

RENOVATE THE PUBLIC HEARING INITIATIVE:

FINAL REPORT & RECOMMENDATIONS

► ABRIDGED REPORT

DECEMBER 2024



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CENTRE FOR DIALOGUE



ABOUT THIS DOCUMENT

This report was prepared by the Renovate the Public Hearing Initiative (RPHI), housed within Simon Fraser University's Morris J. Wosk Centre for Dialogue (the Centre for Dialogue) and funded by the Canada Mortgage and Housing Corporation (CMHC)'s Housing Supply Challenge. This final report consolidates RPHI's research findings and presents a set of recommendations to strengthen public participation for land use decision-making in BC. This publication does not necessarily reflect the opinions of the Centre for Dialogue or CMHC.

About the Centre for Dialogue

Simon Fraser University's Morris J. Wosk Centre for Dialogue fosters shared understanding and positive action through dialogue and engagement. As a trusted convener and hub for community initiatives, the Centre has engaged hundreds of thousands of participants to create solutions for many of society's most pressing issues.

www.sfu.ca/dialogue

About Renovate the Public Hearing

The Renovate the Public Hearing Initiative (RPHI) is a collaborative research initiative exploring improvements and providing evidence-based recommendations to British Columbia's provincial requirements for local government land use public hearings as a means to enhance upstreamed, value-based public engagement, streamline affordable housing approvals and other land use processes, and strengthen community building and our democratic principles.

www.renovatethepublichearing.ca

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Land Acknowledgement

We acknowledge the Skwxwú7mesh (Squamish), xʷməθkʷəy̓əm (Musqueam), səliłwətał (Tsleil-Waututh), ǵíčəy̓ (Katzie), kʷikʷəłəm (Kwkwetlem), Qayqayt, Kwantlen, Semiahmoo, and Tsawwassen peoples, on whose unceded traditional territories Simon Fraser University's campuses are located. By acknowledging these Nations' historical and ongoing presence in and relationship with these lands, as well as their displacement and dispossession, we are reminded of the profound impact of colonial land use decisions on Indigenous Peoples. We acknowledge that the process of advancing reconciliation and decolonization in land use decision-making requires a collective effort and a commitment to respectful and equitable engagement.

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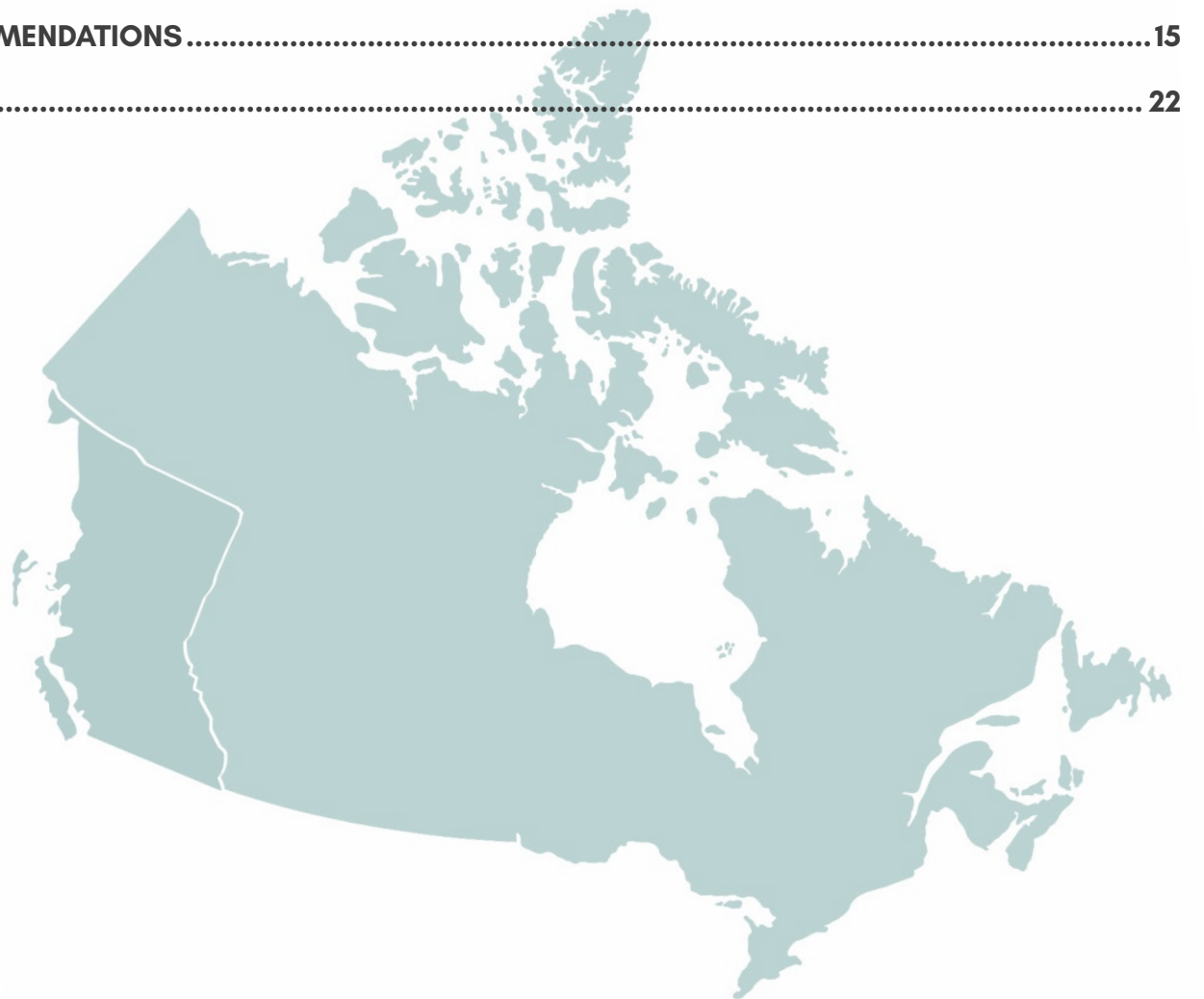
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EXECUTIVE SUMMARY

Public hearings in BC have long been the primary channel for public participation in land use decision-making, and for many residents, the first or only direct face-to-face interaction with local government.

