

Community Services Bylaw Updates

Regional Board Meeting

May 4, 2023

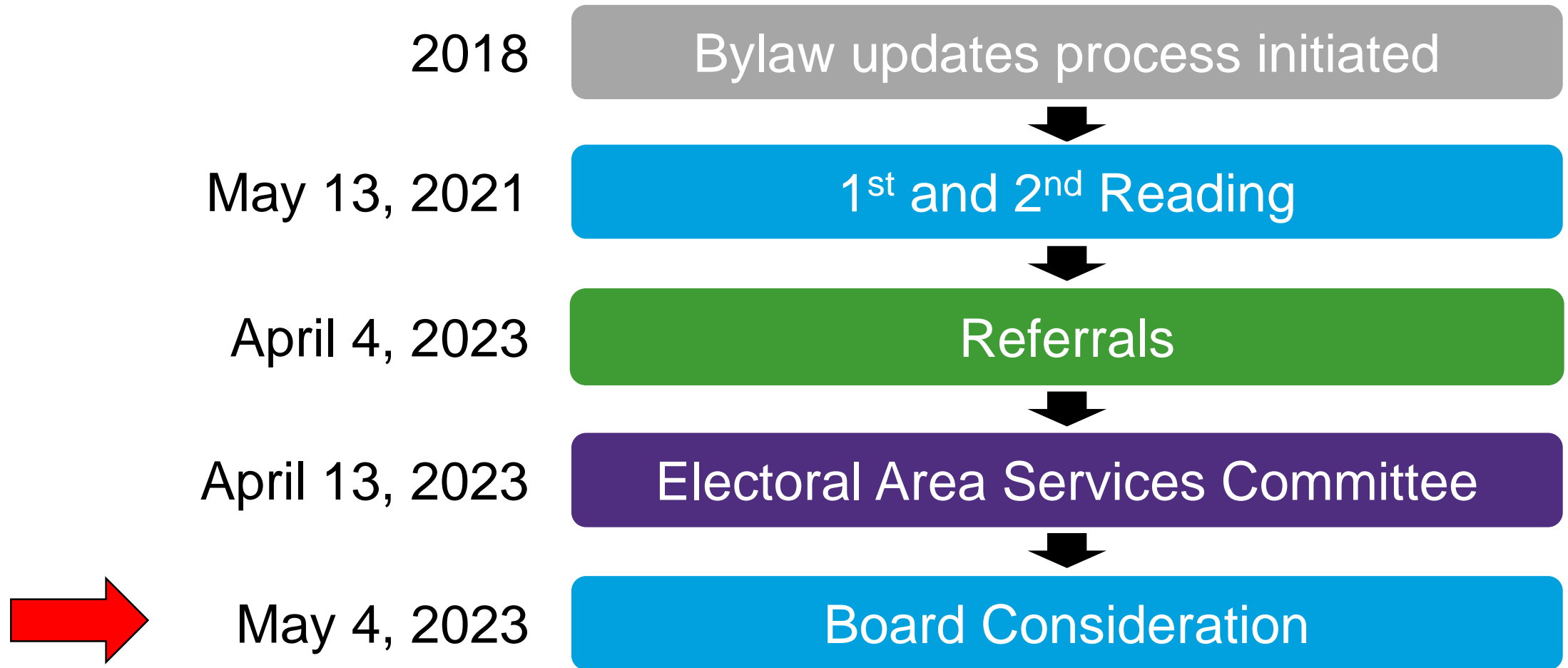
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Purpose

To consider readings and adoption of a new
Development Procedures, Fees and Charges Bylaw
and Building Bylaw.

