

ITEM	SUPPLEMENTARY	14
MANAGER'S REPORT NO.		7
COUNCIL MEETING	1981 01 26	

RE: REZONING REFERENCE #46/80 - 8720 GOVERNMENT ROAD AND  
REZONING REFERENCE #59/80 - 7351 HALIFAX STREET

Following is a report from the Director of Planning regarding Rezoning References #46/80 and #59/80.

RECOMMENDATION:

1. THAT the recommendation of the Director of Planning be adopted.

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TO: MUNICIPAL MANAGER  
FROM: DIRECTOR OF PLANNING  
SUBJECT: REZONING REFERENCE #46/80 — 8720 GOVERNMENT ROAD AND  
REZONING REFERENCE #59/80 — 7351 HALIFAX STREET

SUPPLEMENTARY  
1981 JANUARY 23

RECOMMENDATION

THAT the captioned rezoning items be directed to a further Public Hearing to be held 1981 February 17 at 19:30h, and that the required notification be provided in accordance with the legislation and policy of Council.

REPORT

At the Public Hearing held 1981 January 20 in connection with the two captioned rezoning applications, it was brought to the attention of Council that the rezoning notification signs which are required to be erected on properties which are under consideration for rezoning had not been placed prior to the Public Hearing being held.

The Planning Department has investigated both situations, and has confirmed that the required signs were not installed by the developer as required by Council's policy.

For information, pursuant to the policy adopted by Council on 1980 February 11, applicants for rezoning are required to post 1.2m x 2.4m (4' x 8') signs on each principal street frontage of the site outlining the properties for the rezoning application, in accordance with the guidelines set out in the report which Council received at that time. In practice, applicants for rezoning are advised in the letter of acknowledgement which is sent to them upon receipt of a rezoning application that it is their responsibility to place Public Hearing signs on the properties involved, and an information sheet describing the design, information content, standards, and timing is included in that letter.

Up to the time of the recent Public Hearing there were no instances of failure by developers to comply with these requirements to the knowledge of the Planning and Clerk's Departments. However, we must confirm that both applicants in the case of the 1981 January 20 Public Hearing failed to discharge their responsibility in this regard.

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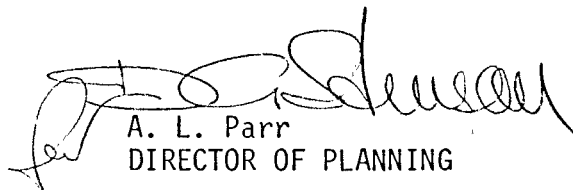
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The Municipal Solicitor has advised that inasmuch as it is Council's policy to require the posting of such notice, failure to do so could be a ground for quashing a rezoning bylaw. As a result, he has informed us that it would be the safest course for Council to call another Public Hearing in connection with these bylaws, so that full notification in terms of both the requirements of the Municipal Act and Council's established policy may be provided in connection with the new Public Hearing, before the bylaws are advanced.

The Municipal Clerk has confirmed that it would be possible to refer both these items to the already-scheduled Public Hearing which has been set for 1981 February 17 at 19:30h.

The applicants in each of these rezoning applications have been informed again of their responsibility to post proper notice, and this will be carried out within the next 5 days.

In light of the recent experience, staff are at this time reviewing the sign posting policy currently in effect, and will be providing Council with a full report on this subject on 1981 February 02.

  
A. L. Parr  
DIRECTOR OF PLANNING

  
DGS/ds

cc Municipal Clerk  
Municipal Solicitor