Legislated public hearings can be an important mechanism of democracy, facilitating participatory, evidence-based and transparent decision-making. However, standard public hearing formats can present barriers to participation for equity-denied residents, delay much-needed housing developments, and in more contentious development projects, increase polarization and the stigmatisation of marginalised community members. One hundred years after public hearings were first established, many voices are asking to revisit the purpose and process of public hearings for land use planning and explore potential alternatives.

In response to the national and provincial housing crisis and provincial calls for systems change, Simon Fraser University's Morris J. Wosk Centre for Dialogue initiated the Renovate the Public Hearing Initiative (RPHI), funded by a \$2.5 million Housing Supply Challenge grant from the Canada Mortgage and Housing Corporation (CMHC). RPHI aimed to create a community-involved and policy-informed process to pilot and evaluate scalable reforms to British Columbia's public hearing process that have the potential to uphold housing rights and enhance spatial equity and democratic culture.

Following an initial exploratory research and consultation phase in spring 2022, RPHI collaborated with local governments and community organizations in 2023 to experiment with and evaluate more equitable approaches to public participation. In parallel, RPHI's partner, the British Columbia Law Institute (BCLI), is leading a legal reform study to support potential legislative change to enable these reforms. Significant shifts in legislation around public hearing requirements in BC in the fall of 2023 added further weight to RPHI's findings, especially in relation to models that can support robust upstream public participation in place of site-by-site public hearings.

This final report¹ consolidates RPHI's research findings and presents a set of recommendations to strengthen public participation for land use decision-making in British Columbia. Additional RPHI publications with further data and project details are highlighted in the Appendix.

¹ This document is the abridged version of RPHI's Final Report and Recommendations. The full, unabridged version of this report, including a human rights-based analysis of public hearings, details on the history and landscape of public hearings, and an exploration of innovations in public participation in land use planning, can be found at www.renovatethepublichearing.ca/reports/finalreport



Outline of the Research

The Renovate the Public Hearing Initiative encompassed a range of consultation, research and demonstration projects² (each fully explained and evaluated in the unabridged version of RPHI's Final Report and Recommendations), including:

CONVENING

- **The Future of Public Hearings in British Columbia (April 2022):** An exploratory two-day virtual workshop convening 36 BC elected officials, local government staff, community organizations and policy/industry experts to share their opinions and ideas on local government public hearings.
- **Innovators Forum (May 2023):** Two days of virtual dialogue exploring the challenges and opportunities for reforming public hearings in BC. The first day included 39 local government officials and staff, industry professionals, urban planners, architects, social and co-operative housing providers and academics. The second day included 28 community organizers, non-profit social service providers, tenants' unions, youth-based organizations, active transportation coalitions and other city and rural-based advocates.
- **Voices of the Chinatown Community in Public Hearings and Engagement (Fall 2023):** Two in-person workshops and multiple key informant interviews conducted in collaboration with hua foundation exploring community members' experiences participating in the 2017 public hearing related to the controversial 105 Keefer development in Vancouver, with a particular focus on the impact on Vancouver's Chinatown community. ([full report here](#))
- **National Dialogue on Public Hearings, Land Use and Democracy (January 2024):** A national dialogue held in partnership with the City of Vancouver's City Planning Commission, featuring an expert panel of elected officials, urban planners and public participation practitioners.

²For more on these activities visit www.renovatethepublichearing.ca/reports

RESEARCH

- A **human rights analysis** of the right to housing in relation to the right to participation in public affairs
- A **legal analysis** of public participation in the adoption of local bylaws on land use and planning, conducted by the British Columbia Law Institute
- A **jurisdictional scan** of public hearing practices across BC municipalities
- A **financial analysis** of the direct and indirect costs of public hearings in BC ([full report here](#))
- **Key informant interviews** with a selection of nine senior municipal planners, elected officials, public participation professionals and non-profit housing development leaders. Interviewees were mostly based in BC, but we also conducted three interviews with participants based in Ontario, Quebec and Alberta to gain insights and feedback on recommendations from other jurisdictions.



