

**LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 14)**

**A BYLAW OF THE CITY OF VICTORIA**

The purposes of this Bylaw are to amend the *Land Use Procedures Bylaw* to regularize alternate pre-application processes that were temporarily in place during the Covid-19 pandemic, delegate the authority to the Director to require a second pre-application Community Meeting in certain circumstances, expand the pre-application procedures that may be waived, and update pre-application fees.

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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 an open meeting assembled enacts the following provisions:

**Title**

1. This Bylaw may be cited as the “Land Use Procedures Bylaw, Amendment Bylaw (No. 14)”.

**Amendments**

2. The Land Use Procedures Bylaw No. 16-028, 2016 is amended:
  - (a) in the Table of Contents under SCHEDULES, by adding the following immediately after Schedule C Procedures for Sign Posting – Other Applications:

“Schedule C-1                      Procedures for Sign Posting – Pre-Application Input”
  - (b) by striking out section 6 and replacing it with:

“6. Before submitting an application to initiate changes to the OCP or zoning bylaw, the applicant must:

    - (a) pay to the City the pre-application notification fee as calculated in accordance with Schedule A of this Bylaw;
    - (b) arrange and participate in a Community Meeting not more than six months in advance of the application submission date;
    - (c) submit plans for the proposed development to the City to post online for public comment not less than 30 days and not more than six months in advance of the application submission date; and
    - (d) post signage in accordance with Schedule C-1 of this Bylaw.”

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

“6A The pre-application notification fee under section 6(a) does not apply where the requirements of section 6(b), (c) and (d) have all been waived pursuant to section 8.”

- (d) by adding the following new section 6B immediately after section 6A:

“6B. The Director may require the applicant to repeat the requirements in section 6 if the plans for the proposed development has had the following revisions:

- (a) additional uses added;
- (b) increase in height or density; or
- (c) decrease in setbacks or increase in site coverage equal to or greater than 20%.”

- (e) by adding the following new section 6C immediately after section 6B:

“6C. In the event section 6B is triggered and the requirements under 6(b), (c) and (d) have not been waived pursuant to section 8, the applicant must pay the pre-application notification fee as calculated in accordance with Schedule A.”

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

“The City will provide owners and occupiers within the areas specified in Section 7A with notification of the date of the processes under section 6(b) and (c), if applicable.”

- (g) by striking out section 8 and replacing it with:

**“Waiving Pre-application Requirements**

8. The requirement under section 6(b) may be solely waived or the requirements under sections 6(b), (c) and (d) may be waived altogether, by:

- (a) Council;
- (b) in writing by the CALUC in the area in which the proposed development is located; or
- (c) by the Director, if, in the Director’s opinion:
  - i. the applicant has made reasonable attempts to hold a Community Meeting; or
  - ii. extraordinary circumstances exist that make it unsafe or impractical to hold a Community Meeting.”;

- (h) by striking out sections 8A and 8B;

- (i) in Schedule A – Application Fees, section 1.(1), by striking out “\$750” and replacing it with “\$800”;

- (j) in Schedule A – Application Fees, section 1.(2), by striking out “\$1250” and replacing it with “\$2400”; and
- (k) by updating and correcting the page numbering in the footer of the bylaw and schedules.

**Effective Date**

3. This Bylaw comes into force on adoption.

READ A FIRST TIME the day of 2022

READ A SECOND TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2022

READ A THIRD TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2022

ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_ 2022

CITY CLERK

MAYOR