



THE CORPORATION OF THE
CITY OF WHITE ROCK
15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6

ON TABLE see page 50

November 22, 2019

A **SPECIAL GOVERNANCE AND LEGISLATION COMMITTEE MEETING** will be held in the **CITY HALL COUNCIL CHAMBERS** located at **15322 Buena Vista Avenue, White Rock, BC**, on **NOVEMBER 27, 2019** to begin at **4:00 p.m.** for the transaction of business as listed below.

T. Arthur, Director of Corporate Administration

A G E N D A

Councillor Fathers, Chairperson

1. CALL MEETING TO ORDER

2. ADOPTION OF AGENDA

RECOMMENDATION

THAT the Governance and Legislation Committee adopt the agenda for November 27, 2019 as circulated.

3. CITY PLANNING PROCEDURES AND PROCESSES

Page 2

Don Lidstone, City Solicitor, to provide an orientation through PowerPoint on planning related matters, topics will include:

- Official Community Plan
- Zoning Bylaw
- Planning Procedures Bylaw
- Public Hearings
- Development Permits / Development Variance Permits
- Land Use Regulation
- Temporary Use Permits
- Phased Development Agreements
- Housing
- Regional Growth Strategy and Regional Context Statements
- Other Related Matters

4. CONCLUSION OF THE NOVEMBER 27, 2019 GOVERNANCE AND LEGISLATION COMMITTEE MEETING

**THE CORPORATION OF THE
CITY OF WHITE ROCK
BYLAW NO. 2234**



A Bylaw of the City of White Rock to define Planning Procedures and for the referral of liquor and cannabis license applications

DISCLAIMER: THIS BYLAW IS CONSOLIDATED FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BYLAW PROVISIONS.

Consolidated as of March 19, 2019.

SUMMARY OF AMENDMENTS TO PLANNING PROCEDURES BYLAW 2234

File No.	Bylaw No.	Date Adopted	Amendment No. / Location	Purpose of Amendment
n/a	2280	2019-03-13	Amendment No. 1 – Cannabis Stores	To establish procedures for Temporary Use Permits for cannabis stores, cannabis license referral applications, and housekeeping amendments to delegated liquor license referrals.

**The Corporation of the
CITY OF WHITE ROCK
BYLAW 2234**



A Bylaw of the City of White Rock to define Planning Procedures and for the referral of
liquor and cannabis license applications

Table of Contents

	Page #
Title	2
Application	2
Interpretation	3
Application Consideration	4
Development Approval Information	5
Fees, Transfers, Refunds, Security and Expirations	7
Delegation of Council Powers	8
Reconsideration	8
Process for Council Approved Applications	8
General Approval Procedures	10
Development Proposal Signage Requirements	10
Irregularity	11
Severability	11
Schedule A Application Fees	13
Schedule B Refundable Amounts	14
Schedule C Letters of Credit (Example)	15
Schedule D Pre-Application Meeting Process and Requirements	16
Schedule E Public Information Meeting Process	17
Schedule F Development Proposal Signage Template	18
<i>General Application Procedures</i>	
Schedule G Official Community Plan Bylaw Amendment	19
Schedule H Zoning Bylaw Amendment	21
Schedule I Phased Development Agreement	23
Schedule J Land Use Contract	25
Schedule K Development Variance Permit	27
Schedule L Major Development Permit	29
Schedule M Temporary Use Permit	31
Schedule N Liquor and Cannabis Licence Resolution Request	35
Schedule O Request for Purchase of Municipal Right-of-way	37
Schedule P Minor Development Permit	39
Schedule Q Subdivision	41
Schedule R Tree Management Permit	43
Schedule S Board of Variance	44
Schedule T Strata Title Conversion	45
Schedule U Submission Requirements Description	46

City of White Rock Planning Procedures Bylaw, 2017, No. 2234

WHEREAS the City of White Rock is required to establish procedures by bylaw under which an owner of land may apply for an amendment to a plan or bylaw or for the issue of specified permits;

AND WHEREAS the City of White Rock receives referrals from the Province of British Columbia for liquor license applications, which require community input and recommendation by way of Council resolution;

AND WHEREAS the City of White Rock may, by bylaw, impose fees in relation to applications and inspections;

The Council of the City of White Rock, in open meeting assembled, enacts as follows:

TITLE

- 1) This Bylaw may be cited for all purposes as “*City of White Rock Planning Procedures Bylaw, 2017, No. 2234*”.

APPLICATION

- 2) This Bylaw applies to an application for
 - a) an amendment of the Official Community Plan;
 - b) an amendment of the Zoning Bylaw;
 - c) the making or amendment of a Phased Development Agreement;
 - d) an amendment to or early termination of a Land Use Contract, including the discharge of a Land Use Contract;
 - e) the issuance or amendment of or time extension for a Development Variance Permit;
 - f) the issuance or amendment of or time extension for a Major Development Permit;
 - g) the issuance or amendment of a Temporary Use Permit;
 - h) a request for Council Resolution on a Liquor or Cannabis Licence Application;
 - i) a request for acquisition of an interest in a Municipal Right of Way;
 - j) the issuance or amendment of or time extension for a Minor Development Permit;
 - k) the approval or amendment of or time extension for a subdivision, including in respect of Air Space, Fee-Simple, Strata, or Strata Plan approval for conversion of a previously occupied building;
 - l) the issuance or amendment of a Tree Management Permit;
 - m) a Board of Variance determination; or

- n) a decision on an application for conversion into strata lots of a previously occupied building pursuant to the *Strata Property Act*.

INTERPRETATION

- 3) In this Bylaw

Advisory Design Panel: means the Panel appointed by the Council and governed by the “City of White Rock Advisory Design Panel Terms of Reference”, as amended or replaced by the City Council from time to time, to advise the City Council generally on the design quality of the built environment of the City, and specifically to provide comments and suggestions to the City Council and City employees to improve the design quality of development permit applications for new development or redevelopment in the City.

Applicant: means an Owner of land, or a person authorized in writing by the Owner to act as agent in place of the Owner, who makes an application referred to in section 2.

Director: means the Director of Planning and Development Services or a person authorized by Council to act in the place of the Director, or the Director’s Deputy;

Minor Development Permit: means a development permit which, if issued, would conform to the development permit guidelines set out in the Official Community Plan, but which does not require a variance to a provision of a City bylaw, for

- a) a development permit in respect of natural resource preservation, environmental development or protection from hazardous conditions;
- b) a residential development permit for a duplex or triplex;
- c) a commercial development permit limited to minor façade improvements or signage, that does not involve reconstruction or expansion of the existing building footprint or floor area.
- d) An amendment to a development permit where no variance is required.

Major Development Permit: means every development permit other than a Minor Development Permit.

Public Hearing: means a statutory meeting held by or on behalf of Council under Part 14, Division 3 of the *Local Government Act*.

Public Information Meeting: means a meeting required under this Bylaw to be held in accordance with Schedule E.

Public Meeting: means a non-statutory meeting held as a City requirement for the issuance, amendment or extension of a Major Development Permit which includes a variance, a Development Variance Permit or a Temporary Use Permit, and for the removal of highway dedication associated with the purchase of municipal right of way.

- 4) Except as provided in this Section 3, words, terms and expressions in this Bylaw shall be interpreted in accordance with the definitions contained in the *Zoning Bylaw*, the *Local Government Act*, and the *Community Charter*.
- 5) Every reference to this Bylaw in this or another bylaw of the City is a reference to this bylaw as amended to the date of the reference. Definitions of words or phrases used in this Bylaw that are not included in the definitions in this section 3 or the *Local Government Act* or *Community Charter* have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the application to which the terminology applies.

APPLICATION CONSIDERATION

- 6) The City Council must consider every application for:
 - a) an amendment to an Official Community Plan or Zoning Bylaw; or
 - b) the issuance of a permit referred to in section 2, other than a Minor Development Permit, which the Director must consider.
- 7) An Applicant making an application referred to in section 2 must complete the applicable form and deliver it to the Planning and Development Services Department of the City.
- 8) The City or the Director, as applicable, will not consider an application referred to in section 2 until the Applicant has provided all the required information for the respective application, as prescribed in Schedules G through U.