- **Renovate the Public Hearing Survey (April 2022):** An online survey of 675 BC residents, exploring their experiences with public hearings and advice to improve public participation processes for land use planning

DEMONSTRATION PROJECTS

To capture innovations that aim to enhance public participation in land use planning, RPHI led and/or studied several demonstration projects:

- **Be Heard New West:** Evaluating the City of New Westminster's online engagement platform "Be Heard New West"³ that facilitates upstream engagement for various municipal projects, including rezoning applications
- **The Town of Gibsons Residents' Assembly (Spring 2024):** Designing, convening and evaluating the process and outcomes of a residents' assembly convened to inform the Town of Gibsons' official community plan update, with a focus on meeting the housing needs of a growing population ([full report here](#))

³For more on Be Heard New West, see www.beheardnewwest.ca



Gibsons Residents' Assembly field session

- **City of Burnaby Multilingual Engagement (Spring 2024):** Evaluating measures aimed at facilitating the participation of residents who speak languages other than English in the City of Burnaby's 2024 Community Assembly,⁴ convened to inform the City's official community plan
- **Youth Civic Engagement Initiatives (2023)** conducted in partnership with CityHive, Simon Fraser University's Department of Geography and École Glenbrook Middle School's social justice club "The Monkey Rebel Society" to develop curriculum content and civic engagement opportunities for students and youth, with the aim of enhancing their understanding of municipal land use decision-making processes.
- **Burnaby Development Signage and Notifications (2023):** A partnership with the City of Burnaby to evaluate their existing development signage and public notification design and policies and propose ways to enhance information communication and accessibility
- **Indigenous-Led Community Engagement:** A case study on the unique public engagement process led by and for the urban Indigenous community in Vancouver to inform the development of the Native Youth Centre,⁵ a 50,000-square-foot facility offering access to culturally-responsive programs and resources alongside 180 housing units designed specifically for Indigenous youth and their families

⁴ For more on the Burnaby Community Assembly see www.burnabyassembly.ca

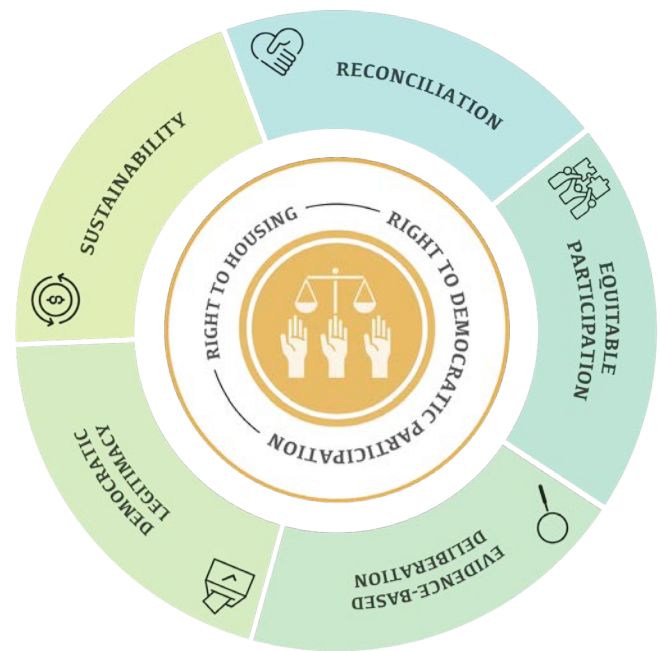
⁵ For more on the Native Youth Centre see www.unya.bc.ca/native-youth-center

Principles for Public Participation in Land Use Planning

The design of public participation processes impacts their ability to serve the needs and rights of decision-makers, developers and the public.

When effective, public engagement opportunities uphold human rights by helping to inform the public about proposed changes while allowing impacted communities to share their concerns and priorities with decision-makers. However, flaws in engagement models can increase polarization, create an inaccurate picture of community priorities, perpetuate harm onto historically marginalized communities and systemically deny access to their right to housing.

While legislation such as BC's Local Government Act (LGA), the Vancouver Charter and the Community Charter provide specific rules for certain aspects of public participation in land use decision-making, the guidelines for other aspects remain ambiguous. Many local governments are also exploring opportunities to go above and beyond the minimum engagement defined by public hearings in the LGA, as seen in some of the demonstration projects studied by RPHI.



To develop an evaluation framework for current public hearing practices in BC as well as emerging innovations, RPHI identified the core functions for public hearings as outlined in the LGA and also analysed internationally recognized standards for ethical, effective and legitimate public participation.⁶ A careful balance of these principles and practices is needed to uphold human rights to both housing and democratic participation in public participation practices.

The resulting evaluation framework, condensed in the acronym "REEDS", proposes that public participation for land use planning should strive to support the five core principles outlined below. Current public hearing practices in BC, as well as the demonstration projects RPHI initiated or studied were evaluated against these principles.

⁶ The field of public participation has articulated several sets of internationally-recognized guiding values and principles such as the United Nations (2018)'s [Guidelines for States on the effective implementation on the right to participate in public affairs](#) (2018), the International Association for Public Participation (IAP2)'s [Core Values for Public Participation](#) (n.d.), the National Coalition for Dialogue and Deliberation's [Core Principles for Public Engagement](#) (2009), the OECD's [Good Practice Principles for Deliberative Processes](#) (2020, see chapter five) and Simon Fraser University's Morris J. Wosk Centre for Dialogue's guide [Beyond Inclusion: Equity in Public Engagement](#) (2020). Additionally, scholars have proposed theories for the evaluation of participatory democracy grounded in normative theory and empirical analysis (for instance, see [Smith](#), 2009). Comparative analysis of these professional and academic guidelines demonstrates near-unanimous convergence around several core values such as accountability, transparency, inclusion, informed participation, and tailored engagement design.

