices for Public Information Meetings shall be placed in the newspaper and sent to abutting property owners at least seven (7) days prior to any Public Information Meeting. Notices for Public Hearings shall follow the MGA notification requirements.
- In addition, in accordance with MGA 206 (5), when a notice of Public Hearing is published, the clerk shall send a copy of the notice to the clerk of every municipality that abuts an area affected by the proposal.

The WHRM Public Participation Program Policy currently meets all of the requirements of Section 204 and 204A of the MGA.

In accordance with the Public Participation Program Policy, Planning staff use the following notification process to advertise a Public Information Meeting for any site specific Land Use By-law amendment or development agreement:

- Send letters to property owners within 300 ft. (Windsor and Hantsport) or 500 ft. of the subject lot (West Hants) at least 7 days prior to the meeting;
- Place an advertisement in the local newspaper at least 7 days prior the meeting;
- Post notification on WHRM website and social media accounts;
- Notify Councillors when advertisement appears in the newspaper;
- Post an approximately 22 in. x 17 in. sign on the site at least 7 days prior to the meeting;
- Host the Public Information Meeting in-person with an option to attend via Zoom. The meeting is also live streamed on the Municipal Facebook page.

Following the meeting, the presentation is posted on the Municipal website. The Public Information Meeting comment period remains open for two weeks following the Public Information Meeting to allow residents that may not have been able to attend the meeting to have the opportunity to provide comments to planning staff.

### ***Other Jurisdictions***

Staff investigated the public participation policies from other Municipalities in Nova Scotia. The chart in Attachment B shows a summary of the requirements in the policies which were available on the corresponding municipal websites. The requirements outlined in the chart would be in addition to the Public Hearing requirements outlined in Section 206 of the MGA.

Public participation policies are unique across the Province. Most policies enable one or more public meetings to be held by staff for each application. However, some policies do not require Public Information Meetings as part of an application process. Some municipalities host public meetings immediately before a regularly scheduled planning advisory committee meeting

whereas others host them in the community where the application has been received, at a local community hall or similar venue.

Notification distances for letter mail varies from 100 ft. (30.48 m.) to 1000ft. (304.8 m.), with HRM mailing letters to property owners within 2000 ft. (609.6 m.) in certain circumstances. Similarly, the timeline for notification varies from the notice needing to be sent only 3 days prior to the meeting in some cases and up to 14 days prior to the meeting in other cases. A few policies note that the notice should be placed in the municipal office in addition to the newspaper and website.

A few policies establish time limits for comments from individual members of the public. These time limits range between 5 minutes to 15 minutes per speaker.

Only the Halifax Regional Municipality and East Hants processes mention signage to be posted on site.

The review of the public participation program policies from other jurisdictions shows that it is really at the discretion of each municipality to set a public participation policy that fits their context.

### ***Current Fees***

The WHRM Public Participation Program Policy states that “Any fees related to any action required by the Public Participation Program Policy will be established by policy of Council.” The WHRM Fees Policy outlines the cost for any Land Use By-law or development agreement application. The fees are currently set at \$1,600 per application which includes a \$500.00 processing fee and \$1100.00 deposit for direct costs such as notices and advertisements. Application fees are charged up front with the excess of the deposit for direct costs being refunded following completion of the application process.

The fees cover all advertising in the newspaper for Public Information Meetings, Public Hearings and the notice of approval, and any postage to mail meeting notification letters to nearby property owners. If the application is a for a development agreement, the fee also covers the recording fee charged by the Land Registry Office. Where possible, staff combine newspaper advertisements to reduce fees to applicants.

Any change in notification procedure such as increased signage, a wider notification area or additional newspaper advertisements would impact the cost being charged to applicants.

### ***Considerations for Policy Amendments***

Staff request feedback from the PAC/HAC on potential amendments to the Public Participation Program Policy based on the information provided in this report. Items that staff bring forward for specific consideration are outlined below.