DEVELOPMENT APPROVAL INFORMATION

- 9) Sections 9 through 13 apply to those circumstances that have been specified in the Official Community Plan as requiring development approval information. Where the Official Community Plan specifies circumstances in which development approval information may be required, then the procedures and policies for requiring such information and the substance of that information are set out in this Bylaw.
- 10) The City, the City Approving Officer or the Director may require as part of an application under section 2 in addition to the requirements identified in Schedules G through U, development approval information at the sole cost of the Applicant regarding impact on
 - a) transportation patterns including traffic flow and volumes, and public transit;
 - b) local infrastructure;
 - c) public facilities including schools, parks and open space;
 - d) community services;
 - e) the natural environment of the area affected, including sun, shadow, and wind impacts.
- 11) If the Director or City Approving Officer require a report under this section, the report must
 - a) comply with and fully addresses the terms of reference that are provided by the Director or Approving Officer to the applicant, based on the provisions of this Bylaw;
 - b) identify and define the context, interaction, scope, magnitude and significance of the anticipated impacts of the activity or development, as well as the data and methodological accuracy, assumptions, uncertainties, acceptability thresholds, and how the anticipated impacts may cumulatively contribute to existing risks, stressors, and threats;
 - c) provide recommendations for conditions or requirements that Council; the Director or the Approving Officer may impose to mitigate the anticipated impacts; provide recommendations and detailed costs for modifications to the environment, or construction of works, to mitigate or ameliorate the anticipated impacts;
 - d) satisfy the standards and requirements of the documents set out in the Schedules to this Bylaw; and
 - e) comply with all applicable requirements as set out in the Official Community Plan with respect to development permits, including development permit guidelines, policies and objectives.
- 12) The terms of reference provided by the Director or Approving Officer may require the applicant to provide information on, and a systematic detailed assessment of the compliance of the activity or development with the Official Community Plan and any other relevant City bylaw, plan or policy in preparation or adopted by Council, and the following

- a) compatibility with adjacent and community land uses, functions, form, character, aesthetic and scale of development;
- b) socioeconomic impacts affecting the day to day quality of life of people and communities, including direct and indirect economic impacts, demographics, housing, local services and sociocultural issues;
- c) land use impacts such as noise, vibration, glare and electrical interference;
- d) the nature, significance and magnitude of landscape and visual impacts, including the impact on view corridors, the creation of shadows, visual envelope, prominent features, experiential characteristics, and landscape character;
- e) transportation demand management strategies, including, but not limited to, transportation impacts, public transit, parking demand, traffic safety, pedestrian, cyclist and vehicular traffic flow or operation, trip generation, site access and egress, network connectivity and accessibility;
- f) retail impacts of a proposed commercial development, including but not limited to, the effects of additional competition, traffic impacts, the effects on tenancy, and the impacts to neighbourhood/sector stability;
- g) air quality impacts including, but not limited to, pollution, dust, fumes, smoke and odours;
- h) the impact on ground and surface water quality including, but not limited to, pollution, temperature, oxygen levels, acidity, nutrients, silts, and pathogens;
- i) geotechnical conditions including, but not limited to, soil composition, profile, classification, agricultural suitability and capability, geologic process and terrain stability;
- j) hydrological or hydrogeological assessment, or both, including, but not limited to, infiltration, interception, groundwater and overland flow, as well as hydrologic processes including accretion and erosion;
- k) terrestrial and aquatic ecology including, but not limited to, biological diversity, impacts on flora and fauna, habitat size, complexity, fragmentation or isolation, change to suitability or capability, restoration, creation or enhancement;
- l) any impact on historical, cultural and archaeological buildings, sites or assets;
- m) the phasing and timing of the activity or development;
- n) hazardous conditions including, but not limited to, mud flow, debris torrents, erosion, land slip, rock falls, subsidence, avalanche, wildfire, flood, inundation (including appropriate construction elevations and setbacks or other hazard);
- o) compatibility with adjacent City owned land, rights of way, covenants and easements;

- p) local infrastructure and site servicing including, but not limited to, drainage, water, sewer or other utilities;
 - q) community facilities and services including, but not limited to, schools, parks, recreation, emergency protective and health services; and,
 - r) other impacts of the proposed activity or development considered important by the Director or Approving Officer.
- 13) The Director or Approving Officer, after receiving and reviewing a report under this Bylaw, may require a peer review report if the initial report fails to satisfy the requirements of this Bylaw, including by failing to satisfy a standard, guideline, policy or other matter set out in or incorporated by reference in this Bylaw. If a peer review report is required, the Director or Approving Officer will select one peer of the class of applicable professional from a list of peers nominated by the applicant and the original professional.

FEES, TRANSFERS, REFUNDS, SECURITY, AND EXPIRATIONS

- 14) Every Applicant must pay the City the application fees in accordance with Schedule A at the time of application.
- 15) After an application is submitted, and while under consideration by the City, the following must be submitted to the City before the application is assigned to a different Applicant:
- a) letter signed by current Applicant and each land Owners authorizing the change in Applicant and giving permission for the new Applicant to make use of any supporting reports, documents, fees, deposits, or securities submitted to the City;
 - b) letter signed by new Applicant, and, when considered relevant by the Director, new land Owner; and
 - c) new application form completed and signed by the new Applicant.
- 16) The City may authorize refunds in accordance with Schedule B.
- 17) The City may require security for:
- a) completion of landscaping required in a permit;
 - b) resolution of unsafe conditions resulting from contravention of a condition on a permit; or
 - c) restitution of damage to the natural environment resulting from a contravention of a condition on a permit.

The security shall be in the form of a Letter of Credit as specified in Schedule C, or the deposit of securities as cash or bank certified cheque in a form satisfactory to the City.

- 18) If submission of outstanding or required application materials, information or security by the Applicant has not occurred for a continuous 12 month period, the application is inactive and closed following written notification to the Applicant.

DELEGATION OF COUNCIL POWERS

- 19) For approval of Minor Development Permits, Council delegates to the City Manager the authority to issue a Minor Development Permit. The City Manager will consider the advice and recommendations of the Director and the Director of Municipal Operations (or in the case of the Director of Municipal Operations, a person authorized by Council to act in the place of the Director, or the Director's Deputy) to approve and issue all Minor Development Permit applications. Applicants are entitled to have Council reconsider the matter, in which case sections 23 through 26 apply.
- 20) For approval of Tree Management Permits, Council designates the Director as the Approving Authority. Applicants are entitled to appeal the Director's decision to Council for a final decision on their application.
- 21) For approval of strata title conversions under the *Strata Property Act*, Council designates the Director as the Approving Authority. Applicants are entitled to appeal the Director's decision to Council for a final decision on their application.
- 22) For referral of liquor licence applications not involving: a new license (other than those applications related to a manufacturer's license, such as a lounge endorsement and patio endorsement that has been previously supported by Council and issued), for a lounge endorsement, for patron participation entertainment, for extension of hours greater than one hour, and/or relocation of a liquor license, Council delegates to the Director the authority to provide comments on the application.

RECONSIDERATION

- 23) An Applicant may apply to Council for the reconsideration of an administrative decision made under this Bylaw by delivering to the Director or Approving Officer a written application for reconsideration within 30 days after the decision is communicated in writing to the applicant.
- 24) An application for reconsideration must set out the grounds upon which the applicant considers the decision inappropriate and what, if any, decision the applicant considers the Council ought to substitute, and must include a copy of any materials considered by the applicant to be relevant to the reconsideration by Council.
- 25) The Director or Approving Officer must place each application for reconsideration on the agenda of a regular meeting of Council held at least four weeks after delivery of the application for reconsideration, and must notify the Applicant and any other party who the Director or Approving Officer reasonably considers may be affected by the reconsideration, of the date of the meeting at which the reconsideration will occur.
- 26) At the meeting, Council may hear from the applicant and any other person interested in the matter under reconsideration who wishes to be heard, and may either confirm the decision or substitute its own decision.

PROCESS FOR COUNCIL APPROVED APPLICATIONS

- 27) Every application referred to in Section 2(a) through (h) will be processed by staff and a report submitted to the Land Use and Planning Committee or Council which may include:
 - a) a copy of the proposed bylaw amendment, proposed permit, or proposed resolution;
 - b) a review and analysis of the proposal;
 - c) a recommended course of action to consider; and
 - d) any additional relevant information.
- 28) Despite Section 27, every application for an Official Community Plan amendment shall be forwarded with an initial application information report from staff to a Council meeting, prior to the advertisement of a Public Information Meeting for the application. Council may direct staff to proceed with consultation, in accordance with the Council Policy 512 on Official Community Plan Consultation, as amended or replaced by the City Council from time to time, or to refuse the application.
- 29) If a staff report is submitted the Land Use and Planning Committee, the Land Use and Planning Committee may allow the Applicant or their consultants an opportunity to speak in regard to their application.
- 30) Council may, upon receipt of the staff report regarding an application referred to in Section 2(d) through (g):
 - a) authorize the issuance of the proposed permit;
 - b) authorize the issuance of the proposed permit as amended by Council;
 - c) refuse to authorize the issuance of the proposed permit; or
 - d) refer the application back to staff for further analysis and information.
- 31) Council may, upon receipt of the staff report, regarding an application referred to in Section 2(a) through (d):
 - a) give 1st or both 1st and 2nd reading of the proposed bylaw;
 - b) instruct staff to revise the proposed bylaw for Council consideration;
 - c) refuse the application; or
 - d) refer the application back to staff for further analysis and information.
- 32) If Council gives 1st and 2nd reading of a proposed bylaw, Council will consider referral of the proposed bylaw to a Public Hearing, and:
 - a) Council may waive the Public Hearing if:

- i. an official community plan is in effect for the area that is subject to the zoning bylaw; and
 - ii. the bylaw is consistent with the official community plan;
- b) after the Public Hearing has been closed, Council will consider the proposed bylaw, and may:
 - i. give 3rd reading to the proposed bylaw; or
 - ii. give 3rd reading to the proposed bylaw and adopt it if it is consistent with the official community plan; or
 - iii. amend the proposed bylaw, and then give 3rd reading to the proposed bylaw; or
 - iv. defer or reject the proposed bylaw;
- c) if Council has given 3rd reading to the draft bylaw, staff will:
 - i. refer the Bylaw Amendment to the Ministry of Transportation if approval is required; and
 - ii. prepare written correspondence to the Applicant establishing any development prerequisites to be addressed prior to further Council consideration of the proposed bylaw, as applicable; and
- d) Council may consider adoption of a proposed Bylaw Amendment:
 - i. after three readings have been given;
 - ii. after all applicable City requirements have been addressed, to the satisfaction of the City; and
 - iii. if a development permit is also required, after a development permit has been prepared and is ready for consideration.

