

Attachment 3 – Summary and Analysis of Bylaw Amendments

Bylaw Section	Current Wording	Proposed Changes	Policy Objective	Guiding Values
<p>5 Applications subject to this bylaw</p>	<p>Establishes that fees and procedures in the bylaw apply to the following applications:</p> <ul style="list-style-type: none"> • an amendment to the zoning bylaw; • an amendment to the OCP; • an amendment to a land use contract; • a temporary use permit; • a heritage revitalization agreement; • a development variance permit; • a development permit; • a heritage alteration permit. 	<p>Removes mention of land use contract applications.</p> <p>All references to land use contracts throughout the bylaw are also removed including in sections relating to fees, sign posting, notice, and public hearings.</p>	<p>Cleans up unnecessary wording, given that all land use contracts have been required (by the province) to be terminated as of June 30, 2024.</p>	<p>Alignment with Legislation</p> <p>Consistency and Clarity</p>

Bylaw Section	Current Wording	Proposed Changes	Policy Objective	Guiding Values
<p align="center">7</p> <p>Notification Distance</p>	<p>Pre-application notification distances currently range between 100-200 metres based on application type:</p> <ul style="list-style-type: none"> • 100 m for Rezoning, Land use contracts, Heritage revitalization agreements, • 100 m for OCP amendments, • 200 m for OCP amendment to Urban Place Designation guidelines or OCP amendment to DPA or HCA guidelines. 	<p>Change in wording will require that any application involving an OCP amendment will have a pre-application notification distance of 200 m.</p> <p>Removes mention of land use contract applications.</p>	<p>Consistent public notification distance for OCP amendments. Also ensures consistency between pre-application notification distances and public hearing notification distances for OCP amendments.</p>	<p>Alignment with Legislation</p> <p>Consistency and Clarity</p>
<p align="center">21</p> <p>Refund</p>	<p>Identifies timelines for when applicants can receive a 90% refund if they withdraw or cancel within 15 days or a 75% refund if they withdraw or cancel within 40 days of the application date.</p>	<p>Clarifies that applicants may receive a 75% refund for withdrawn or cancelled applications within 16 to 40 business days of the submission date.</p> <p>Also clarifies that the refund amount for meeting the Tenant Assistance Policy and Tenant Assistance Plan is eligible for a refund that would not exceed the application fee paid up to a limit of \$5000.</p>	<p>Simplify wording and clarify intent of the bylaw.</p>	<p>Consistency and Clarity</p>

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<p align="center">26</p> <p>Application Sign Posting Requirements - Permits</p>	<p>Requires the applicant to post signage in compliance with Schedule B of the bylaw when Council is providing an opportunity for public comment on certain types of permits, including development variance permits, development permits with variances, heritage alteration permits with variances, and temporary use permits.</p>	<p>Removes reference to opportunity for public comment.</p> <p>Clarifies that sign posting is required (instead of only being needed if/when an opportunity for public comment is requested by Council).</p>	<p>Creates a consistent approach to sign posting requirements for DVP, DPV, HAPV and TUP application types.</p>	<p>Alignment with Legislation</p> <p>Consistency and Clarity</p> <p>Transparency</p>
<p align="center">27 & 28</p> <p>Application Sign Posting Requirements – Other applications</p>	<p>Identifies when sign posting requirements do not apply to City-initiated amendments.</p>	<p>Shifts the location of the words “City-initiated amendments”.</p> <p>Removes mention of land use contract applications.</p>	<p>No policy change. The change helps facilitate the ability to make potential amendments to this section in the future.</p>	<p>Consistency and Clarity</p> <p>Efficiency</p>
<p align="center">29</p> <p>Public Hearing</p>	<p>Specifies what types of land use applications require a public hearing.</p>	<p>Adds subsection 29A and 29B to describe when public hearings are not permitted, not required, or may be waived, consistent with the Local Government Act.</p> <p>Removes mention of land use contract applications.</p>	<p>Changes to public hearing procedures required to be consistent with the <i>Local Government Act</i>.</p>	<p>Alignment with Legislation</p>