- Increasing notification:
  - What would the Committee consider an appropriate distance for mail notifications?
  - How far in advance should the letters be mailed, newspaper advertisement appear and sign be posted on site?
- Increasing signage size:
  - What types of applications should have increased signage?
  - What size of signage would be appropriate?
- Hosting meetings in communities where the application is received:
  - If there is no community hall/meeting space in the community of the application, where should the meeting be held?
  - If the community hall/meeting space within the community is not accessible, where should the meeting be held?
  - If the community hall/meeting space within the community does not have the technical ability to share the meeting on Facebook live, what remedies should be taken?
- General:
  - What if increasing the signage size requirements and notification distance makes the application process cost prohibitive for applicants?
  - What if increasing the requirements for a Public Information Meeting to be held in the community where the application is received or increasing signage requirements increases the timeline for applications to be considered?
  - Are there certain application types, or map amendments of a certain size that could be processed without a Public Information Meeting?

## **NEXT STEPS**

Based on feedback from the Committee, staff will draft amendments to the Public Participation Program Policy for review and seek recommendation from the Committee to Council.

## **FINANCIAL IMPLICATIONS**

There are no financial implications in association with the filing of this report.

## **ALTERNATIVES**

In response to the report, the PAC/HAC may:

- allow staff to draft the revisions to the Public Participation Program Policy based on the feedback received from the Committee; or
- provide alternative direction such as requesting further information on a specific topic.

**ATTACHMENTS**

Attachment A            Public Participation Program Policy

Attachment B            Examples of Public Participation Policies from Other Municipalities

Report Prepared by: \_\_\_\_\_

Sara Poirier, Director of Planning and Development

Report Reviewed by: \_\_\_\_\_

Mark Fredericks, Senior Planner



## 1. PURPOSE

- 1.1 Section 204 of the *Municipal Government Act* (MGA) requires Council to adopt a public participation program before undertaking the preparation or amendment of development agreements or planning documents.
- 1.2 The *Engagement Programs Content Regulations* made under Section 204A of the MGA require the public participation program to contain specific content.

## 2. DEFINITIONS

- 2.1 The terms used in this Policy have the same meaning as those found in the MGA.

## 3. DEVELOPMENT AGREEMENTS and AMENDMENTS to DEVELOPMENT AGREEMENTS; ADOPTION OF REVISED PLANNING DOCUMENTS, AMENDMENTS to PLANNING DOCUMENTS and AMENDMENTS to the LAND-USE BY-LAW

- 3.1 Council resolves to seek the views of the public and encourage public participation regarding development agreements, amendments to development agreements, and adoption of revised documents or amendments to the West Hants, Hantsport and Windsor Planning Documents or Land Use By-laws by, at a minimum:

- holding one or more public meetings, usually held prior to a Planning and Heritage Advisory Committee meeting, prior to First Reading of any proposed development agreement or amendment;
- advertising any public participation or information meeting regarding any proposed development agreement or site-specific amendment by: (1) placing a notice in a newspaper circulating in the local area and (2) notifying by mail the owners of all lots within 300' of the site of both the public information meeting and any public hearing. Within a Land Use By-law Council may specify a greater distance for notification.

Notices for public participation or information meetings shall be placed in the paper and sent to abutting property owners at least seven (7) days prior to any public participation or public information meeting. Notices for public hearings shall follow the MGA notification requirements.

- 3.2 In addition, during any comprehensive review of any planning document, Council resolves to seek the views of the public and encourage public participation by developing and implementing a public engagement plan to inform the public and

receive comments from the public. The contents are at the discretion of Council but may involve committees, meetings, open houses, surveys, questionnaires, and publications.

- 3.3 In accordance with the requirements of the MGA, where:
- (a) a revised Municipal Planning Strategy is considered; or
  - (b) where an amendment to the Municipal Planning Strategy affects policy regarding:
    - drinking water;
    - flood risk areas;
    - agricultural land;
    - infrastructure; or
    - housing,

Council shall seek input from all abutting municipalities; and

- (c) where an amendment to the Municipal Planning Strategy is specific to land that lies within 2 km of an adjacent municipality, Council shall seek input from the abutting municipality.

In each case, Council shall seek input by:

- notifying abutting municipalities of the proposal. The notice shall include the date by which a response must be received in order to be considered by Council;
- ensuring that there is sufficient opportunity for a response to be received so that it may be considered before First Reading of the proposal by Council.

- 3.4 In addition, in accordance with MGA 206 (5), when a notice of public hearing is published, the clerk shall send a copy of the notice to the clerk of every municipality that abuts an area affected by the proposal.

#### 4. GENERAL

- 4.1 Councillors shall receive no new information regarding a planning matter once a public hearing is complete.
- 4.2 Any fees related to any action required by the Public Participation Program Policy will be established by policy of Council.