GENERAL APPROVAL PROCEDURES

- 33) Schedules G through T set out the general approval procedures for applications for the respective application type. The Director may permit minor differences from the general procedures based on the circumstances of a particular application, provided that compliance with all other bylaws and relevant legislation is maintained.
- 34) Applications involving a pre-application meeting shall follow the procedures and provide the requirements identified in Schedule D.
- 35) Applications involving a Public Information Meeting shall follow the general procedures identified in Schedule E.

DEVELOPMENT PROPOSAL SIGNAGE REQUIREMENTS

- 36) Every application referred to Section 2(a) through (g) shall require development proposal signage to be posted on the subject property, in accordance with Schedule F and the following requirements:

- a) It is the responsibility of the Applicant to ensure that signage is printed and installed in accordance with the requirements of this bylaw. Failure to provide documentation of the signage installation to the City will result in a postponement in the processing of the application;
 - b) Planning and Development Services staff will provide the Applicant with the required image for the signage, which will include a written description of the proposal and a map of the subject property, and a rendering of the proposal at the discretion of the Director;
 - c) The Applicant must post Development proposal signage that is a minimum of 1.22 metres x 2.44 metres (4.0 feet x 8.0 feet) in size and constructed of 1.3 centimetre (1/2 inch) plywood or other durable material;
 - d) If the Applicant mounts a sign on a building, it must be clearly viewable from the street, and the bottom edge shall be a minimum of 1.22 metres (4 feet) from the ground;
 - e) Without limiting paragraph d), the Applicant must post the signage in a location clearly viewable from the street and:
 - i. no further than 6 metres (19.7 feet) from the property line abutting a street;
 - ii. if a property abuts two or more streets, excluding lanes, a sign shall be posted no further than 6 metres (19.7 feet) from each property line abutting a street, or alternatively, at a 45 degree angle from the intersection point of the 2 streets; and
 - iii. if placement of a required sign on a property is not feasible, the notice may be posted on an abutting road right of way, subject to approval by the City.
 - f) The Applicant must post the required signage no later than 14 days following submission of an application to the City, and must remove the signage within 10 days following completion of the Public Hearing or withdrawal or rejection of the application.
- 37) Despite Section 36, City-initiated map amendments involving multiple properties, and text amendments affecting multiple properties, are exempt from requirements to install development proposal signage.

IRREGULARITY

- 38) The failure of Council or a Committee to observe the provisions of this bylaw does not affect the validity of resolutions passed or bylaws enacted by Council, or other proceedings of Council.

SEVERABILITY

- 39) If any section, clause, sub-clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

RECEIVED FIRST READING on the	11 th	day of	December, 2017
RECEIVED SECOND READING on the	11 th	day of	December, 2017
RECEIVED THIRD READING on the	11 th	day of	December, 2017
RECONSIDERED AND FINALLY ADOPTED on the	5 th	day of	January, 2018

Mayor

Director of Corporate Administration

Schedule A Application Fees

Development Category	Application Fee
OCP Amendment	\$5,100
Zoning Amendment	\$4,100
Combined OCP/Zoning Amendment	\$7,150
Additional Public Meeting/Hearing on applications revised by Applicant	\$1,020
Phased Development Agreement (including amendment)	\$5,100
Amendment of a Land Use Contract	\$2,040
Discharge of a Land Use Contract: 1. With associated rezoning 2. With no associated rezoning	1. \$1,020 2. \$2,040
Development Variance Permit (or amendment or time extension)	\$2,000
Major Development Permit, with zoning amendment application	\$2,500 plus \$100/new dwelling unit to be created, to a maximum of \$5,000
Major Development Permit, without zoning amendment application	\$3,500 plus \$100/new dwelling unit to be created, to a maximum of \$10,000
Amendment or Time Extension for a Major Development Permit	\$2,540
Temporary Use Permit (including renewal and amendment)	\$2,040
Temporary Use Permit (Cannabis Store) (including renewal and amendment)	\$3,000
Liquor Licence Referral (Requiring Public Hearing)	\$2,550
Liquor Licence Referral (Requiring Public Notification Only)	\$500
Request for Purchase of Municipal Right of Way	\$250
Development Permit (Minor)	\$1,500
Amendment or Time Extension for a Minor Development Permit	\$1,500
Subdivision (Fee-Simple or Bare Land Strata)	\$1,500 plus \$100/new lot
Air Space Parcel Subdivision	\$10,000
Lot Line Adjustment Subdivision (no new lots created)	\$1,020
Form "P" Approval for Phased Strata Development	\$205
Final Approval and/or revisions for Phased Strata Development (per phase)	\$205
Strata Title Conversion	\$1,000
Amendment to Preliminary Layout Approval (PLA)	\$1,020
Time Extension to Preliminary Layout Approval (PLA)	\$510
Final Approval for Fee-Simple or Bare Land Strata Subdivision, or Strata Plan Amendment	\$255
Bare Land Strata, Phased Strata and Form "E" Final Re-Approval	\$100
Tree Management Permit – Type 3	\$1,000
Tree Management Permit – Type 2	\$500
Board of Variance	\$550
Assignment of Application under Consideration (per Section 15)	\$500

Schedule B Refundable Amounts

1. Fees for applications that are withdrawn after file set-up but prior to preparation of information package and circulation are eligible for refund minus 10% for administration.
2. Fees for applications that are withdrawn after circulation is sent out but prior to scheduling of the Public Information Meeting, when applicable, are eligible for refund minus 20% for administration.
3. Fees for applications that are withdrawn after circulation is sent out, and after scheduling of the Public Information Meeting when applicable, or for subdivision applications prior to preparation of the PLA, are eligible for refund minus 30% for administration.
4. Fees for applications that include Official Community Plan amendments and are rejected by Council following the receipt of an Information Report at the Land Use and Planning Committee, are eligible for refund minus 30% for administration.
5. Fees for applications that are withdrawn:
 - i) after presentation to the Advisory Design Panel (ADP); or,
 - ii) after report preparation for Land Use and Planning Committee (LUPC) or City Manager; are eligible for refund minus 60% for administration.
6. Fees for subdivision applications are non-refundable after Preliminary Layout Approval (PLA) has been issued.
7. Application fees for bylaw amendment or liquor license referral are non-refundable after notification and scheduling of the Public Hearing.
8. Applications fees for permits and other applications requiring formal notification or Public Meeting (DP, DVP, TCP, LUC) are non-refundable after notification or scheduling of the Public Meeting.
9. For certainty, in all other cases, fees for applications are non-refundable.

Schedule C Letters of Credit Content

IRREVOCABLE LETTER OF CREDIT NO. _____ (LETTERHEAD OF FINANCIAL INSTITUTION)

EFFECTIVE DATE:

BENEFICIARY: THE CORPORATION OF THE CITY OF WHITE ROCK

15322 Buena Vista Avenue White Rock, B.C. V4B 1Y6

APPLICANT: Name & Address of Developer / Owner named on permit

PURPOSE: (Tree permit, Servicing Agreement, etc.)

PERMIT #: _____

SITE ADDRESS: _____

Dear Sirs:

We hereby irrevocably authorize you to make written demand and draw on us for the account of (name and address of Applicant) up to an aggregate amount of Canadian (in figures only) on the following terms:

1. Demand is to be made in writing to us at (address in Lower Mainland).
2. Partial demand and drawing may be made.
3. We will not enquire as to whether or not The Corporation of the City of White Rock has a right to made demand on this irrevocable Letter of Credit; and shall pay in accordance with the written demand within one (1) business day of receipt of the written demand.
4. Drawings hereunder must be made on or before _____ (expiry date) of this Letter of Credit. This Letter of Credit is Irrevocable up to the Expiry Date. **It is a condition of this letter of credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date hereof, unless at least 30 days prior to any such future expiry date, we notify you in writing by registered mail, that we elect not to consider this Letter of Credit to be renewable for any additional period.**
5. The amount of this Irrevocable Letter of Credit may be reduced from time to time only by the amount(s) demanded in writing by you and paid by us or by formal notice in writing given to us by you that you desire such reduction or are willing that it be made. This Irrevocable Letter of Credit must be returned to us for cancellation when it is no longer required by you or when it has been fully drawn, whatever first occurs.
6. This Irrevocable Letter of Credit may not be assigned or transferred in any manner.
7. Except so far as otherwise expressly stated this Letter of Credit is subject to the Uniform Customs and Practices for Documentary Credit, current at the time of issuance of this Letter of Credit and engages us in accordance with the terms thereof. Standby Letters of Credit are subject to International Standby Practices 98.

Authorized Signature for (Name of Financial Institution)

Schedule D Pre-Application Meeting Process and Requirements

- a) A pre-application meeting may be requested by owner/Applicant prior to preparing an application in order to understand the approval procedures in this Bylaw, applicable to the application, and to identify key issues.
- b) Owner/Applicant is responsible for contacting the applicable staff contact to schedule the pre-application meeting.
- c) Staff will determine if other staff members will attend the pre-application meeting.
- d) In advance of the pre-application meeting, owner/Applicant shall provide staff with the following information:
 - i. Owner/Applicant's name, including any representatives;
 - ii. Owner/Applicant's contact information, including any representatives;
 - iii. Subject site civic and legal address(es);
 - iv. Description of the proposal;
 - v. Preliminary site plan and/or subdivision plan.

