



City of Richmond
 Planning and Development Department

Report to Committee

To: Planning Committee *To: Planning Comm. July 21/2009*
Date: July 14, 2009

From: Joe Erceg MCIP
 General Manager Development **File:**

Re: Proposal to Repeal Steveston Village Heritage Control Period Bylaw No. 8401

Staff Recommendation

That Steveston Village Heritage Control Period Repeal Bylaw No. 8520 be introduced and given first, second and third readings.

Joe Erceg
 Joe Erceg MCIP
 General Manager Development

TTC:tcb
 Att. 2

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ROUTED TO:	CONCURRENCE		CONCURRENCE OF GENERAL MANAGER		
City Clerk.....	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>	<i>Joe Erceg</i>		
Law.....	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>			
REVIEWED BY TAG	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	REVIEWED BY CAO	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

Staff Report

Origin

On May 4, 2009, Council approved the Steveston Village Heritage Control Period Bylaw 8401 (see **Attachment 1**). The Bylaw temporarily established (for up to one year), a Heritage Control Period and Village Conservation Area to control demolitions and redevelopment while the comprehensive Steveston Village Conservation Program was being finalized and approved.

Note that on May 4, 2009, Council also approved the permanent "Heritage Procedures Bylaw 8400" to establish a permanent Heritage Alteration Permit system and the permanent "Building Regulation Bylaw 7230 Amendment Bylaw 8402" to prohibit demolitions until a building permit has been obtained, for Steveston Village.

Purpose

The purpose of this report is to recommend that "Steveston Village Heritage Control Period Bylaw 8401" be repealed, by enacting Steveston Village Heritage Control Period Repeal Bylaw 8520. (See **Attachment 2**)

Background

The Heritage Control Period (HCP) Bylaw 8401 enables Council to temporarily protect (for up to one year) identified Village heritage resources by establishing a temporary Heritage Control Period for the Village area, which is similar to the Heritage Conservation Area (HCA) established in Area Plan Bylaw 8403. Although Bylaw 8401 does not specify dates for the temporary protection, the intent was that it would be for one year from the date of adoption of the bylaw.

Analysis

On June 22, 2009, Council adopted the Steveston Area Plan Amendment Bylaw 8403 which permanently established the Village Heritage Conservation Area along with complementary zoning amendments. These approvals permanently established the Village Heritage Conservation Program.

Staff recommend that Bylaw 8401 be repealed for three reasons:

1. It is not needed, as the permanent Village heritage controls are in place by Area Plan Bylaw 8403 and the related zoning amendments approved on June 22, 2009,
2. To eliminate bylaw redundancy, as it is not necessary to have both Bylaws 8401 and 8403,
3. To avoid the need to amend Bylaw 8401 to remove the ANAF site from it, as was done at Council's direction in the Area Plan Bylaw 8403 just prior to adoption.

Repealing the temporary Bylaw 8401 and keeping the permanent Area Plan Bylaw 8403 along with the other permanent bylaws enable Council to fully and permanently manage Village heritage resources, avoid having a redundant Bylaw 8401 and having to amend Bylaw 8401 which Council no longer needs.

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Financial Impact

None.

Conclusion

Staff recommend that "Steveston Village Heritage Control Period Bylaw 8401" be repealed, as it is not needed.



Terry Crowe, Manager,
Policy Planning (4139)



Terence Brunette
Planner 2 (4279)

TTC:tcb

Attachment 1 - Bylaw 8401
Attachment 2 - Bylaw 8520



City of Richmond

Bylaw 8401

Steveston Village Heritage Control Period Bylaw 8401
A Bylaw to Declare a Heritage Control Period
with Respect to Steveston Village

The Council of the City of Richmond enacts as follows:

Title

1.1 This Bylaw is cited as “**Steveston Village Heritage Control Period Bylaw No. 8401**”.

Severability

2.1 If a section of this bylaw is held to be invalid by a court of competent jurisdiction, that section may be severed from the Bylaw without affecting the validity of the remaining portions of the bylaw.

