



Staff Report

Administration – Communications

Report To: COW_Finance_Admin_Fire_Community_Services
Meeting Date: August 26, 2024
Report Number: FAF.24.086
Title: Follow Up to Notice Policy Public Meeting
Prepared by: Tim Hendry, Manager of Communications and Economic Development

A. Recommendations

THAT Council receive Staff Report FAF.24.086, entitled “Follow Up to Notice Policy Public Meeting”;

AND THAT Council repeal the Town’s “Provision of Notice and Manner of Giving Notice to the Public Policy” POL.COR.07.03 and replace it with the new policy as attached to this report;

AND THAT Council repeal and replace By-law 2008-09 as outlined in this report.

B. Overview

This report is a follow-up to the Public Meeting held on July 9, 2024 related to the proposed amendments to the Town’s Public Notice Policy and seeks Council endorsement and approval of the policy as presented.

C. Background

At the May 21, 2024 Committee of the Whole meeting, Council received staff report [“FAF.24.062 Amendments to the Public Notice Policy”](#) and provided direction to staff to proceed to a Public Meeting to receive comments on the amended draft policy as attached to the staff report.

D. Analysis

At the July 9, 2024, Public Meeting, Council sought comments from the public, and in response, two written comments were received.

The first comment suggested a few housekeeping changes to clarify definitions and terms used within the policy. Staff agree with these comments and the changes have been made within the draft policy as attached to this report. In addition, the comment also suggested that the URLs of the Town’s Social Media accounts should be referenced in the Policy or within a schedule. Staff also agree and support this recommendation and will ensure that the URLs to the Town’s social

media accounts are included. With respect to the comment provided about customer service response times, staff do not feel that it is appropriate for the Notice Policy to reference customer service standards, as customer service standards would be better suited for a standalone policy. This recommendation will be reviewed by the Town's Senior Management Team with further information provided to Council.

The second comment suggested that the public notice related to Planning and Development Projects should not only adhere and meet the minimum requirements of the Planning Act and other applicable legislation but go above and beyond these requirements, whenever possible, to ensure adequate time for public engagement. Staff fully agrees and supports the focus of the comment and is committed to going above and beyond the minimum requirements for planning and development projects. This philosophy is referenced within the Policy under the 'Principles of the Communications Strategy' section.

Staff would like to highlight that this standard is already in effect in the Town, as demonstrated by the 74+ dedicated planning project webpages, which serve as a comprehensive resource for residents to access information, staff reports, and documents related to every active planning project happening in the Town. Communications and Planning staff are always interested and focused on improving and enhancing engagement with residents and will continue to implement new communication improvements in keeping with the recommendations provided by the comment that was received.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders.

F. Environmental Impacts

No environmental impacts are anticipated as a result of this report.

G. Financial Impacts

The costs associated with issuing public notices and advertising are included in the annual operating budgets for each department. In addition, the Town's Communications Division operating budget also includes an annual allocation to cover the cost of newspaper advertising.

H. In Consultation With

Shawn Everitt, Chief Administrative Officer

Corrina Giles, Town Clerk

I. Public Engagement

The topic of this Staff Report has been the subject of a Public Meeting and/or Public Information Centre which took place on **July 9, 2024**. Those who provided comments at the Public Meeting and/or Public Information Centre, including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report. Any comments regarding this report should be submitted to Tim Hendry, Manager of Communications & Economic Development, communications@thebluemountains.ca.

J. Attached

1. Draft Notice Policy POL.COR.24.XX
2. Draft Public Notice By-law 2024-XX
3. Public Meeting Comments

Respectfully submitted,

Tim Hendry
Manager of Communications & Economic Development

For more information, please contact:
Tim Hendry, Manager of Communications & Economic Development
communications@thebluemountains.ca
519-599-3131 extension 282

Report Approval Details

Document Title:	FAF.24.086 Follow Up to Notice Policy Public Meeting.docx
Attachments:	- Attachment-1-Draft-Notice-Policy-POL-COR-24-XX.pdf - Attachment-2-Draft-Public-Notice-By-law-2024-XX.pdf - Attachment-3-Public-Meeting-Comments.pdf
Final Approval Date:	Aug 13, 2024