Schedule E Public Information Meeting Process

- a) The meeting is to be conducted by City staff in a public venue, and all costs related to the meeting are to be assumed by the Applicant;
- b) The meeting is to be advertised by mail to all adjacent residents and property owners within 100 metres of the subject site, and through the local newspaper, sent after documentation that a Development Proposal Sign has been installed on the site has been provided to staff;
- c) The mail notification shall contain a fact sheet regarding the application prepared by Planning and Development Services staff and shall be mailed by the City no less than ten days prior to the meeting;
- d) A staff member from the Planning and Development Services Department will attend to conduct the meeting, including providing an introduction to the meeting, explaining the purpose of the meeting and the approval process, and outlining next steps and opportunities for public input;
- e) The format of the meeting shall be as an open house. Planning and Development Services staff will provide comment sheets and sign-in sheets for the meeting, which are to be returned to staff at the end of the meeting and distributed to the Applicant by staff within the next five business days following the meeting;
- f) The Applicant shall be in attendance to discuss the proposal. The Applicant will ensure that the following details of the proposal are available at the meeting as display boards:
 - i. site description;
 - ii. site plans showing statistics including existing and proposed zoning/density;
 - iii. proposed design (elevations, landscape treatment); and
 - iv. any other information deemed necessary by staff
- g) The Applicant is required to provide a summary report of the meeting to Planning and Development Services staff not less than two weeks after the public information meeting, and the summary report shall include:
 - v. summary of comments received including the number of written comments in favour of the proposal and the number of written comments opposed to the proposal; and
 - vi. discussion of how any issues or concerns identified from the meeting or comments sheets are to be addressed in the project.

Schedule F Development Proposal Signage Template



Schedule G Official Community Plan Bylaw Amendment Application Procedures

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) All required Initial Application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review Initial Application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff may prepare an Information Report on Initial Application for Council. Council may forward the application to Public Information Meeting, or refuse the application.
- (e) Council passes a public consultation strategy resolution that sets out the consultation process for the development of the plan amendments, and the strategy will identify one or more opportunities Council considers appropriate for consultation with specified persons, organizations and authorities Council considers will be affected.
- (f) Applicant may make minor revisions to the application following receipt of Information Report by Land Use and Planning Committee (LUPC).
- (g) All required Complete Application materials as indicated in the minimum submission requirements table below shall be submitted by the owner/Applicant.
- (h) Staff prepare information package and distribute for circulation.
- (i) Owner/Applicant shall install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (j) Applicant conducts Public Information Meeting according to requirements of Schedule “E” of the Planning Procedures Bylaw.
- (k) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (l) Staff prepares report and report package with recommendations, and draft bylaw if recommended for 1st and 2nd readings, and presents to LUPC.
- (m) LUPC recommendations proceed to Council, including consideration of 1st and 2nd readings of draft bylaw if recommended.
- (n) Public Hearing notification in accordance with Section 466 of the *Local Government Act*, including notice in newspapers, plus distribution mailed to adjacent property owners within 100 metres.
- (o) Public Hearing held in Council Chambers or an appropriate public venue (when applicable).
- (p) Bylaw proceeds to a subsequent Council meeting for consideration of 3rd reading and adoption.
- (q) Staff notifies Applicant of Council decision and include copies of approved bylaw when applicable.
- (r) Staff update OCP and Zoning Bylaw (if applicable) for consolidated amendments.

NOTE: Official Community Plan amendment applications may be processed concurrently with Zoning Bylaw amendment applications, Development Variance Permit applications, and/or Development Permit applications.

Minimum Submission Requirements – Official Community Plan Amendment Application

Initial Application	Complete Application
<ul style="list-style-type: none"> • Completed Application Form • Application Fees • Title Search • Letter of Authorization (if applicable) • Survey (with topography and tree locations, sizes, and elevations) • Site Profile • Site Plan*, including the following statistics: <ul style="list-style-type: none"> ○ Floor Area Ratio (Gross and Residential) ○ Setbacks (buildings and encroachments) ○ Height ○ Lot Coverage ○ Unit Count ○ Gross Site Area ○ Floor Areas (by use/common/amenity) ○ Parking ○ Details on any requested variances 	<ul style="list-style-type: none"> • Tree Assessment Report* • Architectural Plans* • Parking Plan* • Landscape Plan*, including the following: <ul style="list-style-type: none"> ○ Existing tree locations ○ Proposed plant list using graphic keys ○ Proposed grades ○ Proposed garbage/recycling enclosures ○ Details on proposed outdoor amenity ○ Proposed paving and lighting details • Colour renderings with adjacent buildings* • Photographs of Site and Surrounding Area* • Street Profile* • View Analysis* • Shadow Study* • Colour and Materials Board* • Design Rationale* • Development Permit Guidelines Response* • Precedent Photos* • Digital or physical 3D massing model* • Community Amenity Contribution Report* • Environmental Impact Assessment* • Traffic Study* • Parking Study* • Geotechnical Report*
<p><i>Additional studies/information may be required based on specifics of an application *if applicable</i></p>	

Schedule H Zoning Bylaw Amendment Application Procedures

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff prepare information package and distribute for circulation.
- (e) Owner/Applicant shall install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule “E” of the Planning Procedures Bylaw.
- (g) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (h) Staff prepares report and report package with recommendations, and draft bylaw if recommended for 1st and 2nd readings, and presents to LUPC.
- (i) LUPC recommendations proceed to Council, including consideration of 1st and 2nd readings of draft bylaw if recommended.
- (j) Public Hearing notification in accordance with Section 466 of the *Local Government Act*, including notice in newspapers, plus distribution mailed to adjacent property owners within 100 metres (should Public Hearing be waived, notice to adjacent property owners still required).
- (k) Public Hearing held in Council chambers or an appropriate public venue (when applicable).
- (l) Bylaw proceeds to a subsequent Council meeting for consideration of 3rd reading with deferral of adoption pending resolution of development prerequisites, when applicable.
- (m) Completion of the development prerequisites.
- (n) Zoning amendment presented to Council for adoption following completion of development prerequisites, when applicable.
- (o) Staff notify Applicants of Council decision and include copies of approved bylaw.
- (p) Staff update Zoning Bylaw for consolidated amendments.

Minimum Submission Requirements – Zoning Bylaw Amendment Application

Complete Application

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report*
- Site Plan*, including the following statistics:
 - Floor Area Ratio (Gross and Residential)
 - Setbacks (buildings and encroachments)
 - Height
 - Lot Coverage
 - Unit Count
 - Gross Site Area
 - Floor Areas (by use/common/amenity)
 - Parking
 - Details on any requested variances
- Architectural Plans
- Parking Plan
- Landscape Plan, including the following:
 - Existing tree locations
 - Proposed plant list using graphic keys
 - Proposed grades
 - Proposed garbage/recycling enclosures
 - Details on proposed outdoor amenity
 - Proposed paving and lighting details
- Colour renderings with adjacent buildings
- Photographs of Site and Surrounding Area
- Street Profile*
- View Analysis*
- Shadow Study*
- Colour and Materials Board*
- Design Rationale*
- Development Permit Guidelines Response*
- Precedent Photos*
- Digital or physical 3D massing model*
- Community Amenity Contribution Report*
- Environmental Impact Assessment*
- Traffic Study*
- Parking Study*
- Geotechnical Report*

*Additional studies/information may be required based on specifics of an application
if applicable

Schedule I Phased Development Agreement Application Procedures

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review the application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff may prepare Information Report on Initial Application for Land Use and Planning Committee (LUPC).
- (e) Staff prepare information package and distribute for circulation.
- (f) Owner/Applicant shall install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (g) Applicant conducts Public Information Meeting according to requirements of Schedule “E” of the Planning Procedures Bylaw.
- (h) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (i) City Staff negotiate agreement terms and conditions, including amenities or cash in lieu of amenities.
- (j) Staff prepares report and report package with recommendations, and draft bylaw if recommended for 1st and 2nd readings, and presents to LUPC.
- (k) Applicant executes and delivers a copy of the proposed agreement, subject to bylaw.
- (l) LUPC recommendations proceed to Council, including consideration of 1st and 2nd readings of draft bylaw if recommended.
- (m) Public Hearing notification in accordance with Section 466 of the *Local Government Act*, including notice in newspapers, plus distribution mailed to adjacent property owners within 100 metres.
- (n) Public Hearing held in Council Chambers or an appropriate public venue.
- (o) Application proceeds a subsequent Council meeting for consideration of 3rd reading with deferral of adoption pending resolution of development prerequisites, when applicable.
- (p) Completion of the development prerequisites, when applicable.
- (q) Application proceeds to Council for adoption following completion of development prerequisites, when applicable.
- (r) Staff notify Applicant, Building Inspection and Municipal Operations staff of Council’s decision and, if adopted, agreement copied to property file.
- (s) Staff register notice on land title.

