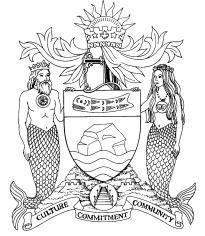


***Live Streaming/Telecast:** Please note that Standing Committees, Council Meetings, and Public Hearings held in the Council Chamber are being recorded and broadcasted as well included on the City's website at: www.whiterockcity.ca

Administration (604) 541-2212
E-mail clerksoffice@whiterockcity.ca

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



December 7, 2017

A **LAND USE AND PLANNING COMMITTEE MEETING** will be held in the **CITY HALL COUNCIL CHAMBERS** located at **15322 Buena Vista Avenue, White Rock, BC**, on **DECEMBER 11, 2017** to begin at **6:00 p.m.** for the transaction of business as listed below.

T. Arthur, Director of Corporate Administration

A G E N D A

Councillor Knight, Chairperson

1. **CALL MEETING TO ORDER**
2. **ADOPTION OF AGENDA**

RECOMMENDATION

THAT the Land Use and Planning Committee adopt the agenda for December 11, 2017 as circulated.

3. **ADOPTION OF MINUTES** **Page 3**
 - a) November 20, 2017 – Land Use and Planning Committee Meeting

RECOMMENDATION

THAT the Land Use and Planning Committee adopt the minutes of the November 20, 2017 meeting as circulated.

4. **WHITE ROCK PLANNING PROCEDURES BYLAW, 2017, NO. 2234** **Page 5**

Corporate report dated December 11, 2017 from the Director of Planning and Development Services titled “White Rock Planning Procedures Bylaw, 2017, No. 2234”.

RECOMMENDATION

THAT the Land Use and Planning Committee:

1. Receive for information the corporate report dated December 11, 2017 from the Director of Planning and Development Services, titled “White Rock Planning Procedures Bylaw, 2017, No. 2234”; and
2. Recommend that Council give first, second and third readings to “White Rock Planning Procedures Bylaw, 2017, No. 2234”.

5. **ZONING BYLAW UPDATE – PROPOSED SCOPE OF WORK AND PROCESS** Page 57
Corporate report dated December 11, 2017 from the Director of Planning and Development Services titled “Zoning Bylaw Update – Proposed Scope of Work and Process”.

RECOMMENDATION

THAT the Land Use and Planning Committee:

- 1) Receive for information the corporate report dated December 11, 2017 from the Director of Planning and Development Services, titled “Zoning Bylaw Update – Proposed Scope of Work and Process;”
 - 2) Recommend that Council endorse the proposed scope of work and process for the Zoning Bylaw Update;
 - 3) Recommend that Council direct staff to prepare an amending bylaw to the Zoning Bylaw, that would define and regulate adult entertainment as a specific use, according to the general parameters identified in this report;
 - 4) Recommend that under section 59(1)(d) of the *Community Charter*, Council direct staff to prepare an amending bylaw to the Business Licensing Bylaw, that would regulate adult entertainment uses; and
 - 5) Recommend that Council direct staff to prepare an interim amending bylaw to the Zoning Bylaw, that would define and regulate cannabis dispensaries as a specific use and not permit this use in any zone.
6. **CONCLUSION OF THE DECEMBER 11, 2017 LAND USE AND PLANNING COMMITTEE MEETING**

PRESENT: Councillor Knight, Chairperson
Mayor Baldwin
Councillor Chesney
Councillor Fathers
Councillor Lawrence
Councillor Sinclair
Councillor Meyer

STAFF: D. Bottrill, Chief Administrative Officer
J. Gordon, Director of Engineering and Municipal Operations
C. Johannsen, Director of Planning and Development Services
C. Issak, Manager of Planning
S. Jasim, Manager of Utilities
J. Nyhus, Manager of Building and Bylaw Enforcement
T. Arthur, Director of Corporate Administration

Press: 0
Public: 7

1. **CALL MEETING TO ORDER**
The meeting was called to order at 6:31 p.m.

2. **ADOPTION OF AGENDA**

2017-LU&P-070 **It was MOVED and SECONDED**
THAT the Land Use and Planning Committee adopts the agenda for
November 20, 2017 as circulated.

CARRIED

3. **ADOPTION OF MINUTES**

a) November 6, 2017 – Land Use and Planning Committee Meeting

2017-LU&P-071 **It was MOVED and SECONDED**
THAT the Land Use and Planning Committee adopts the minutes of the
November 6, 2017 meeting as circulated.

CARRIED

4. **INITIAL OCP AMENDMENT APPLICATION REPORT – 1556 GEORGE STREET (17-007 OCP/ZON/MJP)**

Corporate report dated November 20, 2017 from the Director of Planning and Development Services titled “Initial OCP Amendment Application Report – 1556 George Street (17-007 OCP/ZON/MJP)”.

