



STAFF REPORT TO COMMITTEE

DATE OF REPORT January 2, 2024
MEETING TYPE & DATE Electoral Area Services Committee of March 20, 2024
FROM: Development Services Division
Land Use Services Department
SUBJECT: CVRD Bylaw No. 4545 - Development Approval Information Bylaw,
2024
FILE: 3900-30 4545 Development Apprv Info

PURPOSE/INTRODUCTION

The purpose of this report is to introduce CVRD Bylaw No. 4545 – Development Approval Information Bylaw, 2024, which is intended to repeal and replace CVRD Bylaw No. 3540 – Development Approval Information Bylaw, 2011.

RECOMMENDED RESOLUTION

That it be recommended to the Board that “CVRD Bylaw No. 4545 - Development Approval Information Bylaw, 2024”, be forwarded to the Board for consideration of three readings and adoption.

BACKGROUND

Development Approval Information (DAI) is defined under the *Local Government Act* as “...information on the anticipated impact of a proposed activity or development on the community...” and often includes information on transportation, infrastructure, public and community facilities and the natural environment. In practice, this tool aids local governments in ensuring that applicable studies and relevant information are provided to evaluate the potential impact of proposed developments on the community. Under Sections 484 and 485 of the *Local Government Act*, the CVRD is permitted to request Development Approval Information for the following application types:

- (a) an amendment to a zoning bylaw;
- (b) a development permit; or
- (c) a temporary use permit.

The CVRD currently requests development approval information under [CVRD Bylaw No. 3540 Development Approval Information Bylaw, 2011](#), which has not been amended since its adoption. Due in part to the age of the bylaw, staff have noted that CVRD Bylaw No. 3540 does not provide adequate content to allow full utilization of this tool. As numerous amendments would be required to ameliorate Bylaw 3540, staff recommend repealing and replacing the bylaw with CVRD Bylaw No. 4545 – Development Approval Information, 2024.

ANALYSIS

DAI can assist the CVRD in gaining a more wholesome understanding of the potential impacts of proposed development on the community. Staff do have the ability to request some information under CVRD Bylaw No. 3540 – Development Approval Information, 2011; however, proposed CVRD Bylaw No. 4545 expands the type and depth of information that can be requested, as well as provides clarity to applicants and qualified professionals. In preparing CVRD Bylaw No. 4545, staff looked to neighbouring local government jurisdictions for relevant content and structure to form a robust and complete document. Both the regulations and procedures for implementation as well as the information that can be requested of applicants have been refined.

Refined regulations for requesting and reviewing development approval information include stating that any requested information should be submitted by the applicant, at their sole cost, in the form of a report by a qualified professional within 60 business days of receiving written notice by the CVRD. Procedures for reviewing the report, deeming a report is complete or incomplete, requesting additional information and/or requiring an independent professional review of the report are outlined in this bylaw as well as the Development Applications Procedures Bylaw No. 4483. Additionally, the procedure for an applicant to apply to the Board to request reconsideration of a DAI request is specified in detail, including the responsibilities of the Board should this scenario arise.

The DAI that can be requested by CVRD has been captured in the Terms of Reference (Schedule A) of the Bylaw, which outlines the rationale, purpose and objectives of any required DAI. Further, the Terms of Reference allows staff to tailor the scope of the requested information based on the scale and potential impacts of the proposed development and sets a standard for the requirements of the report. For example, proposed CVRD Bylaw No. 4545 states that all reports must include information such as a site plan prepared by a BC Land surveyor, description of the methodology, context scope, magnitude and significance of the anticipated impact of the proposed development and recommendations to mitigate any anticipated impacts.

It is important to note that the CVRD can only request information outlined in the Terms of Reference. With that said, staff have reviewed and prepared what they deem to be a thorough listing of the different types of information that can be useful when assessing impacts of development. The following table outlines the categories of information that could be required under CVRD Bylaw No. 3540 and those proposed in CVRD Bylaw No. 4545:

CVRD Bylaw No. 3540 Development Approval Information Bylaw, 2011	Proposed CVRD Bylaw No. 4545 – Development Approval Information Bylaw, 2024
<ul style="list-style-type: none"> • Transportation Patterns • Sewer, water and drainage infrastructure • Environmental Impact Assessment • Community Services, Public Facilities and Parks • Other Information (heritage/archaeology, energy conservation, resource lands) 	<ul style="list-style-type: none"> • Transportation • Local Infrastructure • Stormwater management • Public Facilities and Services • Natural Environment • Hazardous Conditions • Economic and Social Development • Archaeological and Cultural Heritage Resources; and • Climate Action

Detailed DAI that can be requested within these general categories has also been greatly expanded upon and can be reviewed in Schedule A of the draft bylaw (Attachment A).

FINANCIAL CONSIDERATIONS

N/A

COMMUNICATION CONSIDERATIONS

CVRD Bylaw No. 3540 - Development Approval Information, 2011 is publicly available on the CVRD website and would be replaced upon adoption of CVRD Bylaw No. 4545 Development Approval Information, 2024.

Internal communication to inform CVRD Land Use Services staff of the updated Development Approval Information bylaw will take place upon adoption of CVRD Bylaw No. 4545 Development Approval Information, 2024.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

N/A

Referred to (upon completion):

- Community Services (*Cowichan Community Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Facilities & Transit*)
- Corporate Services (*Finance, Human Resources, Information Technology, Legislative Services*)
- Operations (*Utilities, Parks & Trails, Recycling & Waste Management*)
- Land Use Services (*Community Planning, Strategic Initiatives, Development Services, Building Inspection & Bylaw Enforcement*)
- Strategic Services (*Communications & Engagement, Economic Development, Emergency Management, Environmental Services*)

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Reviewed for form and content and approved for submission to the Committee:

Resolution:

Corporate Officer

Financial Considerations:

Chief Financial Officer

ATTACHMENTS:

Attachment A – CVRD Bylaw No. 4545 – Development Approval Information Bylaw, 2024