This report and all of its attachments were approved and signed as outlined below:

Tim Hendry - Aug 13, 2024 - 1:58 PM

Shawn Everitt - Aug 13, 2024 - 4:49 PM

POL.COR.24.XX

Provision of Notice and Manner of Giving Notice to the Public Policy



Policy

POL.COR.24.XX

Provision of Notice and Manner of Giving Notice to the Public Policy

Policy Type: Corporate Policy (Approved by Council)

Date Approved: Month, Day, 2024

Department: Administration

Staff Report: A.07.34, FAF.24.086

By-Law No.: 2024-XX

Policy Statement

The Town of The Blue Mountains will ensure transparent and effective communications between the Town and its residents, businesses, and stakeholders. As per Section 270(1)(4) of the *Municipal Act, 2001*, the Policy aims to establish clear guidelines and procedures for providing timely and accessible notices regarding Town business. The Notice Policy will facilitate transparent, inclusive, and proactive communication, allowing the Town to inform, engage, and involve its stakeholders in the decisions that affect the Town.

Purpose

As required by Section 270 of the *Municipal Act, 2001*, the Town of The Blue Mountains shall adopt and maintain a policy with respect to the circumstances in which the Town shall provide notice to the public, and if notice is to be provided, the form, manner and times notice shall be given.

The Policy includes procedures for providing formal Public Notice as related to Section 270 of the *Municipal Act, 2001*, and for general Public Notice as related to the Town's commitment to proactive public engagement.

In addition, this Policy is intended to ensure that Public Notice is provided based on the following principles:

- a) Residents and stakeholders should be aware what, when and where the business of the Municipality is being discussed;
- b) Residents and stakeholders should be aware when the business being discussed will have an impact on them; and

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- c) Residents and stakeholders should have adequate time to submit or provide written/verbal comments and/or deputation materials.

Definitions

Act: shall mean the Municipal Act, 2001, S.O. 2001, c.25.

Clerk: shall mean the Clerk of The Corporation of The Town of The Blue Mountains.

Council: shall mean the current elected Council for The Corporation of the Town of The Blue Mountains.

Day(s): shall mean calendar days, not business days.

Municipality or Town: shall mean The Corporation of the Town of The Blue Mountains and represent the entirety of Council, Town Staff, and Local Boards as defined in subsection 269(1) of the *Municipal Act, 2001*.

Newspaper: shall mean the definition of a newspaper as defined within the Legislation Act, 2006 s. 87.

Notice Period: shall mean the duration or length of the Notice provided in advance to the general public or to those persons who may be affected by a proposed action or decision to be undertaken or made by Council.

Policy: shall mean the Town of The Blue Mountains "Notice Policy".

Public Information Centre: shall mean an informal open meeting in which all members of the public are invited to discuss a specific matter. A Public Information Centre may be held to share relevant information, gather feedback from the public, facilitate open communication and ensure transparency in the decision-making process.

Public Meeting: shall mean a Public Meeting under the Municipal Act, 2001, as amended, or the Planning Act, or any other statute that requires or permits Council to hold a Public Meeting; and, is a meeting held primarily for the purpose of consulting with the public and hearing representations on a subject matter within the authority or jurisdiction of the Council of the Town of The Blue Mountains.

Public Notice or Notice: shall mean the circumstance in which Notice will be given as well as the method by which Notice will be given by the Municipality, so as to provide advance knowledge of a proposed action or decision to be undertaken or made by Council, or Staff, to the general public or to those persons who may be affected, so as to increase the accountability and transparency of the municipal decision-making process.

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Social Media: shall mean the official Social Media accounts for the Town of The Blue Mountains.

Staff or Town Staff: shall mean the employees of The Corporation of the Town of The Blue Mountains.

Town Business: shall mean all general business of The Corporation of the Town of The Blue Mountains, including but not limited to standard activities and operations.

Website: shall mean the official Town of The Blue Mountains website (www.thebluemountains.ca).

