



City of Richmond

Report to Council

To: Richmond City Council

Date: November 17, 2003

From: Paul Kendrick
City Solicitor

File: 0035-20-Bill 75

Re: **BILL 75 - SIGNIFICANT PROJECTS STREAMLINING ACT**

Staff Recommendation

That a letter be written on behalf of Mayor and Council to the Premier, with copies to the 3 Richmond Members of the Legislature and the Union of British Columbia Municipalities demanding that Bill 75 – Significant Projects Streamlining Act be withdrawn.



Paul Kendrick
City Solicitor

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CONCURRENCE OF GENERAL MANAGER



Staff Report

Origin

On November 3, 2003, the provincial government introduced Bill 75 which gives the Province the power to declare any project it chooses a “significant project”, with the result that the Province can over rule any municipal bylaw, plan, regulation or policy it deems may impact or slow the project.

Findings Of Fact

It is indeed ironic that the Province would introduce this power to over rule city bylaws at the same session that the much-touted Community Charter is being adopted. The Province made much of the Charter’s provisions recognizing municipalities as an “order of government”. It seems the powers given to the City will be over ridden when it is convenient to the Province.

Analysis

There are no guidelines in the bill as to what constitutes a “significant project,” leaving such declarations entirely in the discretion of the Minister of State for Deregulation. However, it is not hard to imagine projects that will have significant impact on Richmond that could be covered by such a declaration. These projects include the RAV line and the proposed Trade and Convention Centre but could also include private developments that are declared to be significant. Staff have already been advised by RAVCO that the RAV line and stations will not require Development Permits or Building Permits.

Bill “75” applies to everything a local government does from the power to regulate to the provision of services. Examples of the areas that could potentially be overridden without notice from the Province include:


- taxation;
- zoning;
- development cost charges;
- development permits;
- business regulation;
- noise and other nuisance regulation;
- other land use controls;
- signage;
- fees and charges;
- subdivision requirements, and
- access requirements.

Financial Impact

There could be considerable impact if “significant projects” do not have pay the normal fees or to supply the necessary infrastructure.

Conclusion

Bill 75 – Significant Projects Streamlining Act is a serious intrusion into the jurisdiction of municipalities and the Mayor and Council should strongly express their concerns to the provincial government.



Paul Kendrick
City Solicitor