

Purpose

1. To provide Council with a summary of public feedback on the initiative to exempt certain forms of development from a development permit and to delegate approval authority to staff for certain types of developments.
2. To provide Council with an overview of the related administrative process for Delegated Authority
 - Initiative was presented to Planning and Use Committee on September 10, 2015
 - Council directed staff to seek comments and input from:
 - Heritage Advisory Panel
 - Advisory Design Panel
 - Community Association Land Use Committees (CALUCs)
 - Urban Development Institute Capital Region (UDI)
 - Comment period was from mid September to October 30, 2015

Proposed Initiative

That Council consider the following initiatives:

1. Not requiring development permits for certain minor works (i.e. “exemptions”)
2. Delegating approval authority to staff for some types of development permits and heritage alteration permits that do not include proposed variances to the Zoning Regulation Bylaw

Rationale

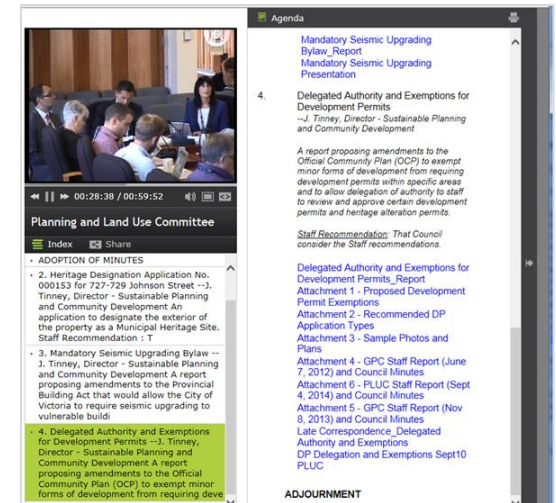
These proposed initiatives are in response to:

1. The City of Victoria Strategic Plan, 2015-2018
 - Streamline application processes
 - Consider delegated authority
2. Feedback received at the annual Development Summits

The initiatives are also consistent with the OCP which anticipates regular monitoring, evaluation and adjustments as necessary.

Consultation

- Copy of PLUC staff report and all attachments provided along with link to recorded video of staff presentation at September 10, 2015 Planning and Land Use Committee
- Staff presentation to UDI, Heritage Advisory Panel and Advisory Design Panel
- Reminder for comments sent to all CALUCS and UDI (Oct 21, 2015)



Response to Public Feedback

2. Prepare a Land Use Procedures amendment bylaw to delegate approval authority to staff for the following types of development applications, when consistent with relevant policy:

Previous Recommendation

- i. temporary buildings and structures that do not exceed 100m² in floor area and where removal is secured by a legal agreement limiting permanence to five years;

Revised Recommendation

- i. temporary buildings and structures that do not exceed 100m² in floor area and where removal is secured by a legal agreement limiting permanence to **two** years;

Response to Public Feedback

Previous Recommendations

- j. temporary construction trailers on private property;
- k. temporary residential unit sales trailers on private property;

Revised Recommendations

- j. temporary construction trailers on private property **where a legal agreement is in place to secure its removal within six months of receiving an Occupancy Permit or within six months of a Building Permit expiring;**
- k. temporary residential unit sales trailers on private property **where a legal agreement is in place to secure its removal within six months of receiving an Occupancy Permit or within six months of a Building Permit expiring;**

Response to Public Feedback

Previous Recommendation

4. Develop and implement a process to monitor and evaluate the effectiveness and benefits of the proposed delegation authority initiative and report to Council with an annual summary of findings and recommendations.

Revised Recommendation

3. Develop and implement a process to monitor and evaluate the effectiveness and benefits of the proposed delegation authority and report to Council at **six months and one year on the effectiveness of the system.**

Response to Public Feedback

Communication of Delegated Authority

- Monthly summary of all Delegated Authority development permits:
 - Received
 - Referred to Advisory Committees
 - Referred to Council
 - Current status
 - Approved
- Monthly summary to be provided to Council and published on City Website
- All current development and rezoning applications will continue to be identified through VicMap

Proposed Delegation Process

1. Staff Review of Application

- Internal circulation (zoning, policy, design, engineering, etc.)
- Discussion at Technical Review Group (TRG)
 - TRG comments provided to applicant



2. Applicant Response to Outstanding Issues

- Not required if no issues identified at TRG
- Revisions to application and re-submitted to City



3. Staff Review of Revised Plans

- Review until all issues have been addressed



Proposed Delegation Process

4. Review by Advisory Committees

- Review of applications by **Advisory Design Panel** and/or **Heritage Advisory Panel** if referred
- New buildings, building additions, structures and equipment in excess of 100m² and located in Development Permit Area (DPA) 16: General Form and Character and DPA 10A: Rock Bay would be referred to **ADP**
- New buildings, building additions, structures and equipment in excess of 100m² and located in DPA 10B (HC): Rock Bay Heritage would be referred to **HAP**
- All development permit applications that involve buildings with potential heritage value as well as those immediately adjacent to a heritage property would be referred to the **HAP** for review and comments



Proposed Delegation Process

5. Applicant Design Revisions

- Applicant to revise application based on comments



6. Staff Decision

- Decision letter prepared by staff and signed off by Director of Sustainable Planning and Community Development
- Letter includes rationale for approval (based on policy and design guidelines)
- Staff would not have the authority to refuse applications
- Applications that are not approved would be referred to Council for consideration and final decision (Avoids appeal process)



Proposed Delegation Process

7. Communication

- Staff will maintain a monthly list of all Delegated DP applications that have been received including their status
- Monthly list provided to Council and available on City website.

Proposed Delegation Process

Referrals to Council:

- Applications that do not meet OCP policy or Zoning Regulation Bylaw would be referred to Council
- Staff would not be authorized to decline applications
- Director of Sustainable Planning and Community Development would have discretion to refer applications to Council

Recommendations and Next Steps

If Council endorses proposed initiatives, staff will report back to Council with:

1. Proposed Official Community Plan amendment bylaw (for DP exemptions)
2. Proposed Land Use Procedures Bylaw amendment (for approval authority)
3. Detailed outline of a system to monitor and evaluate the ongoing effectiveness of the initiative premised on reporting to Council at six months and one year