Minimum Submission Requirements – Phased Development Agreement Application

Complete Application
<ul style="list-style-type: none"> • Completed Application Form • Application Fees • Title Search • Letter of Authorization (if applicable) • Survey (with topography and tree locations, sizes, and elevations) • Site Profile • Tree Assessment Report* • Site Plan*, including the following statistics: <ul style="list-style-type: none"> ○ Floor Area Ratio (Gross and Residential) ○ Setbacks (buildings and encroachments) ○ Height ○ Lot Coverage ○ Unit Count ○ Gross Site Area ○ Floor Areas (by use/common/amenity) ○ Parking ○ Details on any requested variances • Architectural Plans • Parking Plan • Landscape Plan, including the following: <ul style="list-style-type: none"> ○ Existing tree locations ○ Proposed plant list using graphic keys ○ Proposed grades ○ Proposed garbage/recycling enclosures ○ Details on proposed outdoor amenity ○ Proposed paving and lighting details • Colour renderings with adjacent buildings • Photographs of Site and Surrounding Area • Street Profile* • View Analysis* • Shadow Study* • Colour and Materials Board* • Design Rationale* • Development Permit Guidelines Response* • Precedent Photos* • Digital or physical 3D massing model* • Environmental Impact Assessment* • Traffic Study* • Parking Study* • Geotechnical Report* • Plan showing phases of development • Letter confirming proposed amenities or cash in lieu of amenities
<p style="text-align: center;"><i>Additional studies/information may be required based on specifics of an application</i></p> <p style="text-align: center;"><i>*if applicable</i></p>

Schedule J Land Use Contract Application Procedures

- (a) Applicant may request a pre-application meeting with staff to review the modification, variances, discharge or termination proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff prepare information package and distribute for circulation.
- (e) Owner/Applicant shall install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule "E" of the Planning Procedures Bylaw.
- (g) Staff prepares a report and report package with recommendations and draft bylaw, including information received from circulation and from Public Information Meeting, to the Land Use and Planning Committee (LUPC).
- (h) Application proceeds with LUPC recommendations to Council.
- (i) Adoption of any bylaw or resolution of Council shall be preceded by the necessary public hearing or public meeting, dependent upon the nature of the application and the requirements of the *Local Government Act* Section 546.
- (j) Amendment or discharge of land use contract forwarded for Council consideration for final adoption.
- (k) If approved, staff notify owner/Applicant of Council's decision, and bylaw or permit submitted to Land Title Office to either discharge or amend the Land Use Contract.

Minimum Submission Requirements – Land Use Contract Application

Complete Application
<ul style="list-style-type: none"> • Completed Application Form • Application Fees • Title Search • Letter of Authorization (if applicable) • Survey (with topography and tree locations, sizes, and elevations) • Site Profile • Tree Assessment Report* • Site Plan*, including the following statistics: <ul style="list-style-type: none"> ○ Floor Area Ratio (Gross and Residential) ○ Setbacks (buildings and encroachments) ○ Height ○ Lot Coverage ○ Unit Count ○ Gross Site Area ○ Floor Areas (by use/common/amenity) ○ Parking ○ Details on any requested variances • Architectural Plans • Parking Plan • Landscape Plan, including the following: <ul style="list-style-type: none"> ○ Existing tree locations ○ Proposed plant list using graphic keys ○ Proposed grades ○ Proposed garbage/recycling enclosures ○ Details on proposed outdoor amenity ○ Proposed paving and lighting details • Colour renderings with adjacent buildings* • Photographs of Site and Surrounding Area • Street Profile* • View Analysis* • Shadow Study* • Colour and Materials Board* • Design Rationale* • Development Permit Guidelines Response* • Precedent Photos* • Digital or physical 3D massing model* • Environmental Impact Assessment* • Traffic Study* • Parking Study* • Geotechnical Report*
<p style="text-align: center;"><i>Additional studies/information may be required based on specifics of an application</i></p> <p style="text-align: center;"><i>*if applicable</i></p>

Schedule K Development Variance Permit Application Procedures

- a. Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- b. Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- c. Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- d. Staff prepare information package and distribute for circulation.
- e. Owner/Applicant is required to install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- f. Applicant conducts Public Information Meeting according to requirements of Schedule “E” of the Planning Procedures Bylaw.
- g. An application for a Development Variance Permit that consists solely of variances to the City’s Sign Bylaw may be exempted from installing a Public Notification Sign and conducting a Public Information Meeting, at the discretion of the Director.
- h. At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- i. Staff prepare report and report package with recommendations and draft permit, and presents to the Land Use and Planning Committee (LUPC).
- j. Permit proceeds with LUPC recommendations for Council consideration and authorization to schedule Public Meeting.
- k. Staff prepare and submit notification to adjacent property owners within 100 metres of subject property plus advertisement in City section of local newspaper for scheduling of Public Meeting.
- l. Public Meeting held in Council Chambers or an appropriate public venue.
- m. Permit returns to Council for consideration with results of Public Meeting.
- n. Staff notify owner/Applicant, Building Inspection and Municipal Operations of Council decision. If approved, Notice of Development Variance Permit is registered with Land Title Office and permit copied to property file.

Minimum Submission Requirements – Development Variance Permit Application

Complete Application

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report*
- Site Plan*, including the following statistics:
 - Floor Area Ratio (Gross and Residential)
 - Setbacks (buildings and encroachments)
 - Height
 - Lot Coverage
 - Unit Count
 - Gross Site Area
 - Floor Areas (by use/common/amenity)
 - Parking
 - Details on any requested variances
- Architectural Plans
- Parking Plan
- Landscape Plan, including the following:
 - Existing tree locations
 - Proposed plant list using graphic keys
 - Proposed grades
 - Proposed garbage/recycling enclosures
 - Details on proposed outdoor amenity
 - Proposed paving and lighting details
- Colour renderings with adjacent buildings*
- Photographs of Site and Surrounding Area
- Street Profile*
- View Analysis*
- Shadow Study*
- Colour and Materials Board*
- Design Rationale*
- Development Permit Guidelines Response*
- Precedent Photos*
- Digital or physical 3D massing model*
- Environmental Impact Assessment*
- Traffic Study*
- Parking Study*
- Geotechnical Report*

Additional studies/information may be required based on specifics of an application

**if applicable*

**Schedule L Major Development Permit Application Procedures
(Including with Variance)**

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff prepare information package and distribute for circulation.
- (e) Applicant is required to install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule “E” of the Planning Procedures Bylaw.
- (g) Application proceeds to the Advisory Design Panel (ADP) for consideration.
- (h) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (i) Staff prepare report and report package with recommendations and draft permit, and presents to the Land Use and Planning Committee (LUPC).
- (j) Permit proceeds with LUPC recommendations for Council consideration and, if applicable, authorization to schedule Public Meeting, when variances are required.
- (k) Staff prepare and submit notification to adjacent property owners within 100 metres of subject property plus advertisement in City section of local newspaper for scheduling of Public Meeting, if applicable.
- (l) Public Meeting held in Council Chambers or an appropriate public venue.
- (m) Permit returns to Council for consideration with results of Public Meeting, when variances are required.
- (n) Staff notify owner/Applicant, Building Inspection and Municipal Operations of Council decision. If approved, Notice of Development Permit is registered with Land Title Office and permit copied to property file.

NOTE: Major Development Permit applications with no proposed variances are not required to hold a Public Meeting (steps “k” to “l” above).

**Minimum Submission Requirements – Major Development Permit
Application Procedures (Including with Variance)**

Complete Application

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Survey (with topography and tree locations, sizes, and elevations)
- Site Profile
- Tree Assessment Report
- Site Plan*, including the following statistics:
 - Floor Area Ratio (Gross and Residential)
 - Setbacks (buildings and encroachments)
 - Height
 - Lot Coverage
 - Unit Count
 - Gross Site Area
 - Floor Areas (by use/common/amenity)
 - Parking
 - Details on any requested variances
- Architectural Plans
- Parking Plan
- Landscape Plan, including the following:
 - Existing tree locations
 - Proposed plant list using graphic keys
 - Proposed grades
 - Proposed garbage/recycling enclosures
 - Details on proposed outdoor amenity
 - Proposed paving and lighting details
- Colour renderings with adjacent buildings*
- Photographs of Site and Surrounding Area
- Street Profile*
- View Analysis*
- Shadow Study*
- Colour and Materials Board*
- Design Rationale*
- Development Permit Guidelines Response*
- Precedent Photos*
- Digital or physical 3D massing model*
- Environmental Impact Assessment*
- Traffic Study*
- Parking Study*
- Geotechnical Report*

*Additional studies/information may be required based on specifics of an application
if applicable

Schedule M Temporary Use Permit Application Procedures

Temporary Use Permit: for any use with the exception of a cannabis store

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff prepare information package and distribute for circulation, including White Rock RCMP, White Rock Fire Rescue and Bylaw Enforcement.
- (e) Applicant is required to install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule “E” of the Planning Procedures Bylaw.
- (g) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (h) Staff prepares report and report package with recommendations and draft permit, including information received from circulation and from Public Information Meeting, and presents to the Land Use & Planning Committee (LUPC) for consideration.
- (i) Permit proceeds with LUPC recommendations for Council consideration and authorization to schedule Public Meeting.
- (j) Staff prepare and submit notification to adjacent property owners and tenants within 100 metres of subject property plus advertisement in City section of local newspaper for scheduling of Public Meeting.
- (k) Public Meeting held in Council Chambers or an appropriate public venue.
- (l) Permit submitted with LUPC recommendation and response to public notification for Council consideration.
- (m) Staff notify owner/Applicant of Council’s decision and, if approved, notice of permit registered with Land Titles Office.

