



# REPORT TO COUNCIL

To: **Mayor and Councillors**

Subject: **OCP Amendment Bylaw No. 3179 – Public Consultation & Adoption Requirements (5324-5326 & 5334-5336 - 198 Street)**

File #: 6480.00

Doc #:

From: Anton Metalnikov  
Planning Assistant II

Date: September 3, 2021

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## RECOMMENDATION:

THAT Council:

1. Direct staff to send copies of Official Community Plan Amendment Bylaw No. 3179 (5324-5326 & 5334-5336 - 198 Street) to the following organizations and authorities for consultation prior to holding a public hearing on September 27, 2021 in consideration of the requirements set out in Section 475 of the *Local Government Act*.

Kwantlen First Nation  
Metro Vancouver  
TransLink  
School District No. 35

2. Consider Official Community Plan Amendment Bylaw No. 3179 in conjunction with the 2021-2025 Financial Plan Bylaw No. 3151 and the regional liquid and solid waste management plans in accordance with Section 477 (3) of the *Local Government Act*.

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## PURPOSE:

To consider the statutory public consultation and adoption requirements for OCP Amendment Bylaw No. 3179, which seeks to amend the OCP in order to amend the land use designation of the properties addressed 5324-5326 & 5334-5336 - 198

Street from the current Low-Density Residential land use to the Low Rise Residential land use as proposed in the draft new OCP, ahead of its targeted adoption in 2021.

## **POLICY:**

Section 475 of the *Local Government Act* sets out the public consultation requirements for Official Community Plan bylaws while Section 477 establishes the adoption procedures.

## **COMMENTS/ANALYSIS:**

The purpose of Bylaw No. 3179 is to amend the Official Community Plan in order to incorporate provisions for higher-density low rise residential development at the properties addressed 5324-5326 & 5334-5336 - 198 Street, as proposed in the draft new OCP, ahead of its targeted adoption in 2021 in response to an application for a 13-unit townhouse development by Erik Hacker.

### **2. Public Consultation Requirements**

Section 475 (1) of the *Local Government Act* requires that a local government “provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected” by an Official Community Plan bylaw during its development. Section 475 (2) of the *Act* outlines the specific considerations relating to public consultation. It is therefore recommended that Bylaw No. 3179 be referred to the agencies listed in Part 1 of the recommendation above.

### **3. Adoption Procedures**

#### **a) Official Community Plan Amendment**

Section 477 (3) of the *Local Government Act* requires a local government to consider an OCP bylaw in conjunction with its Financial Plan and any applicable waste management plan after first reading but before holding a public hearing. This requirement is reflected in Part 2 of the recommendations above. The proposed Official Community Plan amendments embodied in Bylaw No. 3179 do not commit the City to any new expenditures or unfunded projects. With respect to the regional waste management plans (Metro Vancouver’s Solid and Liquid Waste Management Plans), the City is awaiting comments from Metro Vancouver staff on the proposed OCP amendments and their potential impact on the regional service plans.

b) Regional Context Statement

The proposed Official Community Plan amendments do not necessitate any changes to the City's Regional Context Statement and thus Metro Vancouver Board acceptance is not required.

**BUDGET IMPLICATIONS:**

Bylaw No. 3179 does not commit the City to any new expenditures or unfunded projects. The increased development density permitted in the proposed Low Rise Residential land use designation will enable increased revenues from development cost charges, community amenity contributions, and property taxes.

**ALTERNATIVES:**

1. Consider a revised public consultation process.

Respectfully Submitted,



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Anton Metalnikov  
Planning Assistant II

Concurrence:



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Roy Beddow, RPP, MCIP  
Deputy Director of Development Services

Concurrence:



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Carl Johannsen, RPP, MCIP  
Director of Development Services

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

I support the recommendation.



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Francis Cheung, P. Eng.  
Chief Administrative Officer