

Public Notice Bylaw

Planning & Development Committee

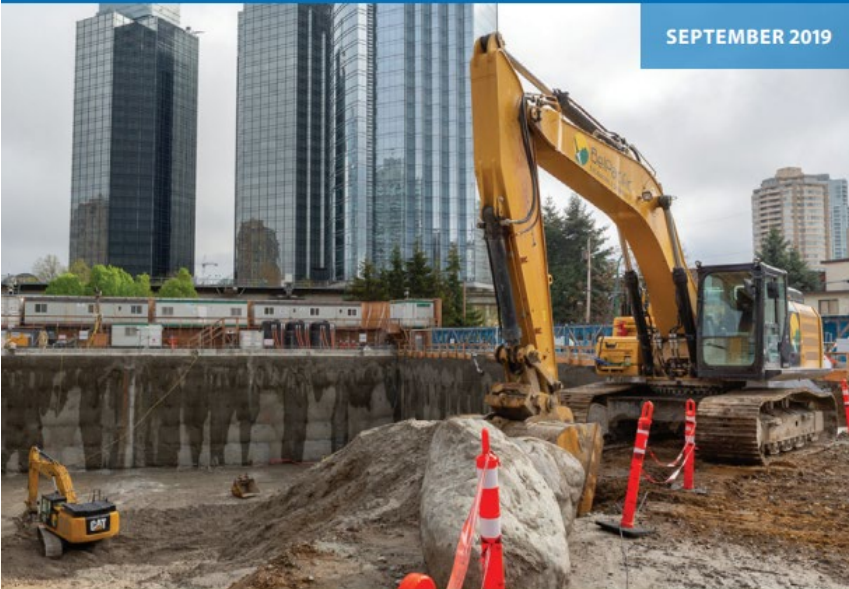
Thursday August 18, 2022

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Development Approvals Process Review

FINAL REPORT FROM A PROVINCE-WIDE
STAKEHOLDER CONSULTATION

SEPTEMBER 2019



DAPR “Key Insights”:

- development finance tools (e.g. CACs);
- subdivision (RD Approving Officers);
- provincial referrals;
- application processes; and
- approval processes:
 - public hearings;
 - public notice; and
 - delegating authority (DVPs).

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LOCAL GOVERNMENT ACT

Municipal Affairs Statutes Amendment Act (No. 2) introduced three (3) important changes:

- Ability to delegate DVPs;
- Revised public notification requirements; and
- Revised Public Hearing requirements.

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Default Publication Requirements

As of November 1, 2021, the *Community Charter* requires a public notice be published as follows:

- a) in a newspaper that is distributed at least weekly:
 - (i) in the area affected by the subject matter of the notice, and*
 - (ii) if the area affected is not in the municipality, also in the municipality, and**
- b) unless this or another Act provides otherwise, once each week for 2 consecutive weeks.*

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Alternate Means of Publication

The *Community Charter* also now allows a public notice to be published by means other than a newspaper if:

- a local government adopts a public notice bylaw specifying at least two (2) other means of publication; and
- before adopting such a bylaw, the local government has considered the “principles” prescribed in regulation by the Minister.

