



## Committee of the Whole Report For the Meeting of March 26, 2020

---

**To:** Committee of the Whole **Date:** March 24, 2020  
**From:** Tom Zworski, City Solicitor  
**Subject:** Zoning Regulation Bylaw – correction of a section reference

---

### RECOMMENDATION

That Council forward to the March 26, 2020 daytime Council meeting the following recommendations:

1. That Council instruct the City Solicitor to bring forward an amendment bylaw to correct the Zoning Regulation Bylaw by renumbering one of sections 46 as a new section 47; and
2. That Council, pursuant to section 464(2) of the *Local Government Act* waive the requirement for a public hearing for this bylaw as it is a clerical correction that makes no substantive changes and is consistent with the Official Community Plan.

### EXECUTIVE SUMMARY

Council recently made two changes to General Regulations in the Zoning Regulation Bylaw: on February 27, 2020 to add new regulations for waterfront lots, and on March 12, 2020 to provide regulations for air space parcels. Unfortunately, due to an inadvertent error, both amendments utilized the same section number (section 46). Consequently, there are now two sections 46, which is clearly not appropriate. Therefore, it is recommended that Council amend the bylaw to renumber the second section 46 (air space parcel regulation) as a new section 47.

Normally, any zoning amendment requires a public hearing. However, the *Local Government Act* (section 464(2)) allows a local government to waive this requirement where there is an official community plan in effect and the proposed bylaw is consistent with that plan. As this is a purely clerical correction, which has no substantive policy implications, it is recommended that Council waive the requirement for the public hearing. Notices of the proposed amendment will be published in accordance with legislative requirements.

Respectfully submitted,

A blue ink signature of Tom Zworski.

Tom Zworski  
City Solicitor

Report accepted and recommended by the City Manager:

A black ink signature of the City Manager.

Date: March 25, 2020