



City of Richmond

Report to Committee

To: General Purposes Committee **Date:** April 19, 2021
From: Claudia Jesson **File:** 12-8060-01/2021-Vol 01
 Director, City Clerk's Office
Re: Housekeeping Request - Abandonment of Unadopted Bylaws

Staff Recommendation

That the unadopted Zoning and OCP Amendment Bylaws, as outlined in Attachment 1, of the staff report titled "Housekeeping Request – Abandonment of Unadopted Bylaws" dated April 19, 2021 from the Director, City Clerk's Office, be abandoned.

Claudia Jesson
 Director, City Clerk's Office
 (604-276-4006)

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Development Applications	√	
SENIOR STAFF REPORT REVIEW	INITIALS:	APPROVED BY CAO

Staff Report

Origin

Council Policy No. 5017 states that the City Clerk may bring forward to Council any Zoning or Official Community Plan Amendment Bylaw, where one year or more has elapsed from the conclusion of the relevant Public Hearing, with a recommendation either to abandon the bylaw, to require another Public Hearing, or another recommendation if warranted.

The last time Council considered a report requesting the abandonment of unadopted bylaws was in September, 2019. As a housekeeping matter to clean up the files, this report presents eight unadopted bylaws for abandonment where the associated rezoning application has either been withdrawn at the applicant's request or closed by City staff due to inactivity.

Not included in the proposed list are bylaws for which more than one year has passed since a Public Hearing, and the applicant is continuing to take active steps to addressing the rezoning considerations. Staff do not recommend abandoning such bylaws at this time.

This report supports Council's Strategic Plan 2018-2022 Strategy #8 An Engaged and Informed Community:

Ensure that the citizenry of Richmond is well-informed and engaged about City business and decision-making.

Analysis

Upon reviewing the OCP and Zoning Bylaw amendments which have been to a Public Hearing but have not yet been adopted, planning staff identified a number of applications that have had little or no subsequent activity. In some instances, applications have been closed due to inactivity, or withdrawn.

A letter was provided to applicants where there was no activity on a rezoning application, to request that staff be advised of their intentions with respect to the outstanding bylaw. The results of this survey indicate that applicants expressed no objection to their respective bylaw being abandoned, or the applicant specifically does not wish to proceed with their application.

Financial Impact

None.

April 19, 2021

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Conclusion

Attachment 1 identifies unadopted OCP and Zoning Amendment Bylaw amendments that are no longer applicable because either the related application has been withdrawn, the applicant does not wish to proceed, or the applicant has not made contact with staff for the purpose of proceeding with the requirements of the application. Staff therefore recommend that the noted unadopted bylaws be abandoned.



Matt O'Halloran
Manager, Legislative Services
(604-276-4098)

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Att. 1: List of Bylaws to be abandoned

Attachment 1**List of Bylaws to Be Abandoned - 2021**

<u>Bylaw No</u>	<u>File No</u>	<u>Bylaw Title</u>	<u>First Reading</u>	<u>Public Hearing Date</u>	<u>Status of Other Development</u>	<u>Reason for Action Taken</u>	<u>Bylaw Action Recommendation</u>
9873	15-707952	RZ - 7460 & 7480 Railway Ave	June 11/18	July 16/18		Withdrawn by applicant	This bylaw should be abandoned
9703	16-748526	RZ - 8511 No 4 Rd	April 24/17	May 15/17	AH-17-793563-Closed	Withdrawn by applicant	This bylaw should be abandoned
9697	15-707253	RZ - 16160 and 16268 River Rd	Mar 27/17	Apr 18/17		Withdrawn by applicant	This bylaw should be abandoned
9630	15-699299	RZ - 8111 No 3 Rd	Nov 14/16	Dec 19/16	SD 15-699300-Closed SA 16-738956-Closed	Withdrawn by applicant	This bylaw should be abandoned
9211	13-630280	RZ - 13751 and 13851 Steveston Hwy	May 25/15	June 15/15	DP 14-674456 Closed	Closed due to inactivity	This bylaw should be abandoned
9210	13-630280	RZ - 13751 and 13851 Steveston Hwy	May 25/15	June 15/15	DP 14-674456 Closed	Closed due to inactivity	This bylaw should be abandoned
8465	08-446388	RZ - 7631 Ash St and 7680 Heather St	Dec 16/08			Withdrawn by applicant	This bylaw should be abandoned
7737	04-268223	RZ - 5411 and 5431 Steveston Hwy	July 12/04			Bylaw 7911 replaced Bylaw 7737 and adopted.	This bylaw should be abandoned



Page 1 of 1	Bylaws (Zoning and Official Community Plan) – Time Limit After Public Hearing	Policy 5017
Adopted by Council: November 9, 1992		

POLICY 5017:

It is Council policy that:

The City Clerk shall forward directly to Council any Zoning or Official Community Plan Amendment Bylaw where one year or more has elapsed from the conclusion of its Public Hearing, with a report on the circumstances which have precluded its presentation to Council for adoption and the position of the applicant on the matter (if available), with the recommendation:

1. that the bylaw be abandoned; or
2. that the third reading of such bylaw be rescinded and that a second Public Hearing on that bylaw be held at the expense of the City or the applicant, whichever is appropriate; or
3. that another recommendation be made, provided that the staff report contains clear reasons why neither sections 1 nor 2 above is applicable.