

ITEM 4  
MANAGER'S REPORT NO. 72  
COUNCIL MEETING 89/11/06

RE: ABANDONMENT OF REZONING BYLAWS

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER 1989 OCTOBER 30  
FROM: DIRECTOR PLANNING &  
BUILDING INSPECTION

**SUBJECT: ABANDONMENT OF REZONING BYLAWS**

PURPOSE: To put forward a number of rezoning amendment bylaws for Council to abandon in accordance with adopted Council policy.

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RECOMMENDATION:

- 1) THAT this report be received for information purposes.

REPORT

**1.0 BACKGROUND INFORMATION:**

1.1 In response to Council direction that this Department report back on the status of long-outstanding incomplete Rezoning Bylaws and to outline a system for reviewing bylaws following Readings given by Council, on 1989 April 10 a report was submitted by the Director Planning and Building Inspection outlining a course of action for dealing with outstanding rezoning applications.

In reviewing the history and the adopted policy on this matter, it was noted that on 1970 July 13, Council adopted the following motions 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 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.
- 1.2 The recent report further outlined a process through which applicants for outstanding rezonings would be informed of the Council policy on the abandonment of rezoning bylaws and the pertinent rezoning would be forwarded to Council for abandonment.
- The Director Planning and Building Inspection has since written to all rezoning applicants (and where it is pertinent both the applicant and the owner) where the prerequisite conditions for rezoning are not being actively pursued. The letters stated that unless the applicant or owner could demonstrate progress in satisfying the prerequisite conditions to rezoning within three months from the time the letter was sent, the rezoning would be included in a list of rezoning amendment bylaws to be recommended for abandonment by Council.

1.3 The three month period for the applicant or the owner to demonstrate progress in satisfying prerequisite conditions for rezoning has now passed (1989 September 09). Consequently, this report is now being submitted in order for Council to abandon the pertinent rezoning amendment bylaws.

**2.0 GENERAL DISCUSSION:**

- 2.1 In response to the above noted letters sent to the rezoning applicants, a few applicants have re-activated their applications by completing prerequisites and thus, those rezoning applications are not included in this report.
- 2.2 Inactive rezoning bylaws have been separated into categories for clarity. Under each of the following categories, the rezoning amendment bylaws are listed which are recommended for abandonment. In addition, a brief status report is provided on any rezonings which have been tabled or held in abeyance by Council in the third category.

A) REZONINGS IN WHICH THE PREREQUISITE CONDITIONS ARE NOT BEING ACTIVELY PURSUED:

<u>Rezoning Reference #</u>	<u>Date of Last Bylaw Reading</u>
1) RZ #62/75D	1979 March 26
2) RZ #62/75E	1979 July 30
3) RZ #2/78	1978 April 24
4) RZ #5/78	1978 April 24
5) RZ #16/79	1979 June 25
6) RZ #33/79	1979 December 17
7) RZ #75/80	1981 July 13
8) RZ #93/80	1981 June 01
9) RZ #26/81	1981 August 24
10) RZ #39/81	1981 August 24

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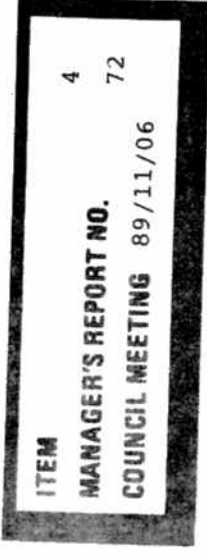
<u>Re zoning Reference #</u>	<u>Date of Last Bylaw Reading</u>
11) RZ #41/81	1981 August 24
12) RZ #47/81	1981 September 14
13) RZ #58/81	1981 September 14
14) RZ #93/81	1981 October 13
15) RZ #102/81	1981 August 24
16) RZ #120/81	1981 November 23
17) RZ #139/81	1981 November 23
18) RZ #159/81	1981 November 23
19) RZ #170/81	1981 December 14
20) RZ #2/82	1982 April 26
21) RZ #49/82	1983 January 04
22) RZ #56/83	1983 October 24
23) RZ #7/84	1984 April 24
24) RZ #11/84	1989 February 27
25) RZ #13/84	1984 April 24
26) RZ #17/84	1984 May 22
27) RZ #19/84	1984 April 24
28) RZ #21/84	1984 June 25
29) RZ #56/84	1985 January 02
30) RZ #76/85	1986 February 17
31) RZ #102/85	1986 April 28
32) RZ #5/86	1986 April 28
33) RZ #10/86	1986 April 28
34) RZ #80/86	1986 April 28
35) RZ #121/86	1986 October 27
36) RZ #136/86	1987 June 01
37) RZ #76/87	1987 June 01
38) RZ #86/87	1987 September 08
39) RZ #102/87	1987 November 02
	1987 November 02

B) REZONING BYLAWS WHICH HAVE BEEN SUPERSEDED BY ANOTHER REZONING BYLAW:

<u>Re zoning Reference #</u>	<u>Superseding Re zoning</u>	<u>Date of Second Reading of Superseding Bylaw</u>
1) RZ #28/75	RZ #83/87	1988 February 24
2) RZ #34/75	RZ #34/75A	1977 August 29
3) RZ #44/75	RZ #58/85	1986 January 06
4) RZ #3/76	RZ #51/80	1980 December 22
5) RZ #35/77	RZ #31/78	1979 February 19
6) RZ #36/79	RZ #43/80	1980 December 22
7) RZ #3/80	RZ #54/80	1980 December 22
8) RZ #180/81	RZ #61/88	1988 September 06
	(Amendment Bylaw #11/82 - Site 7)	
9) RZ #41/82	RZ #34/89	1989 August 21
10) RZ #54/82	RZ #35/87	1987 June 22
11) RZ #16/84	RZ #9/88	1988 March 28
12) RZ #58/84	RZ #13/86	1986 April 28
13) RZ #85/87	RZ #70/88	1988 October 24
14) RZ #105/87	RZ #25/88	1988 June 27

C) REZONINGS WHICH HAVE BEEN TABLED OR HELD IN ABEYANCE BY COUNCIL:

<u>Re zoning Reference #</u>	<u>Address</u>	<u>Date Tabled Or Held in Abeyance</u>
1) RZ #125/86	7165 - 7169 17th Avenue	1989 January 03



Rezoning Reference #                      Address                      Date Tabled Or Held In Abeyance                      **110**

- 2) RZ #58/87                      7112 Stride Avenue                      1989 January 03
- 3) RZ #134/87                      7144 - 18th Avenue                      1989 January 03

On 1989 January 03, Council adopted the recommendation of the Director Planning and Building Inspection that the above rezoning applications not be further considered by Council until the Edmonds Station Area Plan review is completed.

The revised Edmonds Station Area Plan was adopted by Council on 1989 October 23. Inasmuch as the provisions in the zoning bylaw for R9 zoning upon which these proposals were based were deleted by a text amendment adopted on 1989 July 10, it would be appropriate to abandon these rezonings.

- 2) REZONING REFERENCE #110/87  
6490 SPERLING AVENUE

On 1987 November 02, the recommendation of the Director Planning and Building Inspection that Council table further consideration of Rezoning Reference #110/87 was adopted.

- This recommendation was put forward in consideration of the pending report on small lot subdivision as well as a petition submitted to Council requesting that the area roughly bounded by Sperling Avenue, Walker Avenue, Griffiths Avenue and Imperial Street (which includes the property proposed to be rezoned to the R9 Residential District in this rezoning application) be rezoned to the R3 Residential District.

Inasmuch as the provisions in the zoning bylaw for R9 zoning upon which this rezoning was based were deleted by a text amendment adopted 1989 July 10, it would be appropriate to abandon this rezoning.

For information, a report will be submitted to Council on the above noted requested area rezoning, as well as two other area rezonings, within two weeks.

D) MUNICIPAL PROPERTIES:

The following is a list of rezoning applications involving Municipal property which are not being actively pursued and are recommended to be abandoned. These rezonings involved private initiatives for Municipal lands which have not been pursued.

- |    | <u>Rezoning</u> | <u>Last Reading Given</u>               |
|----|-----------------|---|
| 1) | RZ #41/77       | Second Reading given<br>1977 October 24 |
| 2) | RZ #25/84       | Third Reading given<br>1984 June 25     |

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3.0 CONCLUSION/SUMMARY:

3.1 In summary, the following is a list of all the rezoning applications which are recommended to be abandoned in accordance with adopted Council policy, including the pertinent Bylaw number and the date of the last Reading by Council:

Rezoning Reference #	Bylaw #	Date of Last Bylaw Reading
1) RZ #28/75	7006	1977 March 21
2) RZ #34/75	6738	1975 October 27
3) RZ ##44/75	6825	1976 June 14
4) RZ #62/75D	7335	1979 March 26
5) RZ #62/75E	7384	1979 July 30
6) RZ #3/76	6956	1976 December 20
7) RZ #35/77	7098	1978 May 01
8) RZ #41/77	7101	1977 October 24
9) RZ #2/78	7189	1978 April 24
10) RZ #5/78	7191	1978 April 24
11) RZ #16/79	7377	1979 June 25
12) RZ #33/79	7454	1979 December 17
13) RZ #36/79	7456	1979 December 17
14) RZ #3/80	7492	1980 April 21
15) RZ #75/80	7678	1981 July 13
16) RZ #93/80	7635	1981 June 01
17) RZ #26/81	7729	1981 August 24
18) RZ #39/81	7734	1981 August 24
19) RZ #41/81	7735	1981 August 24
20) RZ #47/81	7744	1981 September 14
21) RZ #58/81	7749	1981 September 14
22) RZ #93/81	7776	1981 October 13
23) RZ #102/81	7739	1981 August 24
24) RZ #120/81	7803	1981 November 23
25) RZ #139/81	7807	1981 November 23
26) RZ #159/81	7813	1981 November 23
27) RZ #170/81	7842	1981 December 14
28) RZ #180/81	7885	1982 February 01
29) RZ #2/82	7909	1982 April 26
30) RZ #41/82	7960	1983 February 07
31) RZ #49/82	7999	1983 January 04
32) RZ #54/82	8002	1983 January 04
33) RZ #56/83	8114	1983 October 24
34) RZ #7/84	8188	1984 April 24
35) RZ #11/84	8191	1989 February 27
36) RZ #13/84	8193	1984 April 24
37) RZ #16/84	8195	1984 April 24
38) RZ #17/84	8199	1984 April 24
39) RZ #19/84	8196	1984 May 22
40) RZ #21/84	8212	1984 April 24
41) RZ #25/84	8216	1984 June 25
42) RZ #58/84	8275	1984 June 25
43) RZ #66/84	8292	1984 November 26
44) RZ #76/85	8479	1985 January 02
45) RZ #102/85	8530	1989 June 26
46) RZ #6/86	8535	1986 April 28
47) RZ #10/86	8539	1986 April 28
48) RZ #43/86	8583	1986 April 28
49) RZ #80/86	8640	1988 February 08
50) RZ #121/86	8699	1986 October 27
51) RZ #125/86	8702	1987 June 01
52) RZ #136/86	8710	1987 June 01
53) RZ #58/87	8838	1987 June 01
54) RZ #76/87	8796	1988 March 21
55) RZ #85/87	8831	1987 September 08
55) RZ #86/87	8849	1987 October 26
56) RZ #102/87	8859	1987 November 02
57) RZ #105/87	8881	1987 November 02
58) RZ #110/87	8863	1987 November 30
59) RZ #134/87	8901	1987 October 05
		1988 June 27

(Site 7)

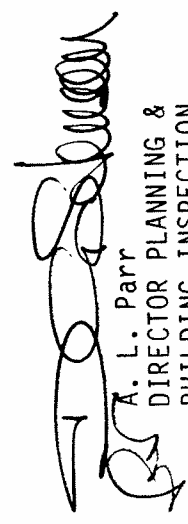
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The Bylaws listed in Section 3.1 of this report appear elsewhere on the Council agenda, under Bylaws - Abandon. 112

3.2 Planning and Building Inspection Department staff will continue to work with applicants on the remaining active bylaws toward completion of prerequisites and advancement to Final Adoption. The Clerk's Department will be providing this Department with a list of all rezoning bylaws which have not received a Reading since 1988 December 31 early in 1990. Upon receiving this list, this Department will review the rezoning applications, inform the pertinent applicants of the Council policy on the abandonment of rezoning bylaws, and report back to Council in due course on the bylaws to be abandoned.

*ACP*  
BW:ap

cc: Municipal Clerk

  
A. L. Parr  
DIRECTOR PLANNING &  
BUILDING INSPECTION