

NO. 20-076

**LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 12)**

## A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the *Land Use Procedures Bylaw* to permit an alternate process to in-person pre-application community meetings during emergencies or extraordinary circumstances. :

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Under its statutory powers, including Part 14 of the *Local Government Act*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

**Title**

1. This Bylaw may be cited as the “LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 12)”.

**Amendments**

2. The Land Use Procedures Bylaw No. 16-028, 2016 is amended as follows:

- (a) by striking out section 6 and replacing it with:

**“Pre-application requirements**

6. Before submitting an application to initiate changes to the OCP or the zoning bylaw, the applicant must, subject to Section 6A, pay to the City the pre-application notification fee as calculated in accordance with Schedule A of this Bylaw, and:

- (a) arrange and participate in a Community Meeting not more than six months in advance of the application submission date; or
- (b) submit plans for the proposed development to the City to post online for public comment to the applicable CALUC not less than 30 days and not more than six months in advance of the application submission date where an alternate process is required pursuant to section 8A.”

- (b) by inserting the following section immediately after section 6:

“6A. Section 6 does not apply where the Community Meeting has been waived pursuant to section 8.”

(c) by striking out section 7 and replacing it with:

**“Notification Distance**

7. The City will provide owners and occupiers within the areas specified in Section 7A with notification of:

- (a) the date of the scheduled Community Meeting, if applicable; or
- (b) how the public can provide comments to the CALUC where an alternate process is required pursuant to Section 8A.”

(d) by inserting the following section immediately after section 7:

“7A. The notification under section 7 will be provided to the owners and occupiers of properties located within:

- (a) 100 metres of the property that is the subject of the application (the “subject property”) if the application is for one of the matters listed in Section 27 of this Bylaw;
- (b) 200 metres of the property that is the subject of the application if the application is to amend the zoning bylaw and also requires an amendment to the Urban Place Designation for the subject property in the *Official Community Plan*; or
- (c) 200 metres of the property that is the subject of the application if the application is to amend the zoning bylaw and requires the creation of or amendment to guidelines in the *Official Community Plan* for one or more Development Permit Areas or Heritage Conservation Areas.”

(e) By inserting the following sections immediately after section 8:

**“Alternate Process to In-Person Community Meeting during Emergencies**

8A Where a Community Meeting is required and has not been waived under Section 8, an alternate process may be used in accordance with the following circumstances:

- (a) If a state of local or provincial emergency has been declared in the City and in-person participation in a Community Meeting is inconsistent with the declaration or impractical, Council or the Director may require the applicant to submit plans for the proposed development to the City to post online for public comment to the

applicable CALUC not less than 30 days and not more than six months in advance of the application submission date.

- (b) If, in the Director’s opinion, extra-ordinary circumstances exist that make it unsafe or impractical to hold a Community Meeting, the Director may require the applicant to submit plans in accordance with subsection (a).

8B Where the circumstances under section 8A no longer exist but the alternate process was initiated prior to the end of such circumstances, the alternate process may be completed to fulfill the Community Meeting requirement.”

- (f) in section 18(a), by striking out “the community meeting” and replacing it with “giving notice;”
- (g) in Schedule A, section 1, by striking out “of a Community Meeting” wherever it appears in that section.

**Effective Date**

3. This Bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2020
READ A SECOND TIME the	day of	2020
READ A THIRD TIME the	day of	2020
ADOPTED on the	day of	2020

CITY CLERK

MAYOR