

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: December 2, 2021

RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “F” (F2021.008-ZONE)

Administrative Recommendation:

THAT first and second reading of the Electoral Area “F” Official Community Plan Amendment Bylaw No. 2790.02, 2021, and Electoral Area “F” Zoning Amendment Bylaw No. 2461.18, 2021 to rezone the property at 625 Highway 97 for a residential subdivision, be rescinded and the bylaws abandoned.

Background:

September 23, 2021 - the Regional District considered an application to amend the zoning of the property at 625 Highway 97 in order to facilitate a medium density residential development with a total of 106 dwelling units within eight terraced apartment structures.

Amendment Bylaw Nos. 2790.02 and 2461.18, 2021 received first and second reading and a public hearing was scheduled ahead of the October 21, 2021 meeting.

October 21, 2021 - The applicant and six (6) members of the public attended the hearing.

October 21, 2021 - The Public Hearing being attended by all members of the Board, it was forwarded to the Board of Directors Meeting later that same day. The following votes were taken by the Board:

MAIN MOTION - MOVED/SECONDED . (Unweighted Rural Vote - Simple Majority)

THAT Bylaw No. 2790.02, 2021, a bylaw to amend the Electoral Area “F” Official Community Plan be read a third time; and,

THAT Bylaw No. 2461.18, 2021, a bylaw to amend the Electoral Area “F” Zoning Bylaw, be read a third time.

MOVED and SECONDED

THAT 3rd Reading of Bylaw No. 2790.02 and Bylaw No. 2461.18 be postponed until the applicant or agent is present. – CARRIED

Opposed: Directors Holmes and Obirek

MOVED and SECONDED

THAT the motion to postpone 3rd Reading of the bylaws to amend the Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “F” (F2021.008-ZONE) be reconsidered – CARRIED

Opposed: Directors B. Coyne, Watt, Bush, Bauer, Sentes, Pendergraft, Johansen and S. Coyne.

MOVED and SECONDED

THAT 3rd Reading of Bylaw No. 2790.02 and Bylaw No. 2461.18 be postponed until the applicant or agent is present – DEFEATED

Opposed: Directors Holmes, Gettens, Trainer, Vassilaki, Sentes, Knodel, Roberts, McKortoff, Obirek, Monteith and Kozakevich.

The MAIN MOTION comes automatically back onto the Floor

THAT Bylaw No. 2790.02, 2021, a bylaw to amend the Electoral Area “F” Official Community Plan be read a third time; and,

THAT Bylaw No. 2461.18, 2021, a bylaw to amend the Electoral Area “F” Zoning Bylaw, be read a third time. – DEFEATED

Opposed: Director Bush, Gettens, Knodel, Obirek, Roberts, Monteith and Kozakevich.

Analysis:

The result of the Board’s resolution to defeat the amendment bylaws at 3rd Reading leaves both bylaws active at second reading. This may not be reflective of the Board’s intent in voting to defeat third reading and the bylaws should be formally rescinded and abandoned in order that there is no confusion regarding their status in future.

Alternative:

1. THAT first and second reading of the Electoral Area “F” Official Community Plan Amendment Bylaw No. 2790.02, 2021, and Electoral Area “F” Zoning Amendment Bylaw No. 2461.18, 2021, not be rescinded; or
2. THAT the Electoral Area “F” Official Community Plan Amendment Bylaw No. 2790.02, 2021, and Electoral Area “F” Zoning Amendment Bylaw No. 2461.18, 2021, be read a third time.

Respectfully submitted:



C. Garrish, Planning Manager