

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: July 3, 2025

RE: Scheduling of Public Hearing - Official Community Plan (OCP) & Zoning Bylaw Amendments (C2024.015-ZONE / E2025.002-ZONE / H2025.004-ZONE)

Administrative Recommendation:

THAT the holding of a public hearing in relation to the following bylaws be scheduled for the Regional District Board Meeting of July 17, 2025:

- Electoral Area "E" Official Community Plan Amendment Bylaw No. 3010.03, 2025;
- Okanagan Valley Zoning Amendment Bylaw Nos. 2800.52, 2025, and 2800.54, 2025;
- Electoral Area "H" Official Community Plan Amendment Bylaw No. 2497.17, 2025; and
- Electoral Area "H" Zoning Amendment Bylaw No. 3065.01, 2025,

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

Purpose:

To provide options to the Regional District Board in relation to the scheduling of public hearings in relation to a number of land use bylaw amendments.

Statutory Requirements:

Under Section 464 (When public hearing is required) of the *Local Government Act*, a local government must not adopt an official community plan bylaw or zoning bylaw "without holding a public hearing on the bylaw for the purpose of allowing the public to make representations to the local government respecting matters contained in the proposed bylaw."

Under Section 466(3.1) of the Act, the notice for a public hearing "must be published ... not less than 3 days and not more than 10 days before the public hearing."

Background:

At its meeting of June 5, 2025, the Regional District Board approved first and second reading of the following amendment bylaws and further directed that "the holding of a public hearing be scheduled for the Regional District Board meeting of June 19, 2025":

- Electoral Area "E" Official Community Plan Amendment Bylaw No. 3010.03, 2025,
 - Okanagan Valley Zoning Amendment Bylaw Nos. 2800.52, 2025, and 2800.54, 2025;
 - Electoral Area "H" Official Community Plan Amendment Bylaw No. 2497.17, 2025; and
 - Electoral Area "H" Zoning Amendment Bylaw No. 3065.01, 2025.
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The Board further directed that staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

Due to unanticipated circumstances, notice of the public hearings to be scheduled prior to the Board's Regular Meeting of June 19, 2025, did not occur in compliance with statutory requirements (e.g. not less than 3 days and not more than 10 days before the public hearing"). As a result, the public hearings for the related land use bylaw amendments were not able to occur as directed.

Analysis:

In the absence of public hearings notified in accordance with the requirements of the *Local Government Act* and Board direction, the related amendment bylaws – two of which represent property owner initiated rezoning applications – are unable to proceed to consideration of third reading by the Board.

In response, and in order for these land use bylaw amendments to continue to proceed forward to consideration of third reading, Administration favours re-scheduling the hearing for the Board's Regular Meeting of July 17, 2025.

Alternative:

The status quo is not seen to be an option as the previous direction provided by the Board, to schedule the public hearings ahead of its meeting of June 19, 2025, can no longer be complied with.

For this reason, the scheduling of a new public hearing is seen to be imperative in order to ensure the rezoning applications can proceed and are not closed and abandoned due to inactivity.

Conversely, the option to delegate the public hearing to the applicable Electoral Area Director is available to the Board, but this is not recommended as this would likely cause additional delays and the option of re-scheduling the hearings for the July 17, 2025, meeting is more efficient.

Summary:

For the reasons outlined above, Administration supports rescheduling the public hearings for July 17, 2025.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

The public hearing for the proposed bylaw amendments will be notified in accordance with the requirements of the *Local Government Act* and the Regional District's Development Procedures Bylaw No. 2500, 2011.

Alternatives:

1. THAT the Electoral Area "E" Official Community Plan Amendment Bylaw No. 3010.03, 2025, and Okanagan Valley Zoning Amendment Bylaw No. 2800.54, 2025, proceed to public hearing;
AND THAT the holding of the public hearing be delegated to Director Chahal;

AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Chahal;

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

2. THAT the Electoral Area “E” Official Community Plan Amendment Bylaw No. 3010.03, 2025, and Okanagan Valley Zoning Amendment Bylaw No. 2800.52, 2025, proceed to public hearing;

AND THAT the holding of the public hearing be delegated to Director A. Fedrigo;

AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Fedrigo;

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

3. AND THAT the Electoral Area “H” Official Community Plan Amendment Bylaw No. 2497.17, 2025, and Electoral Area “H” Zoning Amendment Bylaw No. 3065.01, 2025, proceed to public hearing;

AND THAT the holding of the public hearing be delegated to Director B. Coyne;

AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director B. Coyne;

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

4. Status quo.

PowerPoint Presentation: No.

Respectfully submitted:

Mariane Frizzi

Mariane Frizzi,
Planning Technician

Endorsed By:



C. Garrish
Senior Manager of Planning

Endorsed By:



A. Fillion
Managing Director, Dev. & Infrastructure