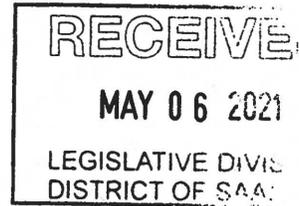




Report

To: Mayor and Council
From: Brent Reems, Director of Building, Bylaw, Licensing & Legal Services
Date: 5/7/2021
Subject: Bylaw Enforcement – Housekeeping Bylaw Amendments



RECOMMENDATIONS

That Council rescind third reading of Zoning Bylaw, 2003, Amendment Bylaw, 2021, No. 9694; and

That Council waive the holding of a public hearing on Zoning Bylaw, 2003, Amendment Bylaw, 2021, No. 9694 on the basis that the bylaw is consistent with the District's Official Community Plan.

PURPOSE

The purpose of this report is to address procedural issues arising from housekeeping amendments to the Zoning Bylaw, 2003.

BACKGROUND

At its meeting of May 3, 2021, Council gave three readings to a number of housekeeping amendment bylaws to assign responsibilities to the Manager of Bylaw & Licensing Services position. One of those bylaws was an amendment to the Zoning Bylaw, 2003: Zoning Bylaw, 2003, Amendment Bylaw, 2021, No. 9694 (Appendix "A").

The Local Government Act requires that an amendment to a zoning bylaw not be adopted without holding a public hearing. Section 464(2) provides that a local government may waive the holding of a public hearing on a proposed zoning bylaw if:

- (a) an official community plan is in effect for the area that is subject to the zoning bylaw, and
- (b) the bylaw is consistent with the official community plan.

Staff are recommending that Council waive the holding of a public hearing in relation to the amendment bylaw on the basis that it is consistent with the official community plan and it is of an administrative nature with no land use or broader regulatory impacts. Rescinding third reading would be required as a prerequisite as notice of the waiver is required to be published in advance of third reading.

ALTERNATIVES

1. That Council approve the recommendation outlined in this staff report.

2. That Council provide alternate direction to staff.

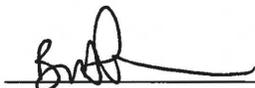
FINANCIAL IMPLICATIONS

There are no financial implications associated with the recommendation.

CONCLUSION

The recommendation is presented to allow the housekeeping amendment to proceed without holding a public hearing.

Prepared by



Brent Reems

Director of Building, Bylaw, Licensing
and Legal Services

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Building, Bylaw, Licensing and Legal Services.



Paul Thorkelsson, Chief Administrative
Officer

Appendix "A"

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9694

**TO AMEND BYLAW NO. 8200,
BEING THE "ZONING BYLAW, 2003"**

The Municipal Council of The Corporation of the District of Saanich enacts as follows:

1) Bylaw No. 8200, being the "Zoning Bylaw, 2003", is hereby amended as follows:

(a) By adding the following definition to section 2:

"Manager of Bylaw and Licensing Services" means the Manager of Bylaw and Licensing Services of the District of Saanich or any employee authorized to act on his or her behalf.

(b) By deleting the definition of "Manager of Inspection Services" in section 2 and replacing it with the following:

"Manager of Inspection Services" means the Manger of Inspection Services of the District of Saanich or any employee authorized to act on his or her behalf.

(c) By deleting section 11.2(a) in its entirety and replacing it with the following:

"(a) The Manager of Inspection Services and the Manager of Bylaw and Licensing Services shall be responsible for the enforcement of this bylaw and for carrying out inspections regarding the use and occupancy of buildings and structures."

(d) By deleting section 11.2(b) in its entirety and replacing it with the following:

"(b) The Manager of Inspection Services and the Manager of Bylaw and Licensing Services and any of their inspectors or enforcement officers or the Chief Constable or a Municipal Constable are hereby authorized at all reasonable times upon any property for the purpose of administering and enforcing this bylaw."

(e) By deleting section 11.2(c) in its entirety and replacing it with the following:

"(c) The Manager of Inspection Services and the Manager of Bylaw and Licensing Services may cause a written notice to be delivered to the owner of any property directing him or her to correct any condition which constitutes a violation of this bylaw or ordering him or her to cease any activity not permitted by this bylaw."

(f) By deleting section 11.2(e) in its entirety and replacing it with the following:

"(e) No person shall prevent or obstruct or attempt to obstruct the entry onto any property by the Manager of Inspection Services or the Manager of Bylaw and

Licensing Services or any of their inspectors or enforcement officers or the Chief Constable or a Municipal Constable authorized to enter upon property by this bylaw.”

- 2) This Bylaw may be cited for all purposes as the “**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2021, NO. 9694**”.

Read a first time this 3rd day of May, 2021.

Read a second time this 3rd day of May, 2021.

Read a third time this 3rd day of May, 2021.

Adopted by Council, signed by the Mayor and Clerk and sealed with the Seal of the Corporation on the

Municipal Clerk

Mayor