REEDS PRINCIPLES

- R Advance **reconciliation** with Indigenous Peoples⁷ through the process and outcomes 
- E Facilitate **equitable participation** in a way that is consistent with human rights frameworks 
- E Create conditions for **evidence-based deliberation** on land use decisions among the public and decision-makers 
- D Uphold the **democratic legitimacy** of the process and outcomes by demonstrating integrity and transparency 
- S Ensure financial **sustainability** of participation activities for municipalities, applicants and the public 

The REEDS Evaluation Framework is designed as a principles-based model, in recognition that quality public participation is highly contextual. The appropriateness of an engagement model or practice depends on several factors, such as the type of land use decision in question, the size, history and demographics of the impacted community, the scope of public input solicited and the degree of public support or resistance. The REEDS Evaluation Framework allows for the assessment of diverse models or variations of public participation on land use, based on the degree to which they uphold human rights and the core values of participatory democracy, while remaining feasible within available resources.

⁷ Based on the rights of Indigenous Peoples as established by the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and legal duty to consult. See [United Nations](#) (2007), the [Government of Canada website](#) and the Library of Parliament's [Duty to Consult Background Paper](#) (Brideau, 2019).

CHALLENGES AND OPPORTUNITIES OF PUBLIC HEARINGS

Challenges and Opportunities Evaluation

To better understand the existing challenges within the public hearing process and to gather feedback to help to shape RPHI's final recommendations, RPHI engaged in extensive consultation with government staff and elected officials, community organizations, policy/industry experts and members of the public. RPHI's consultation process included three dialogues and workshops held in 2022 and 2023, as well as a public survey in 2022 and a set of nine key informant interviews held in 2024 ([see p. 2-4](#) for an outline of the convening and research process).

RPHI's research surfaced both the strengths and challenges of BC's standard public hearing process, as well as promising alternative practices for more effective and equitable public participation in land use planning. The following pages summarize findings from across the consultations, in relation to RPHI's proposed principles for public participation in land use planning:

RECONCILIATION



CHALLENGES

- The BC Local Government Act only requires local governments to consider gathering input from First Nations when developing official community plans, and there is no such stipulation for zoning bylaws or amendments.⁸

There are no standards for what consultation with Indigenous communities should look like.

- Several participants emphasized that the standard public hearing is not conducive for reconciliation efforts and is **fundamentally part of a colonial system of land use planning.**

"The public hearing sits within a larger context in the colonial settler state where land and real estate development have always been prioritized for certain people and also excluded for others [...] I don't believe yet that our colonial structures do that and or produce those [more equitable] outputs. So that's where I struggle, because I just don't see how that is going to be reality."

— Stephanie Allen, Principal, Adinkra Strategies

⁸ See BC's [Local Government Act](#), RSBC c. 1 (2015).

OPPORTUNITIES

- To support meaningful government-to-government relations and input from Indigenous communities in land use planning, **early and culturally appropriate engagement** is key, as well as an ongoing commitment to building relationships and trust with Indigenous Nations and communities.
- Support was expressed for **legislated consultation** with First Nations.
- Bill 11, which grants First Nations or First Nations corporations exemptions from the City of Vancouver's development cost levy and amenity cost charge for social housing projects built on First Nations-owned land in Vancouver,⁹ present legislated opportunities to strengthen reconciliation supports while continuing efforts

"Honouring true reconciliatory action within the local Nations context is to somehow have this cultural interpretive strategy dialled in with the municipalities when it comes to our Indigenous value systems."

— Tsleil-Waututh Elected Councillor

toward delivering social housing developments for people living in Vancouver.

- Examples of Indigenous-led engagement, such as the Urban Native Youth Association's engagement for a Native Youth Centre, present a new model that centres Indigenous values and principles.

EQUITABLE PARTICIPATION



CHALLENGES

- Public hearing processes are **difficult to access** for many people. Time, distance, lack of cultural familiarity and limited literacy/English skills are common barriers to participation.
- 83% of respondents in RPHI's survey felt that attendance at public hearings is **not representative** of the diversity of their community, and many workshop participants described the **over-representation** of community members who hold greater social or economic power, while historically marginalized communities remain under-represented.

"Public hearings are incredibly ableist and classist. They require you have time away from work and caregiving, can sometimes give up hours of your life waiting for your 5 minutes to speak, and are limited to English only. In really contentious issues, it can be highly intimidating to have to confront your neighbours whose emotions may be running very high."

— Survey respondent

⁹ See [Bill 11](#), Vancouver Charter Amendment Act (2024).

- **Limited awareness** of public hearings is a key barrier to participation. RPHI's jurisdictional scan demonstrates the great variation in the availability and accessibility of information related to public hearings between municipalities, in both legislation and in practice.
- The debate format of standard public hearings can **increase polarization and divisiveness** in communities. Public hearings can also expose the most marginalized members of a community to **harmful language** that attacks specific groups of people instead of the land use of a project. Unhoused community members, renters, lower-income groups and people with disabilities are particularly vulnerable to verbal attacks, risks of re-traumatization and the impacts of delayed or rejected housing.
- Participants raised questions about **safety and privacy** in public hearings. Requirements for the disclosure of personal information, such as full names and addresses, can pose risks for some community members, however excess anonymity can also increase risks of harmful language.
- Public hearings tend to **over-represent those who oppose** a land use change, while those who may be positively impacted or neutral are less likely to attend. The considerations of future residents, including those with greater housing needs, are also less likely to be heard, encouraging "not-in-my-backyard" attitudes that impact sustainable growth.

"People with more privilege and income tend to participate more and have more opportunity to participate due to fewer constraints on the time and more resources to be able to."

— BC-based planner

"What an awful thing, that the City creates a platform where somebody could say something so hateful and hurtful against a group of people who just need a place to live."