The Director of Planning and Development Services outlined the proposal and the following comments by various Members of Council were noted:

- The ten (10) noted “below market rental units” within the proposal is not sufficient
- Would like to see enhanced streetscape (additional area) along North Bluff Road

- Liked the building design
- Concern with the request to double the Floor Area Ratio (FAR) and proposed height amendment from the new Official Community Plan (OCP), project needs work
- Would like to see a North Bluff Study Area be conducted – similar to what was done for the Everall Neighbourhood Area, previous comments during the OCP process included the North Bluff Area (Oxford Street and Finlay Street) would be where it is envisioned to see additional height and density
- OCP principles for area include consideration/encouragement of attracting hotel, office space, public amenities and event space

2017-LU&P-073

It was MOVED and SECONDED

THAT the Land Use and Planning Committee directs staff bring back a corporate report on what a North Bluff Corridor Study would look like from Oxford Street to the West and Finlay Street to the East (properties adjacent to North Bluff Road but in the Town Centre it could extend a bit further inward), included would be proposals that are instream and a public process.

CARRIED

Councillor Chesney voted in the negative

It was noted this item could come back to the Land Use and Planning Committee early in the New Year.

2017-LU&P-074

It was MOVED and SECONDED

THAT the Land Use and Planning Committee endorses Option 1 “*Work with the applicant to revise application to include a high-rise, but with a lower FAR and refined design*” in regard to the proposal of 1556 George Street (17-007 OCP/ZON/MJP).

CARRIED

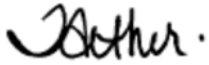
Councillor Fathers voted in the negative

5.

CONCLUSION OF THE NOVEMBER 20, 2017 LAND USE AND PLANNING COMMITTEE MEETING

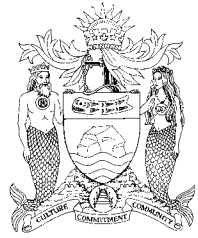
The Chairperson declared the meeting concluded at 7:00 p.m.

Councillor Knight
Chairperson



Tracey Arthur, Director
Corporate Administration

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: December 11, 2017
TO: Land Use and Planning Committee
FROM: Carl Johannsen, Director of Planning and Development Services
SUBJECT: White Rock Planning Procedures Bylaw, 2017, No. 2234

RECOMMENDATIONS

THAT the Land Use and Planning Committee:

1. Receive for information the corporate report dated December 11, 2017 from the Director of Planning and Development Services, titled “White Rock Planning Procedures Bylaw, 2017, No. 2234;”
 2. Recommend that Council give first, second and third readings to “White Rock Planning Procedures Bylaw, 2017, No. 2234.”
-

EXECUTIVE SUMMARY

This report introduces a new Planning Procedures Bylaw, with the purpose of:

- implementing procedural policies in the new Official Community Plan;
- improving the clarity and administration of the bylaw; and
- responding to changes in Provincial legislation.

A comprehensive review of the Planning Procedures Bylaw was last completed in 2009, with the adoption of Bylaw No. 1869, and subsequent amendments in 2012 and 2015 served as minor housekeeping amendments and fee updates, but did not substantially revise the bylaw.

The primary change to the structure of the bylaw is that the general process for each application type is included as a separate schedule to the bylaw, which allows for easy reference for applicants and reduces verbiage from the main body of the bylaw.

Several revisions to the bylaw are proposed to better define types of applications that were not previously defined (strata title conversions, purchase of municipal right-of-way, etc.).

A copy of the proposed Planning Procedures Bylaw No. 2234 is attached as Appendix A.

PAST PRACTICE / POLICY/LEGISLATION

Local Government Act

The *Local Government Act* (LGA) requires that a municipality with an official community plan or zoning bylaw must have a bylaw to define procedures under which an owner of land may apply for bylaw amendments or related permits (section 460).

A revised LGA came into force in January 2016, and included a renumbering of sections that are referenced to in the current Planning Procedures Bylaw. The proposed bylaw would update the references to re-align with the new LGA numbering.

Liquor Control and Licensing Act and Regulation

The *Liquor Control and Licensing Act* (Division 5) and *Liquor Control and Licensing Regulation* (section 71) provide the parameters around which local governments may offer comments on certain liquor licence applications to the Liquor Control and Licensing Branch (LCLB), such as new liquor primary licences, applications for patron-participation entertainment (dance floors) and extension of hours of service for existing licence holders. Section 41(2)(b) also allows municipalities the ability to impose fees on applicants for recovering costs incurred by the municipality in assessing the application.

The Liquor Control and Licensing Act was amended in 2016 to allow local governments to delegate the authority for some or all types of liquor licence applications to staff that would previously have required comment in the form of a Council resolution. The responses from staff would still be required to gather public input (through written comment or another method) and applicants would retain the opportunity for reconsideration by Council if the staff response does not support the application.

Official Community Plan

Section 19.3 of the OCP (page 76), notes that initial information reports on proposed OCP amendments will be provided to Council prior to the application moving forward with public consultation. In these cases, Council has the option to direct staff to continue processing the application, direct staff to work with the applicant to revise the application, or to refuse the application.

The proposed Planning Procedures Bylaw incorporates this policy into the process for OCP amendments, and identifies the minimum submission requirements in order to bring forward a potential amendment to Council.