**5. REPEAL**

5.1 The Public Participation Program Policy COPL-001.00, dated April 28, 2020, of West Hants Regional Municipality is hereby repealed.

**6. RELATED LEGISLATION, POLICIES and PROCEDURES**

6.1 Municipal Government Act

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of West Hants Regional Municipality at a meeting duly called and held on the 24<sup>th</sup> day of January, 2023.

Deanna Snair  
Municipal Clerk

Adoption	
Notice to Council:	January 13, 2023
Approval:	January 24, 2023
Description: Initial Approval of the Public Participation Policy RCOPL-006.00	

## Appendix B

### Examples of Public Participation Policies from Other Municipalities

Staff investigated the public participation policies from other Municipalities in Nova Scotia. The chart below shows a summary of the requirements in the policies which were available on the corresponding municipal websites. The requirements outlined in this chart would be in addition to the Public Hearing requirements outlined in Section 206 of the Municipal Government Act.

In this chart the following acronyms have the following meanings:

LUB = Land Use By-law

MPS = Municipal Planning Strategy

PAC = Planning Advisory Committee

SUB = Subdivision By-law

Town / Municipality	Policy Name	Requirements
Town of Amherst	Public Participation and Notification Policy	<ul style="list-style-type: none"> <li>• A public participation session prior to making a recommendation to Council</li> <li>• A summary of the session to be provided to all members of the PAC and Council prior to First Reading</li> </ul>
Municipality of the County of Annapolis	Public Participation Policy	<ul style="list-style-type: none"> <li>• Post notice on social media and website</li> <li>• Public participation meeting held at PAC</li> <li>• Newspaper notice for Public Hearings only</li> <li>• Notification to property owners within 30 m. (98 ft.) of subject property and Public Hearing for most applications</li> </ul>
Town of Annapolis Royal	Public Participation Policy	<ul style="list-style-type: none"> <li>• One advertisement in the local newspaper</li> <li>• Notification to landowners within 200 ft. (60.96 m.) of the property by personal service or mail</li> <li>• Public meeting held</li> </ul>
Municipality of the County of Antigonish	Public Participation Policy	<ul style="list-style-type: none"> <li>• No Public Information Meeting or advertising</li> <li>• Only opportunity to speak is at Public Hearing via petition</li> </ul>
Town of Antigonish	Public Participation Program Policy	<ul style="list-style-type: none"> <li>• One or more public participation meetings hosted by the PAC</li> <li>• Notice to be published in a local newspaper at least 6 days prior to the meeting and posted in municipal office</li> </ul>

Municipality of the District of Barrington	Public Participation Program Policy	<ul style="list-style-type: none"> <li>• One or more public participation meetings hosted by the PAC prior to recommendation to Council</li> <li>• Notice to be published in a local newspaper, in municipal office, on the website and social media prior to the meeting</li> </ul>
Town of Bridgewater	Public Participation Meeting Procedures Policy	<ul style="list-style-type: none"> <li>• Outlines standards for public participation meetings when more than six (6) members of the public are in attendance</li> <li>• No member of the public can speak more than twice and no more than five (5) minutes at one time</li> </ul>
Cape Breton Regional Municipality	Public Participation Program Policy	<ul style="list-style-type: none"> <li>• Only applies to MPS or SUB amendments</li> <li>• Format to use any of the following suggestions depending on the specifics of the proposed amendment: <ul style="list-style-type: none"> <li>• Public meeting: notice shall be an ad in the local newspaper, notice mailed to surrounding land owners, or notice on the CBRM website or other social media.</li> <li>• Open house: notice places in local newspaper, mailed to surrounding land owners, or notice on website or other social media.</li> <li>• Notification requesting input: notice mailed to land owners within the vicinity.</li> <li>• Surveys: should be considered when the jurisdiction of the proposed amendment is too large for public notification by mail.</li> </ul> </li> </ul> <p>Note: in each case where letters are mailed to land owners within the vicinity, the area to mail the letters is determined by planning staff based on the geography affected by the proposed planning documents.</p>
Municipality of the County of Colchester	Public Participation Program Policy	<ul style="list-style-type: none"> <li>• A minimum of three public meetings to be held in the affected community for the adoption of any MPS and LUB</li> <li>• The PAC to hold at least one public meeting in the affected community for amendments to the existing MPS with or without LUB amendments</li> <li>• Any public meeting to be advertised at least once in the local newspaper, at least 3 days in advance of the meeting</li> </ul>

