

DEVELOPMENT PERMIT DELEGATION BYLAW
Bylaw No. 2962, 2023

A bylaw to establish procedures for processing development applications.

WHEREAS section 490 of the Local Government Act authorizes Council to, by resolution, issue development permits;

AND WHEREAS section 154 of the Community Charter authorizes Council, by bylaw, to delegate its powers, duties, and functions;

AND WHEREAS Council wishes to delegate its powers to issue specific development permits to the City's officers and employees;

NOW THEREFORE the Council of the City of Pitt Meadows enacts as follows:

1 Citation/Title

- 1.1 This bylaw may be cited as the 'Development Permit Delegation Bylaw No. 2962, 2023.'

2 Definitions

In this bylaw,

- a) **Applicant** means the person applying for a development permit or minor amendment to a development permit in accordance with this Bylaw.
- b) **Director** means the director responsible for Development Services, and their authorized designate.
- c) **Official Community Plan** means the City of Pitt Meadows Official Community Plan Bylaw No. 2864, 2020.

3 Repeal

- 3.1 Development Permit Delegation Bylaw No. 2338, 2007 and its amendments are repealed.

4 Severability

- 4.1 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, the invalid portion must be severed and the remainder of the bylaw is deemed valid.

5 Delegation of Authority

5.1 Pursuant to Section 154 of the *Community Charter*, Council delegates to the Director the powers of Council under the *Local Government Act* to:

- a) Issue development permits pursuant to the Official Community Plan Development Permit Area Guidelines, for development within the following Development Permit Areas:
 - i. Permit Area 1 - Natural Environment,
 - ii. Permit Area 2 – Riparian Areas,
 - iii. Permit Area 3 – Wildfire Hazard,
 - iv. Permit Area 4 – Slope Hazard,
 - v. Permit Area 5 - Farmland Protection,
 - vi. Permit Area 9 - Ground-Oriented Residential (limited to single-detached dwellings on up to four contiguous lots, duplexes, and garden suites); and
- b) Amend development permits issued by the Director or Council.

6 General Regulations

- 6.1 The Director will not amend a development permit issued by Council unless they determine that the amendment is a minor amendment that conforms to the guidelines, attached as Schedule A.
- 6.2 The Director will not issue a development permit or amend a development permit unless they determine that the development conforms to the Development Permit Area Guidelines and Objectives within the Official Community Plan.
- 6.3 The applicant will submit their application for a minor amendment or a development permit in the form and manner consistent with the requirements of the City of Pitt Meadows Official Community Plan and with the City of Pitt Meadows Development Procedures Bylaw.

7 Decision Reconsideration

- 7.1 All of the following apply to any decision by the Director under this Bylaw:
 - a) Pursuant to section 490 of the *Local Government Act*, any owner of property that is subject to a decision under this Bylaw who is

dissatisfied with the decision is entitled to have the decision reconsidered by Council in accordance with this section.

- b) Any owner who wishes to have a decision reconsidered by Council must apply for the reconsideration by delivering written notice of the request for reconsideration to the Corporate Officer within thirty (30) days after the decision is communicated in writing to the owner, and provide:
 - i. the name of the Director who made the decision, the date of the decision and the nature of the decision;
 - ii. reasons why the owner wishes the decision to be reconsidered by Council;
 - iii. the decision the owner requests be made by Council, with brief reasons in support of the requested decision; and
 - iv. a copy of any materials considered by the owner to be relevant to the reconsideration by Council.
- c) A reconsideration application must be considered by Council at a public meeting of Council.
- d) The Corporate Officer must:
 - i. place each reconsideration application on the agenda for a public meeting of Council as soon as reasonably possible;
 - ii. give notice of each reconsideration by Council in accordance with any notice requirements in respect of the original application that are set out in the Pitt Meadows Development Procedures Bylaw or the *Local Government Act*; and
 - iii. before each reconsideration by Council, deliver to each Council member a copy of the materials that were considered by the Director, in making the decision that is to be reconsidered.
- e) In reconsidering a decision, Council must consider the material that was considered by the Director in making the decision.
- f) Council is entitled to adjourn a reconsideration of a decision.
- g) After having reconsidered a decision, Council may either confirm the decision or may set aside the decision and substitute the decision of Council.

8. Schedules

8.1 The following schedules are attached to, and form part of, this Bylaw:

Schedule A – Guidelines for Consideration of Minor Amendments to Development Permits

READ a FIRST, SECOND and THIRD time on [date]

ADOPTED on [date]

Nicole MacDonald
Mayor

Tanya Barr
Corporate Officer

Schedule "A"

GUIDELINES FOR CONSIDERATION OF MINOR AMENDMENTS TO DEVELOPMENT PERMITS

Introduction:

These criteria are intended as a guide for review of minor changes to Council-approved Development Permit drawings, which will not result in the need for an amendment application to be considered by Council. Minor changes do not include modifications to the basic form and character of a development and will not involve impact to adjacent properties and the streetscape. Proposed modifications should enhance the project and should not change the basic site planning and urban design details.

Criteria:

In order to be considered for minor amendment, the following criteria must be met:

1. Proposed modifications must not require any new development variances or increase approved variances.
2. The density as defined in the applicable zoning category of the development must not be increased beyond the level specified in the approved Development Permit.
3. Proposed modifications must not alter elements that were controversial or that attracted considerable discussion from the public, staff, Advisory Design Panel, or Council during the original Development Permit process.
4. Proposed exterior modification must maintain or enhance the quality of the development and must retain the basic form and character of the development.
5. Modifications should not alter the approved lot coverage, siting, scale, spacing, or configuration of buildings, with the exception of minor changes and additions to buildings to accommodate Building Code or servicing requirements or improve site safety.
6. Approved open space and amenity areas should be maintained; proposed changes to landscaping detail should be minor in nature and of equivalent value to approved plans.
7. Proposed changes to the location and configuration of vehicle access and parking areas should be minor in nature.
8. Proposed modifications must not contravene the applicable Development Permit Area Guidelines and Objectives.