Section 21 of the OCP includes a description of the types of plans and studies ('development approval information') that may be required with a development application. The Planning Procedures Bylaw provides additional guidance on the specific content of those studies, as well as on which types of applications require those studies.

ANALYSIS

Primary Issues and Proposed Approaches

In order to reflect changes in Council policy and stay current with evolving Provincial legislation, regular updates to the Planning Procedures Bylaw are recommended. The following sections describe the primary issues that have motivated the changes from the current Planning Procedures Bylaw to the proposed Planning Procedures Bylaw.

New Application Types

Under section 242 of the *Strata Property Act*, Council is the 'approving authority' to approve or refuse an application to turn a previously occupied building into saleable strata lots, unless Council delegates that authority to the approving officer or another person. Typically this strata title conversion would be for residential rental building converted to a strata building, though it could also be a stratification of a commercial building. The current Procedures Bylaw includes a fee for this type of application but does not outline the process by which an application would be made. The proposed Procedures Bylaw provides, in Schedule T, an outline of the general process by which Council would consider an application of this nature, and the application submission

requirements. The proposed bylaw would also delegate the authority for these decisions to the Director of Planning and Development Services.

Occasionally staff will receive inquiries regarding the purchase of municipally-owned land or right-of-way ('road allowance') by adjacent property owners or developers. The time and associated costs required to bring requests of this nature to Council are not currently included in any City bylaw and therefore the process could be better defined. The proposed Procedures Bylaw provides the general process for a consideration of this request, and also includes an application fee (\$250) in Schedule A.

Simplifying Bylaw Clauses and Language

The current Planning Procedures Bylaw includes, within the body of the bylaw, a step-by-step process for each application type including administrative technicalities such as notifying internal departments of decisions on permits, and the specific location for Public Hearings (noted as Council Chambers). Staff consider that these detailed outlines of specific application processes are better located as separate schedules to the bylaw, which can be provided to applicants as handouts. The proposed bylaw also removes references to Council Chambers to clarify that Public Hearings and Public Meetings may be held in alternate venues of an appropriate size.

Development Approval Information

The current bylaw notes that the City may require development approval information (studies) regarding various potential impacts such as traffic, infrastructure, public facilities and the natural environment, but does not describe the content of requirements of such studies. The proposed bylaw, in Section 9 to 13, outlines the requirements for development approval information studies, and the process for a requiring a peer review (a separate study by a professional in the same field) of an initial study if it does not meet the requirements of the bylaw. This section builds on the required development approval information noted in section 21 of the OCP.

Delegation

The current bylaw authorizes the City Manager (Chief Administrative Officer) to issue Minor Development Permits, which are defined as Environmental Development Permits or Duplex Development Permits. The proposed bylaw would add to the definition of Minor Development Permit to allow the City Manager to consider the issuance of Amendments to Major Development Permits where no variance is required, to allow minor form and character modifications to projects to proceed without requiring a review by Council.

In accordance with the new provisions in the *Liquor Control and Licensing Act* and *Regulation* for delegation, staff are recommending that applications for new licences, for a lounge endorsement, for patron participation entertainment (e.g. dance floors, karaoke), for extension of hours greater than one hour, and/or relocation of a liquor license would still go through a Council-led process involving an opportunity for comment by a Public Hearing, whereas other applications would be delegated to staff for response and would involve opportunity for public comment by written submission only. Staff would further be enabled to 'opt-out' of providing comment for minor increases in capacity (less than 10 persons) and for permanent patio additions under 15 square metres (161 square feet) in size, which would allow applicants in those cases to utilize the LCLB's attenuated public consultant process and not require an application fee to the City. A patio on City property associated with a liquor licence would still require a City-issued patio licence.

Transfers

During the development application process, property ownership and the identity of the applicant changes, and the process for handling transfer of submitted reports, fees, or securities has not

been defined under the current Procedures Bylaw. Section 15 of the proposed Planning Procedures Bylaw would require that prior to an application being assigned to a new applicant, the City must receive a new application form and letters of authorization from the current and new Applicants describing the permissions to use submissions made under the earlier application.

Letter of Credit Sample

The current Procedures Bylaw includes an example Letter of Credit, for use in landscaping securities or other required bonding (such as payment of the ‘two-thirds’ amount of Development Cost Charges). The Financial Services department has identified a preferred template which has been included in the proposed bylaw.

Fees

The application fee schedule in the current Planning Procedures Bylaw was last updated in 2015. Rather than proposing substantial increases every five years, smaller and more regular increases in line with inflation are recommended to keep up with increasing costs. The majority of application fees are proposed to be increased by approximately 2% above the current amount, while minor development permit fees are remaining at \$1,500.

Staff are recommending a change to the structure of major development permit fees which do not have an associated rezoning or Official Community Plan amendment application (as the Town Centre is pre-zoned to allow significant density), as these developments are typically at a level of scale and complexity that requires more review and consultation than a typical major development permit outside of the Town Centre. Applications not requiring a rezoning would have a base fee of \$3,500 plus \$100 per new dwelling unit to be created, up to a maximum \$10,000 total, while applications outside of the Town Centre would keep the current base application fee of \$2,500 but also have an additional \$100 per new dwelling unit created, up to a maximum \$5,000 total.