Process Overview



Current Building Bylaw

- Adopted in 1999
- Amended and consolidated in 2011
- No updates since 2011

Proposed Building Bylaw

- **Summary of proposed changes:**
 - Implementation of Energy Step Code as per the BCBC
 - Updated and increased responsibilities for owners, builders and registered professionals
 - Updated offense information
 - General updates to language and clarity

Fees and Charges

- Fees and Charges are for building permits and planning applications are currently contained in their respective bylaws
- Fees have not been updated since 2011

New Fees and Charges Bylaw

- Consolidates development fees in one bylaw
- Updated fees align with member municipalities

Current Procedures Bylaw

- Adopted in 2002
- Last amendment in 2014

Proposed Procedures Bylaw

- **Summary of proposed changes:**
 - Increase in notification areas
 - Delegated authority for Minor Variances
 - Waiving Public Hearings for Zoning Amendments consistent with Official Community Plans

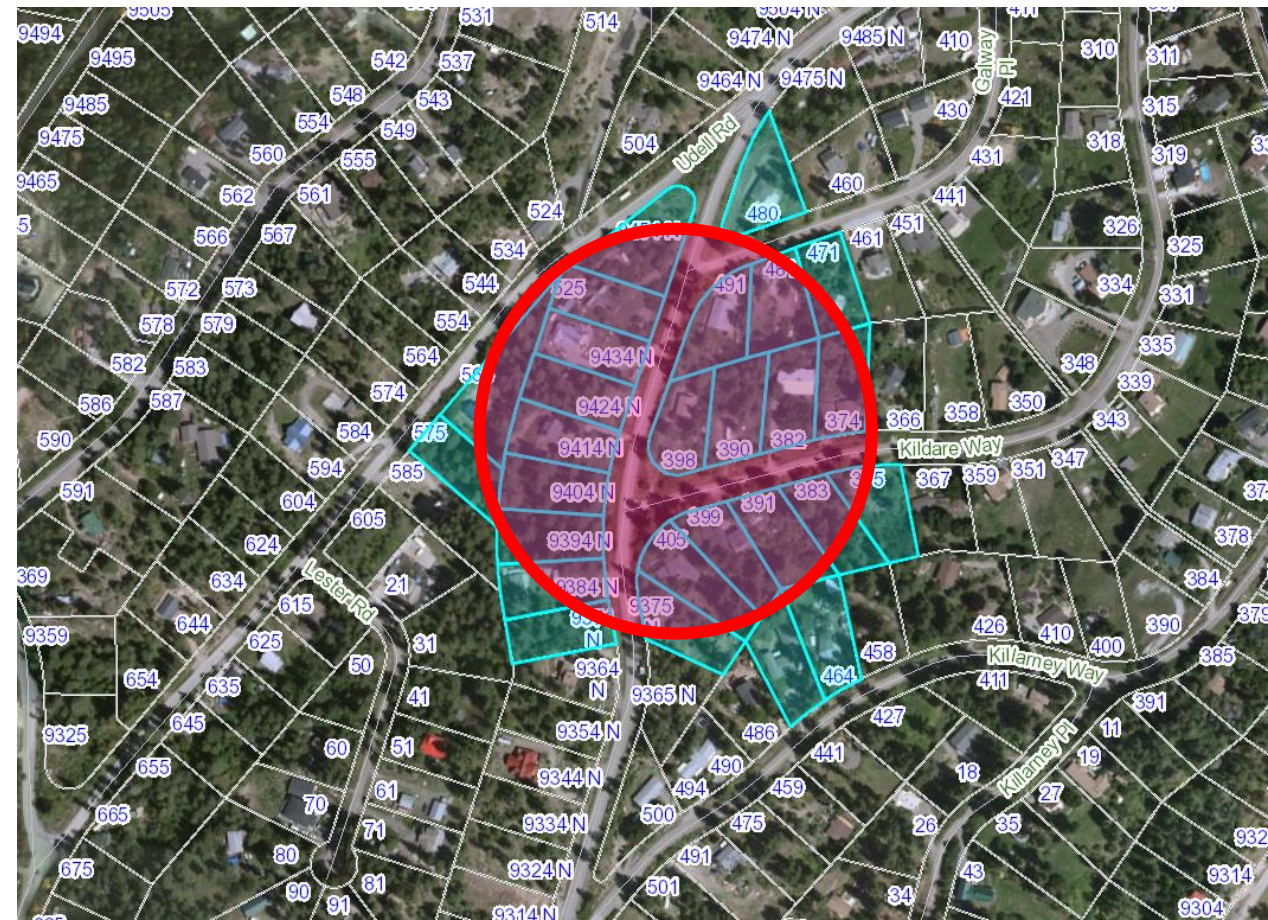
**Current: within 100m
notification area:**

