



Public Hearing Implementation Options

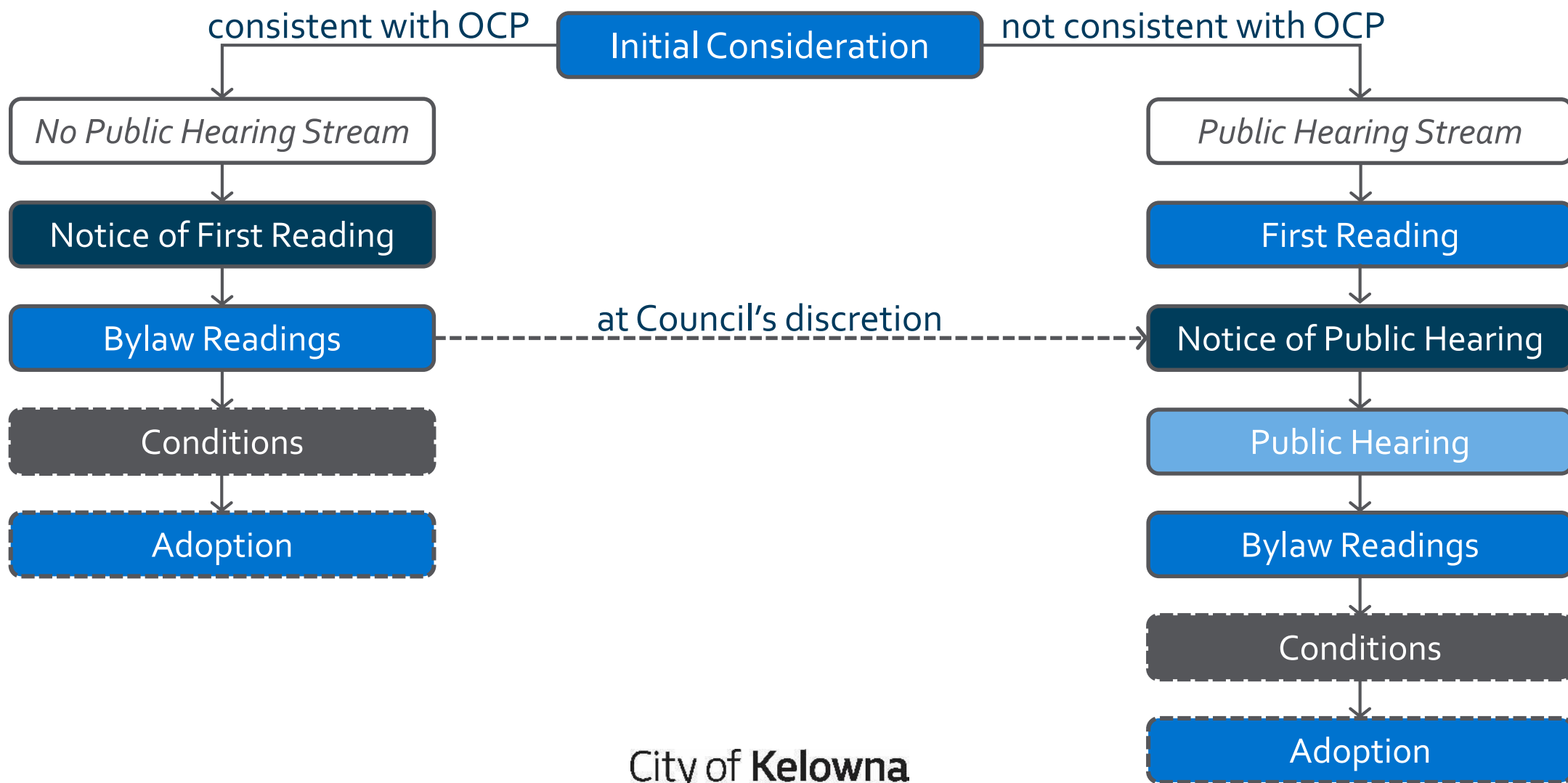
January 2022



Background

- ▶ Bill 26 given Royal Assent November 25, 2021
- ▶ Zoning bylaws that are consistent with the OCP no longer need a public hearing

Rezoning Application Flowchart



2021 Public Hearing Statistics

Item	Public Hearing Waived	Public Hearing Held
Number of applications	48	81
Number of applications with correspondence	13	41
Percentage of applications with correspondence	27%	51%
Total number of pieces of correspondence	25	490
Average number of pieces of correspondence per application	1.9	11.9
Number of applications sent to public hearing after being waived	3	

Criteria

- ▶ Consistent with the OCP
- ▶ Recommendation of support from staff
- ▶ Council can choose to direct to public hearing at initial consideration or after notice of first reading

Correspondence

- ▶ No statutory opportunity for the public or applicant to be heard or submit written correspondence
- ▶ Similar to DPs, with public notice before first reading
- ▶ Public or applicant may communicate with or submit correspondence to Council

Correspondence

Option	Description	Receipt Method
a)	Submit correspondence to the City Clerk who will collect and provide it to Council. Similar to a public hearing process.	Agenda package
b)	Submit correspondence directly to Council by email or letter.	Mayor & Council correspondence
c)	Contact the Planning Department for more information about the application. May also choose to submit correspondence to Council.	Mayor & Council correspondence

Notification & Signage

- ▶ Notice of first reading
 - ▶ Newspaper advertisement
 - ▶ Notices mailed to properties within 50 m
 - ▶ Sign posted on subject property
- ▶ Options to amend notification radius & signage requirements along with broader options for public notice methods
 - ▶ Later in 2022

Conditions & Administrative Updates

- ▶ Staff are reviewing conditions of zoning bylaw adoption
 - ▶ Options for Council once further review is complete
- ▶ Administrative updates to Council Procedure Bylaw
 - ▶ Clarity, process improvements & legislative alignment

Summary of Changes

Item	Recommendation
Criteria	<ul style="list-style-type: none"> • Consistent with the OCP • Recommendation of support from staff
Correspondence	<ul style="list-style-type: none"> • Direct the public to contact the Development Planning Department • Public may choose to send correspondence through Mayor & Council correspondence
Notification & signage	<ul style="list-style-type: none"> • Newspaper advertisement, notices mailed to properties within 50 m, sign posted on subject property • Review along with options to change public notice methods later in 2022
Conditions	<ul style="list-style-type: none"> • Review conditions for bylaw adoption
Administrative updates	<ul style="list-style-type: none"> • Public hearing procedures, resolution numbers, appeal process

Recommendation & Next Steps

- ▶ Direct staff to prepare bylaws & policies required to implement legislated changes & recommended options

Item	Bylaw No. 9200	Bylaw No. 12310	Council Policy No. 307	Council Policy No. 367
General legislative changes	✓	✓	✓	✓
Criteria			✓	
Correspondence, notification & signage		✓		✓
Other administrative updates	✓			



Questions?

For more information, visit kelowna.ca.