This is comparable with the process in other nearby and similar sized municipalities. Several examples of existing development permit fees in other jurisdictions are provided in the table below.

Municipality	Base Fee	Additional Fee*	Maximum Total Fee
Port Moody	\$3,580	\$83/unit or \$83/m ² site area	n/a
Surrey	\$2,989	\$58-\$104/unit,	n/a
Langley (City)	\$2,500	\$100/unit or \$1/m ² floor area	n/a
Langley (Township)	\$1,100	\$60/unit or \$1/m ² floor area	\$10,000-\$12,000
Coquitlam	\$2,816	\$66-\$77/unit	n/a

*additional fees have been simplified for convenience and relevance; the numbers presented relate to increases in commercial floor area and multi-family residential uses.

Other proposed fee changes include:

- For liquor licences, where an application does not require a public hearing or Council approval (public input is received by public notification and written comment only), the application fee would be reduced from \$2,500 to \$500.
- For Air Space Parcel (subdivision) Plans, an application fee of \$10,000 is proposed to account for the costs associated with legal and staff review of the complex documentation associated with this type of application.

- Tree Management Permit applications are currently \$500 for both Type 2 (unwanted tree) and Type 3 (development related tree permit) permit. The proposed bylaw would increase the cost for a Type 3 Tree Management Permit application from \$500 to \$1,000 to reflect the significant staff time involved in review, administration and inspections related to Tree Management Permits.
- A “transfer” fee, or Assignment of Application under Consideration fee of \$500 is proposed to recover costs of staff time associated with transferring an application.

Pre-Application Meeting Process and Requirements

The current bylaw does not specify the information required in order to meet with staff to discuss a development proposal. The proposed bylaw includes a basic list of items and a process that provides clarity on what information is expected of a proponent before they meet with staff, so that staff have the information necessary to provide useful feedback to the applicant.

Public Information Meeting Process

The current bylaw notes that Public Information Meetings are to be held by an applicant to present their proposal and discuss questions related to their project, but does not specify the format or content of the meeting. In order to promote consistency and quality of the information provided to the public at these meetings, the proposed bylaw includes Schedule E as a guide to the format and content of the meeting, and notes that City staff will conduct and introduce the meeting in a public venue, with all costs assumed by the applicant.

Development Notification Signage

The proposed bylaw includes revised graphics and layout for the development notification signage, including the City’s new logo and an opportunity to include a rendering of the proposed development.

BUDGET IMPLICATIONS

Approval of the new Planning Procedures Bylaw will increase the revenue received from application fees to better reflect the cost of processing applications.

OPTIONS

The Land Use and Planning Committee can recommend that Council:

1. Give first, second and third readings to Planning Procedures Bylaw No. 2234” as presented, and authorize staff to schedule a Public Hearing;
- or**
2. Defer consideration of Planning Procedures Bylaw No. 2234 and refer the draft bylaw to staff to address any issues identified by Council.

Staff recommend Option 1.

CONCLUSION

In response to the adoption of the new Official Community Plan, changes in Provincial legislation, and with the desire to improve the clarity and administration of the Planning Procedures Bylaw, staff are introducing a new Planning Procedures Bylaw for the consideration of the Land Use and Planning Committee.

Staff also propose to include minor increases to the application fees to reflect processing costs in a manner that keeps pace with inflation, and introduce improvements to the development notification signage required with certain application types.


Respectfully submitted,



Carl Johannsen, MCIP, RPP.
Director of Planning and Development Services

Comments from the Chief Administrative Officer:

I concur with the recommendations of this corporate report.



Dan Bottrill
Chief Administrative Officer

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

APPENDIX A

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

**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 license applications

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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 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 D.

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 22 through 29 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, 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 (g) 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 25, 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 34, 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 _____ day of _____
RECEIVED SECOND READING on the _____ day of _____
RECEIVED THIRD READING on the _____ day of _____
RECONSIDERED AND FINALLY ADOPTED on the _____ day of _____

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	1. \$1,020
2. With no associated rezoning	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
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 2	\$1,000
Tree Management Permit – Type 1	\$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

8' 0"
4' 0"



DEVELOPMENT PROPOSAL XX-XXX

OUTLINE MAP OF
SUBJECT SITE &
PROJECT RENDERING
(OPTIONAL)

2'-0" x 2' 0"
WIDE WHITE SQUARE
(MINIMUM)

DEVELOPER'S NAME
TEXT OF DEVELOPER'S INTENT
(SEE SIGN SAMPLE BELOW)

DEVELOPER: ABC LAND DEVELOPMENT INC. 604-123-4567
 FOR INFORMATION ON THE PUBLIC HEARING CONTACT: 604-541-9348
 PLANNING & DEVELOPMENT SERVICES: 604-541-2136



DEVELOPMENT PROPOSAL 18-001

A change has been proposed for this site.
 A Major Development Permit application has been submitted
 to allow the construction of a multi-unit residential building.

