

REPORT

TO: Warden and Members of Shelburne Municipal Council

FROM: Jill Webb, Economic Development Officer

APPROVED BY: Val Kean, Director of Economic & Community Development

SUBJECT: Public Participation Policy – Revision

DATE: December 10, 2025

PURPOSE:

The purpose of this report is to present Council with the proposed new Public Participation Policy for consideration and adoption. The updated policy ensures clear, transparent and meaningful public input during the preparation and amendment of planning documents and development agreements, in accordance with the Municipal Government Act (MGA).

RECOMMENDATION:

It is recommended:

THAT Council repeal the existing Public Participation Policy and approve the new Public Participation Policy as presented in this report.

BACKGROUND:

The Municipal Government Act requires municipalities to adopt a Public Participation Program (PPP) that describes how the public will be engaged when planning documents are created or amended. While the Municipality of the District of Shelburne (MoDS) already has a Public Participation Policy, the proposed new policy has been updated to align with the recently adopted Municipal Planning Strategy (MPS) and Land Use By-law (LUB). It also supports Council's goals of transparency, accountability, and stronger community engagement.

The new policy formalizes and clarifies the Municipality's engagement process by ensuring that:

- all statutory requirements are met;
- expectations for the public, staff, and Council are clearly defined; and
- engagement processes remain transparent, predictable, and accessible.

This policy applies to planning processes such as amendments to the MPS, LUB, Subdivision By-law, and all Development Agreement applications.

DISCUSSION

The proposed policy provides a clear and flexible approach to public engagement, allowing the level of consultation to match the scale and complexity of each planning application while still meeting MGA requirements. It strengthens communication with neighbouring municipalities when planning changes may affect shared boundaries or infrastructure and includes additional notification to the Town of Shelburne for draft Development Agreements in the Hartz Point Special Planning Area.

The policy sets out straightforward notice requirements for Public Hearings, including at least 14 days' notice through online or newspaper publication. Property owners within 30 metres of an affected site must also receive mailed notice. To support early involvement, the policy requires Public Information Meetings (PIMs) for all rezoning and development agreement applications unless Council decides otherwise. Planning documents must be made available to the public, with cost recovery permitted for printing or administrative services. For amendments to the Municipal Planning Strategy that involve policy or land use designation changes, the policy requires at least one engagement opportunity before First Reading, ensuring public input is included early in the process

BUDGET IMPLICATIONS

No new financial impacts are expected. Costs related to printing, advertising, and meeting facilitation are already included in the Planning & Development budget. Fees charged for amendments will help offset these expenses.

ATTACHMENTS

1. Current Public Participation Policy
2. Updated DRAFT Public Participation Policy



MUNICIPALITY OF THE DISTRICT OF SHELburne

Policy Statement

PUBLIC PARTICIPATION PROGRAM RESPECTING PLANNING DOCUMENTS

Be it resolved that the Municipality of the District of Shelburne does hereby adopt the following Public Participation Program pursuant to Part VIII, Section 204 of the Municipal Government Act of 2006 as amended, for the purpose of securing public input into the preparation, revision and amendment of planning documents.

1. In preparing and reviewing planning documents as required by the Municipal Government Act, Part VIII, the Council shall provide for public input into the review of the planning documents by holding one or more public meetings, which shall be held prior to Council giving notice of its intention to adopt a planning document.
2. Any proposed amendments to a planning document shall be aired to the public at a regular or special meeting of Council, and a public information session shall be held dealing with the proposed amendments.
3. Notice of any public meeting shall be published in a newspaper circulating in the Municipality of the District of Shelburne, on the municipal web site and by posting a notice in the Municipal Courthouse, Shelburne. The notice shall state the time, date and place of the meeting and the hours during which relevant documents pertaining to the amendment or review may be inspected by the public.
4. The purpose of the public meeting(s) shall be to provide an opportunity for the public to comment, make suggestions, discuss and receive information with respect to the adoption or review of the planning document(s).
5. Members of the public may express their views, comments or suggestions verbally or in writing, and all interested persons will be given the opportunity to have their views and comments heard.