— BC-based non-profit housing developer

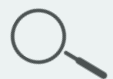
"[The public hearing process] requires you to, like this is very crass, but like parade vulnerable people in front of Council to have a spectacle so that pulls at their heartstrings somehow, and then, somehow, they'll make the right decision."

— BC-based non-profit housing developer

OPPORTUNITIES

- Small changes in procedural norms, such as **establishing guidelines for participation**, can support civil discourse amongst participants and focus commentary on land use considerations instead of the identity of prospective residents.
- **Virtual or hybrid public hearings** can be more accessible and attract less disrespectful behaviour. Many found virtual public hearings have improved the diversity of speakers choosing to attend and made it easier to manage behaviours. Many municipalities are now also using their own **public engagement websites** to share project information and key dates, give updates, receive comments and public input, and provide questions and answers. In RPHI's public survey, 71% of respondents supported use of virtual and hybrid formats, and 65% recommended the use of a central website as opposed to individual notifications for each project.
- Innovative models for participation that employ random stratified selection, such as **residents' assemblies**, can help ensure balanced representation of diverse identities.
- Some participants recommended that certain housing types, such as affordable housing developments, should be **exempt from the public hearing process**, or that consultation should be targeted to impacted communities.
- Participants in RPHI's research called for a greater **culture of care and trauma-informed processes** that create a supportive and inclusive environment for all involved, including staff, elected officials and community members.
- Despite the various challenges public hearings present for equitable participation, public hearings can also be valuable opportunities for **community building** and **facilitation of grassroots civic engagement**.

EVIDENCE-BASED DELIBERATION



CHALLENGES

- Public hearings don't typically establish the conditions for evidence-based deliberation among the public. The public receives **limited information prior to the public hearing** and information can be inaccessible for some residents who face language or literacy barriers. Only 23% of survey respondents felt that "public education" was a benefit of public hearings.

"I think we should provide clear information on what's changing in your neighbourhood. We just launched a QR code.... And basically it goes to an application portal where they can see the site drawings and it has contact information for the city and the development applicant."

— BC-based elected official

- Some concerns raised by speakers may be **outside of a public hearing's scope**, and instead relate to decisions made in the area's official community plan. More education about the purpose of a public hearing and the broader land use planning process is needed to support members of the public to provide relevant input.
- Public hearings are designed for **one-way communication**, reducing participation to a **binary of "for or against"** instead of opening up a space for nuanced consideration of complex issues, and dialogue between decision-makers and the community.

OPPORTUNITIES

- More than half of RPHI's survey respondents and interviewees were supportive of upstream engagement on land use planning and representative models of deliberation such as residents' assemblies that incorporate **dedicated time for learning and deliberation**.
- **Civic education opportunities** and **embedding principles of accessible design** in notifications can help members of the public be more informed about the public hearing process and the community changes in question.

"Many people who attend public hearings want to ask questions and have more of a discussion and they don't understand the purpose of the public hearing. The public can't be expected to provide meaningful input if they still have questions [...] While public hearings are important, there is room for better public consultation that actively engages the public in a more meaningful way, before a public hearing takes place."

— Survey respondent

"It's just folks that are usually getting information at the last minute, driven by fear of change and not getting questions answered."

— Elected official, BC Municipality



Participants in the Gibsons Residents' Assembly deliberate during a session.

DEMOCRATIC LEGITIMACY



CHALLENGES

- Since public hearings are held late in a project's approval process, it is often **too late for community input to impact decision-makers**. 65% of survey respondents felt that public hearings are too late to make a difference, and many other participants in RPHI's workshops and interviews expressed that public hearings are not authentic avenues for public participation. This was reinforced by RPHI's jurisdictional scan, which demonstrated that the average amount of spoken and written correspondence at public hearings across BC typically represents significantly less than 1% of the total municipal population. Public perceptions that the decision has been made prior to the public hearing can erode trust in local governments. Only 21% of survey respondents felt that "strengthening legitimacy of decisions" was a benefit of public hearings.
- Public **misunderstanding about the purpose and structure** of a public hearing can lead to false expectations. The public may expect their submitted ideas will be adopted or acted upon or that the public hearing is a public referendum-style vote, leading to distrust in the outcomes.
- Several interviewees suggested that holding a public hearing does not necessarily equate to a democratic process for land use planning, particularly due to the **disproportionate influence certain members of the public can have on the outcomes**.

"Generally officials (elected and otherwise) have already made up their minds about what is going to happen, and public forums are simply used as a way to say the public was consulted. At all the hearings I've attended, it was clear the staff and politicians were just humouring people to get through the event, and had no intention of taking any input seriously."

— Survey respondent

"Most Councillors go into those knowing how they're going to vote, and I don't think anything they hear sways their opinion."

— BC-based non-profit housing developer

"We see a very certain demographic that shows up time and time again, and in fact not even the same demographic but the same people show up time and time again, and there are whole swaths of people we just don't hear from."

— BC Councillor

- Some aspects of the legislation for public hearings are vague, leading to **great variation in how local governments across British Columbia govern their public hearings.** Many of the procedures and requirements have been established through decades of court cases. This can lead to logistical obstacles or confusion for all those involved.
- Additionally, participants in RPHI's research expressed concerns around **conflicts of interest or bias** amongst those who chair public hearings that can influence their application of procedural norms.