Application

1. This Policy applies to the actions or decisions to be undertaken or made by the Town of The Blue Mountains, including all actions requiring Public Notice undertaken or made by Town Council, Town Staff, Committees of Council and Local Boards as defined in subsection 269.1 of the *Municipal Act, 2001*, all collectively called the “Town” or “Municipality”, for the purpose of providing accountability and transparency in the Town’s decision-making process and its actions.
2. This Policy applies to matters outlined within this Policy unless:
 - a) The Act or any other legislation requires Notice to be provided otherwise, in which case Notice will be provided as prescribed by that legislation;
 - b) Council directs that some other form and manner of Notice is to be provided, in which case Notice shall be provided as directed by Council resolution
3. The form, manner and Notice Period as outlined in this Policy shall be considered to be the minimum requirement.
4. Notice provided on the Town Website under this Policy shall be considered sufficient Notice even if the website is not accessible at all times during the Notice Period.
5. Unless otherwise prescribed, where Notice is to be provided to an individual, an agency or other level of government by regular mail, Notice will be considered to be given seven days from the date of mailing.
6. Nothing in this Policy shall prevent the use of more extensive methods of Notice or for providing for a longer Notice Period.
7. Where provisions of this Policy may conflict with provisions of another policy or by-law this Policy shall prevail.

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8. Exclusive use of any form of Social Media shall not constitute Public Notice for the purposes of meeting the requirements of this Policy.
9. Where a Public Information Centre is held at the direction of Council or Town Staff, the minimum Notice Period shall be 14 days and advertised following the manners outlined in Class 2 – Defined or Specific Items/Issues.
10. If there are no newspapers that meet the definition of a newspaper as defined within the Legislation Act, 2006 s. 87, then the Town shall, at the discretion of the Town Clerk, advertise the matter in a newspaper that does not meet the definition but has general circulation within the Municipality.
11. Planning and Development projects within the Municipality must meet the minimum requirements of the *Planning Act* and other applicable legislation. For matters related to planning and development projects that are outside of the public notice requirements of the *Planning Act* or other applicable legislation, the notice requirements of Class 2 – Defined or Specific Items/Issues of this policy shall be followed.
12. This Policy is not intended to apply to standalone operational notices or other matters of Town business that are deemed at the direction of the Communications Department, to not reach the threshold of requiring formal public notice. Examples may include but are not limited to: Notice of Town Hall Closures for Public Holidays, Seasonal Facility Closures, Community Improvement Plan Applications, Bid Advertising, Volunteer Recognition Award Nominations, etc. In these instances, a topic specific communication plan is created and implemented by the Town's Communications Department to suit the nature and intent of the matter in keeping with the standards and principles of the Town's Communications Strategy.

Procedures

General Guidelines

- a) all references to days are calendar days, not business days;
- b) direct delivery includes hand delivery, facsimile and email; and
- c) notice can be provided through multiple channels such as notice on website, newspapers, radio, television, direct mailing, and location signage.

In all instances when issuing a Public Notice, the Town should strive to meet the following guidelines:

- Ensure that Public Notice be provided as soon as possible;

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- Ensure that the Public Notice be distributed to the broadest possible audience or the appropriate specific audience that is impacted;
- Ensure that Public Notice is provided in a variety of manners;
- Ensure that Public Notice is provided using easy to understand plain language with the focus of being open, inclusive and respectful to all residents and stakeholders;

Emergency Provision

If a matter or situation arises that, in the opinion of the Chief Administrative Officer or designate, is considered to be of an urgent or time sensitive nature, or could affect the health and well-being of the residents of the Town, or if a state of emergency is declared, or is so directed by a Provincial Ministry, the notice provisions may be waived and best efforts should be made to provide as much notice as is reasonable under the circumstances.

In the event that Public Notice has not been provided in accordance with this policy, the omission of such notice shall not invalidate any actions taken. In the case of an omission, the Town will provide Public Notice through all appropriate channels as soon as possible.

The Town shall not be held responsible for any failure to provide Public Notice if such failure is caused by factors beyond its control, including but not limited to power outages, electronic communication failures, Acts of God, or emergency situations.