Number of Units: 36
 Height: 3 storeys/10.7m

Parking Spaces: 50
 Lot Coverage: 43%

(These numbers are approximate only and may change before final approval)



Location Map
14022 North Bluff Road

DEVELOPER: ABC LAND DEVELOPMENT INC. 604-123-4567
 FOR INFORMATION ON THE PUBLIC HEARING CONTACT: 604-541-9348
 PLANNING & DEVELOPMENT SERVICES: 604-541-2136

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 35 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 35 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule “D” 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 35 of the Planning Procedures Bylaw.
- (g) Applicant conducts Public Information Meeting according to requirements of Schedule “D” 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 35 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule "D" 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 35 of the Planning Procedures Bylaw.
- f. Applicant conducts Public Information Meeting according to requirements of Schedule “D” 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
<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 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 35 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule “D” 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

- (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 35 of the Planning Procedures Bylaw.
- (f) Applicant conducts Public Information Meeting according to requirements of Schedule “D” 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 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.

Minimum Submission Requirements – Temporary Use 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* • Development Permit Guidelines Response* • Precedent Photos* • Digital or physical 3D massing model* • Environmental Impact Assessment* • Traffic Study* • Parking Study* • Geotechnical Report*
<p><i>Additional studies/information may be required based on specifics of an application</i></p> <p><i>*if applicable</i></p>

Schedule N Liquor License Resolution Request Application Procedures

- (a) When a referral is received from the BC Liquor Control and Licensing Branch, staff contact the Applicants and advise of City application and fee requirements. Applications for a new license, for a lounge endorsement, for patron participation entertainment, for extension of hours greater than one hour, and/or relocation of a liquor license 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) Applicant submits City's required 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 Council for their consideration of the liquor license 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.
 - 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.
- (f) Copy of Council resolution submitted to the BC Liquor Control Board and Licensing Branch along with copies of all reports, comments, documentation and results of the Public Hearing.

Minimum Submission Requirements – Liquor License Referral Request Application

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

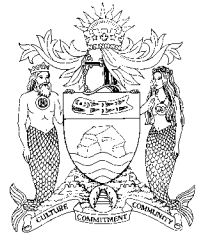
“Shadow Study” means a set of illustrations that demonstrate the shadow impact from the proposed development, including illustrations for the Vernal Equinox (March), Summer Solstice (June), Autumnal Equinox (September) and Winter Solstice (December) at 10:00am, 12:00pm, 2:00pm and 4:00pm.

“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.

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: December 11, 2017

TO: Land Use and Planning Committee

FROM: Carl Johannsen, Director of Planning and Development Services

SUBJECT: Zoning Bylaw Update – Proposed Scope of Work and Process

RECOMMENDATIONS

THAT the Land Use and Planning Committee:

- 1) Receive for information the corporate report dated December 11, 2017 from the Director of Planning and Development Services, titled “Zoning Bylaw Update – Proposed Scope of Work and Process;”
 - 2) Recommend that Council endorse the proposed scope of work and process for the Zoning Bylaw Update;
 - 3) Recommend that Council direct staff to prepare an amending bylaw to the Zoning Bylaw, that would define and regulate adult entertainment as a specific use, according to the general parameters identified in this report;
 - 4) Recommend that under section 59(1)(d) of the *Community Charter*, Council direct staff to prepare an amending bylaw to the Business Licensing Bylaw, that would regulate adult entertainment uses; and
 - 5) Recommend that Council direct staff to prepare an interim amending bylaw to the Zoning Bylaw, that would define and regulate cannabis dispensaries as a specific use and not permit this use in any zone.
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EXECUTIVE SUMMARY

This report outlines a proposed scope of work and process for the comprehensive review and update of the Zoning Bylaw, which is one of Council’s Corporate Priorities and follows the adoption of the new Official Community Plan (OCP).

The purpose of updating the Zoning Bylaw is to assist in the implementation of the new OCP, follow best practices, address existing issues within the Zoning Bylaw, and respond to emerging issues in the community.

Staff propose to phase the Zoning Bylaw update, to address higher priority emerging and policy-related items in the short-term, and then bring forward additional policy-related, housekeeping and structural-type amendments to the Zoning Bylaw as a part of a longer-term second phase.

The following ‘suite’ of categories is proposed to be considered during the first ‘short-term’ update to the Zoning Bylaw:

- 1) Updating mixed-use, commercial and multi-family zones (i.e. permitted uses, density, height, outdoor amenities, inclusion of child care facilities);
- 2) Updating parking regulations (including parking ratios and electric vehicle charging);
- 3) Updating accessory vacation rental (‘AirBnB’) regulations and reviewing other accessory rental (coach houses, secondary suites, etc.) regulations; and
- 4) Defining and regulating of ‘new’ uses not currently specifically defined in the Bylaw, including community gardens, cannabis dispensaries, temporary commercial uses on the waterfront, and adult entertainment use.

The remaining, longer-term updates to the Zoning Bylaw will focus on other remaining issues, including:

- Establishing minimum permeable surface areas in residential zones;
- Reviewing the form and massing of single family homes (consider increased setbacks, exterior wall terracing etc.);
- Improving the readability and visual clarity of the Bylaw; and
- Other key items as identified by Council and staff.