OPPORTUNITIES

- While many participants in RPHI's research felt it was important for the public to have opportunities to provide a 'check' on OCP-level decision making, many suggested that public hearings do not need to be the sole or primary mechanism for public engagement and that instead legislation should provide increased **flexibility around public participation formats.**
- **Third-party facilitation** of public hearings or broader municipal land-use public participation processes can support transparency, neutrality and trust in engagement outcomes.

"So official community plans, you really want to have the buy in and the engagement with the community. And keeping people engaged throughout the process... There's many ways to do that. The public hearing part was always just like to meet a bolt on that was legislatively required at the eleventh hour. I don't think it was at all meaningful."

— BC-based elected official

"If there's a more creative, modern, progressive, forward looking way to do a check on it that isn't the public hearing I'd be all ears. So it's not that the public hearing is the be all and end all, and the only and the best tool to do this. It's just that at the moment it is the only forum in which Council hears from the public about something."

— Vancouver-based planner

"It's not just about having this conversation upstream. It's making sure this conversation is connected to the wider and strategic vision of the municipality."

— Quebec-based public participation specialist

SUSTAINABILITY



CHALLENGES

- **Public hearings can require significant time and resources** from municipal staff, applicants and members of the public. RPHI's financial analysis highlights the impact on non-profit developers.
- More robust public participation processes such as residents' assemblies can also be perceived as resource-intensive, and may be out of reach for smaller municipalities without a dedicated public engagement department and annual budget.

OPPORTUNITIES

- Recent legislation now limits the use of site-by-site public hearings for housing developments that align with the OCP, increasing efficiencies and facilitating consideration of the community's broader needs for sustainable growth.
- Public hearings provide an established mechanism for public participation; providing municipalities with support to scale alternative and supplementary models of participation, such as online platforms or OCP engagement, could establish new norms for participation to support their sustained use.

"If you're a developer that's building for marginalized communities, the public hearing process is particularly difficult."

— Stephanie Allen, Principal, Adinkra Strategies

"If you want to do very exemplary public participation processes all the time, it gets very expensive, and municipalities sometimes don't have these kinds of resources."

— Quebec-based public participation specialist

"As long as you're doing site-specific rezonings on every application, you're going to be in the weeds, and I think that's the problem—there's too much planning in the weeds. Planning needs to get out of the weeds and start articulating a larger vision."

— Ontario-based planner



FINAL RECOMMENDATIONS

Key Recommendations

In light of RPHI's research into existing public hearing practices and potential reforms and alternatives, RPHI proposes nine recommendations to enhance public participation in land use planning:

- 1** **Reorient Public Engagements to Official Community Plans (OCPs)**
- 2** **Embed Principle-Based Engagement in Land Use Planning**
- 3** **Modernize Mailer Notification Processes for Waived Public Hearings**
- 4** **Streamline Approvals for Reconciliation- and Redress-Focused Housing Projects**
- 5** **Ensure Transparency through Public Hearing Records**
- 6** **Implement Mini-Publics, such as Residents' Assemblies, for Inclusive and Robust Engagement**
- 7** **Enhance and Waive Notifications for Delegated Development Variance Permit (DVP) Procedures for Minor Variances**
- 8** **Advance Digital and Hybrid Public Engagement Tools**
- 9** **Based on our financial analysis of the direct and indirect costs of public hearings in land use planning, we find it is imperative to implement measures aimed at reducing costs associated with public hearings for affordable housing builders and recommend that local governments:**
 - **Leverage Single Family and Multiplex Zoning for Affordable Housing**
 - **Promote Participatory Design in Pre-Zoned Areas**



Reorient Public Engagement to Official Community Plans (OCPs)

Our research and the British Columbia Law Institute (BCLI) consultation paper reveal that public hearings, as the most legislated form of land use public engagement, were originally designed to ensure procedural fairness, not to solicit input for improving land use bylaws. We recommend redirecting public engagement efforts to focus on the official community plan (OCP) at the earliest possible stage. Our financial analysis on the direct and indirect costs of public hearings in land use planning also found that public engagement for affordable housing policy should be conducted at the comprehensive planning level, thereby obviating the need for costly and contentious site-by-site rezonings. This approach promotes consistency and efficiency in land use decision-making while fostering community input on broader housing strategies.



Embedding Principle-Based Engagement in Land Use Planning

While waiving public hearings for site-by-site housing-focused rezonings and directing public engagement toward OCPs represents progress and an emerging best practice, we caution against any future legislative changes to waive public hearings for OCP bylaws without robust alternative participatory frameworks and public input mechanisms. This caution arises from concerns where traditional centralized planning has perpetuated practices of spatial and racial inequities, underscoring the need for principle-based public engagement measures. We recommend that British Columbia's government considers providing local governments with guidance to adopt and institutionalize principle-based frameworks—like the province of Victoria in Australia—that could include land use principles for engagement such as the REEDS (Reconciliation, Equitable Engagement, Evidence-Based Deliberation, Democratic Legitimacy and Sustainability) framework developed by the Renovate the Public Hearing Initiative, or other best practices from other jurisdictions. These principles would formalize and enhance land use bylaw engagement, ensuring transparency, equity and meaningful public participation while safeguarding against decisions contrary to the public interest.



