

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2014-002 A BYLAW TO ADOPT AN OFFICIAL COMMUNITY PLAN FOR THE DISTRICT OF SUMMERLAND

WHEREAS the Council of the District of Summerland wishes to adopt an official community plan pursuant to Part 26 of the *Local Government Act*;

AND WHEREAS Council may adopt an official community plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all members of Council;

AND WHEREAS after first reading of the bylaw the local government must, in sequence, consider the plan in conjunction with its financial plan, and any waste management plan that is applicable in the municipality or regional district;

AND WHEREAS if the plan applies to land in an agricultural land reserve established under the *Agricultural Land Commission Act*, refer the plan to the Provincial Agricultural Land Commission for comment;

AND WHEREAS during development of the official community plan, Council provided opportunities for consultation with persons, organizations and authorities it considered will be affected by the proposal plan including the Board of the Regional District of Okanagan-Similkameen; the Penticton Indian Band and the Board of School District No. 67 (Okanagan-Skaha) and the Provincial Ministry of Transportation, the Ministry of Environment and the Agricultural Land Commission;

AND WHEREAS pursuant to section 879 of the *Local Government Act* Council provided several opportunities for consultation with the public including open houses and consideration by the Summerland Advisory Planning Commission;

AND WHEREAS before Council gives third reading to the bylaw, Council shall hold a public hearing on the proposed official community plan in accordance with section 890 through 892 of the *Local Government Act*;

AND WHEREAS after the bylaw adopting the official community plan has received final reading, the plan is an official community plan of the municipality;

NOW THEREFORE the Municipal Council of the Corporation of the District of Summerland, in open meeting assembled, enacts as follows:

1. "Summerland Official Community Plan (2014)" attached hereto as Schedule "A" and forming part of this bylaw is adopted as the official community plan of the District of Summerland.
2. If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the official community plan adopted by this bylaw is for any reason held to be

invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw and official community plan.

3. Summerland Official Community Plan Bylaw Number 2000-310, together with all amendments, is hereby repealed.
4. This bylaw may be cited for all purposes as the 'Summerland Official Community Plan (2014) Bylaw No. 2014-002'.

Read a first time by the Municipal Council this 11th day of February, 2014.

Considered at Public Hearings on the 3rd day of March, 2014 and the 22nd day of April, 2014.

Read a second and third time this 28th day of April, 2014.

Second and third reading rescinded this 27th day of April, 2015.

Read a second time, as amended, this 27th day of April, 2015.

Second reading rescinded this 22nd day of June, 2015.

Read a second time, as amended, this 22nd day of June, 2015.

Considered at Public Hearing on the 27th day of July, 2015.

Read a third time this 27th day of July, 2015.

Finally reconsidered and adopted by the Municipal Council this 27th day of July, 2015.

Mayor

Corporate Officer