



RE: ABANDONMENT OF REZONING BYLAWS

ACTING MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.
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TO: MUNICIPAL MANAGER 1989 APRIL 05

FROM: DIRECTOR PLANNING &
BUILDING INSPECTION

SUBJECT: ABANDONMENT OF REZONING BYLAWS

PURPOSE: To respond to a Council enquiry regarding reviewing the progress of rezoning bylaws.

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RECOMMENDATION:

1. THAT this report be received for information purposes.

R E P O R T

1.0 BACKGROUND INFORMATION:

- 1.1 In 1988 Council directed this Department to bring forward a report on the status of long-outstanding incomplete Rezoning Bylaws and to outline a system for reviewing bylaws following Readings given by Council. This report is in response to this Council direction.

2.0 GENERAL DISCUSSION:

- 2.1 A Council policy has been established for reviewing the progress of rezoning bylaws. On 1970 July 13, the following motions were adopted on the abandonment of rezoning bylaws:
1. Council adopt a policy of abandoning amendments to the Zoning Bylaw which result from applications to rezone property when the prerequisites in connection with the rezoning proposals are not completed within one year from the date of the First Reading of the bylaw, unless cause is shown by the applicant that the bylaw should not be abandoned.
 2. Those whose applications have been outstanding for more than one year be informed that the amendments to the Zoning Bylaw covering their proposals will be abandoned unless the prerequisites are satisfied within three months.
 3. Those whose applications have been advanced to the bylaw stage within the past 12 months be given a total of 15 months from the First Reading of the bylaw to complete the prerequisites.

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This policy has been followed where it has been necessary to replace one bylaw with another but due to current work load long standing incomplete bylaws have tended to remain on the books.

2.2

Planning and Building Inspection Department staff, in consultation with the Clerk's Department will follow a system whereby a list of inactive rezonings will be compiled and applicants will be informed of the Council policy on the abandonment of rezoning bylaws. At the end of each year, the Clerk's Department will be providing this Department with a list of all those rezoning bylaws which have not received a Reading since December 31 of the previous year. Planning and Building Inspection Department staff will then write to each applicant, informing them of the Council policy on abandoning rezoning bylaws and enquiring as to their intention in this regard.

Information Services staff, in conjunction with the Planning and Building Inspection, Fire, Engineering, Administration and Community Services, Finance and Environmental Health Departments, as well as the R.C.M.P., are currently developing the LPS system (Licence, Inspection, Permits and Complaints system). This computer application will allow the above mentioned Departments to automate and have access to detailed information regarding the issuance of Applications, Permits and Licences, including statistical and historical information. Upon the implementation of the LPS system, staff will no longer need to check for inactive rezonings manually, as the bylaws will automatically be able to be recalled one year from the last Reading of Council. Once three months have passed from the time the letters are sent to the rezoning applicants informing them of the Council policy, a report will be submitted to Council seeking abandonment of the rezoning bylaws which are inactive. If the applicant is able to demonstrate progress in completing the prerequisite conditions for rezoning, staff will not forward the bylaw to Council for abandonment.

Inactive rezoning bylaws are categorized as follows:

1. Rezonings in which the prerequisite conditions are not being actively pursued.
 - Inactive rezonings will be recommended to be advanced for abandonment unless it can be demonstrated to staff that the rezoning was unable to proceed due to technical reasons (related for example, to failure to receive sufficient information or approval from a pertinent Government regulatory agency).
2. Rezoning bylaws which have been superseded by another rezoning bylaw.
 - These bylaws will be forwarded for abandonment if the superseding bylaw has been given Second Reading, or upon Second Reading being given.
3. Rezonings which have been tabled or held in abeyance by Council.
 - A brief report will be submitted with an assessment of whether it would be prudent for Council to reconsider the bylaw and abandon it at that time.

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- 2.3 Following Council's receipt of this report, the Director Planning and Building Inspection will write to all rezoning applicants; and where it is pertinent both the applicant and the property owner noted on the rezoning application, where the prerequisite conditions for rezoning are not being actively pursued in accordance with Section 2.1 above, informing them of Council's policy regarding the abandonment of amendments to the Zoning Bylaw where the rezoning bylaw is inactive.
- Unless the applicant or owner can demonstrate progress in satisfying the prerequisite conditions to rezoning within three months from the time the letter is sent or show cause as described in Section 2.2, No. 1, as to why the rezoning amendment bylaw should not be abandoned, the rezoning will be included in a list of rezoning amendment bylaws to be recommended for abandonment by Council.
- 2.4 The next report submitted to Council in late July 1989 will include all those rezoning bylaws which have not been completed in the last several years. This report will document the status of approximately 100 outstanding rezoning bylaws, including the appropriate recommendations for abandonment.

This is for the information of Council.

BW:ap

cc: Municipal Clerk



A. L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

