



REGIONAL
DISTRICT
OF NANAIMO

REGIONAL DISTRICT OF NANAIMO DEVELOPMENT APPLICATION, NOTIFICATION PROCEDURES AND FEES BYLAW No. 1845, 2022 – AMENDED

RECOMMENDATIONS

1. That the Board rescind third reading of “Regional District of Nanaimo Development Application, Notification Procedures and Fees Bylaw No. 1845, 2022”.
2. That the Board amend “Regional District of Nanaimo Development Application, Notification Procedures and Fees Bylaw No. 1845, 2022” to include the changes outlined in Attachment 2.
3. That the Board give third reading to “Regional District of Nanaimo Development Application, Notification Procedures and Fees Bylaw No. 1845, 2022” as amended”.
4. That the Board adopt “Regional District of Nanaimo Development Application, Notification Procedures and Fees Bylaw No. 1845, 2022”

BACKGROUND

The Board granted three readings to “Regional District of Nanaimo Development Application, Notification Procedures and Fees Bylaw No. 1845, 2022” (Bylaw 1845) at the April 26, 2022 meeting (see Attachment 1 - Draft Bylaw 1845 at 3rd reading). Following 3rd reading, Bylaw 1845 was referred to the Regional District of Nanaimo (RDN) solicitor for legal review. In response, several minor administrative changes are proposed to the bylaw. Examples of such changes include use of capitalisation for defined terms and a number of suggested wording clarifications intended to provide greater certainty on the requirements of the bylaw.

In addition to the proposed amendments as per the legal review, additional amendments are proposed to align Bylaw 1845 with “Regional District of Nanaimo Public Notice Bylaw No. 1851, 2022” (Bylaw 1851) and the *Local Government Act* (LGA) as it relates to Public Hearings.

SUMMARY OF PROPOSED AMENDMENTS

A number of minor amendments are proposed to Bylaw 1845 based on advice received from the RDN solicitor, to align with Bylaw 1851, and in response to recent changes to the LGA. The following is a summary of the proposed changes to Bylaw 1845 (see Attachment 2– Draft Bylaw 1845 as amended).

- Added definitions for the following terms: Non-Statutory Public Meeting, Regional District Public Notice Bylaw, Statutory Public Meeting, and Statutory Public Notification.

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- Clarified notification requirements for Public Hearings to ensure consistency with Bylaw 1851. The main difference is that newspaper advertisements notifying of a Public Hearing would appear in one, rather than two, editions of the newspaper.
- For the purpose of notification requirements, clarified the distinction between non-statutory and statutory notification.
- In response to recent changes to the LGA, added provisions for advertising in situations where the Regional Board decides not to hold a Public Hearing.
- Removed the proposed \$500 increase to the advertising deposit as fewer newspaper advertisements will be required.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed amendments and no implications related to the Board 2022-2026 Financial Plan were identified.

STRATEGIC PLAN ALIGNMENT

Proposed Bylaw 1845 is consistent with the 2019 – 2022 Board Strategic Plan Goal to improve the governance and awareness of RDN activities for citizens throughout the region by increasing awareness and improving access to development application information.

REVIEWED BY:

P. Thompson, Manager, Current Planning
L. Grant, General Manager, Planning and Development
D. Holmes, Chief Administrative Officer

ATTACHMENTS

1. Draft Bylaw 1845 at 3rd reading
2. Draft Bylaw 1845 as amended