Public Notice Format

Public Notice provided under this Policy shall be issued on the approved Town branded template and include the following information (as applicable):

- a) A general description of the matter or summary of the Notice;
- b) Where the matter relates to a defined location, sufficient particulars of the location (i.e., municipal address, legal description, key map, etc.);
- c) The date, time and location of the meeting at which the matter will be discussed;
- d) The purpose of the meeting for which the Public Notice is required;
- e) If applicable, appeal rights under the *Planning Act*, or any other legislation;
- f) Identification of the authority under which the Public Notice is being given;
- g) Instructions, including contact information for submitting written comments and deadline for the same and meeting details where public input is permitted;
- h) Contact information for obtaining additional information/clarification;

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- i) Contact information for obtaining the notice in an accessible manner;
- j) Any additional information deemed appropriate or required.

A standard public notice template will be maintained by the Communications Department to ensure consistency when sharing information with residents and stakeholders.

Principles of the Communications Strategy

The Town's Communications Strategy is intended to be used a resource to support the minimum notification activities and actions as required under this Public Notice Policy.

The Communications Strategy encourages a commitment to engaging and listening to all residents and stakeholders, including full-time, part-time, seasonal, rural and urban, through a respectful, informed and ongoing dialogue. The strategy references that in all instances the Town should endeavour to use a number of communication tools and platforms to meet the diverse needs of residents and stakeholders. The list of tools currently being employed includes but is not limited to:

- Newspaper Advertisements
- Email and Print Newsletters
- Municipal Information Guide
- TV Screens
- Tax Bill Newsletter
- Direct Mail
- Digital Advertising
- Hand Delivered Notices
- Press Releases Roadside Signage
- Town Hall Meetings
- Town Website
- Public Information Centres
- Public Meetings
- Social Media
- Surveys and Polls
- Focus Groups and Workshops

Notice Categories

Four notice categories have been established to help group common aspects of Town business and operations. A summary of each class and relevant examples are included in the following chart.

It is important to note that the chart outlines the **minimum** notification requirements related to each Class. In all instances, every project and communications activity will be supported by the Town's Communications Department. Following the principles of the Communications Strategy, all communication efforts will include a varied use of communication tools including online and traditional methods and will strive to maximize public reach and engagement as appropriate.

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Class	Description	Examples
Class 1: Meetings of Council and Committees	Refers to notice of scheduled and upcoming Council and Committee meetings	Scheduled Council and Committee meetings
Class 2: Defined or Specific Items/Issues	Refers to notice related to Town business that is associated within a localized geographical area and that impacts a more contained population or a specific user group.	Localized road works Temporary/Planned service interruptions Noise by-law exemptions Tree clearing activities Facility specific user surveys
Class 3: Broad Community Items/Issues	Refers to notice related to Town business that has an impact on the broader community.	Strategic plan and master plans Public surveys
Class 4: Public Meetings	Refers specifically to notice for matters in which there is a legislative requirement to hold a Public Meeting.	Public Meetings as required under the Planning Act, Municipal Act, etc.

Class 1 – Meetings of Council and Committees

Class 1 refers specifically to providing notice of regularly scheduled and upcoming Council and Committee meetings.

The foundation for this class is the publication of the annual Council and Committee meeting schedule and updates to the schedule. The meeting schedule shall be posted to the Town website and distributed in electronic or hard copy upon request. The schedule shall show the time and date for each regular Council and Committee meeting and changes to the schedule will be made a minimum of 4 days in advance.

A minimum of four days notice is required utilizing the following methods:

- Posting of the agenda and supporting information including staff reports to the Town website; and

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- Direct delivery of the agenda and supporting information to affected individuals where they have requested to be notified of an upcoming meeting or where the Town is legislatively required to provide notice.

The notice requirements listed above do not apply to revised, consolidated or special meeting agendas.

Class 2 – Defined or Specific Items/Issues

Class 2 refers to notice related to Town business that is associated within a specific geographical area and that impacts a more contained population or a specific user group.

The notice provided within this class shall consider the interest(s) of specific user groups and directly impacted individuals and/or stakeholders. Notice shall be provided through the form of a letter on an approved Town branded template.

