

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: June 26, 2023
TO: Mayor and Council
FROM: Anne Berry, Director, Planning & Development Services
SUBJECT: 1454 Oxford Street – Zoning Bylaw Correction

RECOMMENDATIONS

THAT Council:

1. Receive for information the corporate report dated June 26, 2023, from the Director of Planning & Development Services, titled “1454 Oxford Street – Zoning Bylaw Correction;” and
 2. Direct staff to waive the public hearing requirement for proposed White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 1454 Oxford Street) Bylaw, 2023, No. 2477.
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EXECUTIVE SUMMARY

This report is intended to provide an overview of the process required to correct an error in the proposed Zoning Bylaw amendment for the property located at 1454 Oxford Street, known as the Nautilus Development.

PREVIOUS COUNCIL DIRECTION

Motion # & Meeting Date	Motion Details
2023-154 April 17, 2023	THAT Council receive for information the corporate report dated April 17, 2023, from the Director of Planning and Development Services titled "Initial Review of 1454 Oxford Street - Building B Unit Count Change". <p style="text-align:right">CARRIED</p>
2023-164 April 17, 2023	THAT Council give first and second reading to Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 – 1454 Oxford Street) Bylaw, 2023, No. 2467" as presented. <p style="text-align:right">CARRIED</p>
2023-165 April 17, 2023	THAT Council direct staff to schedule the public hearing for "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 – 1454 Oxford Street) Bylaw, 2023, No. 2467". <p style="text-align:right">CARRIED</p>

2023-166 April 17, 2023	THAT Council direct staff to resolve the following issues before final adoption if Bylaw No. 2467 is given Third Reading after the Public Hearing; a. Ensure that all engineering requirements and issues, to the satisfaction of the Director of Engineering and Municipal Operations; b. Council acknowledges and accepts the negotiated community amenity contribution concerning the change in units in Building B, 43 units to 125 units at 1454 Oxford Street, in the amount of \$2,320,661.46 million. Note: Council requests staff to meet with the Applicant to have further discussion regarding Item B (CAC amount). <p style="text-align: right;">CARRIED</p>
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INTRODUCTION/BACKGROUND

When proposed Zoning Bylaw Amendment Bylaw 2467 was introduced to Council to amend CD-Zone 46 in order to increase the number of units permitted in the zone, the amendment did not include an adjustment in the number of units referenced within the ***Intent*** of the zone. As a result, a correction is required, however, due to recent changes in the *Local Government Act* the process is slightly different than has previously been undertaken for similar corrections in the past.

The number of units was correctly identified in the body of the zone, however in order to correct the ***Intent*** section to align with the rest of the amendments draft Bylaw 2467 must be rescinded, and a new bylaw introduced.

For this reason, a new Zoning Bylaw Amendment Bylaw No. 2477 will be prepared, with the corrected ***Intent*** section, to amend CD-46, for Council consideration. Staff recommend waiving the public hearing requirement for the new bylaw as there are no changes to the development proposal from what was previously presented to Council and at the public hearing (which was held on May 15, 2023). Due to revisions in the *Local Government Act*, in order to waive the Public Hearing, Council must now choose to do so prior to giving First Reading to a zoning bylaw amendment. Past legislation permitted this to occur following First and Second readings.

Staff are seeking direction to waive the Public Hearing prior to Council giving readings to proposed new amendment Bylaw 2477.

LEGAL IMPLICATIONS

In accordance with Sections 466 and 467 of the *Local Government Act*, Council must give notice of its intention to waive the Public Hearing prior to First Reading of the proposed bylaw.

OPTIONS / RISKS / ALTERNATIVES

Alternatives to the staff recommendations include:

1. Council may direct the application proceed to a new Public Hearing, following First and Second Reading of proposed White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 1454 Oxford Street) Bylaw, 2023, No. 2477.
2. Council may direct staff to obtain additional project-specific information before deciding whether to advance or deny White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 1454 Oxford Street) Bylaw, 2023, No. 2477.

CONCLUSION

As the original amending bylaw for 1454 Oxford Street did not include an adjustment in the number of units referenced within the Intent of the zone, a bylaw correction is required. Due to recent changes in the *Local Government Act*, the process is slightly different than has previously been undertaken for similar corrections in the past. As no physical changes to the proposal are involved, and a public hearing was previously held for the application, staff recommend that Council waive the requirement to hold a public hearing for the corrected bylaw.

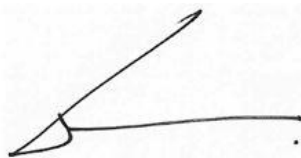
Respectfully submitted,



Anne Berry
Director, Planning & Development Services

Comments from the Chief Administrative Officer

I concur with the recommendations of this corporate report.



Guillermo Ferrero
Chief Administrative Officer

Appendix A: White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 1454 Oxford Street) Bylaw, 2023, No. 2477.