Temporary Use Permit: for cannabis store use only

- (a) Applicants may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation, and obtain staff's direction on whether the proposal meets the criteria for cannabis stores.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff receive a referral from the Liquor and Cannabis Regulation Branch.
- (d) Staff prepare information package and distribute for circulation.
- (e) Applicant is required to install a Public Notification Sign on the property, as outlined in Section 36 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule "E" of the Planning Procedures Bylaw.
- (g) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (h) Staff prepares a report and report package that includes staff evaluation of the application and draft permit for the Land Use and Planning Committee (LUPC). The LUPC may recommend Council consider the application and authorize staff to schedule a Public Meeting in conjunction with the Public Hearing required for the related cannabis license resolution request application, refer the application back to staff with direction for more information, or reject the application. The LUPC may consider more than one application at the same meeting.
- (i) Staff prepare and submit notification to adjacent property owners and tenants within 100 metres of subject property plus advertisement in City section of local newspaper for scheduling of Public Meeting.
- (j) Public Meeting held in Council Chambers or an appropriate public venue (in conjunction with the Public Hearing required for the related cannabis license resolution request application).
- (k) Permit submitted with LUPC recommendation and response to public notification for Council consideration.
- (l) Staff notify owner/Applicant of Council's decision and, if approved, notice of the City's recommendation for a cannabis store licence is provided to the BC Liquor and Cannabis Regulation Branch.
- (m) If the BC Liquor and Cannabis Regulation Branch issues a cannabis store licence, or conditional approval for a licence to the applicant, the applicant may proceed to the Building Permit and Business License application stage.

Minimum Submission Requirements – Temporary Use Permit Application

Complete Application –Temporary Use Permit (any use with exception of cannabis stores)
<ul style="list-style-type: none"> • Completed Application Form • Application Fees • Title Search • Letter of Authorization (if applicable) • Survey (with topography and tree locations, sizes, and elevations) • Site Profile • Tree Assessment Report* • Site Plan, including the following statistics: <ul style="list-style-type: none"> ○ Floor Area Ratio (Gross and Residential) ○ Setbacks (buildings and encroachments) ○ Height ○ Lot Coverage ○ Unit Count ○ Gross Site Area ○ Floor Areas (by use/common/amenity) ○ Parking ○ Details on any requested variances • Architectural Plans* • Parking Plan* • Landscape Plan*, including the following: <ul style="list-style-type: none"> ○ Existing tree locations ○ Proposed plant list using graphic keys ○ Proposed grades ○ Proposed garbage/recycling enclosures ○ Details on proposed outdoor amenity ○ Proposed paving and lighting details • Colour renderings with adjacent buildings* • Photographs of Site and Surrounding Area • Street Profile* • View Analysis* • Shadow Study* • Colour and Materials Board* • Design Rationale* • Development Permit Guidelines Response* • Precedent Photos* • Digital or physical 3D massing model* • Environmental Impact Assessment* • Traffic Study* • Parking Study* • Geotechnical Report*

Complete Application –Temporary Use Permit (cannabis stores only)

- Completed Application Form
- Application Fees
- Title Search
- Letter of Authorization (if applicable)
- Certificate of Incorporation
- Business plan, including the following information:
 - Letter of Intent
 - Curriculum vitae detailing applicant’s previous business undertaking and experience in retail sales in a Provincially or Federally regulated commercial sector
 - Proposed timeframe for commencing retail sales of cannabis
 - Compliance with municipal, provincial and federal government regulations
 - Willingness to enter into a ‘Good Neighbour’ agreement to address potential neighbourhood impacts and nuisance and impairment issues
 - Proposed educational initiatives regarding impairment and nuisance issues related to cannabis use
 - Operating details (store house, number of employees, etc.)
 - Proposed security measures
 - Insurance bonding information
- Description of any enforcement action or proceedings against the applicant/principals;
- Design proposal, including the following:
 - Floor Plan
 - Signage Plan
 - Façade and window treatment design
- Context Plan showing compliance with Zoning Bylaw siting criteria and current uses of adjacent properties
- If located within 200 metres of child care facility (existing or planned), a detailed assessment on how the proposed store will minimize business and visual impacts on the child care facility*

*Additional studies/information may be required based on specifics of an application
if applicable

Schedule N Liquor and Cannabis License Resolution Request Application Procedures

- (a) When a referral is received from the BC Liquor and Cannabis Regulation Branch, staff contacts the Applicant and advise of City application and fee requirements. For cannabis store license applications, if a Temporary Use Permit application has not been submitted, staff respond to the LCRB noting that the applicant is not eligible for a cannabis store license. Applications for a new licence (other than those related to a manufacturer's license that has been previously supported by Council and issued), for a lounge endorsement, for patron participation entertainment, for extension of hours greater than one hour, and/or relocation of a liquor licence require a Public Hearing; all other applications require public input through written comment only and the authority to provide comments is delegated to the Director. Staff may elect to opt-out of providing comment for increases in capacity under 10 persons and for permanent patio additions under 15 square metres in size.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff prepare information package and distribute for circulation.
- (d) For application requiring public input only:
 - i) Staff prepare notification to property owners/tenants within 100 metres of the subject property informing them of the application, and of their opportunity to provide written comment to staff within a minimum two-week period.
 - ii) Staff receive public input and prepare report and recommendations for the liquor licence referral.
- (e) For application requiring a Public Hearing:
 - i) Staff prepare notification to property owners/tenants within 100 metres of the subject property informing them of the application.
 - ii) Staff receive public input and prepare report and recommendation for Council for authorization to proceed to Public Hearing (if for a cannabis store, in conjunction with the Public Meeting required for the related Temporary Use Permit application).
 - iii) When authorized to proceed to Public Hearing, Public Hearing notification in accordance with Section 466 of the Local Government Act, including notice in newspapers, plus distribution mailed to adjacent property owners within 100 metres.
 - iv) Staff prepare Notice of Public Hearing for City page in local newspaper.
 - v) The Public Hearing is held in Council Chambers, or an appropriate public venue, prior to Council meeting and in conjunction with the Public Meeting required for the related Temporary Use Permit application.
- (f) Copy of Council (or staff delegated) resolution submitted to the BC Liquor and Cannabis Regulation Branch along with copies of all reports, comments, documentation and results of the public consultation.

Minimum Submission Requirements – Liquor and Cannabis License Referral Request Application

Complete Application – Liquor and Cannabis[^] License Referral Request
<ul style="list-style-type: none"> • Completed Application Form • Application Fees • Title Search • Letter of Authorization (if applicable) • Survey (with topography and tree locations, sizes, and elevations) • Site Plan, including Floor Area, Seats, and Location of Patron Participation Entertainment areas* • Context Plan showing current uses of adjacent properties* • Parking Plan*
<p><i>Additional studies/information may be required based on specifics of an application *if applicable [^]cannabis license referral requests must be accompanied by a related Temporary Use Permit application for a cannabis store; for the minimum submission requirements see Schedule M</i></p>

Schedule O Request for Purchase of Municipal Right-of-way Procedures

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff determine an appropriate price for the land that would be going to the property owner, and if a land exchange is proposed, a price for the land that is to be dedicated to the City. This would be based on an appraisal or by the square footage of the additional land based on the most recent available tax assessment of the owner's property.
- (d) If the municipal right of way requested for purchase is adjacent to multiple properties, staff will attempt to make contact with adjacent property owners to determine if they are interested in purchasing a portion of the right of way. In exceptional circumstances, such as where current policy does not support the sale of the right of way, or where the purchase of the right of way is an integral component of a comprehensive urban redevelopment project, staff may determine that it is not necessary to contact adjacent property owners.
- (e) Staff prepare a report and recommendation for Council regarding the requested purchase of the right of way. In accordance with the Community Charter, the disposition of municipal land is discussed in a closed meeting of Council. Council may direct staff to proceed with preparation of a road closure bylaw and notice of land disposition, or reject the application. If the application is rejected, notify owner/Applicant of Council's decision.
- (f) If Council directs staff to prepare a road closure bylaw and notice of land disposition, A notice of the (road closure and) land disposition under Section 26 of the Community Charter is posted and published, informing residents of the intention to close the road and sell the property. If the proposed price of the land is less than fair market value, a notice of assistance is also required under Section 24 of the Community Charter.
- (g) Following the required notice period, an agreement is drafted for the sale of the right of way, and if a land exchange is proposed for the purchase by the City of the applicant's land, to be approved by Council. Once Council approves of the agreement the agreement is signed by both parties.
- (h) The property owner makes an application for a lot line adjustment subdivision to incorporate the former municipal right of way with their adjacent property, and if a land exchange is proposed the application must include road dedication and road closure plans. Staff will determine how costs associated with the surveys will be shared or divided.
- (i) A Preliminary Layout Approval is issued with the condition that the road closure and dedication is approved. Staff obtain confirmation that the Province will not resume the portion of highway to be closed.

- (j) Staff prepare a road closure bylaw that also removes the road dedication from the parcel, and if a land exchange is proposed, a highway dedication bylaw for the property to be dedicated to the City. The bylaws go before Council for 1st, 2nd, and 3rd readings.
- (k) A notice of the road closure under the Community Charter is posted and published. An opportunity for persons who are affected by the bylaw to make representations to council is provided at a Public Meeting. Council considers final adoption of the road closure bylaw.
- (l) A notice of land disposition under Section 26 of the Community Charter is posted and published, including a Section 24 notice of assistance if the price is less than fair market value.
- (m) Council, by resolution, approves the sale of the land.
- (n) The Approving Officer approves the lot line adjustment, or subdivision plan if required. The following documents are registered:
 - (i) Application to Deposit Bylaw/Road Closure Plan and Form Declaration attaching the City of White Rock road closure bylaw
 - (ii) Form 17 – Application for Title to Road
 - (iii) Form 17 – Cancellation of Right of Resumption
 - (iv) Form A – Transfer of ‘Parcel’ and Property Tax Transfer
 - (v) Application to Deposit Subdivision Plan
 - (vi) Extension of Mortgage (if applicable) (and removal of mortgage from dedication portion, if applicable).

