

# STAFF REPORT TO COUNCIL

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**DATE:** July 14, 2023

**TO:** MAYOR AND COUNCIL

**NAME AND TITLE:** Deanna Wasnik, Director of Planning and Development

**SUBJECT:** City of Prince George Development Procedures Bylaw No. 9423, 2023 and consequential amendments to the City of Prince George Sign Bylaw No. 7202, 2002 (Amendment Bylaw No. 9424, 2023), and the City of Prince George Building Bylaw (Amendment Bylaw No. 9425, 2023).

**APPLICANT:** City of Prince George

**ATTACHMENT(S):**

1. Existing City of Prince George Development Procedures Bylaw No. 7635, 2005
2. Exhibit "A" to Bylaw No 9424, 2023 - Amending Bylaw to City of Prince George Sign Bylaw
3. Exhibit "A" to Bylaw No 9425, 2023 - Amending Bylaw to City of Prince George Building Bylaw.

**RECOMMENDATION(S):**

That Council:

1. GIVES FIRST THREE READINGS to "City of Prince George Development Procedures Bylaw No. 9423, 2023";
2. GIVES FIRST THREE READINGS to "City of Prince George Sign Bylaw No. 7202, 2001, Amendment Bylaw No. 9424, 2023";
3. GIVES FIRST THREE READINGS to "City of Prince George Building Bylaw No.8922, 2018, Amendment Bylaw No. 9425, 2023".

**PURPOSE:**

The purpose of this report is to outline the bylaw amendments required to replace the existing City of Prince George Development Procedures Bylaw No. 7635, 2005 ("Development Procedures Bylaw 7635"). As the Development Procedures Bylaw is eighteen (18) years old, it was determined a comprehensive review of the bylaw was needed to ensure the bylaw meets provincial legislative requirements, can be clearly interpreted, and is consistent with Development Services application submission items.

As such, Administration is proposing to repeal Development Procedures Bylaw 7635, and replace it with the proposed City of Prince George Development Procedures Bylaw No. 9423, 2023 ("Development Procedures Bylaw 9243").

The Development Procedures Bylaw 9243 will trigger consequential amendments to the City of Prince George Sign Bylaw No. 7202, 2001 (“Sign Bylaw”), and the City of Prince George Building Bylaw No. 8922, 2018 (“Building Bylaw”).

## **DISCUSSION:**

### **Development Procedures Bylaw No. 9423, 2023**

The existing Development Procedures Bylaw 7635 was adopted by Council on July 4, 2005. Administration proposes to replace the existing Development Procedures Bylaw 7635 with a new Development Procedures Bylaw 9423.

The proposed Development Procedures Bylaw reflects the updates to the *Local Government Act* (e.g. public hearings, notification and delegated authority for minor development variance applications), re-formatting and inclusion of all Development Services application process (i.e. Building Inspection, Subdivision and Land Use Planning). The proceeding sections will highlight the notable changes in each section of Development Procedures Bylaw 9423.

#### Application Submission (Section 6)

The previous Development Procedures Bylaw 7635 only identified application submission requirements and processing time frames for land use planning applications. The new Development Procedures Bylaw 9423 will include all Development Services applications. This reinforces that all applications submitted to Development Services are consistent in requiring an application form, title search, appointment of agent form (authority of an agent to act on behalf of a property owner), and other applicable supporting documents (i.e. plans, technical documents, maps).

Further to the application submission requirements, all Development Services applications had varying time frames to close an application if a complete application was not obtained. The process for subdivision applications had no application deadline, land use planning applications had four (4) weeks, and the Building Bylaw had six (6) months. This bylaw intends to provide a consistent approach for all application types to close an application within four (4) weeks of not providing information required for application review (e.g. fees, site plan, and application form).

#### Application Review (Section 6.5)

This section reinstates that the review of all Development Services applications follows the same process for application referral to subject matter experts within the City and external agencies. Once comments are received, the applicant will be notified in writing of any additional information required, further clarification and next steps in the application process.

Should an applicant not provide information needed to review and/or clarify the details of their application within six (6) months, the application file will be closed. This processing timeline will only be initiated if there is no contact between the applicant with the folder manager for six (6) months after the date of their last correspondence (i.e. actively working on obtaining technical information, and/or provide the technical information).

#### Report to Council (Section 7.3)

The inclusion of this section is a result of recent updates to the *Local Government Act*. If a rezoning application is consistent with an Official Community Plan, early notification will occur in advance of 1<sup>st</sup> and 2<sup>nd</sup> Reading. This will provide an opportunity for adjacent residents to provide written comments (i.e. email and letters) to Council on that rezoning application. Based on the comments provided, Council may proceed directly to 3<sup>rd</sup> Reading at the next available meeting or provide an opportunity for a public hearing.

