

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **PROPOSED REMOVAL OF AREA PLAN NOTIFICATION REQUIREMENTS THROUGH REZONING APPLICATIONS**
PURPOSE: To seek authorization to repeal the Area Plan Notification Policy.

RECOMMENDATION

THAT the proposed rezoning process change, outlined in the report titled “Proposed Removal of Area Plan Notification Requirement Through Rezoning Applications”, dated March 11, 2025 with respect to eliminating the requirement for area plan notifications, be authorized.

1.0 POLICY SECTION

The following report aligns with provincial regulation and municipal bylaws and policies, including:

- Corporate Strategic Plan (2022),
- Burnaby Official Community Plan (1998),
- Economic Development Strategy (2007), and
- Local Government Act (2015).

2.0 BACKGROUND

2.1 Development Approvals Process Improvement Project

As part of the ongoing Development Approval Process (DAP), staff are reviewing development application procedures to identify opportunities to expedite, simplify, and accelerate application processing times. Key objectives of the DAP Project are:

1. **Customer Experience.** Provide a customer-focused development approvals system that better serves applicants and the community.
2. **Transparency.** Simplify the process thereby making it clearer and more transparent, and ultimately more predictable.
3. **Efficiency.** Increase efficiencies thereby reducing approval times and reducing the cost of development.

In line with the above objectives, staff have identified the requirement for area plan notifications as one area for improvement.

2.2 Area Plan Notifications

The responsibility for developers to provide area plan notifications has been a standard rezoning requirement in the City of Burnaby since 2003. To fulfill the requirement, developers must provide area plan information such as the relevant town centre or urban village plan through disclosure statements to prospective purchasers, and through signage at the subject development sales office and on the development site. The purpose of the requirement is to inform potential residents of the development potential of the surrounding area.

The impetus for the practice was, in part, from comments received at a public hearing in 2002 for a rezoning application of a high-rise project in the Lougheed Town Centre. Residents from a recently developed high rise development located across the street alleged to have been misled by sales agents regarding the nature of development potential on the subject site.

The typical prerequisite language included for rezonings is as follows:

The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

To ensure compliance, staff prepare and print the signs for the applicant, at a cost of \$250 per sign for the applicant, and verify that the signs are in place with a site visit prior to Third Reading. Given the varied timing of marketing and the issuance of disclosure statements, it is not always feasible for staff to verify the requirement is being complied with at these milestones. Furthermore, there is also the possibility that the signs become outdated during the intervening period between Third Reading and marketing, as community plan amendments are considered and approved by Council.

It should be noted that Area Plan Notifications are not legislatively required through the Local Government Act and are a City of Burnaby-specific requirement. The Area Plan Notifications are a separate notification requirement that is not associated with the rezoning notifications required by the Local Government Act.

2.3 Official Community Plan Update

A new Burnaby Official Community Plan (OCP) is in development with an anticipated adoption date in the second half of 2025. The new OCP will include a parcel-based land-use framework, which as a bylaw, will supersede the existing area plans throughout the City. Given that the area plans are soon to be superseded, the requirement for area plan notifications is resulting in the dissemination of information that will soon be out of date and incorrect.

As part of the OCP update, staff are developing a user-friendly and accessible OCP map web viewer, which will clearly display information on land uses and building heights throughout the City. The tool will be a contemporary, accessible, and up to date information source for residents, applicants, realtors, and prospective buyers.

3.0 GENERAL INFORMATION

Staff are recommending repealing the Area Plan Notification Policy. The notifications are not a legislative requirement and add an unnecessary administrative step for staff and applicants, as well as additional cost in the rezoning process. Furthermore, the notifications provide information that may already be, or will soon be out of date given that the area plans will be superseded through the new OCP.

Moving forward, it is proposed that information on the development potential of surrounding sites will be easily accessible for realtors and prospective buyers through an OCP land use map web viewer on the City website, which will be kept current as the City changes overtime. Should buyers or their agents have any questions about the OCP land use map, they can continue to connect directly with Planning Department staff for information.

Should Council approve the recommendation, staff would immediately cease production of new area notification signs. Additionally, the area plan notification prerequisite would no longer apply to applications that have already advanced to Council, but are yet to receive Final Adoption. Minor updates to the rezoning fee schedule and other supporting City documents would be made to remove reference to area plan notifications.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

Not applicable.

5.0 FINANCIAL CONSIDERATIONS

Eliminating the Area Plan Notification Policy is expected to reduce costs by eliminating staff time spent on production of the notifications and site visits for compliance checks.

Respectfully submitted,

E.W. Kozak, General Manager Planning and Development

REPORT CONTRIBUTORS

This report was prepared by Riccardo Peggi, Development Planner, and reviewed by Mark Norton, Manager Development.