

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: October 17, 2019

RE: Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area “D”

Administrative Recommendation:

THAT first and second reading of the Electoral Area “D” Official Community Plan (OCP) Amendment Bylaw No. 2603.17, 2019, and the Electoral Area “D” Zoning Amendment Bylaw No. 2455.40, 2019, be rescinded and the bylaws be abandoned.

Purpose:

The proposed amendments to the Electoral Area “D” Official Community Plan (OCP) Bylaw and Zoning Bylaw are related to the introduction of a Parks and Recreation (PR) Zone over the parcel at 176 Chadwell Place in the “Heritage Hills” community of Electoral Area “D”. The Regional District entered into a sale and lease agreement with the landowner of this parcel for parkland purposes.

Background:

In 2015, the Regional District:

- approved up to \$200,000 from reserve funding for parkland acquisition with the adoption of the Heritage Hills Parkland Acquisition Reserve Expenditure Bylaw.
- utilized \$400,000 to purchase 0.7 ha. of land at 176 Chadwell Place in Heritage Hills for park.
- Acquired an additional 0.5 ha. of land by way of a 20 year lease, with an option to purchase. A condition of the purchase is that price will be based on the appraised value of the land. Down-zoning from residential to park would artificially decrease the value of the land.

At its meeting of March 21, 2019, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing occur at the Board meeting of April 18, 2019.

All comments received through the public process are compiled and included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97).

At its meeting of April 18, 2019, following a public representation made by the current landowner at the public hearing scheduled the same day, the Regional District Board resolved that 3rd reading of the amendment bylaws “be postponed for six months.”

Analysis:

The Regional District has no plan in place at the current time to purchase the property. Placing a park zone designation on privately owned land would make the land worthless to the owner, as there would be no market for sale, other than the Regional District. Rezoning would diminish the value of a future sale price.

Alternatives:

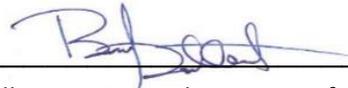
1. THAT Bylaw No. 2603.17, 2019, Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2455.40, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a third time and adopted.
2. THAT third reading of the Electoral Area "D" Official Community Plan (OCP) Amendment Bylaw No. 2603.17, 2019, and the Electoral Area "D" Zoning Amendment Bylaw No. 2455.40, 2019, be deferred.

Respectfully submitted:



C. Garrish, Planning Manager

Endorsed by



B. Dollevoet, General Manager of Dev. Services