

Report to Council



Date: December 6, 2021

To: Council

From: City Manager

Subject: Rezoning Bylaw No. 12304 for Z21-0054 Summary of Correspondence

Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated December 6, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12304;

AND THAT Rezoning Bylaw No. 12304 be forwarded to a Public Hearing for further consideration.

Purpose:

To receive a summary of correspondence for Rezoning Bylaw No. 12304 and to forward the bylaw to a Public Hearing for further consideration.

Background:

On October 4, 2021, Council amended Council Policy No. 307 – Waiver of Public Hearings to reflect Council's direction for staff to recommend that public hearings be waived for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff and are not expected to generate significant public input based on correspondence received at the time of the report to Council.

The public has the opportunity to submit written correspondence for applications where the Public Hearing has been waived. Notification is done through signage on the subject property, newspaper advertisements, and mailouts in accordance with the *Local Government Act* and Development Application & Heritage Procedures Bylaw No. 12310.

Council waived the public hearing for this application before the legislative amendments under Bill 26 came into effect. Public hearings are no longer required for zoning bylaws that are consistent with the OCP.

Discussion:

Rezoning Application Z21-0054 for 1925 Fisher Road was brought forward to Council for initial consideration on [November 15, 2021](#). At this meeting, Council passed a resolution to waive the Public Hearing and correspondence was accepted between November 17, 2021 and November 30, 2021.

The Office of the City Clerk received two pieces of correspondence and a petition and these have been circulated to Council. They are summarized as follows:

- 1 letter of concern/opposition
- 1 letter of other comments
- 1 petition of concern/opposition regarding both zoning and form and character matters

This application was brought forward with a recommendation of support from the Development Planning Department.

Conclusion:

Following the public notification period, staff are recommending that Council forward Rezoning Bylaw No. 12304, located at 1925 Fisher Road, to a Public Hearing for further consideration.

Internal Circulation:**Considerations applicable to this report:*****Legal/Statutory Authority:***

Local Government Act s. 464(2) as it read before November 25, 2021

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the *Local Government Act* and upon considering correspondence submitted, Council may choose to:

- give a bylaw further reading consideration,
- advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Existing Policy:

[Policy 307 – Waiver of Public Hearings](#)

Considerations not applicable to this report:***Financial/Budgetary Considerations:******External Agency/Public Comments:******Communications Comments:***

Submitted by: R. Van Huizen, Legislative Technician

Approved for inclusion: S. Fleming, City Clerk

cc:

Development Planning