PAST PRACTICE / POLICY / LEGISLATION

Local Government Act

The *Local Government Act* (LGA) enables local governments to regulate the use of land building and structures, as well as the density of uses and siting and size of buildings (section 479). A revised LGA came into force in January 2016, and included a renumbering of sections that are referenced to in the current Zoning Bylaw. The proposed bylaw would update the references to re-align with the new LGA numbering.

Previous White Rock Zoning Bylaws

Since incorporation in 1957, the City of White Rock has had four Zoning Bylaws, each of which has been amended numerous times. The previous and current Zoning Bylaw numbers are provided below:

Bylaw Number	Years in Force
46	1959-1969
394	1969-1999
1591	1999-2013
2000	2013-present

Council Moratorium on Accessory Coach Houses

On September 8, 2014, Council passed the following resolution on a notice of motion:

“THAT Council directs a moratorium be placed on permitting accessory coach houses pending staff bringing forward information regarding guidelines and areas within the City that would be conducive to this type of use.” (2014-285).”

Community Charter

The *Community Charter* gives Council the authority to, by bylaw, prohibit the operation of a public show, exhibition, carnival or performance of any kind or in any particular location (section 59(1)(d)). This authority can be exercised through the Business Licence Bylaw.

ANALYSIS

Key Zoning Bylaw Update Categories (Phase 1)

The following sections provide a brief overview of the suite of categories that have been identified as higher priority for inclusion in the first, short-term phase of the Zoning Bylaw Update. Staff seek feedback from the LUPC on these topics and staff's proposed approach, in order to ensure forthcoming proposed Zoning Bylaw amendments best respond to Council's priorities and direction.

Updating Mixed Use, Commercial and Multi-Unit Zones

OCP Implementation

The new OCP expands on the land use vision of previous OCPs, reinforcing the Town Centre as the district for the highest expected activity and density in the city, and in the immediately surrounding neighbourhoods to the south, east, and west, providing a gradual transition in height and density from the core to the lower density mature neighbourhoods.

The review of Mixed Use and Commercial (CR) and Multi Unit (RM) zones will include an analysis of how to achieve the OCP vision through revised zoning regulations, while maintaining both an opportunity for public input on development applications and the ability to ensure developer commitments to provide appropriate level of on-site and off-site servicing.

Specifically, this may entail the creation of new CR zones (e.g. CR-1A, CR-2A) that would allow development at the densities specified in the OCP, but would require that a property owner make application to obtain that zoning designation to allow Council and staff to negotiate upgrades to the City's infrastructure and amenities, as necessary, that are required to facilitate the development.

Staff note the 'North Bluff Study' will be initiated with a 'scope, process and early ideas' report to LUPC in January 2018, and there may be future Zoning Bylaw amendments that may need to be considered at a later date, based on the outcomes of this Study.

Child Care

Small scale, home-based Child care facilities are currently permitted in RS-1, provided the property meets the minimum size requirements for that zone. Larger child care facilities are only permitted in institutional zones that are typically associated with schools and religious buildings that provide other community services, and tend to have appropriate parking capacity.

Staff note there is a trend in the child care industry towards the provision of facilities within mixed use buildings as well as within commercial buildings, and the Zoning Bylaw update will explore the potential for broadening the zones that allow child care facilities, in accordance with OCP policy 8.12.3:

“Encourage childcare uses in areas with higher concentrations of housing, including in multi-family and mixed-use areas.”

The three-tower Landmark project at 1484 Martin Street includes a proposed child care facility (which would not be a permitted use in the current CR-1 zone) within the second tower's commercial space, and the 13-storey mixed use Oviedo Developments project at Finlay and

Russell also includes a child care facility (the child care facility use is specifically included in the permitted uses for the CD zone).

As part of the review of child care use provisions, and adding these provisions to the Zoning Bylaw, staff will liaise with Fraser Health Authority staff to confirm their requirements and ensure that any general regulations that apply to child care facilities, such as outdoor play space requirements, are incorporated into the update.

Updating Parking Regulations

The newly adopted OCP includes several policies related to parking, including establishing policies for minimum levels of electric vehicle charging stations in private residential parking facilities, and stating that the City will consider reducing parking requirements for new residential rental buildings located near transit services (i.e. North Bluff corridor) in recognition that renters have a higher propensity to use public transit.

The review of the parking regulations in the Zoning Bylaw could include regulations for these issues as well as revised parking ratios. Metro Vancouver is currently finalizing an update of its Regional Parking Study, which will provide useful information on actual parking space utilization in apartments both in White Rock and elsewhere in the Lower Mainland, which will be reviewed as part of this analysis.

This analysis will also review current parking ratios in new developments and assess the viability of these ratios, in relation to the neighbourhood areas they are located within.

Updating Accessory Rental Unit Regulations

Accessory Vacation Rentals ('AirBnB')

A definition and regulations for 'accessory vacation rentals' were added to the Zoning Bylaw in 2012, partially in response to the growing use of online platforms such as AirBnB to rent residential properties for short-term stays (ie. under 30 days).

