

31. Re: Public Hearing Notices on Rezoning Proposals

On January 8, 1974, Council asked for a report indicating the cost to the Municipality in 1973 of placing display advertisements in newspapers relating to public hearings on rezoning proposals. Council was referring to the small ad which is intended to direct the readers to the Legal Section of newspapers for details about rezoning proposals.

In 1973 local newspapers on fourteen occasions were paid to run display ads and Legal Section ads together in the same publication. The total cost for this form of advertisement was as follows:

| | |
|--|--------------------|
| Fourteen display ads referring readers to the Legal Section | - \$ 5,150.40 |
| Fourteen ads in the Legal Section | - <u>6,131.42</u> |
| | <u>\$11,281.82</u> |

Total fees from rezonings in 1973 were approximately \$5,418.33.

It should be noted that almost half of the subject ads appeared in both The Sun and The Province, while half of them appeared additionally in The Columbian. Most of them ran for two days in each newspaper.

Additional information on public hearing notices is contained in the attached report from the Director of Planning.

RECOMMENDATIONS:

THAT Council endorse as policy the public hearing schedule as outlined in the Planning Director's report and that the following be established as public hearing dates in 1974: Tuesday, February 19; Tuesday, April 23; Tuesday, June 25; Tuesday, August 20; Tuesday, October 22, and Tuesday, December 17; and

THAT Council endorse the concept of the Subscription System of distributing rezoning and related information to the public; and

THAT the Planning Department and the Municipal Clerk be authorized to organize the Subscription System; and

THAT Council endorse the concept of the Branch Library Bulletin Boards, and direct the Planning Department to work with the Branch Libraries to initiate and maintain these Boards.

ITEM 31

MANAGER'S REPORT NO. 7

COUNCIL MEETING Jan. 28/74

PLANNING DEPARTMENT
JANUARY 24, 1974

MR. M. J. SHELLEY,
MUNICIPAL MANAGER.

Dear Sir:

1.0 SUBJECT: NOTICE OF PUBLIC HEARINGS

Council has suggested that frequently complaints are received from Burnaby citizens concerning the lack of adequate notice of Public Hearing on rezoning proposals. Further, Council has directed the Planning Department to indicate whether, and what, means should be used in this regard. On this matter, may we make the following comments.

2.0 GENERAL DISCUSSION:

Section 703 (1) of the Municipal Act states that:

"The Council shall not adopt a rezoning bylaw until it has held a public hearing thereon, notice of which stating the time and place of the hearing has been published in not less than two consecutive issues of a newspaper published or circulating in the Municipality, with the last of such applications appearing not less than three days nor more than ten days before the date of the hearing."

Further, the Municipal Act has been amended as follows:

"The Council shall, on or before the first day of August, 1973, by bylaw, provide that notice of the hearing on a rezoning or land use contract must be mailed to the occupiers of all real property.

- (a) within the area that is subject to the rezoning or land use contract; and
- (b) within a distance specified in the bylaw from the area that is subject to the rezoning or land use contract."

In order to fulfill the above stated Municipal Act requirement relative to the definition of a distance within which property owners must be notified, the Burnaby Zoning Bylaw, 1965, as of July 23, 1973, was amended to include the following clause:

"Notice of a 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 abuts the area that is subject to the rezoning or land use contact."

A separate report item is being directed to the Council in connection with an amendment to the text of the Zoning Bylaw, to bring the wording into parallel with the recent amendment to the quoted section of the Act.

Presently, Burnaby follows the Municipal Act requirements and exceeds those requirements as follows:

- a) The Municipality posts signs on those properties proposed to be rezoned, that notify interested parties of the Public Hearing.
 - This procedure functions well.
- b) The Municipality posts the notice of Public Hearing in more than one newspaper and includes both a detailed notice in the Legal Section and a small black bordered "Attention Burnaby Citizens" ad in a heavily-read portion of the paper directing the readers' attention to the Legal Section. In addition, the Municipality is now undertaking a practice of including a brief project description in the legal notice for Comprehensive Development rezonings.
 - This procedure functions well.
- c) It is the practice of Council to arrange public meetings when it is felt the rezoning application warrants it (i.e. a major application involving matters of policy or larger areas of the Municipality).