Examples related to this class include but are not limited to:

- controlled access by-laws and amendments;
- road renaming, highway closing by-laws;
- localized capital infrastructure project where a Class Environmental assessment is not required; and
- matters related to planning and development projects.

A minimum of 14 days notice is required utilizing the following methods:

- Direct delivery or prepaid mail to affected parties, that may include, but are not limited to affected land owners/occupants, abutting land owners/occupants, license holders, stakeholders;
- Posting of notice on the Town's website;
- Notice provided to any area municipality that would be affected;
- At the discretion of the Department Director, advertised in newspaper that meets the definition of a newspaper as defined within the Legislation Act, 2006 s. 87; and
- At the discretion of the Department Director, signage shall be posted on or near the affected property using an approved Town branded template.

*Despite the specific focus of this class, there may be cases where broad general notice may be suitable and/or required; therefore, discretion and consultation with the Communications Department is required.

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Class 3 – Broad Community Items/Issues

Class 3 refers to notice related to Town business that has an impact on the broader community.

The notice provided within this class shall be provided to reach a broad audience and allow for sufficient time for the public to respond to these major items/issues. Refer to Class 4 for matters in which there is a legislative requirement to hold a Public Meeting.

At the direction of Council or Town Staff, a Public Information Centre may be held to receive public input on matters related to this class. For details regarding Public Information Centres, refer to the Application section of this document.

Examples related to this class include but are not be limited to:

- The creation, revisions and/or updates to all strategic plans and master plans; and
- Broad public surveys with general interest topics.

A minimum of 21 days notice is required utilizing the following methods:

- Notice shall be posted to the Town website through the form of a press release;
- A dedicated project webpage shall be created on the Town website;
- Information related to the project shall be promoted on Town's social media accounts and included in the monthly e-newsletter;
- Notice shall be advertised in newspaper(s) that meets the definition of a newspaper as defined within the Legislation Act, 2006 s. 87.; and
- At the discretion of the Department Director, signage shall be posted on or near the affected property or area using an approved Town branded template.

In addition to the required communication activities listed above, specific communication campaigns will be developed by the Communications Department in consultation with the Department Director and/or project lead for all matters within this class. The communication campaigns will follow the principles of the Town's Communications Strategy and endeavour to use a mix and variety of communication tools including online and traditional methods and will strive to maximize public reach and engagement as appropriate.

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Class 4 – Public Meetings

Class 4 refers specifically to notice for matters in which there is a legislative requirement to hold a Public Meeting.

If the Public Meeting is held as a legislative requirement, then the provisions of the legislation shall be followed. If the Public Meeting is non-legislative and held at the direction of Town Council or staff, then the notice requirements of this class shall be followed.

The issues associated with this class may have a significant impact on the broader community. Notice shall be provided to reach a broad audience and allow for sufficient time for the public to respond to these major issues.

At the direction of Council or Town Staff, a Public Information Centre may be held to receive public input on matters in advance of the Public Meeting. For details regarding Public Information Centres, refer to the Application section of this document.

Notice provisions will apply to the following:

- consulting with the public on the development of new and amending Council policies under the *Municipal Act*;
- consulting with the public on the development of new regulatory by-laws and amendments to those regulatory by-laws that affect general population i.e. amendment to pesticide or smoking by-laws;
- amendments to procedural by-law;
- proposed changes to governance structure (e.g. change of municipality name, change in size of Council);
- approval of fees and charges by-law;
- sale of land containing buildings or the sale of land where a building permit could be acquired; and
- approval of the budget and any amendments resulting in an adjustment to the levy.

A minimum of 21 days notice is required utilizing the following methods:

- The Notice of Public Meeting shall be affixed to the “Town Information” bulletin board located in the public lobby at the Town of The Blue Mountains Town Hall;
- The Notice of Public Meeting shall be posted to the Town website; and

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- The Notice of Public Meeting shall be direct mailed to those that requested to be notified and to neighbouring properties as required by the Planning Act and any other Legislation, Act or Regulation;
- The Notice of Public Meeting shall be advertised in newspaper(s) that meets the definition of a newspaper as defined within the Legislation Act, 2006 s. 87; and
- At the discretion of the Department Director, signage shall be posted on or near the affected property using an approved Town branded template, with signage updated following the Public Meeting stating when the meeting was held.

