

## DRAFT Delegation bylaw

Council delegates its powers, duties and functions under sections 490 [Development permits] and 491 [Development permits: specific authorities] of the Local Government Act, to the Chief Administrative Officer, or Delegate, subject to there being no variances of municipal bylaws involved.

(3) Council delegates its powers to require security under section 502 [Requirement for security as a condition of land use permit] of the Local Government Act in respect of matters delegated under subsections (1) and (2) above to the Director of Planning and Building.

(4) Despite subsection 22(1), Council delegates to the Director of Planning and Building its powers to issue:

(a) development permits, which under section 490(1)(a) [Development permits: general authority] of the Local Government Act contain minor variances;

(b) development variance permits under section 498 [Development variance permits] of the Local Government Act for minor variances.

with approval subject to:

(c) Registration of, or modification to, any covenants, easements or statutory rights-of-way the delegate determines to be necessary.

(5) A proposed variance is minor for the purposes of subsection (4) only if it meets the criteria set out in Schedule A, attached and herein forming part of this bylaw.

(6) In deciding whether to issue a development variance permit or development permit containing a variance, the delegate in subsection (4) must consider the guidelines set out in Schedule B, attached and herein forming part of this bylaw.

### **Land use approvals – reconsideration**

23 (1) The owner of land who is subject to a decision made under the delegated authority under section 22 of this bylaw is entitled to have the decision reconsidered by Council in accordance with this section.

(2) Where the owner wishes to have Council reconsider a decision made under the delegated authority under section 22 of this bylaw:

(a) The owner must, within 30 days of the decision having been communicated to the owner, make an application in writing to the Corporate Officer, which application must include the following:

- (i) a description of the decision sought to be reconsidered by Council;
  - (ii) the date of the decision;
  - (iii) the name of the delegate who made the decision;
  - (iv) the grounds on which reconsideration is being requested; and
  - (v) a copy of any materials that the owner wishes Council to take into account when reconsidering the decision.
- (b) Council must reconsider the decision at a regular meeting of Council or a Public and Statutory Hearing meeting held within a reasonable period of time after the date on which the application for reconsideration was delivered to the Corporate Officer. [BL3963]
- (c) The Corporate Officer must:
- (i) Place the reconsideration of the decision on the agenda for a regular meeting of Council or a Public and Statutory Hearing meeting in accordance with paragraph (b) above; [BL3963]
  - (ii) Give notice of reconsideration of the decision in accordance with any notice requirements applicable to the original decision; and
  - (iii) Before the reconsideration of the decision by Council, deliver to each Council member a copy of the materials that were considered by the delegate in making the decision that is to be reconsidered, and a copy of all materials submitted by the owner to the Corporate Officer as part of the application for reconsideration.
- (d) In reconsidering the decision the Council must consider all the material before it.
- (e) At the meeting at which Council is to reconsider the decision, Council will first hear from staff in relation to the subject matter of the decision and in relation to the decision itself, and will then hear from the owner. Council may then hear from staff in relation to any new information raised by the owner in its submissions to Council.
- (f) Council is entitled to adjourn the reconsideration of the decision; and
- (g) After hearing from staff and the owner, Council will reconsider the decision and may either confirm the decision, amend the decision, or set aside the decision and substitute the decision of Council.