#### Development Variance Permit (minor variances) (Section 8.7)

In accordance with the *Local Government Act*, Council may delegate to the Authorized Person (Director of Planning and Development), the delegated authority to approve a minor development variance permit. These variance permits are specific to the siting, size and dimension(s) of a building or structure; off-street parking and loading spaces; and screening and landscaping.

### Landscaping and Paving Security (Section 9.2)

Currently, landscaping security is provided during a land use planning application for select applications (i.e. development permits). At this time, all information provided in the cost estimates may differ, and are not standardized. This section provides guidance to Administration that these quotes should be based on a complete construction cost estimate that includes:

- the full cost of landscaping (e.g. plants, shrubs, trees, rock and bark mulch);
- details and cost associated with labour to install the landscaping works;
- equipment fees needed to undertake the landscaping works; and
- taxes.

### Landscaping Agreement (Section 9.3)

As indicated above, Development Services receives security for landscaping and paving for development permit applications. During this application process, we receive landscaping cost estimates and obtain security based on that cost estimate. Administration would like to formalize this process by creating a landscape agreement that includes the site plan for proposed landscaping works, the cost estimate for the proposed landscaping works, and a test period for installation and survivability of plants. Further the agreement allows ability to drawdown on securities for incomplete works and indemnifies the City of Prince George against any claims, liabilities, damages, or expenses for the installation of the paving and landscaping.

### Form of Security (Section 9.5)

This section of the bylaw indicates the application and security payment forms that are acceptable to the Authorized Person. Administration is proposing to include bank drafts as another method of payment for an applicant. Currently, Development Services only accepts payment options of an irrevocable letter of credit, cash, or certified cheque.

### Building Permits (Section 10)

This section identifies the application submission items that are more specific to a building permit application (building permit, demolition permit and moving permit). The submission requirements have not been modified or changed from the Building Bylaw.

### Plumbing Permits (Section 11)

The plumbing permit application submission is also identified in more detail within the new Development Procedures Bylaw 9423. There are no changes to the application submission details.

### Sign Permits (Section 12)

Application submission requirements pertaining to sign permits are identified in more detail within section 12 of this bylaw. The requirements for submitting a sign permit application have not been modified.

### Subdivision Application (Section 13)

This section provides acknowledgement the City requires the Approving Officer to approve a subdivision under the *Land Title Act* and *Strata Property Act*. In terms of application submission, no additional application information is needed in the bylaw at this time.

### Schedules (Section 14)

Administration proposes to remove schedules identified in the existing Development Procedures Bylaw 7635:

- Schedule “C” (development permit);
- Schedule “D” (development variance permit); and
- Schedule “E” (temporary use permit).

This provides flexibility for Administration to change the template branding and update the wording to reflect changes in legislation.

The schedules that will remain included within this bylaw are:

- Schedule “A” (Document, Map, Plan and Drawing Submission); and
- Schedule “B” (Notice of Public Hearing or Council’s Consideration)

These schedules have been reformatted, and Schedule “A” has been modified to include the other application types. Further to this, Administration is proposing to include a new Schedule “C” (Minor Development Variance Criteria). These criteria will guide the Authorized Person in review and approval of minor Development Variances for which they have delegated authority.

#### **CONSEQUENTIAL AMENDMENTS:**

As indicated previously, Administration has removed application submission requirements from the Building Bylaw and the Sign Bylaw.

#### **Building Bylaw No. 8922, Amending Bylaw No. 9425, 2023**

Please see attached Exhibit “A” to Bylaw No. 9425, 2023 for specific details on the modifications to the Building Bylaw No. 8922.

#### **Sign Bylaw No. 7202, Amending Bylaw No. 9424, 2023**

Please see attached Exhibit “A” to Bylaw No. 9424, 2023 for specific details on the modifications to the Sign Bylaw No. 7202.

#### **SUMMARY AND CONCLUSION:**

As the Development Procedures Bylaw is eighteen (18) years old, it was determined to need a comprehensive review to ensure that the bylaw met provincial legislative requirements, that interpretation was clear, and that it was consistent with all Development Services application submission items.

Therefore, Administration is proposing to repeal the City of Prince George Development Procedures Bylaw.7635, 2005 and replace it with a new Development Procedures Bylaw No. 9423, 2023. To facilitate the adoption of this bylaw, there are consequential amendments required to other bylaws (City of Prince George Sign Bylaw No. 7202, 2001 and City of Prince George Building Bylaw No. 8922, 2018).

#### **RESPECTFULLY SUBMITTED:**

Deanna Wasnik, Director of Planning and Development

**PREPARED BY:** Mandy Stanker, Supervisor of Subdivision and Building Inspection

#### **APPROVED:**

Walter Babicz, City Manager

Meeting Date: 2023/08/16