

POLICY

POLICY NO. P – 18

CONSULTATION PROCESSES - BYLAWS

PREAMBLE

The function of land use regulation includes a process for a range of bylaw amendments from simple to complex re-zonings to comprehensive bylaw rewrites. As consultation is crucial to well balanced decision making, the level of consultation should vary in complexity befitting the nature of the subject amendment.

In order to respond to the different degrees of complexity in the bylaws that the Regional District processes, the Board adopts the following policy for consultation processes.

POLICY

One of the following three levels of consultation will be applied to the preparation of Official Community Plans, Part 1 of Comprehensive General Bylaws (formerly Rural Land Use Bylaws) and amendments thereto. Staff will recommend and the Board will decide which level of consultation will be used in any given situation where this policy applies.

1. Simple Consultation:

This level of consultation would satisfy the requirements for a simple application such as one where the land use designation on a single parcel is to be changed, and the potential for the change to have a significant impact on surrounding properties is minimal.

In this scenario, after first and second readings, the bylaw would be referred to the referral agencies, the Advisory Planning Commission, and, where necessary, First Nations. A public hearing would then be held before the bylaw is taken back to the Board for consideration of third reading.

2. Complex Consultation:

This level of consultation would be applied in a situation where an application requires both an OCP and a zoning change, or would result in a large development project, or has significant potential to adversely affect surrounding properties.

In this scenario, after first reading, the applicant/developer would be requested to hold a voluntary public meeting in the community where the subject property is located. This public meeting would be arranged and conducted by the applicant (with a staff member in attendance to observe the proceedings and answer the public's technical questions), and would take place before the public hearing. The purpose of the meeting would be for the applicant to provide the public with information about the proposal, listen to their concerns, and answer their questions.

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More specifically, first reading would be followed by the applicant's public meeting and may be referred to agencies. The bylaw would then get second reading, followed by referral to the agencies and the Advisory Planning Commission. After the Regional District has received information from the applicant's public meeting, agency referrals and the APC, the bylaw would go to a public hearing.

3. Comprehensive Consultation:

This level of consultation would be utilized where the Regional District is developing, amending or repealing an OCP or reviewing a bylaw. This would obviously be of interest, not only to the residents and owners within the area that the bylaw covers, but also to the federal and provincial government agencies having jurisdiction in the area.

In this situation, the consultation process would begin very early – even before a bylaw is drafted – and would be on-going. Prior to the public hearing, certain specified parties, such as first nations and adjacent local governments, must be consulted as per the new *Local Government Act* provisions.

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