Minimum Submission Requirements – Purchase of Municipal Right of Way Application

Complete Application
<ul style="list-style-type: none"> • Completed Application Form • Application Fees • Title Search • Letter of Authorization (if applicable) • Site Profile
<i>Additional studies/information may be required based on specifics of an application</i>

Schedule P Minor Development Permit Application Procedures

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff prepare information package and distribute for circulation.
- (e) Application proceeds to the Advisory Design Panel for consideration, when applicable. Amendments to existing Development Permits may not be required to be reviewed by the Advisory Design Panel, at the discretion of the Director.
- (f) At any time during the preceding, staff may, depending on the application, prepare written correspondence to the Applicant based on initial comments from the referral and public feedback, advising the Applicant of revisions required to gain the support of the Director for recommendation of approval.
- (g) Staff prepare report and draft development permit, to be reviewed and recommended by Director and Director of Municipal Operations.
- (h) City Manager receives report and approves or rejects application.
- (i) Staff notify owner/Applicant of decision. Building Inspection and Municipal Operations notified of decision. If approved, Notice of Development Permit registered at Land Title Office, and permit copied to the property file.

Minimum Submission Requirements – Minor Development Permit Application

Complete Application
<ul style="list-style-type: none"> • Completed Application Form • Application Fees • Title Search • Letter of Authorization (if applicable) • Survey (with topography and tree locations, sizes, and elevations) • Site Profile • Tree Assessment Report • Site Plan*, including the following statistics: <ul style="list-style-type: none"> ○ Floor Area Ratio (Gross and Residential) ○ Setbacks (buildings and encroachments) ○ Height ○ Lot Coverage ○ Unit Count ○ Gross Site Area ○ Floor Areas (by use/common/amenity) ○ Parking ○ Details on any requested variances • Architectural Plans* • Parking Plan* • Landscape Plan, including the following: <ul style="list-style-type: none"> ○ Existing tree locations ○ Proposed plant list using graphic keys ○ Proposed grades ○ Proposed garbage/recycling enclosures ○ Details on proposed outdoor amenity ○ Proposed paving and lighting details • Colour renderings with adjacent buildings* • Photographs of Site and Surrounding Area • Street Profile* • View Analysis* • Shadow Study* • Colour and Materials Board* • Design Rationale* • Streetscape Analysis* • Site Analysis* • Development Permit Guidelines Response* • Precedent Photos* • Colour and Materials Board* • Digital or physical 3D massing model* • Environmental Impact Assessment* • Traffic Study* • Parking Study* • Geotechnical Report*
<p style="text-align: center;"><i>Additional studies/information may be required based on specifics of an application</i></p> <p style="text-align: center;"><i>*if applicable</i></p>

Schedule Q Subdivision Application Procedures

- (a) Applicant may request a pre-application meeting with staff to review the proposal and gather early input on issues to inform application preparation.
- (b) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (c) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (d) Staff prepare information package and distribute for circulation.
- (e) Staff review returned comments and schedule consultation meeting with owner/Applicant, if necessary, to determine if revisions required.
- (f) The Approving Officer will either reject application in writing, with reason, or prepare and submit to the Applicant a Preliminary Layout Approval (PLA) as an “approval with conditions”.
- (g) When PLA issued, owner/Applicant will then be required to address all outstanding requirements prior to submission for final approval, including submission of Engineering design review and approval prior to commencing construction.
- (h) When all PLA requirements completed, owner/Applicant submits written request for final approval with final approval fees along with all documents requiring signature of Mayor and City Clerk prior to registration.
- (i) Staff circulate request for final approval to applicable departments for written confirmation that all requirements have been addressed, and preparation of agreements when applicable.
- (j) Staff contact owner/Applicant to schedule appointment for submission of all payments (i.e. DCCs) plus deposit of securities, as well as signing of agreements.
- (k) Approving Officer will give final approval to plans and other documents requiring registration at Land Title Office.
- (l) The Applicant’s Notary or Solicitor required to provide copies of all registered documents to Approving Officer within two weeks of registration.

Minimum Submission Requirements – Subdivision Application

Complete Application
<ul style="list-style-type: none">• Completed Application Form• Application Fees• Title Search• Letter of Authorization (if applicable)• Survey (with topography and tree locations, sizes, and elevations)• Site Profile• Proposed Subdivision Layout[^], including the following information:<ul style="list-style-type: none">○ Existing easements or rights-of-way○ Details on any requested variances• Environmental Impact Assessment*• Tree Assessment Report• Traffic Study*• Parking Study*• Geotechnical Report*• For an air space parcel subdivision;<ul style="list-style-type: none">• drawings showing colour overlays of the proposed air space parcel boundaries at every relevant level of the development (floor plans and sections); and• a report identifying the intended use of the proposed parcels, including a detailed list of the uses and facilities to be contained in each parcel.
<p><i>Additional studies/information may be required based on specifics of an application</i></p> <p><i>*if applicable</i></p> <p><i>[^]An air space application must depict at least one volumetric air space parcel, as well as a non-volumetric Remainder parcel tied to one of the primary building components/uses.</i></p>

Schedule R Tree Management Permit Application Procedures

- (a) Complete application and fees submitted by the owner/Applicant following determination whether the permit request:
 - i) is to remove dead, diseased or hazardous trees;
 - ii) is to remove an “unwanted” tree;
 - iii) is within the building footprint “area of influence” where a building permit is requested or in the potential building footprint area on a lot proposed for subdivision, but where development permit is not required; or
 - iv) will require approval of a development permit prior to issue of a tree management permit.
- (b) Staff review application and advise Applicant of any outstanding or incomplete submission requirements, and advise Applicant that no tree management permits will be issued and no tree cutting is to take place until the building envelope is established through approval of a development permit for Type 2 trees, or building permit for Type 3 trees.
- (c) Staff prepare information package and distribute to Municipal Operations and Parks staff for review and comment. Staff coordinate between departments, and may commission independent arborists or geotechnical reports at the cost of the Applicant, when applicable.
- (d) As further outlined in the Tree Management Bylaw:
 - i) permits for dead, diseased or damaged trees are issued by staff following notification to Municipal Operations;
 - ii) permits for ‘unwanted’ trees, or for trees in the building footprint ‘area of influence’ where Building Permit is requested or in the potential building footprint area on a lot proposed for subdivision, but Development Permit is not required are issued by staff following notice to Municipal Operations; and
 - iii) permits in areas where a Development Permit is required may be issued by staff following approval and issue of the Development Permit.
- (e) Following the issue of tree management permits with conditions, Planning and Development Services Staff advise Municipal Operations and Building Inspection staff and copy permit to the property file.

Schedule S Board of Variance Application Procedures

- (a) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (b) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (c) Staff prepare information package and distribute for circulation.
- (d) Staff prepare and submit notification to adjacent property owners and tenants in accordance with requirements of Section 541 of the *Local Government Act*.
- (e) Staff prepare report and application submitted to Board of Variance at next regularly scheduled Board meeting for consideration.
- (f) Owner/Applicant and Building Inspection notified of Board decision and decision copied to the property file.

Minimum Submission Requirements – Board of Variance Application

Complete Application
<ul style="list-style-type: none"> • Completed Application Form • Application Fees • Title Search • Letter of Authorization (if applicable) • Survey (with topography and tree locations, sizes, and elevations) • Drawings Illustrating the Requested Variance, including a Site Plan, elevations, and floor plans if applicable
<i>Additional studies/information may be required based on specifics of an application</i>

Schedule T Strata Title Conversion

- (a) Complete application materials as indicated in the minimum submission requirements table below submitted by the owner/Applicant.
- (b) Staff review application and advise Applicant of any outstanding or incomplete submission requirements.
- (c) Staff prepare information package and distribute for circulation.
- (d) Staff send letter to all tenants advising of the application for conversion.
- (e) Staff summarize any comments received from other departments and agencies along with other representations into a technical report provided to the Director.
- (f) The Director considers approval of the strata title conversion proposal and any conditions that must be complied with prior to execution of the strata plans.
- (g) Owner/Applicant and Building Department notified of Director decision and decision copied to the property file.

Minimum Submission Requirements – Strata Title Conversion

Complete Application
<ul style="list-style-type: none"> • Completed Application Form • Application Fees • Title Search • Letter of Authorization (if applicable) • Demonstration of Substantial Compliance with the Current Zoning Bylaw • A Rental Vacancy Report • Plans for the Relocation of Persons Occupying a Residential Building on the Subject Property • Architectural Plans, including a Site Plan, elevations, and floor plans • Building Report providing BC Building Code review regarding: <ul style="list-style-type: none"> • Fire separation; • Soundproofing; • Structural integrity; • Mechanical review; • The building’s state of repair and general workmanship; • Life expectancy of the building; • Projected major increases in maintenance costs due to the condition of the building; • The condition of the roof and the exterior and interior surfaces and details of the building; and • Any work that would be required to bring the building into compliance with the current BC Building Code. • Plan of Strata Subdivision (for submission when all conditions are resolved)
<i>Additional studies/information may be required based on specifics of an application</i>

Schedule U Submission Requirements Description

“Colour and Materials Board” means an illustration or sample board that includes the colour and finish of the exterior materials to be used in the proposed project.