Modernize Mailer Notification Processes for Waived Public Hearings

Under Bill 44, public hearings are not required for bylaws aligning with the OCP when 50% or more of a development project consists of housing.¹⁰ However, the legislation mandates that notice of the absence of a public hearing must still be provided in accordance with the procedure outlined in Section 467 of the Local Government Act (LGA), prior to the first reading of the amending bylaws. Evidence indicates that mailers, distributed within a limited radius, are ineffective and create ambiguity regarding whether the regional board or council, having waived the public hearing, is seeking public input on a site-specific development that conforms with the OCP. In our research, we found that in some instances residents have attended Council meetings to speak to development applications that had public hearings waived. Based on evidence from the jurisdictional scan and our demonstration projects, we recommend amending Section 467 to grant municipalities the option to opt out of these mailer notifications or select alternative notification methods. Municipalities could adopt more effective alternatives, such as continuing to utilize on-site development signage tailored to their internal signage policies and standards. This approach enhances clarity and public awareness while addressing the inefficiencies of prescriptive mailer notifications when a public hearing has been waived.



Streamlining Approvals for Reconciliation- and Redress-Focused Housing Projects

To address acute housing shortages among local territorial First Nations, Urban Indigenous communities and systemically equity-denied groups, we recommend legislation exempting specific projects from residential public hearings. Drawing from Vancouver's Bill 11 – Vancouver Charter Amendment Act, 2024, which proposes exemptions from the City of Vancouver development cost levy and amenity charges for social and supportive housing on First Nations land or their corporations akin to federal and provincial exemptions. This recommendation seeks to apply the B.C. Declaration on the Rights of Indigenous Peoples Act (DRIPA)¹¹ and integrate Indigenous considerations into law-reform approaches for public hearings that would apply to non-profit, social and supportive housing

¹⁰ See [Bill 44](#), Housing Statutes (Residential Development) Amendment Act (2023).

¹¹ See the [Declaration on the Rights of Indigenous Peoples Act](#), S.B.C. c. 44 (2019).

initiatives connected to local territorial First Nations or by urban Indigenous peoples. Minor OCP amendments required for such projects should not trigger public hearings. Legislative and policy frameworks should define clear exemption criteria, ensuring alignment with reconciliation, spatial and regional equity objectives, and the expedited delivery of urgently needed housing solutions.



Ensuring Transparency Through Public Hearing Records

To enhance democratic legitimacy and accountability, the Province and municipalities should adopt policies mandating the publication of public hearing minutes online in accessible formats. These records should comprehensively document written and oral submissions for all agenda items. By ensuring that public hearing minutes are readily accessible online, municipalities can promote proactive disclosure and compliance with the Freedom of Information and Protection of Privacy Act (FOIPPA) while fostering transparency and public trust in land use decisions and local governments.



Implementing Mini-Publics for Inclusive and Robust Engagement

To address inherent limitations of traditional public hearings such as underrepresentation, polarization, time constraints and accessibility barriers, we recommend the adoption of mini-publics, including residents' assemblies, as an upstreamed and structured public participation model for land use bylaw updates, particularly official community plan and zoning bylaw updates. These assemblies should occur in the earliest phase of a comprehensive plan update, not in phase 2 or 3 of the planning update, in order to incorporate design and strategic planning elements that build trust in the process, mitigate bias, enhance diversity, build consensus and promote deliberative, equitable dialogue. Given the growing role of OCPs in land use decision-making, local governments should prioritize these assemblies as part of a broader engagement strategy, complemented by open houses, town halls, "kitchen table dialogues," digital online platforms, and youth and school outreach initiatives. This integrated approach would bolster the democratic legitimacy and public support of OCP outcomes.



Enhancing and Waiving Notifications for Delegated Development Variance Permit (DVP) Procedures for Minor Variances

Our research shows that the Province and local governments can further simplify and improve the efficiency and effectiveness of development approval processes to meet housing needs targets and build affordable homes faster by further reducing the amount of public notifications required on applications with minor development impacts. One way to do this is for the BC government to reassess Development Variance Permit (DVP) legislation in the Local Government Act (section 498 and 499) that currently prohibits delegated DVPs to vary land use or density.

The Province should consider providing local governments the authority to assess the potential scale of density change for housing-focused developments within the criteria for minor DVPs. This should include delegating decision-making to staff for minor DVP matters that include:

- i. The scale of the variance relative to the density change being sought, and do not create a significant impact on neighbouring properties. For example, minor variances to density that reduce off-street parking in existing multi-unit residential buildings in proximity to Frequent Transit Networks and that facilitate the renovation and conversion of parking stalls into new apartment units could contribute to non-displacement housing policies while meeting housing needs targets when accompanied by a commitment to measures that support active transportation.
- ii. No obligation for the delegated official to give notice to affected property owners under Section 499 of the Local Government Act for Minor Development Variance Permits. However, the delegated official should ensure stringent records in the form of internal staff reports, and recommendations are maintained to potentially support the decision in the case that the DVP is subject to judicial review.



Advancing Digital and Hybrid Public Engagement Tools

To remove barriers and enhance public participation, we recommend that local governments consider integrating advanced online engagement platforms into their public consultation processes. Platforms such as [Ethelo](#), a social enterprise dedicated to public engagement and participatory

democracy, as well as Be Heard, a public engagement platform hosted by Bang the Table, offer digital tools for improving access to information, including multiple language options, traditional survey tools, and moderated discussion and ideas forums. The Ethelo platform goes a bit further with its available features, which include designing scenario attributes, enabling consensus building, online gamification-engagement and fostering meaningful deliberative input from residents. While acknowledging certain limitations, these digital tools have demonstrated scalability, adaptability to local contexts and replicability across diverse engagement processes. By leveraging these technologies, municipalities can provide decision-makers with relevant, representative, inclusive and data-driven insights while broadening participation and evidence-based driven engagement in land use and community planning initiatives.



