



City of Richmond

Report to Committee

To: Planning Committee **Date:** February 15, 2022
From: Claudia Jesson **File:** 12-8060-01
 Director, City Clerk's Office
Re: **Zoning Bylaw Amendment – Public Hearing Requirement**

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw No. 10360, to provide for a Public Hearing requirement, be introduced and given first reading.

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

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law	<input checked="" type="checkbox"/>	
Development Applications	<input checked="" type="checkbox"/>	
Policy Planning	<input checked="" type="checkbox"/>	
SENIOR STAFF REPORT REVIEW	INITIALS:	APPROVED BY CAO

Staff Report

Origin

On November 25, 2021, the Province gave royal assent to Bill 26-2021 Municipal Affairs Statutes Amendment Act ("Bill 26"), which amended a number of provincial Acts and removed the default requirement for local governments to hold Public Hearings on most zoning bylaws.

Following consideration of Bill 26 in early 2022, Council adopted the resolution below:

That staff be directed to proceed with holding Public Hearings on all Zoning Bylaw Amendments, including those that are consistent with the OCP, and bring forward all appropriate amendments to City Bylaws and City Policies to give effect to this direction.

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

- 8.1 *Increased opportunities for public engagement; and*
- 8.2 *Ensure citizens are well-informed with timely, accurate and easily accessible communication using a variety of methods and tools.*

Analysis

Council's direction will maintain status-quo for Public Hearings. While Bill 26 removed the default requirement for these meetings, where a proposed zoning amendment is consistent with the Official Community Plan, Public Hearings continue to be a well-established part of the land development process. Council will continue to hold Regular Public Hearings each month except in August, in accordance with the annual meeting calendar.

Currently the Zoning bylaw includes a number of regulations for the Public Hearing notification process, pursuant to the *Local Government Act*. Under Bill 26, and following Council's direction, the bylaw must also now require a Public Hearing to be held.

Richmond Zoning Bylaw 8500, Amendment Bylaw No. 10360, to provide for a Public Hearing requirement, is attached for consideration.

The proposed bylaw also retains Council's current ability to waive the requirement for individual Public Hearings, as necessary. Due to Bill 26 this process is now set forth under bylaw. Although Public Hearings are rarely waived by the City, staff recommend retaining this ability.

Expanded Notification Framework

Council has also previously directed staff to bring forward an expanded notification framework for Public Hearings and development applications. These bylaws and policy updates will be brought forward following consideration of Bylaw 10360.

Financial Impact

There are no financial impacts associated with this report.

Conclusion

Following the introduction of Bill 26, Council directed staff to continue holding Public Hearings on all Zoning Bylaws, including those that are consistent with the OCP. Richmond Zoning Bylaw 8500, Amendment Bylaw No. 10360 is attached to give effect to this direction and maintain all current meeting requirements.



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

CJ: mo



**Richmond Zoning Bylaw 8500
Amendment Bylaw No. 10360
Public Hearing Requirement**

The Council of the City of Richmond enacts as follows:

1. Richmond Zoning Bylaw 8500, as amended, is further amended as follows:

a) delete Section 2.6 and replace it with a new Section 2.6 as follows:

“2.6 Public Hearing and Notification

2.6.1 Subject to Section 2.6.2, the **City** will, prior to the granting of third reading by **Council**, hold a public hearing on any amendment to this bylaw in accordance with the *Local Government Act*.

2.6.2 Council may, by resolution, prior to first reading waive a public hearing on a proposed amendment to this bylaw if:

a) the **official community plan** applies to the area that is the subject of the proposed amendment to this bylaw; and

b) the proposed amendment to this bylaw is consistent with the **official community plan**.

2.6.3 Where a public hearing is required on a proposed amendment to this bylaw, and **Council** has not waived the requirement for a public hearing pursuant to Section 2.6.2 above, notice of the public hearing shall be mailed or otherwise delivered by the **City** to the **owners** of all parcels that are located within 50.0 m from the area of the proposed amendment.

2.6.4 Where **Council** has waived the requirement for a public hearing on a proposed amendment to this bylaw pursuant to Section 2.6.2 above, notice of the first reading by **Council** of the amendment shall be mailed or otherwise delivered by the **City** to the **owners** of all parcels that are located within 50.0 m from the area of the proposed amendment.

2.6.4 Where additional parcels may be affected by a text or map amendment to this bylaw, the **City** may require that the public hearing notice or bylaw notice, as applicable, be mailed or otherwise delivered to the **owners** of such parcels.”

2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 10360**”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept. <i>WJ</i>
APPROVED for legality by Solicitor <i>JH</i>

MAYOR

CORPORATE OFFICER