It appears that though the above outlined procedures are functioning, there is still complaint that the Notice of Public Hearing is not circulated to a wide enough extent. In reference to this, it has been suggested that the radius around a proposed area to be rezoned in which residents and property owners are notified of a Public Hearing be expanded, thereby including more property owners in the notification. However, because interested parties do not necessarily live adjacent or directly nearby a proposed area to be rezoned, and because the mechanics of such a procedure could become quite cumbersome, this does not seem to be a workable approach.

It has also been suggested that the newspaper notice program be further expanded. However, because the procedure even at present is a costly undertaking, it is felt that the expansion required to successfully solicit a wider audience (inclusion of maps, sketches of development plans, etc.) would be financially prohibitive (costs for fourteen display and related advertisements that appeared in local newspapers in 1973 are noted in the Manager's introduction to this report). It is felt that detailed necessary information can be disseminated in a less costly and more effective manner.

3.0 ADDITIONAL ACTIONS:

The Planning Department does however suggest the following additional actions designed to provide the public with a wider range of more detailed information relative to zoning and land use without introducing major additional expense:

- a) The Municipality should post the Notice of a Public Hearing as well as other planning matters at the various Branch Libraries.
- This would provide interested citizens with an alternate method for finding out about zoning and other planning matters. A bulletin board to cover these matters could be established and updated on an ongoing basis at each of the Branch Libraries.
- b) The Municipality should standardize the Public Hearing schedule. The Planning Department would suggest that major Public Hearings be held six times a year on alternate months to the Rezoning First Report schedule already in effect. At the same time, Council should maintain its option to call additional Public Hearings from time to time for consideration of large comprehensively developed schemes and other planning issues.
- The standardization of the Public Hearing schedule would allow interested citizens, on a regular basis, to prepare for participation in the Hearing. Also, the Planning Department could arrange to schedule its rezoning reports to Council to provide a minimum four week period between Council's furthering of a rezoning to Public Hearing and the date of that Hearing, in order to provide for earlier notification through the mails of impending Public Hearing matters.
- c) The Municipality should undertake a subscription system for Local Neighbourhood groups interested in such information and the Notice of Public Hearing as well as other pertinent planning information should be issued to each subscriber on a regular basis.
- This subscription system should be organized in such a manner that Neighbourhood interest groups could register with the Municipality on a yearly renewal basis and define their physical area of interest. Thereafter during that year, the Municipality would notify those groups of the Public Hearing and distribute to them those general planning documents, relative to their area that would provide them with the background data important to public participation. The groups could then use their own distribution systems to distribute both the specific and general information to their members and other interested parties in their area.

The intent of the above suggestions is to expand the type of notices issued for a Public Hearing and consequently to provide an information channel to a wider range of persons interested in local rezoning and planning matters. Also, these additional channels would act to stimulate public involvement in community development matters and to facilitate the evolution of active citizens' groups to express the public view.

4.0 RECOMMENDATION:

It is recommended that Council endorse as policy the Public Hearing schedule as outlined above and that the following be established as Public Hearing dates in 1974: Tuesday, February 19; Tuesday, April 23; Tuesday, June 25; Tuesday, August 20; Tuesday, October 22; and Tuesday, December 17.

It is recommended that Council endorse the concept of the Subscription System of distributing rezoning and related

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information to the public and that the Planning Department and the Municipal Clerk be authorized to organize this system.

It is recommended that Council endorse the concept of the Branch Library Bulletin Boards and that the Planning Department be authorized to work with the Branch Libraries to initiate and maintain these Boards.

Respectfully submitted,



A. L. Parr,
DIRECTOR OF PLANNING.

LBB:cm