Definitions

3.1 In this bylaw:

“Area”	<u>means that certain area situate at Richmond, British Columbia on parcels as shown in cross-hatch on Schedule “A” which is attached to and forms part of this Bylaw;</u>
“Building”	means any of the buildings located in the Area;
“Heritage Control Period”	means the period of time described in Section 4.2;
“Director of Development”	means the Director of Development of the City, his or her deputy, or other persons appointed by Council to act in the place of the Director of Development;
“Heritage Alteration Permit”	means a permit authorizing alterations or other actions in relation to protected heritage property or property within a heritage conservation area under Section 972 of the Local Government Act;
“Heritage Revitalization Agreement”	means an agreement between the City and the owner of heritage property under Section 966 of the Local Government Act;
“Director, Building Approvals”	means the City’s Director, Building Approvals, his or her deputy, or other persons appointed by Council to act in the place of the Director, Building Approvals.

Heritage Control Period for Temporary Protection

- 4.1 For the purposes of heritage conservation planning for the Area, Council declares a heritage control period with respect to the Area.
- 4.2 The heritage control period commences on the ____ day of _____, 2____ and terminates on the ____ day of _____, 2____.
- 4.3 No alteration to the building or landscape features is allowed during the heritage control period unless the owner of the building first obtains a City of Richmond Heritage Alteration Permit.

Prohibitions

- 5.1 During the heritage control period, a person must not do any of the following to the building, except as authorized by a City of Richmond Heritage Alteration Permit:
 - (a) alter the exterior of the building;
 - (b) make a structural change to the building;
 - (c) move the building;
 - (d) alter, excavate or building on any portion of the Area;
 - (e) alter landscape features in the Area.

Withholding of Approvals

- 6.1 The Director, Building Approvals must withhold the issuance of a building or demolition permit for the following actions where he or she considers the permit would authorize an alteration inconsistent with the heritage protection of the property:
 - 6.1.1 an alteration to property in respect of which a heritage control period has been declared under Section 964 of the *Local Government Act*;
 - 6.1.2 an alteration to property in respect of which a Council has ordered temporary protection under Section 962 of the *Local Government Act*.
- 6.2 The Director, Building Approvals must not withhold the issuance of any building permit in respect of any alteration required by an enactment.

6.3 The Director, Building Approvals must notify the applicant of a permit withheld under this section by certified mail that the matter of the issuance of the permit will be considered by the Council at its next regular meeting after the approval is withheld, the date, time and location of which are stated in the notice, unless the meeting date is within five days of the date on which the notice would be mailed, in which case the notice must be given in person and not mailed.