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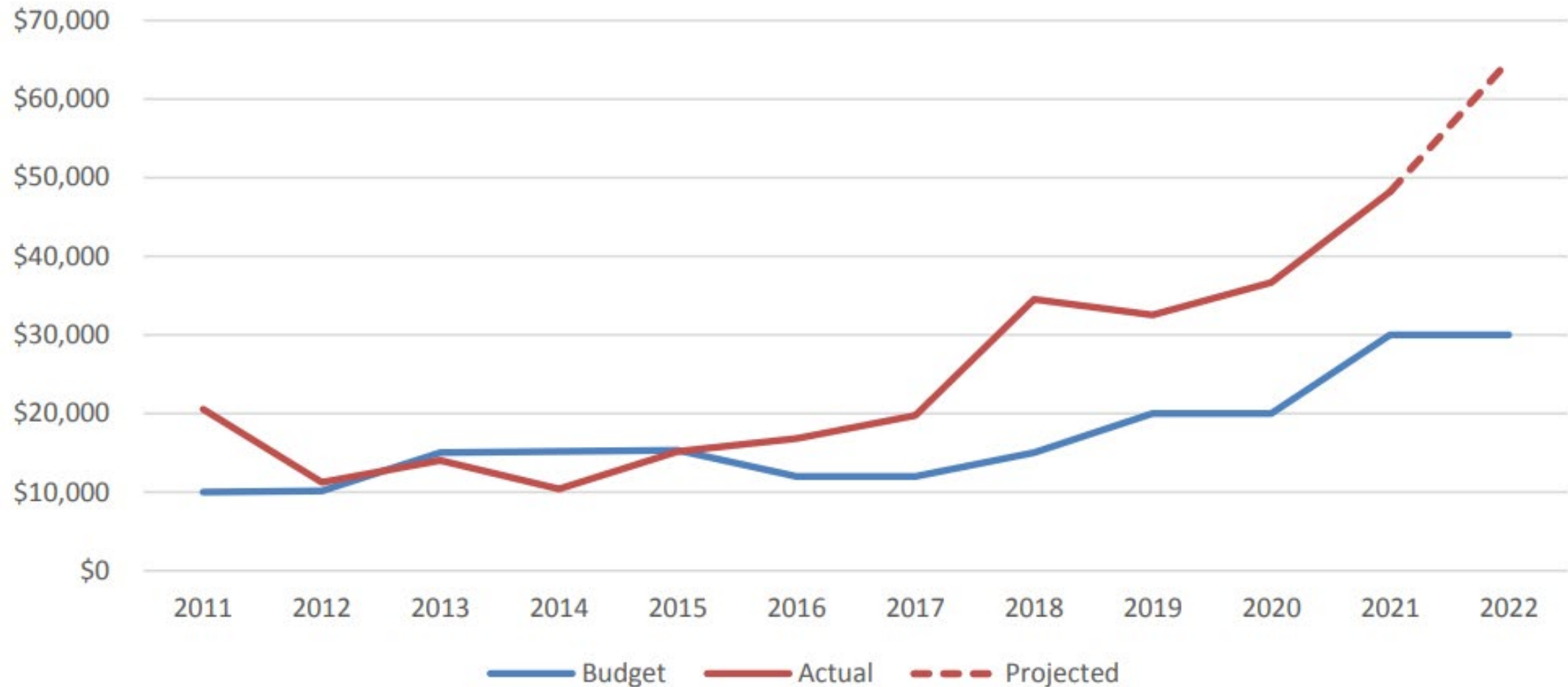
Public Notice Regulation

On March 1, 2022, the province enacted the *Public Notice Regulation (52/2022)* which established “principles for effective public notice”, including:

- the publication should be reliable, suitable and accessible:
 - “reliable” = factual info & occurs at least once a month;
 - “suitable” = legible, timely and able to be revisited easily;
 - “accessible” = easily found & available to a diverse audience.

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Electoral Area Planning – Advertising Budget



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Advertising Costs – recent examples:

- Okanagan Valley Zoning Bylaw Mapping Errors PH: \$3,292.85
- Mobile Vendors Regulations Public Hearing: \$1,929.58
- Combined PH advert for 4 rezoning applications: \$1,717.66
- Metal Storage Containers Public Hearing (1 of 3): \$1,699.08
- 4120 Black Sage Rd. (“C”) Rezoning PH & PIM: \$1,468.00
- 1609 Green Mtn. Rd. (“I”) Rezoning Public Hearing: \$846.46
- 240 Lawless Cr. Rd. (“H”) Rezoning Public Hearing: \$550.50
- 479 Johnson Cres. (“C”) Rezoning PIM: \$336.00

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Benefits:

- Average cost of notifying in a newspaper may be exceeding the benefit (not clear how many people in the electoral areas are being reached);
- Moving to electronic notification (Voyent Alert and RDOS webpage) will provide the Regional District greater control over the process, including undertaking corrections/updates; and
- Implementing alternate notification provisions will provide flexibility when, *and if*, the Regional District considers newspaper advertising necessary (e.g. use of bi-weekly ad).

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Alternative (status quo):

- Continued use of newspapers will allow those residents who primarily rely on this medium for information to continue to be apprised of Regional District activities; and
- Directing advertising dollars to local newspapers is considered a way in which to support local democracy.



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Questions?