

# Report to Council



**Date:** November 15, 2021  
**To:** Council  
**From:** City Manager  
**Subject:** Proposed Development Application Procedures Bylaw  
**Department:** Development Planning

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## **Recommendation:**

THAT Council, receives, for information, the Report from the Development Planning Department dated November 15, 2021 recommending that Council adopt the Development Application Procedures Bylaw;

AND THAT Bylaw No. 12310, being the Development Application and Heritage Procedures Bylaw be forwarded for reading consideration.

## **Purpose:**

To consider a new Development Application Procedures Bylaw to allow for procedural updates, formatting changes and the integration of the Heritage Procedures Bylaw No. 11185.

## **Background:**

The Development Application Procedures Bylaw sets out the terms and conditions for the processing of development applications. It sets minimum criteria for development proposal drawing packages, provides requirements for notification to adjacent property owners, public advertisements and requirements for the posting of development notice signs. The current Bylaw was adopted in 2011.

The Heritage Procedures Bylaw sets out procedures for the processing of development applications in respect of bylaws, agreements and permits under Part 15 Heritage Conservation of the Local Government Act. It identifies procedure for development applications, revitalization, heritage designation and covenants.

Both Bylaws are integral to the processing of development applications and are regularly referred to by Staff and applicants for guidance on procedural process. Staff are proposing a new bylaw to replace the two existing bylaws and allow for:

- An updated structure to allow for ease of use, clarity and increase consistency;

- Modernization of the bylaw to meet current needs (i.e. the implementation of procedures for complex applications);
- The integration of the Heritage Procedures Bylaw into the Development Application Procedures Bylaw to allow for one document that covers all application types; and
- Allows for future updates following the adoption of the new 2040 OCP and the new Zoning Bylaw in 2022.

Council has previously considered some aspects of the proposed bylaw including the incorporation of 'Early Consideration' procedures as describe further in the report.

*Previous Council Resolution*

Resolution	Date
<p><u>R0489/21/05/10</u> THAT Council receives, for information, the report from Development Planning Department dated May 10, 2021, with respect to amending the Development Application Procedures Bylaw No. 10540 for applications which require Bylaws (Rezoning and OCP Amendment).</p> <p>THAT Council direct staff to bring forth changes to the Development Application Procedures Bylaw No. 10540 as outlined in the report from the Development Planning Department dated May 10, 2021.</p> <p>THAT Council direct staff to bring forth the proposed OCP amendment and Rezoning bylaws for the properties located at 1464, 1468 and 1476 Bertram Avenue for early consideration.</p>	<p>May 10, 2021</p>

**Discussion:**

Staff are proposing initial updates as "Phase 1". The objective of Phase 1 is to initiate the updates mentioned to meet current needs for usability, as the bylaw has not received a comprehensive review or update in many years. "Phase 2" will involve returning to Council for consideration of the following more major procedural changes:

1. Landscape procedures. Specifically, requirements for differing levels of plans such as Official Community Plan Amendments and Rezoning applications, versus staff-issued permits or Council-issued permits.
2. Master Development Plan Policy. Staff are currently exploring the opportunity to implement procedures for larger, multi-phased developments. This is intended to provide greater detail for multi-phased sites by establishing land use, density targets, infrastructure (road/pathway network) and utilities.
3. Delegated authority to the Divisional Director of Planning and Development Services for multi-family development permits that meet the criteria of low-density (i.e. form and character development permits for townhouse or low-rise apartment buildings under a density threshold).

Engagement with appropriate stakeholders for the proposed changes in Phase 2 will be initiated within the upcoming months. Recommendations for Phase 2 would be presented to Council after the stakeholder engagement process.

Phase 1

Generally, the content of the bylaw is the same, with formatting changes and edits to increase clarity for all users of the bylaw. Any content that is obsolete has been removed. The following is an overview of notable proposed changes or new content:

Procedure/Section	Rationale
Schedule '15' - Early Consideration Applications	To allow for Council input earlier in an application process for complex applications that meet the general criteria outlines in Schedule '15'- 2.0 (b) Processing Procedures
Schedule '1' - Improve drawing packages for Council issued Development Permit/ Development Variance Permit applications	To provide Council with higher quality submissions and project renderings as outlined in Schedule '1' (j)
Schedules '12', '13' and '14' - All definitions and Heritage related procedures has been added into the bylaw.	To create one document for users and remove excess sources of information for application procedures.
Schedule '7' - Agricultural Land Commission requirements	Ensure that applicants are made aware to apply directly to the ALC and remove option for land owners to apply for exclusion applications.

**Conclusion:**

Staff are proposing "Phase 1" of ongoing updates to the Development Application Procedures Bylaw. These updates are largely intended to meet current user needs, increase clarity and combine the Heritage Procedures Bylaw to allow for a single document to guide development application procedures.

**Legal/Statutory Authority:**

Part 14, Division 2, Section 460 of the Local Government Act.

**Internal Circulation:**

Office of the City Clerk  
 Building and Permitting Department

Submitted by: W. Miles, Planner Specialist

Reviewed By: Jocelyn Black – Urban Planning Manager

Approved for Inclusion: Terry Barton – Development Planning Department Manager

cc:

Office of the City Clerk  
Building and Permitting Department