6. The public meeting (4) shall be conducted by staff, and the staff responsible for the preparation of the planning document(s) shall attend the meeting and prepare a written report to Council outlining the views expressed at the public meeting and recommendations with respect to the public views so expressed.

Clerk's Annotation For Official Policy Book

Date of Notice to Council members of Intent to Consider: March 14, 2011

(7 days minimum)

Date of Passage of Policy: March 28, 2011

Clerk

Date



Public Participation Policy

Municipality of the District of Shelburne

Purpose

To ensure transparent and meaningful public input is obtained during the preparation and amendment of planning documents and development agreements, in accordance with the Municipal Government Act (MGA).

Scope

Applies to all amendments and adoptions related to the following:

- Municipal Planning Strategy (MPS)
- Land Use By-law (LUB)
- Subdivision By-law
- Development Agreements (DAs)
- Any other planning document involving land use planning

This section outlines the standard public participation process required by Council for policy and development matters.

Policy

1.1 Applicability and Program Variability

The Public Participation Program may include different procedures or levels of engagement depending on the type of planning document involved. Council retains discretion to vary the process based on the complexity or scale of the amendment or adoption under consideration, provided that statutory requirements under the MGA are met.

2.1 Engagement with Abutting Municipalities

When consulting with abutting municipalities, the Municipality shall follow Policy 7.4.4 of the Municipal Planning Strategy. This includes notification requirements for:

- a) The creation or review of a Municipal Planning Strategy.
- b) The creation or review of a Land Use Bylaw.
- c) The creation or review of a Subdivision Bylaw.
- d) The preparation of amendments to a Municipal Planning Strategy, Land Use Bylaw, or draft a Development Agreement, where:
 - i. the property is located within 500 metres of the Municipality Boundary,
 - ii. the proposal is expected to have a direct impact on Town infrastructure

2.2 Engagement with Town of Shelburne

In addition to 2.1, the Municipality shall notify the Town of Shelburne Council of any DRAFT development agreements for property located in the Special Planning Area on western half of Hartz Point.

3.1 Notification of Public Hearings

Before holding a Public Hearing, the Municipal Clerk shall provide notice at least fourteen (14) days prior to the hearing date. This notice must be posted on the Municipality's website or published in a newspaper circulating within the Municipality once per week for two successive weeks. The notice shall include the hearing date, time, and location; a description of the affected area; a synopsis of the proposed document or amendment; and a statement on where and when the full document may be inspected.

4.1 Adjacent Landowner Notification

In addition to the public notice, all assessed property owners within 30 metres of the subject lands must be notified of the Public Information Meeting and the Public Hearing by mail. Notices must include meeting details, the nature of the proposed change, and contact information for inquiries.

5.1 Public Information Meetings (PIMs)

Public Information Meetings (PIMs) may be recommended for significant applications by planning staff, the Chief Administrative Officer (CAO), a Councillor, or the Warden. These meetings are to be organized and facilitated by planning staff to provide an opportunity for public engagement and feedback before formal Council consideration. For all rezoning and development agreement applications, at least one PIM is required unless Council specifically directs otherwise.

6.1 Document Accessibility and Cost Recovery

Copies of the proposed documents or excerpts shall be made available to any interested party upon request. The Municipality may charge a fee set by Council policy to recover printing or administrative costs associated with distributing such documents.

7.1 Plan Amendments – Public Participation

For amendments to the Municipal Planning Strategy that involve a change in policy or land use designation, a Public Participation Program (PPP) is required. The PPP shall provide at least one opportunity for public feedback prior to Council First Reading, in addition to the Public Hearing.

8.1 Repeal

The Public Participation Program Respecting Planning Documents adopted by the Council of the Municipality of the District of Shelburne on the 28th day of March, 2011, is hereby repealed.

THIS IS TO CERTIFY that the Council of the Municipality of the District of Shelburne duly passed the policy respecting Affordable Housing Grant Policy on the ___ day of _____, 2025.

SIGNED this _____ day of _____, 20_____

WARDEN

CHIEF ADMINISTRATIVE OFFICER

Approved by Council:

Effective Date:

