

TO: CITY MANAGER June 4, 2002

FROM: DIRECTOR PLANNING AND BUILDING OUR FILE: 15.615

SUBJECT: OFFICIAL COMMUNITY PLAN AMENDMENT PROCESS
 BYRNE ROAD AND MARINE WAY COMMERCIAL PRECINCT

PURPOSE: To seek Council consideration of matters required for amendment of the City's Official Community Plan (OCP) in relation to the Byrne Road and Marine Way Commercial Precinct Development Plan in compliance with the requirements of the Local Government Act.

RECOMMENDATIONS:

1. **THAT** consultation related to the subject amendment be undertaken with the list of organizations and authorities listed in Section 879 of the Local Government Act to the extent outlined in Section 2.0 of this report.
2. **THAT** Council concur that the subject amendment of the City's Official Community Plan is consistent with the City's 2002 Annual Financial Plan, as outlined in Section 3.0 of this report.
3. **THAT** Council concur that the subject amendment of the City's Official Community Plan is in compliance with the City's Waste Management Plans, as outlined in Section 3.0 of this report.
4. **THAT** Council refer the subject amendment of the City's Official Community Plan to the Land Reserve Commission, as required by Section 882 of the Local Government Act.
5. **THAT** the Burnaby Official Community Plan Amending Bylaw 2002 (Bylaw No. 11381) be advanced for Second Reading and forwarded to a Public Hearing on 2002 June 25.

REPORT

1.0 INTRODUCTION

On 2002 May 27, Council gave First Reading to the Burnaby Official Community Plan Amending Bylaw 2002 in relation to the Byrne Road and Marine Way Commercial Precinct Development Plan.

Under recent changes to the Local Government Act, the adoption of the resolution giving First Reading to the amendment of the OCP starts a series of steps which, under Section 882 of the Local Government, must be taken in a prescribed sequence. This report conveys information that must be considered by Council in sequence to meet the specific requirements of the Local Government Act for amendment of the City's OCP.

2.0 OFFICIAL COMMUNITY PLAN AMENDMENT PROCESS

2.1 Consultation

The Local Government Act requires that during the process prior to the required statutory public hearing on the OCP amendment, that Council must consider whether and how to consult with various interests it considers will be affected by the OCP amendment. On Council direction, starting in 2000 September, an extensive public consultation process was undertaken for the Byrne Road and Marine Way Commercial Precinct leading to the introduction of the subject OCP amendment.

On 2002 May 13, Council adopted a resolution that, following First Reading of the OCP amending bylaw, a copy of the adopted Development Plan and the subject OCP amending bylaw be forwarded to the GVRD Board, the Land Reserve Commission, and the cities of Vancouver, New Westminster and Richmond for comment.

Following First Reading of the OCP Amending Bylaw, the Local Government Act requires that Council specifically consider whether to consult with the following:

- *The Board of the Regional District*

Council's resolution of 2002 May 13 provides for the distribution of the Official Community Plan amending bylaw and the adopted Development Plan to the GVRD Board for comment.

- *The Board of any Regional District or the Council of any Municipality adjacent to the area covered by the Plan*

Council's resolution of 2002 May 13 provides for the distribution of the Official Community Plan amending bylaw and the adopted Development Plan to the Cities of Vancouver, New Westminster and Richmond for comment.

- *First Nations*

Given that there are no first nations reserve lands in Burnaby or the subject area, and that there are no active treaty tables in Burnaby, it is not proposed to consult with First Nations on this OCP amendment.

- *School District Boards, Greater Boards and Improvement District Boards*

Given that the subject OCP amendment and the adopted Commercial Development Plan does not affect school population projections, it is not considered necessary to consult directly with the School District Board. Staff also note that the City maintains a regular

liaison with the School District on residential development projects and school needs. The referral to the GVRD, and the infrastructure servicing study undertaken by the City addresses consultation needs with Greater Boards and Improvement District Boards.

- *The Provincial and Federal Governments and their Agencies.*

The City has undertaken consultation with provincial and federal governments and their agencies through the review of riparian setback requirements with the Department of Fisheries and Oceans and the Ministry of Water, Land and Air Protection. Comment was also obtained from the B.C. Assessment Authority, the Land Reserve Commission and the Ministry of Agriculture. Council's resolution of 2002 May 13 also provides for the distribution of the Official Community Plan amending bylaw and the adopted Development Plan to the Land Reserve Commission for comment. Staff are not recommending further consultation with other Provincial or Federal agencies.

Based on the consultation process undertaken to date, and the pending distribution of the subject OCP amendment to GVRD Board, the Land Reserve Commission, and the cities of Vancouver, New Westminster and Richmond for comment, staff have not identified any further consultation needs other than the required Public Hearing. As such, it is proposed that Council adopt recommendation #1 of this report.

2.2 *Financial and Waste Management Plans*

Next in sequence, the Local Government Act requires that Council specifically consider the amending bylaw plan in conjunction with its financial plan and any applicable waste management plan.

The subject OCP amendment has been reviewed by the Director Finance and the Director Planning and Building in conjunction with the City's 2002 Annual Financial Plan. They advise that these documents are consistent with the OCP amendment Plan. The Director Engineering and the Director Planning and Building have also reviewed the subject OCP amendment in conjunction with the City's liquid and solid waste management plans and advise that these documents are in compliance.

It is therefore proposed that Council pass recommendations #2 and #3 of this report to meet the specific requirements of the Local Government Act.

2.3 *Land Reserve Commission*

Next in sequence, the Local Government Act requires that the subject amendment of the City's OCP be referred to the Land Reserve Commission. On referral, the Land Reserve Commission will review the plan in relation to the Agricultural Land Reserve Act. Recommendation #4 of this report provides for the required referral to the Land Reserve Commission.

3.0 NEXT STEPS

This report has been submitted to assist Council in the sequenced consideration of matters required for amendment of the City's OCP to reflect the land use proposals contained within the Byrne Road and Marine Way Commercial Precinct Development Plan, as adopted by Council on 2002 May 13, subject to completion of the required OCP amendment process.

With Council consideration of these matters, it is recommended that the Burnaby Official Community Plan Amending Bylaw 2002 (Bylaw No. 11381) be advanced for Second Reading and forwarded to a Public Hearing on 2002 June 25.



J.S. Belhouse, Director
PLANNING AND BUILDING

LP/sla

cc: City Clerk
City Solicitor
Director Finance
Director Engineering
Director Parks and Recreational Services

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