Based on our financial analysis on the direct and indirect costs of public hearings in land use planning, we find it is imperative to implement measures aimed at reducing the costs associated with public hearings for affordable housing builders and recommend that local governments:

i. Leverage Single Family and Multiplex Zoning for Affordable Housing

Utilize the relatively lower land values associated with single-family and multiplex zoning to facilitate the development of four to six-storey affordable housing units. This initiative could be implemented community-wide across local governments or in transition zones proximate to commercial districts or other pedestrian-friendly amenities. Such strategic zoning encourages densification in suitable areas, enhancing housing affordability, accessibility and regional spatial equity.

ii. Promote Participatory Design in Pre-Zoned Areas

Encourage participatory design processes in standardized zones or pre-zoned sites for affordable housing. Pre-zoning should not preclude resident or citizen engagement in architectural and aesthetic elements, while setting clear parameters for height and density. This approach empowers community members to contribute to the design of buildings within pre-approved zones, fostering neighborhood compatibility and design quality.

APPENDICES

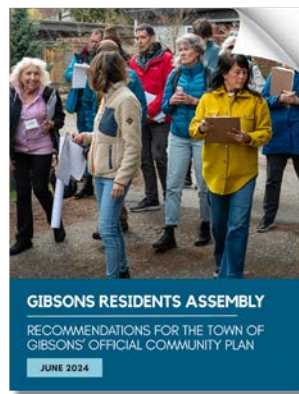
MORE RPHI REPORTS

Further reading on Renovate the Public Hearing's various projects can be found at:
www.renovatethepublichearing.ca/reports



Renovate the Public Hearing:
Financial Analysis of Direct
and Indirect Costs of Public
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Planning

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Gibsons Residents Assembly:
Recommendations for the
Town of Gibsons' Official
Community Plan

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What We Heard Report:
Voices of the Chinatown
Community in Public
Hearings and Engagement

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BCLI: Consultation Paper
on Renovating the Public
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Workshop Report:
The Future of Public
Hearings in British Columbia

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APPENDIX A

GLOSSARY (TERMS OF REFERENCE)

1. **Spatial Equity:** Spatial equity refers to the equitable development of land use and the distribution of resources, opportunities, and access to affordable housing, as well as public and urban spaces for all individuals regardless of their socioeconomic background, race, age, or disability. Spatial equity is a parameter for sustainable development.
2. **Affordable Housing/Non-Market Housing:** Affordable housing and non-market housing are used interchangeably in this report. These are terms that refer to all types of Non-Market Rental (Social Housing) as well as housing that requires supports. Affordable housing can refer to all housing along the continuum; however, social housing projects will often have a housing agreement in place to offer below-market rents for a set period of time.
3. **Supportive Housing:** Supportive housing is subsidized housing with on-site supports for single adults, seniors and people with disabilities at risk of or experiencing homelessness.
4. **Non-Profit Organization:** 'Non-profit organization' is a catch-all term used in this report to refer to the non-profit organizations, societies, co-ops, developers or other parties that are involved in affordable housing development or operations.
5. **Zoning Bylaw:** Zoning bylaws regulate how land, buildings and other structures may be used. Zoning bylaws implement municipal and regional district land use planning visions expressed in official community plans and regional growth strategies, and may support community sustainability and resilience goals.
6. **Official Community Plan (OCP):** Established under the Local Government Act, this is a crucial policy document for long-term land use planning. It details objectives and policies for land use, housing, transportation, economic development, environmental stewardship and infrastructure.
7. **OCP-Compliant:** A rezoning that proposes use and density that aligns with an official community plan.
8. **Official Community Plan Amendment (OPA):** An OPA is required when a proposed development does not conform to the land use designation(s) of the Official Community Plan (OCP).
9. **Rezoning/Official Plan Amendment:** Projects that require both a rezoning and official plan amendment.
10. **Pre-Zoned:** Lands that are zoned to meet the 20-year housing needs reports targets once official community plans are completed to align with Bill 44.

APPENDIX B

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Media and Collaborations:

Media inquiries and requests for collaboration can be directed to RPHI Director Amina Yasin at ayasin@sfu.ca. Our [RPHI Media Kit](#) can also provide more information about RPHI's origin, identity, goals, partnerships, and work and media highlights.

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CMHC exists to make housing affordable for everyone in Canada and ensure the health and stability of Canada's housing system. The CMHC Housing Supply Challenge targets housing experts and professionals, aiming to remove or reduce barriers that hinder housing supply and awarding \$300 million in funding over five years.

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>> [CMHC Housing Supply Challenge](#)



BRITISH COLUMBIA LAW
INSTITUTE (BCLI)

The BCLI undertakes law reform projects in the public interest, bringing together academic, expert, and community collaborators to clarify and improve the law, develop innovative, inclusive solutions, and increase access to justice.

As one of our key partners, BCLI worked collaboratively on the legal reform report for RPHI. BCLI also published an initial study paper on the origins and legal landscape of public hearings and collected public input for their Consultation Paper on Renovating the Public Hearing.

>> [BCLI: Renovate the Public Hearing](#)



CITYHIVE

CityHive is a youth-led organization that works to transform the way young people shape their cities and the civic processes that engage them. CityHive has partnered with RPHI on youth engagement initiatives, most notably a three-month cohort program for youth to engage on the topic of public hearings.

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