

DELEGATION AUTHORIZATION BYLAW (DEVELOPMENT PERMITS), 2020, NO. 9469

CONSOLIDATED FOR CONVENIENCE AND REFERENCE PURPOSES ONLY

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Includes Bylaw Amendments:

No. 9879, 10016, 10048, 10043 AND 10142

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9649

TO AUTHORIZE THE DELEGATION OF THE POWER TO ISSUE CERTAIN DEVELOPMENT PERMITS

The Municipal Council of The Corporation of the District of Saanich in open meeting assembled enacts as follows:

Definitions

1. In this bylaw:
 - (a) "Business Day" means a day other than a Saturday, Sunday or statutory holiday;
 - (b) "Council" means the elected council of the District;
 - (c) "Director of Planning" means the Director of Planning employed by the District and includes any employee authorized to act on his or her behalf;
 - (d) "District" means the Corporation of the District of Saanich;
 - (e) "Manager of Community Planning" means the Manager of Community Planning employed by the District and includes any employee authorized to act on his or her behalf;
 - (f) "Manager of Current Planning" means the Manager of Current Planning employed by the District and includes any employee authorized to act on his or her behalf;
 - (g) "Municipal Clerk" means the Municipal Clerk employed by the District and includes any employee authorized to act on his or her behalf.

Delegation of Authority

2. The Council hereby delegates to the Director of Planning, or in his or her absence, the Manager of Current Planning, the power to approve or reject an application for an amendment to a Development Permit and to issue an amended Development Permit where,
 - (a) the original Development Permit includes requirements respecting the character of the development, including landscaping and the siting, form, exterior design and finish of buildings and structures, and
 - (b) the application is to allow repairs, alterations or improvements to the exterior design or finish of a building which has suffered or may in the future suffer water penetration damage.

3. The Council hereby delegates to the Director of Planning, or in his or her absence, the Manager of Environmental Services, the power to approve or reject an application for a Development Permit or Development Permit amendment and to issue a Development Permit or Development Permit amendment where,
 - (a) the land is located in a public (P) zone under Zoning Bylaw, 2003, No. 8200 or any successor bylaw, and
 - (b) a Development Permit is required only by virtue of the land being included in Category 'a' (protection of the natural environment, its eco-systems, and biological diversity).
4. The Council hereby delegates to the Director of Planning, or in his or her absence, the Manager of Current Planning, the power to approve or reject an application for an amendment to a Development Permit and to issue an amendment to a Development Permit where the subject of the application is a sign.
5. The Council hereby delegates to the Manager of Environmental Services, or in his or her absence, the Director of Planning, the power to approve or reject an application for a Development Permit or Development Permit amendment and to issue a Development Permit or Development Permit amendment where the land is located in Development Permit Area No. 27 (Streamside Development Permit Area).
6. The Council hereby delegates to the Manager of Inspection Services, or in his or her absence, the Director of Planning, the power to approve or reject an application for a Development Permit or Development Permit amendment and to issue a Development Permit or Development Permit amendment where the land is located in the Rural Saanich Interface Fire Hazard Development Permit Area.
7. The Council hereby delegates to the Manager of Current Planning, or in his or her absence the Director of Planning or the Manager of Community Planning, the power to approve or reject an application for a Development Permit amendment and to issue a Development Permit amendment, and the power to cancel a Development Permit for a garden suite where the Development Permit was issued for the construction of a garden suite within the (now repealed) Garden Suite Development Permit Area.
8. The Council hereby delegates to the Director of Planning, or in his or her absence, the Manager of Current Planning or the Manager of Community Planning, the power to approve or reject an application for a Development Permit, or a Development Permit amendment and to issue a Development Permit, a or a Development Permit amendment, and the power to approve or reject an application to renew or cancel a Development Permit, for a Non-Market Housing Development, as defined in the Zoning Bylaw, 2003, No. 8200 or any successor bylaw.
9. The Council hereby delegates to the Manager of Current Planning or, in his or her absence, the Director of Planning or the Manager of Community Planning, the power to approve or reject an application for a Development Permit or Development Permit Amendment and to issue a Development Permit or Development Permit Amendment, and the power to approve or reject an application to renew or to cancel a Development Permit for a Houseplex.