Exclusions

1. Class Environmental Assessment Process under the *Environmental Assessment Act, R.S.O. 1990, Chapter E.18.*

The Class Environmental Assessment process is not included in this Policy. The requirements for notice under the Environmental Assessment Act will be followed as it relates to most major road, water and sewer construction projects.

2. POL.COR.22.02 Hiring of Employees Policy.

References and Related Policies

The *Municipal Act, 2001, Planning Act* and Town Policies POL.COR.07.01 Accountability and Transparency Policy, and the POL.COR.07.02 Sale and Other Disposition of Land Policy, as approved.

Consequences of Non-Compliance

Non-compliance with the *Municipal Act, 2001* and any other Act is subject to the remedies prescribed therein.

Review Cycle

This Policy will be reviewed once per term of Council by the Senior Management Team for report to Council in open session.

The Corporation of the Town of The Blue Mountains

By-Law Number 2024 –

Being a By-law to adopt a policy of the Town detailing the provision of notice and manner of giving notice to the public by the municipality

WHEREAS subsection 5(3) of the *Municipal Act, 2001* states a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS section 270 of the *Municipal Act, 2001* states that a municipality shall adopt and maintain a policy describing the manner in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given;

AND WHEREAS Council considered and adopted the recommendations in staff report FAF.24.062 Amendments to the Public Notice Policy at the June 3, 2024 Council Meeting to proceed with a Public Meeting on July 9, 2024;

AND WHEREAS Council considered staff report FAF.24.086 at the August 26, 2024 Committee of the Whole Meeting and at the September 9, 2024 Council Meeting, adopted the recommendation, to proceed with the enactment of a new updated Provision of Notice and Manner of Giving Notice to the Public Policy and associated By-law;

NOW THEREFORE Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. THAT Town Policy POL.COR.24.XX, "Provision of Notice and Manner of Giving Notice to the Public" is hereby adopted and directed for application as a Corporate Policy in all spheres of municipal business;
2. THAT Corporate Policy POL.COR.07.03 is hereby repealed and replaced by Policy POL.COR.24.XX;

THAT, with the enactment of the within By-law, By-law 2008-09 being a By-law to adopt a policy of the Town detailing the provision of notice and manner of giving notice to the public by the municipality, is hereby repealed and replaced.

Enacted and passed this 9th day of September, 2024.

Andrea Matrosovs, Mayor

Corrina Giles, Town Clerk

Public Notice Policy Revisions Public Comments – July 9, 2024

Pamela Spence (Highway 26 in Craighleith), Received via email on July 5, 2024

The notice methods are challenged these days by the lack of newspapers and our dependency on technology. I support the use of email for notices and suggest that taxpayers should be registered not only with a snail mail address but an email address. This is particularly important and helpful in this community where many taxpayers are seasonal or part-time and may not subscribe to Town news or Collingwood Today.

I support using the Blue Review but I have not been able to find it. If this is the Town's preferred outlet then The Review should be available at the Town Hall and the Town centres like the Library, Depot, school and Community Centre.

Definition of "days" being calendar days should be added to the Definition Section instead of within General Guidelines.

I respectfully suggest that the social media outlets utilized by the Town, along with the specific "handles" or "addresses", be set out in the policy to clarify which of the many outlets are the primary sources of information.

The phrase "in a timely manner" is a weak phrase and should be avoided. Specific timelines would be more helpful to all those reading the policies.

Furthermore, I suggest policy should be written to ensure that written inquiries made to the Town are given a proper response within a specified timeline (ie. 3 days) or an explanation within the 3 days that a more fulsome response will come in X days.

Accountability and Transparency Committee, Received via Committee of the Whole on July 8, 2024

Public Notice related to Planning and Development Projects to not only adhere and meet the minimum requirements of the *Planning Act* and other applicable legislation but to go above and beyond these requirements, whenever possible, in order to ensure adequate time for public engagement, for matters related to planning.