Municipality of the County of Cumberland	Public Participation Policy	<ul style="list-style-type: none"> <li>• A minimum of one public meeting advertised in the local newspaper and other media as deemed necessary</li> <li>• Planning staff to determine location, time and date of meeting</li> <li>• The meetings may include a staff presentation, open house or a workshop style gathering</li> <li>• Presentations from the public not to exceed 15 mins</li> </ul>
Town of Digby	Public Participation Program Resolution	<ul style="list-style-type: none"> <li>• The PAC is responsible for identifying the appropriate process for seeking public input. It must include at least one public meeting</li> <li>• Notice of any meeting to be posted in the Town office and published at least once in the local newspaper at least one week before the meeting</li> <li>• When deemed appropriate by the PAC they are to seek input from identifiable community stakeholder groups</li> </ul>
Municipality of the District of East Hants		Staff could not find a formal policy on East Hants website however the website did outline the process chart attached at the end of this document for a development agreement or rezoning application
Municipality of the District of Guysborough	Policy on Public Participation Program	<ul style="list-style-type: none"> <li>• MPS and LUB adoption requires a minimum of one informal meeting and one formal Public Hearing</li> <li>• Amendments to the MPS and LUB requires one or more public meetings</li> <li>• Notice of public participation meetings to be published in local newspaper and notice on municipal building</li> <li>• Notices to be posted a minimum of 14 days prior to the meeting</li> </ul>
Halifax Regional Municipality		<p>HRM is currently in the process to adopt a formal public participation program. A staff report on this topic can be found here <a href="https://cdn.halifax.ca/sites/default/files/documents/city-hall/regional-council/230425rc1513.pdf">https://cdn.halifax.ca/sites/default/files/documents/city-hall/regional-council/230425rc1513.pdf</a></p> <p>Staff contacted an HRM Planner III to receive insights into their current process. The existing public participation process has been determined on</p>

		<p>a case-by-case basis for each application, requiring separate Council policy, but typically includes:</p> <p>For discretionary approvals not requiring a plan amendment (rezoning or DA):</p> <ul style="list-style-type: none"><li>• A public meeting is not held. However, at a planning manager's discretion where a proposal is expected to be contentious, one meeting can be held.</li><li>• Webpage is created and posted.</li><li>• No newspaper advertisement for any planning notices since the HRM Charter was amended to replace newspaper with websites.</li><li>• Direct mail for landowners and tenants living in vicinity: minimum of 250 ft. (76 m.) for urban areas and 500 ft. (152 m.) for rural areas. This can go up to 2000 ft. (609 m.) depending on the context. Mail outs sent 14 days before a public meeting.</li><li>• If there is no public meeting, 30 days is provided as a public engagement period from the date the application is deemed to be received. Only after the elapse of that period, can staff complete a staff report or a negotiation with an application about a proposed development agreement may begin.</li><li>• Sign is posted and planner is responsible for providing the design.</li><li>• A courtesy email to a local councillor after mails notifications are sent, typically asking them to attend the meeting if they are free.</li></ul> <p>For discretionary approvals requiring a plan amendment (MPS amendment):</p> <ul style="list-style-type: none"><li>• A public meeting is mandatory before first reading, unless a planner thinks it is not necessary due to the amendment being site-specific and minor. If so, a separate Council policy to exempt a public meeting must be passed at the Council initiation stage.</li></ul>
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		<ul style="list-style-type: none"> <li>• A presentation is posted after the meeting and a summary of the public meeting is posted online.</li> <li>• The rest of the process is the same as above (i.e., webpage, no newspaper, direct mails, signage.)</li> </ul> <p>In terms of signage for the subject lot, HRM has signage guidelines. In summary it includes:</p> <ul style="list-style-type: none"> <li>• Large 1930 × 1219mm (76 × 48”) - intended for large urban sites, and for most sites outside urban areas, where the sign should be visible (if not legible) from a distance. The large size sign may include 2 portrait-oriented images, 1 landscape-oriented image, or no images at all.</li> <li>• Medium 1422 × 1219mm (56 × 48”) - intended for smaller sites in suburban or urban areas.</li> <li>• Small 914 × 610mm (24 × 36”) – a small, portrait-oriented sign should be used only in urban areas, where a sidewalk or trail is within a few metres of the sign. It may be applied to hoardings or to the face of an existing building. This sign does not have any options for including images.</li> </ul> <p>The HRM Planner III noted that planners typically require a medium sized sign in rural areas. The cost of the sign is paid by the applicant on top of an application fee and advertising deposit. Planners send the applicant a pdf file, and then the applicant takes that pdf file to a printing company and pays for the full expense. The applicant must submit a few photos once the sign is installed, and only then, a planner may start working on booking a venue for a public meeting.</p>
Town of Kentville	Public Participation Policy (Planning)	<ul style="list-style-type: none"> <li>• Any new MPS and concurrent LUB, SUB or amendments to any of those need one public participation meeting prior to Public Hearing</li> <li>• Advertised in local newspaper once per week for two weeks, with first ad appearing at least 14 days prior and at Town hall</li> </ul>

