



The Corporation of Delta

PUBLIC HEARING PROTOCOL

A Public Hearing is a statutory requirement under the *Local Government Act*. A Public Hearing must be held after the first reading, and before the third reading of an Official Community Plan, a Zoning Bylaw amendment or a Land Use Contract Amendment Bylaw. Public Hearings may also be used to obtain public input regarding Development Permits, Development Variance Permits and Liquor Licences or Liquor Licence Amendments.

During a Public Hearing, Council acts in a quasi-judicial role for the purpose of allowing persons who believe their interest in property is affected by a bylaw, permit or other matter to make representations to Council. All bylaws, permits or other matters relating to a single development project are dealt with at the same time.

While Public Hearings are usually conducted in the following manner, in accordance with Section 890(3.1) of the *Local Government Act*, the Chair of the Public Hearing may establish procedural rules for the conduct of the meeting.

1. Anyone who believes their interest in property is affected by any of the matters on the public hearing agenda will be afforded a reasonable opportunity to be heard or to submit written submissions.
2. The order of business for each Public Hearing agenda item will proceed as follows:
 - a. *Introduction of the bylaw(s), permit(s) or application(s) associated with a project by the Clerk*
 - b. *Presentation by staff (if there is one)*
 - c. *Questions of Council to staff*
 - d. *Presentation by the applicant*
 - e. *Questions of Council to the applicant*
 - f. *Speakers for/against the project*
 - g. *Questions of Council to the speakers (if required)*
 - h. *After all persons have been afforded the opportunity to be heard, the Mayor will declare the hearing relating to the project (and it's associated bylaw(s), permit(s) or application(s)) closed.*
3. Each speaker will be asked to come forward and state his/her name and address and print the same on the sheets provided. Each speaker (according to Delta's Procedures Bylaw) will be allowed up to five minutes to address Council regarding the project under consideration. Written submissions are encouraged and will form part of the official record and will be circulated to Council as needed.
4. Once all speakers have been heard, the Council may ask for additional information to be reported back to a subsequent Regular Meeting.
5. Once the hearing of a project is closed, Council may not receive additional information from the applicant or the public regarding any of the bylaws, permits or other applications that were the subject of the Public Hearing.
6. Following the Public Hearing, Council will hold a Meeting to consider any further actions that may be taken in relation to the projects presented at the Public Hearing.

CONDUCT OF MEETING FOLLOWING PUBLIC HEARING

Immediately following the conclusion of the Public Hearing, Council will convene a meeting in order to give further consideration to the projects discussed at the Public Hearing.

If there are no outstanding issues and/or information required, applications and other matters associated with the project may be dealt with during this meeting. However, if additional information is required, if there are outstanding conditions and/or if information provided during the Public Hearing requires deliberation, further consideration of the project may be postponed to a subsequent Regular Meeting.

The procedure for each project will be as follows:

1. The Clerk will introduce each project in the same order as considered during the Public Hearing.
2. If, during the Public Hearing, Council requested additional information and/or clarification from staff, or if there are outstanding conditions or the project will be the subject of debate by Council, further consideration of the project may be postponed to a subsequent Regular Meeting.
3. For each project the Mayor will accept motions to do one of the following:
 - a) *Postpone consideration of the applications for that project pending receipt of additional information from staff,*
 - b) *Postpone consideration of the applications for that project to the next (or future) Regular Meeting,*
 - c) *Give 3rd Reading or 3rd Reading and Final Adoption of a bylaw and/or approval of a permit or other application(s) for the project, as appropriate,*

or

 - d) *Deny the project. This has the effect of rescinding all readings of any bylaw associated with the project and denying any permits or other applications relating to the project.*

Other motions may also be considered as appropriate.

If you are attending a Public Hearing in relation to a particular project, that project MAY or MAY NOT be dealt with during the Meeting following the Public Hearing. Only during the Meeting will it be determined if Council is prepared to make any decisions regarding the projects discussed during the Public Hearing.