

SUMMER VILLAGE OF SUNDANCE BEACH

Land Use Bylaw Amendment - Public Hearing

Meeting Summary November 3, 2022

6:00 p.m. – Zoom Meeting

Present:

Brian Waterhouse Mayor, Summer Village of Sundance Beach
 Allan Harris Deputy Mayor, Summer Village of Sundance Beach
 June Boyda Chief Administrative Officer, Summer Village of Sundance Beach

Regrets:

Rich Miller Councillor, Summer Village of Sundance Beach

Attendees

- Members of the public attended the Public Hearing by Zoom. Attendees are listed as they were noted to be in the meeting.
- The following members of the public were in attendance at the Public Hearing:
 - Mike Craig
 - Lyle Neis

Special Meeting of Council

- Mayor Waterhouse called the Special Meeting of Council (SMC) to Order at 6:02 p.m.
- Mayor Waterhouse indicated that the purpose of the SMC was to conduct a Public Hearing for the Summer Village of Sundance Beach Land Use Bylaw Amendment 2022-07 (LUB)
- Mayor Waterhouse noted that should technical difficulties arise during the Public Hearing, a backup phone number had been arranged.
- Mayor Waterhouse requested that any resident who wished to provide written feedback to Council in the Public Hearing should submit their comments in writing to the Chief Administrative Officer (CAO) and provided residents a period of time to email comments to the CAO.
- Mayor Waterhouse noted that all residents who wished to speak would have an opportunity to be heard in the Public Hearing.
- The Public Hearing was called to order at 6:05 p.m. by Mayor Waterhouse.
- Mayor Waterhouse outlined the procedure for the Public Hearing.
- The CAO introduced the bylaw and outlined the advertising and notices provided by the Summer Village to residents, including mailout and notice on the Summer Village's website.
- The CAO noted the following:
 - The purpose of the Bylaw is to approve an amendment to the Land Use Bylaw (LUB) #P3-155
 - The LUB is a planning document that may prohibit or regulate and control the use and development of land and buildings in a municipality.
 - The LUB references that a development permit does not come into effect until it is determined that no notice of appeal has been served within the 14-day appeal period. Section 686(1) of the MGA has been amended so that an appeal may be commenced within 21 days after the date on which the written decision is given under section 642. To meet the legislated requirement, an amendment is being presented, which

also includes repeal of Bylaw P14 as it too has the date of appeal being incorrect according to current legislation.

- Mayor Waterhouse and Deputy Mayor Harris did not have additional questions for CAO Boyda.
- The CAO indicated that no written submissions had been received prior to the Public Hearing, and further that two questions had been received prior to the Public Hearing asking what the bylaw was about but that the residents did not submit anything written, and no written submissions had been received during the Public Hearing.
- Mayor Waterhouse asked if members of the public wished to provide testimony regarding the LUB, or if they had any questions, and called for speakers from the public.
- Lyle Neis asked about the application of the bylaw for the time to serve notice for a development permit. Not all directly affected property owners were notified by letter. For example: a garage on Lyle Neis property, the neighbour would have been Joe Walsh and he did not receive any letter, although several properties to the east did and would have received notice. He requested that adequate notice be given to directly affected neighbours to a development.
- Mayor Waterhouse called for speakers from the public for a second time.
- No member of the public indicated they wished to speak to the proposed bylaw.
- Mayor Waterhouse closed the Public Hearing at 6:13 p.m.
- Mayor Waterhouse declared that the SMC was adjourned.

THESE MINUTES ADOPTED BY COUNCIL THIS 28th OF NOVEMBER, 2022

MAYOR

CHIEF ADMINISTRATIVE OFFICER