FIRST READING

APR 27 2009

SECOND READING

APR 27 2009

THIRD READING

APR 27 2009

ADOPTED

MAY 04 2009

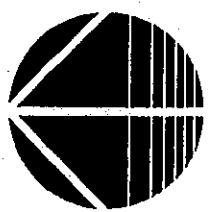
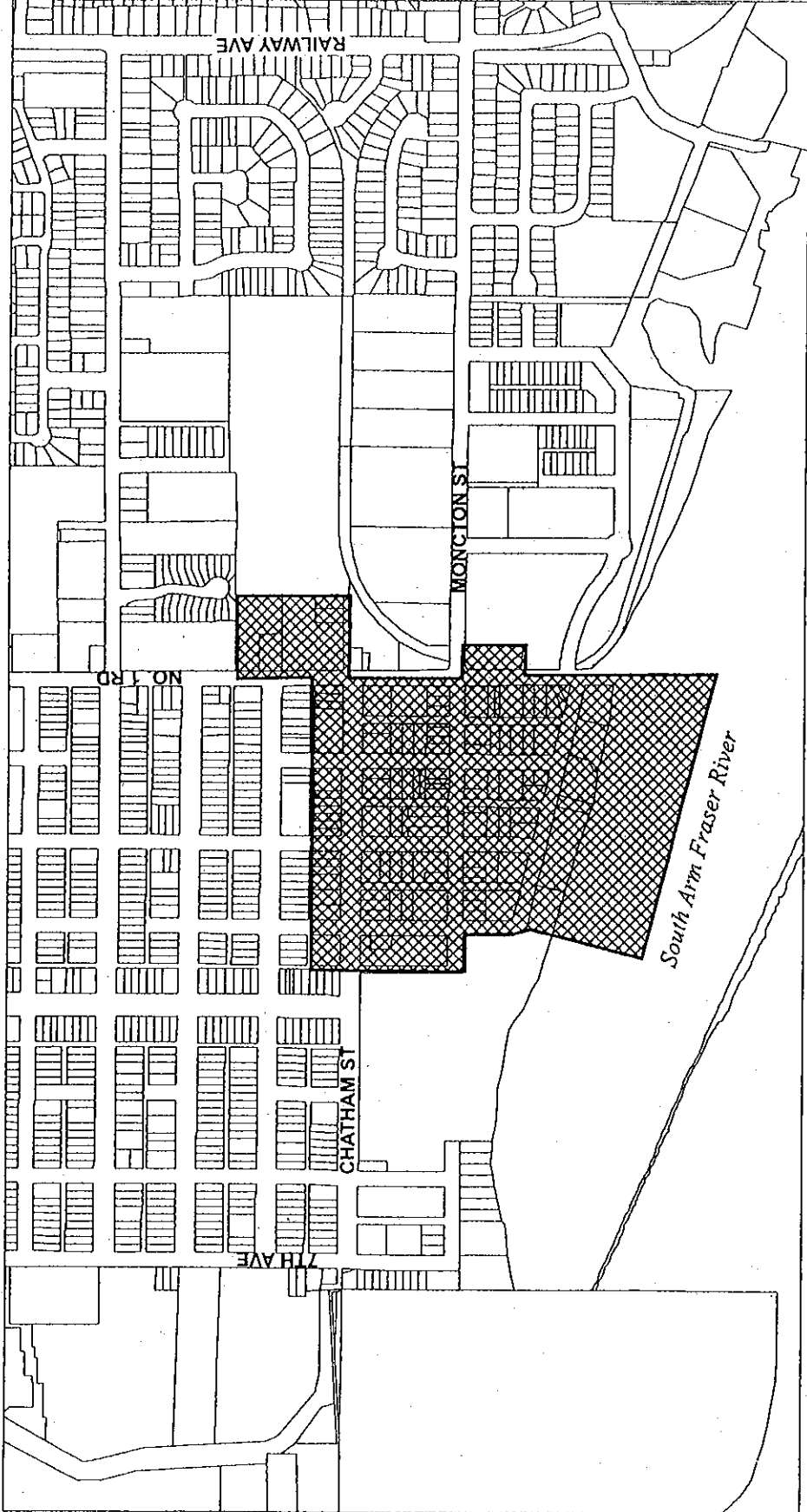


MAYOR



CORPORATE OFFICER

CITY OF RICHMOND
APPROVED for content by originating dept. 
APPROVED for legality by Solicitor 



Schedule A attached to and forming part of Bylaw 8401

Original Date: 06/23/08

Revision Date:



City of Richmond

Bylaw 8520

**Bylaw 8520 To Repeal
The Steveston Village Heritage Control Period Bylaw 8401**

The Council of the City of Richmond enacts as follows:

1. Steveston Village Heritage Control Period Bylaw No. 8401 is repealed.
2. This Bylaw is cited as "Steveston Village Heritage Control Period Repeal Bylaw No. 8520".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept <i>[Signature]</i>
APPROVED for legality by Solicitor <i>[Signature]</i>

MAYOR

CORPORATE OFFICER