

29. Re: Recent Amendments to the Municipal Act and the Zoning By-Law

Following is a report from the Director of Planning regarding recent amendments to the Municipal Act and the Zoning By-Law.

RECOMMENDATION:

THAT the Director of Planning's recommendation be adopted.

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PLANNING DEPARTMENT  
JUNE 6, 1973

Mr. M. J. SHELLEY,  
MUNICIPAL MANAGER.

Dear Sir:

RE: RECENT AMENDMENTS TO THE MUNICIPAL ACT  
AND THE ZONING BY-LAW

A. BACKGROUND

The Provincial Government has recently passed a number of amendments to the Municipal Act. Two of these are directly concerned with zoning matters and therefore related to the regulations of the Burnaby Zoning By-Law.

B. THE PAYMENT OF FEES FOR REZONING APPLICATIONS

The first of the above mentioned amendments to the Municipal Act (Section 702B) stipulates that Council may, by by-law, impose fees with respect to rezoning and land use contract applications. Although this particular regulation is included in the Zoning By-law (clause (4) of Section 7.8), it is considered desirable that the fees which must currently accompany rezoning applications be confirmed by their addition to the By-Law.

This requirement, which was adopted by the Council on May 20, 1969, includes a payment of \$25.00 for the first 25,000 square feet or less of land to be rezoned, plus \$1.00 for each additional 1,000 square feet or part thereof.

C. THE MAILING OF NOTICES ON HEARINGS FOR REZONING APPLICATIONS

Under a policy currently in effect, notices of public hearings on rezoning applications are mailed from the Municipal Clerk's office to the abutting or adjacent property owners, although this was not formerly a requirement of the Municipal Act.

However, Section 703 of the Act has now been amended to make mandatory the mailing of notices of a hearing on a rezoning of land or land use contract to the owners and occupiers of property within the vicinity of the affected lot or area.

It is therefore proposed that the above noted municipal policy be formalized by its inclusion in the Zoning By-Law.

Municipal Manager  
June 6, 1973  
Page 2

ITEM 29  
MANAGER'S REPORT NO. 43  
COUNCIL MEETING June 11/73

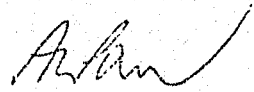
D. RECOMMENDATIONS

It is recommended:

THAT the Council approve in principle and forward to a public hearing the following additions and changes to Section 7.8 (By-law Amendments) of the Burnaby Zoning By-law:

1. The deletion of the existing Clause (4) and its replacement by:  
"Every application for a rezoning or a land use contract shall be accompanied by a fee of \$25.00 for the first 25,000 square feet or less of land included in such application, plus \$1.00 for each additional 1,000 square feet or part thereof."
2. The addition of Clause (7) to Section 7.8 to read:  
"Notice of the public hearing shall be mailed to the owners and occupiers of all real property within the area that is subject to the rezoning or land use contract and to the owners and occupiers of all real property which abutts the area that is subject to the rezoning or land use contract."

Respectfully submitted,

  
A. L. Parr  
DIRECTOR OF PLANNING

RBC:lb

cc to Chief Building Inspector  
Municipal Clerk  
Municipal Solicitor  
Assistant Director-Long Range Planning and Research