10. The Council hereby delegates to the Director of Planning or, in his or her absence, the Manager of Current Planning or the Manager of Community Planning, the power to approve or reject an application for a Development Permit amendment and to issue a Development Permit amendment for the following variances by amendment:
- (a) Fence Height: The proposed amendment is for a variance for no greater than 25% of the maximum fence height as set out in the Zoning Bylaw, 2003, No. 8200 or any successor bylaw;
 - (b) Signage: The proposed amendment applies to the Sign Bylaw, 2006, No. 8789, or any successor bylaw;
 - (c) Off-Street Parking:
 - i. The proposed amendment does not reduce the number of required accessible parking stalls;
 - ii. The proposed amendment does not reduce the required number of off-street parking stalls by more than 10 stalls; and
 - iii. The proposed amendment does not increase the maximum permitted number of off-street parking stalls by more than 33%.
 - (d) Off-Street Loading: the proposed variance does not reduce the number of required loading stalls by more than 2 stalls.
 - (e) Bicycle Parking:
 - i. The proposed variance does not reduce the number of required bicycle parking stalls by more than 5 stalls; or,
 - ii. The proposed variance alters the type of bicycle parking provided but does not reduce the total number required.
 - (f) Landscaping and screening requirements.
 - (g) Projection into Required Yards: any proposed variance to a projection into the required yard setback as set out in the Zoning Bylaw.
 - (h) Setbacks:
 - i. The proposed variance results in a setback that remains greater than or equal to 1.2 m;
 - ii. For combined setbacks, the proposed variance is for less than or equal to a 25% decrease of requirement as set out in the Zoning Bylaw for the applicable zone; or,
 - iii. The proposed variance is to accommodate an existing building or structure where no change to the siting of the building or structure is proposed.
 - (i) Building separation: the proposed variance is for less than or equal to a 10% decrease of the requirement as set out in the Zoning Bylaw for the applicable zone.
 - (j) Height:
 - i. The proposed variance is for less than or equal to a 10% increase of the permitted height in metres as set out in the Zoning Bylaw for the applicable zone; or,
 - ii. The proposed variance is to accommodate an existing building or structure where no change to the height of the building or structure is proposed.

- (k) Lot coverage:
 - i. The proposed variance is for less than or equal to a 10% increase of the permitted lot coverage as set out in the Zoning Bylaw; and
 - ii. The proposed variance does not vary the permitted lot coverage for accessory buildings as set out in Table 5.3 of the Zoning Bylaw. “

Reconsideration

- 11. The owner of land that was subject to a delegated decision under this bylaw may, within 10 Business Days of being notified in writing of the decision, request that Council reconsider the decision by giving notice in writing to the Municipal Clerk, setting out the grounds on which the owner is requesting Council's reconsideration.
- 12. The Municipal Clerk will place each request for reconsideration on the agenda of a meeting of Council to be held as soon as reasonably possible, but not more than ten (10) weeks from the date on which the request for reconsideration was delivered.
- 13. The Municipal Clerk must notify the applicant for reconsideration of the date of the Council meeting at which reconsideration will occur.
- 14. Council may either confirm the decision of the delegate, or substitute its own decision, including conditions of the permit.

Repeal and Citation

- 15. Bylaw No. 9217, being the “Delegation Authorization Bylaw (Development Permits/ Development Variance Permits), 2013”, including all amendments, is hereby repealed except insofar as it repeals any other bylaw.
- 16. This Bylaw may be cited for all purposes as the **"DELEGATION AUTHORIZATION BYLAW (DEVELOPMENT PERMITS), 2020, NO. 9649"**.

Includes Bylaw Amendment No. 9879, 10016, 10048, 10043, and 10142.