The costs and benefits of this type of use have been widely debated and several municipalities have begun to take action to regulate and/or prohibit accessory vacation rentals. The Rental Housing Task Force recommended a 'wait and see' approach as it provided recommendations to Council in 2016, and now that Vancouver and other local governments have established regulations it is considered appropriate to bring forward this topic. Another related aspect of the Zoning Bylaw which may be reviewed under this heading is the 'accessory boarding use' and associated regulations.

Other Accessory Rental Dwelling Types

The Zoning Bylaw currently permits 'accessory coach houses' in the RS-1, RS-4, R1-2, CD-27, and CD-39 zones. However, there is a standing moratorium on the issuance of building permits for accessory coach houses which was passed by Council in September 2014 and is noted in the past policy section above. Staff consider this review of the Zoning Bylaw an opportune time to review the guidelines applicable to coach houses and potentially other forms of secondary dwelling units, such as garden suites, and report back to Council on the findings and public feedback.

Defining and Regulating ‘New Uses’ (Cannabis, Adult Entertainment, Community Gardens, Waterfront Commercial Use)

Pending Cannabis Legalization

As outlined in the October 23, 2017 corporate report to Governance and Legislation Committee, titled “Cannabis Legalization and Regulation in British Columbia – Discussion Paper Commentary”, non-medicinal cannabis will likely become legal in Canada in July 2018.

Noting that the Province has just concluded a consultation process to obtain feedback on regulating cannabis at the Provincial level, and is poised to present its full regulatory framework and retailing model in January or February 2018, staff propose to amend the Zoning Bylaw to define ‘cannabis dispensaries’ and not permit cannabis retail or distribution throughout the City on an interim basis, prior to the presentation of the Provincial regulatory framework and the actual legalization of cannabis in July 2018. This approach would ensure the City is able to effectively regulate cannabis uses in a manner that reflects Council’s priorities and the community context. Furthermore, not permitting cannabis uses on an interim basis does not prevent Council from reconsidering this position in the future, in terms of amending the Zoning Bylaw again to identify appropriate locations and regulations for cannabis retail, following the presentation of the Province’s detailed retail model and other regulations.

As noted in the October 23, 2017 report to the Governance and Legislation Committee on cannabis legalization, once the full Provincial regulations are announced, staff will conduct a detailed review of these regulations and bring forward a separate report to Council with recommendations on how non-medicinal cannabis should be regulated, through proposed amendments to the Zoning Bylaw and other relevant City bylaws and policies.

Staff also note that public consultation would be included as a part of this process, in order to obtain community feedback about regulating non-medicinal cannabis in White Rock.

Should Committee resolve to direct staff to amend the Zoning Bylaw to prohibit non-medicinal cannabis uses on an interim basis, staff will bring forward these proposed amendments to Council in early 2018, prior to the proposed amendments for the other categories in the first phase of the Zoning Bylaw update.

Adult Entertainment Uses

The Zoning Bylaw does not specifically include and define ‘adult entertainment’ as a permitted use, which is generally defined, among other related definitions, as ‘public exhibition, performance, or other entertainment where a person entertains others by removing all or most of their clothing.’ By way of Zoning Bylaw Section 4.1.1, which states that ‘any use that is not expressly permitted in the Zoning Bylaw is prohibited’, adult entertainment uses are not permitted because they are not identified as permitted in the Zoning Bylaw.

A recent effort to host an adult entertainment-related activity (ie. exotic dancing, meeting the definition noted above) in White Rock indicates there is a potential emerging need to regulate adult entertainment use and provide more clarity in the Zoning Bylaw regarding this use.

Based on this, and unless otherwise directed by Committee, staff propose to amend the Zoning Bylaw to define and regulate adult entertainment, through identifying a specific zone that an adult entertainment use could be permitted within, and prohibiting it in all other zones. This also involves identifying very specific conditions of property use, siting and location that any adult entertainment use would be required to meet in order to occur, set within an overall zoning approach that reflects White Rock’s planning and land use goals and policies in the City’s OCP.

Within this context it is important to note that a significant portion of the City’s commercial land base consists of street-level restaurants retail stores, located along and near the Marine Drive and Johnston Road corridors, that cater to a varied local and tourist clientele. These uses are also typically characterized by clear glazing to see into and out of storefronts, and include street-level outdoor patio areas and display areas that are directly adjacent to sidewalk and public realm areas with high pedestrian traffic volumes. These uses are located within areas that are considered to be attractive shopping and dining destinations in White Rock, and are identified as key economic investment areas by the planning and land use goals and policies in the Official Community Plan (OCP).

It is also important to highlight there are currently no adult entertainment uses in White Rock, nor have there been within the City for some time. Typically adult entertainment uses are characterized by blank, opaque facades that front onto streets or parking lots, and are typically not associated with common land use planning goals and policies that support street-fronting retail environments and pedestrian-friendly environments.