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		<p>Adds that a public hearing is required for heritage designation.</p> <p>Add that a public hearing is required when residential rental tenure is being altered when there is a heritage revitalization agreement being entered into or amended.</p>		
<p>30 Right to Waive Public Hearing</p>	<p>Identifies when Council may waive the holding of a public hearing.</p>	<p>Adds wording to clarify that Council may only choose to waive the holding of a public hearing for certain zoning amendment bylaw applications that are consistent with the OCP, and where the hearing is not already prohibited.</p>	<p>Changes required to be consistent with the <i>Local Government Act</i>.</p>	<p>Alignment with Legislation</p>
<p>31 Opportunity for public comment</p> <p>*Proposed to be removed.</p>	<p>Outlines that Council may provide public comment before passing a resolution to issue development variance permits, development permits with variances, heritage alteration permits with variances, and temporary use permits.</p>	<p>Removes section 31 to remove all reference to opportunity for public comment.</p>	<p><i>Local Government Act</i> outlines provisions for public input on specific types of applications. Opportunity for public comment is not standard practice, given what is set out in the <i>Act</i>.</p>	<p>Alignment with Legislation</p> <p>Consistency and Clarity</p> <p>Efficiency</p>

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<p>32 Notice of opportunity for public comment</p> <p>*Proposed to be renamed: "Section 31 - Notice of Public Hearing, Zoning Bylaw Amendment or Permits"</p>	<p>Requires the City to inform owners and occupiers of the property subject to a permit, and adjacent parcels, when Council intends to provide an opportunity for public comment on a permit decision.</p>	<p>Removes reference to opportunity for public comment. Adds new title for what is now "Section 31 - Notice of public hearing, zoning bylaw amendment or permits".</p> <p>Adds a table that outlines the distance specified for the purpose of notification for different application types (OPC, zoning, HRAs or Heritage Designation, DPVs, HAPVs, DVPs or TUPs).</p>	<p>The opportunity for public comment is being removed to create a consistent approach to notice/public input that aligns with legislation. Public notice requirements are outlined in S. 499 of the <i>Act</i>.</p>	<p>Alignment with Legislation</p>
<p>33 Notification distance requirements for temporary use permits</p> <p>*Proposed to be removed.</p>	<p>Outlines notice requirements for temporary use permits (owners and occupiers of the property subject to a permit, and adjacent parcels).</p>	<p>Removes Section 33.</p> <p>Notification distances now will be addressed in the new Section 31.</p>	<p><i>Local Government Act</i> requires public notice for DVPs and TUPs. HAPVs and DPVs do not require notification under the <i>Act</i>, but are included for greater transparency with the public.</p>	<p>Alignment with Legislation</p> <p>Consistency and Clarity</p>
<p>Schedule A Application Fees</p>	<p>Silent on fees for a single unit or two units when a proposal is in Development Permit Area 15F: Missing Middle Housing.</p>	<p>Removes mention of land use contract applications.</p> <p>Clarifies the base fees for a new single unit or two units within <i>DPA 15F: Missing Middle Housing</i>.</p> <p>Adds wording to make applications for a Garden</p>	<p>Consistent with Council direction given May 2022.</p> <p>Aligns with Missing Middle policy and regulations and clarifies fee structure within Schedule A and Schedule</p>	<p>Alignment with Legislation</p> <p>Consistency and Clarity</p> <p>Efficiency</p>

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	The fee for garden suites is \$1,000.	Suite in <i>DPA 15E: Intensive Residential Garden Suites</i> \$2,000 or \$2,500 when the application is to be considered by Council if it does not meet the design guidelines. Removes administration fee for application with opportunity for public comment.	D.	Transparency
Schedule D Row 30	N/A	Adds wording to delegate DPs and HAPs, with or without variances, in restricted zones for new buildings and building additions for small-scale multi-unit housing.	Consistent with Provincial Housing Bill 44.	Alignment with Legislation Consistency and Clarity Efficiency
Schedule D Row 31	N/A	Adds wording to delegate DPs and HAPs, with or without variances, in all DPAs and HCAs for new building and building additions for residential buildings with density up to 2.5:1, up to six stories, and at least 50% or more residential floor area.	This streamlines and enhances efficiency in the development approvals process where zoning already permits residential or mixed-use. This amendment is considered a quick win for easy implementation as part of Phase 2.	Efficiency