



---

## STAFF REPORT

---

**TO:** ADVISORY PLANNING COMMISSION  
**FROM:** BRIGID REYNOLDS, CONSULTING TOWN PLANNER  
**SUBJECT:** DEVELOPMENT APPROVAL PROCEDURES  
**MEETING DATE:** OCTOBER 23, 2025

---

### PURPOSE

To introduce and discuss proposed amendments to the development approval procedures bylaw.

### BACKGROUND

#### 1. Application Types

##### ***Current***

Bylaw 1109 currently only addresses the following types of applications zoning amendments, OCP amendments, development permits and development variance permits.

***Proposed amendments*** to identify that the bylaw applies to following types of applications

- Agricultural Land Commission
- Development permit
- Development variance permit (delegated and Council approved)
- Floodplain exemption
- Housing Agreement (Courtenay)
- OCP amendment
- Phased Development Agreement
- Strata Title Conversion for a previously occupied residential building
- Temporary Use Permit
- Zoning bylaw amendment
- Licenses in accordance with Section 33 of the Cannabis Control and Licensing Act

- Comments on a liquor license application
- Amend or discharge a registered legal agreement such as section 219 covenants and/or statutory rights of way

## **2. Notice Requirements**

### ***Current***

Public Hearing notice for zoning amendment and OCP amendment

- Newspaper notice in two editions of the newspaper min of 3 days and no more than 10 days before public hearing
- Mailed notices to owners/tenants within 50 m of subject property at least 10 days prior to public hearing
- No notice by mail required when 10 or more parcels owned by 10 or more persons are affected

Additional means for notice

- Amendments initiated by owners must post on-site signage
- Public notice at the municipal hall and website
- Social media posting on facebook for public hearings at least 14 days prior to the hearing
- Where public has provided personal emails, notice by email if the amendments affect more than 10 parcels

Development Permits and Development Variance Permits

- Mailed notices to owners/tenants within 50 m of subject property at least 10 days prior to Council's consideration of the DP or DVP

### ***Required Amendments*** to the Notification Process

- Add to the list of applications that require notice for example Temporary Use Permits, Liquor or Cannabis related permits, ALR applications
- Public hearings are prohibited for zoning amendments that are consistent with the OCP and include more than 50% GFA of residential space.
  - Notice must be made 10 days prior to Council's consideration of first reading

### ***Proposed Amendments*** to the Notification Process

- No notice for development permit applications.
  - Some local governments establish thresholds, for example, large commercial space or multi-family housing with a large number of units. Cumberland's trigger is five or more units.
- No notice for minor development variance permits delegated to staff to approve.
  - Some local government require notices for all DVPs minor or otherwise.

- Notice would still be required for major DVPs and DPs with a DVP.
- Require a sign be posted on the subject property for OCP and Zoning Amendments, TUP applications and ALR exclusion or non-farm use applications.

### 3. Community or Public Information Meetings (PIMs)

#### **Current**

- Bylaw 1109 does not require or establish any process to hold a community information meeting. The Local Government Act requires one additional means of consultation for an OCP amendment. Many communities require these meetings be held early in the application process to provide an opportunity for input. In some cases, this input can help the applicant to modify their application. These meetings are often held by the developer and at their expense.
- PIMs are typically required for OCP, zoning amendments, temporary use permits and sometimes development variance permits. The latter would have to have significant impact.

#### **Proposed Amendment**

- Require PIMs for OCP amendments, zoning amendments and TUPs where the application involves development.

### **APC Direction**

Staff is requesting the APC's comments and direction on the following:

1. The types of applications that should be included in the development approval procedures bylaw
2. The types of application for which notice should be provided and the form that notices should take
3. Whether Community or Public Information meetings should be required

Signed:

***Brigid Reynolds***

Brigid Reynolds RPP MCIP  
Contract Planner