		<ul style="list-style-type: none"> <li>• Meeting may include staff presentation, open house or workshop style gathering</li> <li>• Presentations from the public limited to 10 minutes</li> </ul>
<p>Municipality of the County of Kings</p>	<p>Public Participation Policy</p>	<p>All amendments to the MPS and New Minas Sector Plan</p> <ul style="list-style-type: none"> <li>• make the proposed amendments and associated staff report available to the public;</li> <li>• require the PAC to hold one or more public participation meetings to explain the proposed amendments and receive comments from the public; and</li> <li>• place a notice of the meeting in a local newspaper at least one week prior to the meeting date.</li> <li>• Following the meeting, the PAC may make changes to the proposed amendments before forwarding the proposed amendments onto Council, provided the purpose of the proposed amendments are not significantly altered. The PAC must repeat the process if major changes are made to the proposed amendments that fundamentally alter the purpose of the proposed amendments reviewed by the public at the public participation meeting. The decision about whether a significant alteration is made to the proposed amendments shall rest with PAC, which shall consider the goal of seeking the opinions of the public prior to forwarding the proposed amendments to Council for consideration.</li> </ul> <p>Comprehensive Review of the MPS or New Minas Sector Plan Council</p> <ul style="list-style-type: none"> <li>• Follow process above;</li> <li>• Develop and implement a public engagement plan to further inform and receive comments from the public. The contents of the public engagement plan are at the discretion of Council and may involve one or more approaches, including but not</li> </ul>

		<p>limited to sub-committees, public meetings, open houses, focus groups, questionnaires, newsletters and interviews.</p> <p>Development Agreements and Amendments to the Kings County or New Minas Land Use Bylaw</p> <ul style="list-style-type: none"> <li>• holding one or more public meetings to inform the public and receive comments from the public about the proposal.</li> </ul> <p>Council has the discretion to choose to follow the processes outlined above for review of a discrete component of the MPS or New Minas Sector Plan.</p>
Municipality of the District of Lunenburg	Public Participation Strategy	<ul style="list-style-type: none"> <li>• Gives the discretion to staff on how they should engage with the public on different subject matter (inform, consult, involve, collaborate, empower)</li> </ul>
Town of Mahone Bay	Public Participation in Planning Policy	<ul style="list-style-type: none"> <li>• Staff notify the public at a Council meeting of the intention to prepare or amend planning documents</li> <li>• Council directs staff to consider the proposed amendment and to schedule a PIM</li> <li>• PIM is advertised in the local newspaper, on the website and social media, and at the Town office at least 5 business days prior to the meeting</li> <li>• Public Hearing process follows MGA requirements</li> </ul>
Town of Middleton	Public Participation Program	<ul style="list-style-type: none"> <li>• For any MPS and LUB amendment a public meeting is schedule; advertised in the local newspaper and notice provided by mail to landowners within 200 ft. (60.96 m.) of the affected area</li> <li>• At the meeting, prior to PAC discussion, the public has the ability to ask questions and make comments</li> <li>• Council may choose to extend the public information process, require more advertisements for matters of major importance, such as significant amendments or revisions to the MPS</li> <li>• In the case of a LUB or development agreement, Council allows the CAO to refer the</li> </ul>

