

Subject: Council's dealing with Agenda Item #4 on October 6th

Date: Tue, 14 Oct 2003 23:50:14 -0700

From: Corrie Kost <corrie@kost.ca>

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BCC: Brian Platts <bplatts@shaw.ca>

Your Worship & Members of Council,

I believe council erred in its decision not to hold additional consultations with respect to Bylaw 7416 - North Lonsdale/Delbrook Official Community Plan.

The "problem" was that staff recommended that
2) pursuant to Section 879(2) of the Local Government Act, Council is of the opinion that additional consultation with respect to Bylaw 7416 is not required.

However, the point was missed that the requirement to consider does not allow council the option of disallowing one or more consultation opportunities. Subsections 1) and 3) are quite clear on this matter. Subsection 1) says the local government must provide... (note the word must) and subsection 3) says that this requirement "is in addition to the public hearing required..."

Subsection 2) is purely to serve subsection 1)

If council refuses to provide one or more opportunities for consultation in addition to the normal public hearings then I believe they are in violation of the Local Government Act.

Please read LGA section 879 carefully and then reconsider holding such consultation(s) before holding the Public Hearing.

Yours truly,

Corrie Kost

cc: FONVCA

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