



Council Update Report For the Meeting of August 9, 2018

To: Council **Date:** July 26, 2018

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Land Use Procedures Bylaw Update and Building and Plumbing Regulation Bylaw Updates

RECOMMENDATION

That Council give 1st and 2nd readings for the attached *Land Use Procedures Bylaw* amendment bylaw which includes proposed amendments to ensure consistency of affordable housing definitions.

EXECUTIVE SUMMARY

The purpose of this report is to inform Council that, in accordance with Council's motion of January 11, 2018, the necessary Land Use Procedures Bylaw Amendments have been prepared.

On January 11, 2018, Council passed the following motion (see attached January 11, 2018, staff report):

"That Council direct staff to:

- 1. Bring forward amendments to the Land Use Procedures Bylaw which would change the definition of affordable housing, reduce the development application fees for emergency preparedness containers, and provide clarification of fees as described in this report.*
- 2. Bring forward amendments to the Building and Plumbing Regulation Bylaw which would change the definition of affordable housing as described in this report."*

Staff recommend for Council's consideration, changes to the affordable housing definition in the *Land Use Procedures Bylaw*, for consistency of wording.

The proposed definition would be adjusted to match the *Building and Plumbing Regulation Bylaw* as follows:

““affordable housing” means any housing unit which is:

- (a) part of a development wholly owned and operated by a registered non-profit residential housing society or government agency, or operated by a registered non-profit residential housing society or government agency pursuant to a legally binding arrangement with the property owner; and
- (b) subject of a housing agreement with the City, or a covenant in favour of the City, securing its use as below-market housing unit in perpetuity.”

Consistent with the Council motion, the amendments would also reduce the development application fees for emergency preparedness containers and provide clarification of fees for residential development types that draft neighbourhood plan policies would support.


ALTERNATE MOTION

That Council do not give 1st and 2nd readings for the attached *Land Use Procedures Bylaw* amendment bylaw.

Respectfully submitted,



Rob Bateman
Senior Process Planner
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department



Report accepted and recommended by the City Manager:



Date:

Aug 1, 2018

List of Attachments:

- Attachment A: Committee of the Whole Report, January 11, 2018: Land Use Procedures Bylaw and Building and Plumbing Bylaw Amendments - Affordable Housing and Emergency Preparedness Container Application Fees

ISSUES & ANALYSIS

Affordable Housing Application Fees

In 2017, Council approved amendments to the Land Use Procedures Bylaw and adopted a Building and Plumbing Bylaw which eliminated development application fees associated with affordable non-profit housing. Under these bylaws, any reduction to fees for affordable housing would have to meet the following requirements:

- the development is fully owned and operated by a registered non-profit or government agency. Alternatively, a private developer may enter into a legally binding arrangement, in perpetuity, with a registered non-profit or government organization
- the affordable housing is secured in a Housing Agreement or other legal agreement with the City.

Since this amendment was approved, it appears that senior levels of government will be establishing new models of affordable housing. The current definition in the Land Use Procedures Bylaw and the Building and Plumbing Regulation Bylaw would likely exclude these applications from the elimination of development application fees as the arrangement may be for a time limited period rather than in perpetuity. Therefore, staff recommend that Council direct staff to bring forward bylaw amendments to accommodate these types of applications by changing the requirement from in perpetuity to a minimum of 50 years.

Emergency Preparedness Container Fees

The *Official Community Plan, 2012 (OCP)* contains policies to support emergency management and preparedness. One of the broad objectives of Section 18: Emergency Management, is that emergency preparedness is widespread in workplaces and households across the community. Staff are therefore proposing for Council's consideration that the development application fees for developments that only propose the addition of an emergency preparedness container or emergency preparedness/response equipment (under 100 square meters in total floor area) be reduced to \$500. In some cases, where the installation could be facilitated through a delegated approval, the fee may be less. It is proposed that this new fee only be applied to scenarios where some form of Council approval is required and in most cases represents a reduction in fees of approximated \$2500.

Clarification of Fees

In anticipation of the draft Neighbourhood Plans potentially being adopted, it is recommended for Council's consideration that changes be made to the *Land Use Procedures Bylaw* to clarify fees for residential development types that the proposed policy would support. These changes would be consistent with the goals of the recent fee updates by simplifying and clarifying the fee schedule so that it is more efficient for staff to administer and easier for applicants to understand.

The changes relate to:

- clarifying that dwelling units that are accessory to a primary dwelling unit are not charged a separate fee per accessory dwelling unit. For example, a proposal for a single-family dwelling with a secondary suite and garden suite would only be charged the standard single-family dwelling fee
- clarifying that the minimum base fee for a rezoning or development permit requiring Council approval would be \$2000. For example, a rezoning application proposing to construct a garden suite that exceeds the maximum floor area in the regulations (triggering a rezoning) would be charged \$2000

- additionally, it is proposed for Council's consideration that the fees be clarified so that no fee is required for a public hearing that is a result of a heritage designation application. This is intended to encourage heritage designation applications and is fully consistent with how the fees have been applied in the past.

OPTIONS & IMPACTS

Accessibility Impact Statement

The proposed updates do not impact accessibility considerations.

2015 – 2018 Strategic Plan

Objective 3: Strive for Excellence in Planning and Land Use

- reduced processing times for types of development applications
- streamlined land use policies.

Impacts to Financial Plan

Although it is anticipated that fees collected would decrease, it is likely that they would not be significantly affected.

Official Community Plan Consistency Statement

Section 18: Emergency Management of the OCP supports widespread emergency preparedness in workplaces and households across the community.

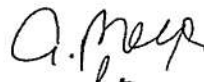
CONCLUSIONS

The proposed changes to the Land Use Procedures Bylaw and the Building and Plumbing Regulation Bylaw would reduce fees for affordable housing projects that do not currently meet the definition in the bylaws, reduce fees for emergency preparedness containers, and clarify the wording of the fee schedule in anticipation of the potential adoption of draft neighbourhood plans, and to confirm that no public hearing fee is required in association with a Heritage Designation Bylaw.

Respectfully submitted,

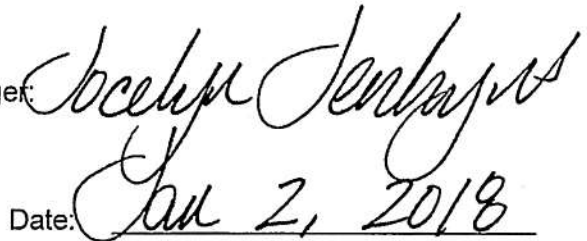


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Report accepted and recommended by the City Manager:



Date: Jan 2, 2018