

To: Richmond City Council
From: Councillor Evelina Halsey-Brandt
Re: Bylaws 7370 and 7371
Date: December 4, 2002

RECOMMENDATION

That Official Community Plan Amendment Bylaw No. 7371 and Rezoning Bylaw 7370 for 14791 Steveston Highway, be abandoned.

Bylaw 7370 was introduced to rezone 14791 Steveston Highway from “Athletics and Entertainment District (AE)” to “Comprehensive Development District (CD/134)”.

Bylaw 7371 was introduced to amend Official Community Plan Bylaw 7100 to:

- (a) redesignate 14791 Steveston Highway from “Commercial” to “Mixed Use” in Attachment 1 to Schedule 1; and
- (b) from “Commercial” to “Limited Mixed Use” in Attachment 2 to Schedule 1; and
- (c) amend the Regional Context Statement to identify the Riverport Area as a mixed use centre, including limited residential uses.

In January of 2002, Hotson Bakker Architects filed an application to rezone 14791 Steveston Highway. The Staff Report, which recommended against the application, was dealt with at the May 22, 2002 Planning Committee Meeting. The Planning Committee voted in favour of the application and it was forwarded to the May 27, 2002 Council Meeting. Council gave first reading to the Bylaws at the May 27th meeting and forwarded the Bylaws to the Public Hearing on June 17, 2002. At the Public Hearing numerous concerns were expressed by the public regarding the introduction of permanent residential uses into the Riverport Area. Council by a 5/4 vote gave second and third readings to both bylaws.

Due to the fact that Bylaw 7371 was not consistent with the City’s Official Community Plan (OCP) Regional Context Statement (RCS) a submission had to be made to the Greater Vancouver Regional District Board for their review and acceptance of the proposed bylaw.

The GVRD Board met on October 4, 2002 and rejected the proposed amendment. The City was notified of the rejection by letter on October 8, 2002.

Council, at an In-Camera meeting, discussed various options available to them as it was felt that there were procedural errors in the way the matter had been dealt with by the GVRD.

To address Richmond's concerns regarding the perceived procedural errors, the GVRD Board held a special meeting on October 29, 2002 and re-reviewed the proposed amendment. The GVRD Board once again rejected the amendment. The City was notified of this second rejection by letter on October 29, 2002.

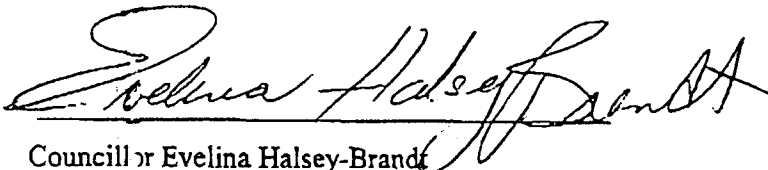
Council, at an In-Camera meeting, instructed staff to obtain a legal opinion on options available if the City wanted to proceed with the Bylaws. The City received a legal opinion on November 7, 2002. Council discussed each of the options at an In-Camera meeting on November 12, 2002.

The proposed bylaws have been discussed and dealt with at numerous meetings, in public and in-camera when appropriate. The GVRD has twice rejected the proposed amendment. We have been provided with a legal opinion on the various options available to the City and to the Proponent.

Bylaws 7370 and 7371 have been the subject of numerous meetings and discussions for almost a year. Some of the issues and concerns identified during those discussions are:

- The proposed bylaws are in conflict with our OCP.
- There is no Area Plan to identify and address the concerns and needs for permanent residential uses in that area of Richmond.
- The GVRD has twice rejected the proposed amendment to the Regional Context Statement.
- TransLink has expressed their concerns and do not support permanent residential use in the area.
- The CNR is committed to expanding their line via the existing Right of Way with 1 branch line and 2 storage lines. Shunting activities are going to take place 2 times a day between midnight and 6:00 a.m. These expanded activities are expected to start in the next 3 to 5 years.
- There are traffic concerns that have not been addressed.
- The industrial uses in that area are there for the long term and there will be noise issues that will increase over time.
- The Municipality of Delta has concerns that have not been addressed.

Based on the issues above and the legal opinion we received I believe that it is in the City's best interest to abandon Bylaws 7370 and 7371.


Councilor Evelina Halsey-Brandt