“Colour renderings with adjacent buildings” means an elevation drawing of the proposed development that is illustrated according to the proposed colour and materials of the development and adjacent buildings are displayed in colour on the same drawing either photographically or drawn at the same scale as the proposed development.

“Design Rationale” means a document describing the proposed development in terms of its relationship to City policies, good planning and design principles, and contribution to the character of the surrounding area.

“Development Permit Guidelines Response” means a table that outlines how the proposed development responds to the applicable Development Permit Guidelines. The template for this document is to be provided to the applicant by staff.

“Digital or physical 3D massing model” means a three dimensional illustration or model of the proposed development, in colour, that also includes, at minimum, the massing of buildings on adjacent parcels, which are not required to be in colour.

“Environmental Impact Assessment” means a report documenting a proposed development’s potential impact on the surrounding environment (e.g. Phase 1 Environmental Site Assessment where a site has previously been used for potentially contaminating activities, a Riparian Areas Regulation (RAR) Assessment Report where a proposed development is within a riparian assessment area, or a biological site inventory in accordance with the Ministry of Environment’s “*Develop With Care: Environmental Guidelines for Urban and Rural Land Development In British Columbia*” (2014) document where a proposed development is within or in close proximity to an important wildlife habitat).

“Geotechnical Report” means a report by a professional engineer or geoscientist with a specialization in geotechnical engineering in accordance with the current edition of the “Guidelines for Legislated Landslide Assessments for Proposed Residential Development in British Columbia.”

“Parking Plan” means a drawing illustrating the proposed off-street parking spaces including dimensions of the parking space and drive aisles. If parking spaces for persons with disabilities or small car spaces are proposed, they need to be clearly marked in the plan. A synopsis of the number of parking spaces must be included, and any variances from the zoning bylaw identified.

“Parking Study” means a report from a registered professional engineer that recommends a reduced number of parking spaces for a proposed development or a shared on-site parking for two or more uses within a proposed development. The report will analyze the proposed amount of parking in relation to the parking demand generated by proposed development and provide detail on any recommended transportation demand management measures.

“Street Profile” means a two-dimensional elevation drawing of the proposed development and the adjacent buildings on properties on either side of the proposed development. Subject properties on a corner or through lot must provide a street profile for all frontages.

“View Analysis” means a document that demonstrates the view impact of the proposed development on surrounding buildings, which may include plan diagrams illustrating the angles of view from adjacent buildings under current conditions and with the proposed development, and may include renderings of the buildings impact on the streetscape from the pedestrian level. The level of detail required shall be discussed with staff.

“Shadow Study” means a set of illustrations that demonstrate the shadow impact from the proposed development, including illustrations for the Vernal Equinox (March), Summer Solstice (June), Autumnal Equinox (September) and Winter Solstice (December) at 10:00am, 12:00pm, 2:00pm and 4:00pm.

“Precedent Photos” means images or illustrations from other projects that have inspired the proposed development.

“Traffic Study” means a report that outlines the impacts on existing and future traffic conditions resulting from the proposed developments, as well as on-site parking, loading, turning movements, and related matters, in accordance with the specifications provided by the City’s Engineering and Municipal Operations department.

“Tree Assessment Report” means a report prepared by an arborist in accordance with White Rock Tree Management Bylaw, 2008 No. 1831, as amended or replaced.

CITY OF WHITE ROCK

Planning and Land Use Workshop

November 28, 2019

Don Lidstone, Q.C.

OVERVIEW

- Official Community Plan – purpose and required/optional policy content? How changed over time?
- Zoning Bylaws – what can they regulate? Lot coverage, size, siting buildings, height, density, use, accessory uses
- Official Plan policies in relation to Zoning regs, and legal
- Development Permits – case law: Council's decisions based on DPA guidelines, not public input

OVERVIEW (CONTINUED)

- Planning Procedures Bylaw – application processes
- Public Hearings – conduct of Council during and after (no new information)
- “Moratoria” on development applications – Council’s statutory obligations
- Financial/infrastructure contributions related to growth – the nature and difference between DCCs, CACs, works and services agreements, frontage upgrades

OVERVIEW (CONTINUED)

- Role of approving officer
- Temporary Use Permits
- Phased Development Agreements
- Other Land Use Regulation Powers (run-off control, off-street parking and loading, signs, landscaping)
- New housing tools - Housing Needs Reports + Residential Rental Tenure Zoning
- Risks re: land use permits and amendment bylaws
- Legal effect of Regional Growth Strategy and Regional Context Statement

OFFICIAL COMMUNITY PLAN

- Purpose – statement of objectives/policies on future land use, density intensity, servicing, open space/parks + DPs
- Neighbourhood plans
- Ensures community develops with unified objectives
- Required versus optional policy content
- How OCPs are changed over time
- Consultation on preparation of plan
- Plan adoption process

ZONING BYLAW

- Powers: divide area into zones, and regulate or prohibit use, density, siting, height, lot coverage, accessory uses
 - e.g., in a zone, may address number of units per lot, size/height of building, view corridor setback, carriage or lane houses, secondary suites
- Does not apply to First Nation Land
- Density bonusing
- Amenities/CACs generally flow from zoning process as result of LIFT

OCP AND ZONING INTERFACE

- Legal effect of OCP, and effect on zoning
- No need to rezone to comply with OCP
- Issues:
 - Why would OCP allow apartment on a site zoned for single family home?
 - Why would a Council want to pre-zone entire City density and uses permitted in OCP?
 - What does discretionary nature of zoning allow Council to require/negotiate from applicants? (i.e. servicing, amenities)

DEVELOPMENT PERMITS

- Designate **Development Permit Areas (DPAs)** in OCP for one or more purposes (e.g., protection of natural environment)
- Vary or supplement zoning or subdivision rules (not use/density)
- DP must be issued per case law, not based on discretion or community input
- Controlling form and character of building
- Intensive residential DPs for detached homes

PLANNING PROCEDURES BYLAW

- Mandatory bylaw
- Sets out application processes for zoning, subdivision, DPs, DVPs, OCP amendments
- Processes added by bylaw in addition to processes required by statute (e.g., open houses, neighbourhood consultation)
- Council's involvement at various stages
- Relationship to Development Application Information
- Relationship to fee bylaw

PUBLIC HEARINGS

- Requirement to hold formal hearing
- Hearing held during Council meeting?
- Notice of hearing
- Disclosure of material to public
- Conduct of hearing
- Distinguished from local public meetings (DVPs, TUPs)

PUBLIC HEARINGS (CONT'D)

- Conduct of hearing
- General rules
- Speakers' sign-in
- Speaking order
- Emailed or advance sign-in
- Speaker time limit
- Speaker submission limit
- Speaker list

PUBLIC HEARINGS (CONT'D)

- Control of speakers' time
- Repetition of submissions
- Duration of hearing
- Continuation of hearing
- Submissions at Council Q & A
- Hearing Rules

PUBLIC HEARINGS (CONT'D)

- Information package
- Correspondence - what is included?
- Written submissions
- Counting submissions
- FOI documents
- Separate bylaws
- Post hearing conduct of Council members

PROCEDURAL FAIRNESS HEARINGS

- Doctrine of fairness
- When applicable
- Rules of fairness
- Legitimate expectations

MORATORIUM ON DEVELOPMENT

- Requires zoning bylaw
- Cannot be done by resolution
 - Exception: an interim s. 463 LGA resolution
- Obligation of Council to consider every application

INFRASTRUCTURE

- Developers must pay for sewer, water, drainage, highways, parks and related infrastructure as condition of development
- DCCs
- CACs
- Subdivision & development servicing bylaw and agreement
- Frontage upgrades

APPROVING OFFICER

- Appointed by Council
- Independent autonomous entity under statute
- Council adopts the zoning + subdivision bylaws, then AO has independent power to approve subdivision or not
- Role of AO: approve subdivision, bound only by zoning + subdivision bylaws but not by OCP or Council directions or policies
- Must take into account public interest
- Some AOs use preliminary approval process
- Bare land strata plans, phased strata plans

TEMPORARY USE PERMITS

- Allows temporary uses not allowed in zoning bylaw
- TUP area in OCP
- Issued by resolution
- Notice and hearing required
- TUP can establish use, duration, conditions of use, regulation of buildings

PHASED DEVELOPMENT AGREEMENT

- Development agreement - include whatever developer and LG agree to
- Can include amenities, servicing, conditions of use, security, enforcement, phasing, term
- Covenant
- Developers like the downzoning protection
- Hearing
- Validity + certainty

OTHER LAND USE POWERS

- Runoff control
- Off-street parking and loading
- Signs
- Landscaping
- Trees
- Green Roofs
- Building Energy/GHG emissions



NEW HOUSING TOOLS

- Housing needs reports
- Residential rental tenure zoning

COUNCIL RISKS ON BYLAWS + PERMITS

- Welbridge v. Winnipeg
- S. 458 LGA – Compensation
- Bylaw attacks
- Cost awards

REGIONAL CONTEXT STATEMENT

- Regional district adopts RGS applicable to region
 - Addresses land use, servicing, open space, parks, etc.
- Each member municipality must adopt regional context statement – describes how local land use policies in OCP relate to RGS
- City Council must not adopt a bylaw or undertake a work inconsistent with RCS
 - Council not bound by RGS however