▪ **16 properties**



**Proposed: not less than 150m
notification area:**

▪ **27 properties**



Proposed Procedures Bylaw

- **Minor Variances**

- Parcel coverage
- Height of buildings and structures
- Floor area of buildings and structures
- Setbacks and setback exemptions
- Off street parking and loading space requirement
- Screening and landscaping

Proposed Procedures Bylaw

▪ **Minor Variances - Guidelines**

- If the proposed variance would result in inappropriate development of the site;
- If the proposed variance would adversely affect the natural environment
- If the proposed variance would substantially affect the use and enjoyment of adjacent land or right of way; and
- If the proposed variance defeats the intent of a bylaw.

Proposed Procedures Bylaw

- **Minor Variances will require Regional Board approval if:**

- The proposed variance does not meet the criteria of minor;
- The proposed variance is part of a Development Permit application that is not delegated to staff; or
- In the public interest to instead have the application considered by the Regional Board.

Development Variance Permits

- They are the most common application type the Regional Board consider
 - 40 DVP applications received since 2017
 - 35 supported
 - 1 withdrawn
 - 2 not supported
 - 2 in-stream

Development Variance Permits

- They are the most common application type the Regional Board consider
 - 40 DVP applications received since 2017
 - 5 would require Regional Board approval

Proposed Procedure Bylaw

- A public hearing may not be held for a Zoning Bylaw Amendment application which is consistent with the Official Community Plan

Zoning Amendments

- 40 since 2017

- 14 included OCP amendments

- 9 withdrawn or in process

- 17 without OCP amendments

- 10 secondary suites

Could be
processed without
a public hearing

Public Hearings

Current Process

- Notification criteria must be met prior to Public Hearing
- Within 100 metres

Proposed Process

- Notification criteria must be met prior to 1st reading
- Not less than 150 metres

Referral Comments

■ Inspection Services

- Building Bylaw No. 1482 is a much-needed replacement for the existing Building Bylaw adopted in 1999, last amended in 2011
- The proposed bylaw aligns with the BC Building Act, BCBC, and the Municipal Insurance Authority of BC model building bylaw
- The new bylaw reflects a more modernized, consistent application of the BC Building Code and Building Act and provides further consistency
- The Fees and Charges Bylaw No. 1483 provides the necessary updates to reflect the current costs related to the services provided by staff

Referral Comments

- **Canadian Home Builders Association (Central Okanagan)**
 - Have determined that the changes appear operational and cost increases are both understandable and reasonable

Referral Comments

- **Electoral Area Services Committee**
 - Received the bylaw updates for information

Summary

- **Community Services is updating:**
 - Building Bylaw
 - Development Application Procedures Bylaw
 - Development Application Fees and Charges Bylaw

Summary

- **For the purposes of:**

- Catching up with Provincial Legislation
- Greater consistency with member municipalities
- Improving functionality, clarity and effectiveness

Recommendation

THAT the Regional Board receives the Community Services Department Bylaw Updates report from the Director of Community Services, dated May 4, 2023, for information;

AND THAT the Regional Board rescind first and second readings given to Building Bylaw No. 1482;

AND THAT the Regional Board rescind first and second readings given for Development Application Fees and Charges Bylaw No. 1483;

Recommendation

AND THAT the Regional Board give first, second, and third readings to Building Bylaw No. 1482;

AND THAT the Regional Board give first, second, and third readings to Development Application Fees and Charges Bylaw No. 1483;

AND THAT the Regional Board give first, second, and third readings to Development Application Procedures Bylaw No. 1527.

Recommendation

THAT the Regional Board adopt Building Bylaw No. 1482;

AND THAT the Regional Board adopt Development Application Fees and Charges Bylaw No. 1483;

AND FURTHER THAT the Regional Board adopt Development Application Procedures Bylaw No. 1527.