Based on this, and should Committee direct staff to amend the Zoning Bylaw to define and regulate adult entertainment use, staff will bring this forward to Council in early 2018 and these amendments will be based on the following general parameters:

- requiring the use to be located within an existing commercial zone;
- requiring the use to be located on a property in an automobile-oriented location, away from pedestrian-oriented corridors, including Marine Drive and Johnston Road, and school areas;
- requiring this use to be located within a multi-tenant commercial building;
- requiring the subject property to meet a minimum road frontage length(s) and setback(s), and directly front a major arterial road;
- requiring distinct parking ratios for this specific use; and
- other possible conditions, including building façade and signage design requirements.

Beyond the context of zoning, Section 59(1)(d) of the Community Charter allows a local government to prohibit ‘public performances’ of a certain type (such as exotic dancing), through provisions in their business licensing bylaw. This provides the City the ability to reinforce its zoning authority in regards to regulating adult entertainment uses.

Based on this, staff propose to amend the City’s Business Licensing Bylaw to include provisions that further regulate adult entertainment uses by requiring business that involve adult entertainment uses to obtain business licenses, according to specific conditions, and reserving the right to refuse business licenses if these uses do not meet zoning and/or other specific conditions. It is also possible through this approach to prohibit adult entertainment uses in establishments that serve alcohol.

Community Gardens

The new OCP encourages the expansion of community garden uses on public lands and in private strata developments (see policies 15.4.1 and 18.4.2). The purpose of reviewing and enhancing provisions related to community garden uses is to ensure that property owners are aware of their opportunities to create community gardens, and to establish minimum standards for the siting of structures on public and private lands that are used for community gardens.

Temporary Waterfront Commercial Uses

The new OCP policy 10.4.4 regarding tourism in the Waterfront area notes the City will ‘allow for temporary commercial activity south of Marine Drive as part of City-sanctioned special events and on-going leisure services programming.’ This Zoning Bylaw update will provide an

opportunity to review whether there are opportunities to broaden the type of temporary commercial activities permitted to support the vitality of the Waterfront area.

Proposed Process: Schedule of Amendments and Public Input Opportunities

The following proposed schedule provides an outline of how the suite of updates to the Zoning Bylaw will likely be brought forward in ‘short-term’ and ‘long-term’ phases. The schedule for the comprehensive cannabis review and recommended Zoning Bylaw amendments is dependent on the timing of the Province’s presentation of their detailed retail and regulatory model.

Once Phase 1 is complete, staff will bring forward a second scoping report to LUPC, regarding the categories identified in Phase 2 below.

Phase 1: Short-term Categories	Public Information Meeting	Public Hearing/Council
Adult Entertainment & Cannabis (Interim Amend)	n/a	January 2018
Mixed Use, Multi-Family, Commercial Parking Regulations (EV Charging, Ratios) Accessory Rental (Vacation, Coach Houses) Community Gardens / Waterfront Commercial	March 2018	Spring 2018

Phase 2: Long-Term Categories

Form/Massing of Single Family Homes Minimum Permeable Surface Areas Structural/Graphic Improvements to Bylaw Other items as identified by Council and staff	Late Fall 2018-early 2019	Spring 2019
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Provincial Cannabis Legislation

Comprehensive Cannabis Regulation	TBA	TBA
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BUDGET IMPLICATIONS

It is proposed that the Zoning Bylaw Update be undertaken using internal staff resources and the existing departmental budget.

OPTIONS

The Land Use and Planning Committee can recommend that Council:

1. Endorse the proposed approach to the Zoning Bylaw Update in the report;
2. Direct staff to prepare a text amendment to the Zoning Bylaw and Business Licence Bylaw to define and regulate ‘adult entertainment’ and ‘cannabis dispensary’ uses;
3. Provide an alternative direction to staff regarding the Zoning Bylaw Update; and/or
4. Provide an alternative direction to staff regarding ‘adult entertainment’ and ‘cannabis dispensaries.’

Staff recommend Option 1 and Option 2 which is reflected in the recommendations section of this corporate report.

CONCLUSION

This report provides Council with an opportunity to endorse or revise a proposed scope of work and process for a comprehensive Zoning Bylaw update, which is one of Council's Corporate Priorities and follows the adoption of the new Official Community Plan (OCP). The purpose of updating the Zoning Bylaw is to assist in the implementation of the new OCP, follow best practices, address existing issues within the Zoning Bylaw and respond to emerging needs.

Staff propose to undertake the Zoning Bylaw update through a short-term and long-term phased approach, to address higher priority policy-related issues first and then bring forward additional amendments for policy-related, housekeeping and structural-type changes to the Zoning Bylaw following the completion of the first phase.

Staff also propose to amend the Zoning Bylaw to define and regulate 'new' uses, including adult entertainment and non-medicinal cannabis dispensary uses.

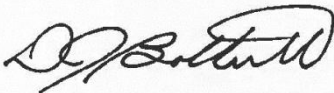
Respectfully submitted,



Carl Johannsen, MCIP, RPP
Director of Planning and Development Services

Comments from the Chief Administrative Officer:

I concur with the recommendations of this corporate report.



Dan Bottrill
Chief Administrative Officer