		<p>application to PAC for recommendation and to set and advertise the date for a Public Hearing</p>
Queens Regional Municipality	Public Participation Program	<ul style="list-style-type: none"> <li>• Hold one or more public information meetings prior to Council</li> <li>• Notice published in a local newspaper at 14 days prior, posted in the appropriate district, and posted in the Municipal office</li> </ul>
Municipality of the County of Richmond	Public Participation Program – Engagement with Abutting Municipalities	<ul style="list-style-type: none"> <li>• No public participation program policy found online</li> <li>• Only applies to engagement to abutting municipalities when adopting or replacing an MPS, or amending a MPS when it affects lands that share boundaries</li> </ul>
Municipality of the District of Shelburne	Public Participation Respecting Planning Documents	<ul style="list-style-type: none"> <li>• Hold one or more public meetings</li> <li>• Staff notify the public at a Council meeting of the intention to prepare or amend planning documents, and a public information session shall be held dealing with the proposed amendments</li> <li>• Notice to be published in a local newspaper, on the municipal website and in the municipal courthouse</li> </ul>
Town of Shelburne	Public Participation Program Policy	<ul style="list-style-type: none"> <li>• MPS amendments, including all amendments of LUB and/or SUB where MPS amendment is also required, requires both a public meeting/information session and a Public Hearing</li> <li>• Notice of public meetings/information sessions to be published in local newspaper and on Town’s website</li> </ul>
Municipality of the District of St. Mary’s	Public Participation Program & Engagement Policy	<ul style="list-style-type: none"> <li>• Preparing MPS or LUB requires at least one informal public meeting and one formal Public Hearing</li> <li>• Amendments to MPS or LUB requires one or more public meetings</li> <li>• Notice for any meeting to be published in the local newspaper and municipal social media, appearing a minimum of 14 days prior</li> <li>• Notes engagement with abutting municipalities</li> </ul>
Town of Stewiacke	Public Participation Program	<ul style="list-style-type: none"> <li>• PAC to hold a minimum of one public meeting</li> <li>• Advertised at least once in a local newspaper, Town office and two other locations throughout the Town</li> </ul>

		<ul style="list-style-type: none"> <li>• Notice to be placed a minimum of at least 3 days prior to meeting</li> <li>• Council may direct PAC to determine if additional public participation meetings and additional advertising is required</li> </ul>
Municipality of the County of Victoria	Public Participation Policy	<ul style="list-style-type: none"> <li>• Council to hold one or more public participation meeting</li> <li>• Notice to be published in the local newspaper and on municipal website</li> </ul>
Town of Wolfville	Public Participation Program Policy	<ul style="list-style-type: none"> <li>• Amendments of planning documents or a development agreement: hold one or more public meetings; publish notice in the newspaper and Town website; notices by mail to properties within 328 ft. (100 m.) of the property of both public information meeting and Public Hearing</li> <li>• Site Plan approval: notice on the property and Town website; properties within 98 ft. (30 m.) get notices by mail and notice area may increase to 328 ft. (100 m.) under certain circumstances as determined by the Development Officer</li> <li>• Plan Review: developing and implementing a public engagement plan at the discretion of Council which may involve committees, meetings, open houses, surveys, questionnaires, and publications</li> <li>• Notes engagement with abutting municipalities</li> </ul>
Municipality of the District of Yarmouth	Public Participation Program Policy	<ul style="list-style-type: none"> <li>• Council to hold one or more public participation meetings</li> <li>• Published in the local newspaper and Municipal website and social media at least 5 business days prior to the meeting</li> <li>• The meeting shall be conducted by Municipal staff of the Planning and Development Department, on behalf of PAC</li> </ul>
Town of Yarmouth	Public Participation Program Policy	<ul style="list-style-type: none"> <li>• LUB amendments and development agreements: Property owners within 98 ft. (30 m.) of the subject property to be notified by mail prior to Public Hearing</li> <li>• Plan Review: develop and implement a public engagement plan at the discretion of Council</li> </ul>

		<p>which may involve committees, meetings, open houses, and surveys</p> <ul style="list-style-type: none"> <li>• Site Plan or Variance: The Development Officer to give notice to property owner within 98 ft. (30 m.) of the subject lot at least 7 days prior to the approval</li> <li>• Notes engagement with abutting municipalities</li> </ul>
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**East Hants Process Chart**

