



STAFF REPORT

DATE: August 5, 2020

FILE: 0360-20

TO: Chair and Directors,
Regional Board

FROM: Dave Leitch
Chief Administrative Officer

RE: ABANDONED BYLAWS POLICY

PURPOSE/PROBLEM

To consider a policy approach for dealing with bylaws that have been deferred, tabled or otherwise placed in limbo and which are not anticipated to be considered by the Regional Board in the near future.

EXECUTIVE SUMMARY

Bylaws that have been prepared for the Board's consideration but which have never been adopted or defeated can be problematic for a number of reasons. In some cases, bylaws have been put on hold pending some other action which has not occurred or may never occur. These abandoned bylaws may remain in this state for a considerable period without any clear idea of their ultimate fate. Currently the Board does not have a written policy for dealing with such bylaws.

It would be beneficial for the Board to consider a process for dealing with abandoned bylaws in a regular and systematic fashion. Such a process would need to recognize that there may be legitimate reasons for bylaws to remain static for an extended period, such as might be the case with a zoning bylaw for which a restrictive covenant is being negotiated. Otherwise, depending on the nature of the bylaw and the reasons for its preparation, it should be possible to identify a period of time beyond which further action by the Board would be appropriate.

The table below lists pending bylaws that have not been considered by the Board in the last 12 months. A number of these may be suitable candidates for a review by the Board. A policy that identifies a reasonable process for dealing with such bylaws is recommended.

RECOMMENDATION

1. THAT the report from the Chief Administrative Officer be received.
2. THAT a draft policy for dealing with abandoned bylaws be prepared for consideration by the Board.

Respectfully:



Dave Leitch
Chief Administrative Officer

Bylaw Number	Purpose	Status	Last Action
25	Amend Electoral Area D Official Community Plan	No readings	2009
41	Delegate development permit issuance	No readings	2009
51	Amend Cortes Island zoning	Third reading	2009
77	Amend local election bylaw	No readings	2010
79	Establish voting rules for proposed Cortes community hall service	No readings	2010
92	Amend Cortes Island fire protection service	No readings	2011
94	Amend Quadra Island official community plan	Second reading	2011
95	Amend Quadra Island zoning	Second reading	2011
112	Delegate OCP consultation process	No readings	2011
124	Extend Quathiaski Cove sewer service boundaries	No readings	2011
127	Amend land-use planning service	Second reading	2013
157	Amend liquid waste management service	Second reading	2013
224	Amend Sayward Valley economic development service	Second reading	2016
270	Establish wharves service	No readings	2017
276	Amend Official Community Pan for Electoral Area D	No readings	2017
278	Establish feasibility studies service	No readings	2017
288	Amend Quadra Island zoning	No readings	2017
293	Amend Strathcona Gardens service	No readings	2018
301	Amend 2017 to 2021 financial plan	No readings	2018
309	Establish new Cortes Island zoning bylaw	Second reading	2018
318	Amend Quadra Island zoning	No readings	none
339	Amend Cortes Island solid waste rates	No readings	none
342	Authorize Strathcona Gardens capital borrowing	Third reading	2018

Prepared by: T. Yates Corporate Services Manager