



The Corporation of the District of Saanich

Report

To: Mayor and Council

From: Lindsay Chase, Director of Planning

Date: March 05, 2025

Subject: Delegation Authorization Bylaws No. 10142 and 10121

File: 1110-30

RECOMMENDATIONS

That Council:

1. Rescind Third Reading of the Delegation Authorization Bylaw (Development Variance Permits), 2025 No. 10121;
2. Make the following amendments to the proposed Delegation Authorization Bylaw (Development Variance Permits), 2025, No. 10121:
 - a. In section 2(d)(viii)(b), by deleting the word "increase" and replacing with the word "decrease",
 - b. In section 2(d)(ix), by deleting the word "increase" and replacing with the word "decrease";
3. Give Third Reading to the Delegation Authorization Bylaw (Development Variance Permits), 2025 No. 10121, as amended.
4. Rescind Third Reading of the Delegation Authorization Bylaw (Development Permits), 2020, Amendment Bylaw, 2025, No. 10142;
5. Make the following amendments to the proposed Delegation Authorization Bylaw (Development Permits) 2020, Amendment Bylaw, 2025, No. 10142:
 - a. In section 1(h)(ii), by deleting the word "increase" and replacing with the word "decrease",
 - b. In section 1(i), by deleting the word "increase" and replacing with the word "decrease";
6. Give Third Reading to the Delegation Authorization Bylaw (Development Permits), 2020, Amendment Bylaw, 2025, No. 10142, as amended;

PURPOSE

To correct two errors in the proposed Delegation Authorization Bylaws (Nos. 10121 and 10142) prior to Final Adoption. The two bylaws are included as Attachments 1 and 2 to this report.

BACKGROUND

At the Regular Council meeting of February 24, 2025 Council received a report regarding Delegation Authorization for Development Variance Permits and Variances by Development Permit Amendments. The report included two separate bylaws on this matter:

- Bylaw No. 10121 which is a standalone bylaw establishing new procedures to delegate minor variances through Development Variance Permits, and

- Bylaw No. 10142 which is an amending bylaw to delegate minor variances as part of Development Permit Amendments to the existing Delegation Authorization Bylaw (Development Permits) 2020, No. 9649.

DISCUSSION

Following the February 24 meeting it was noted that two sections erroneously referred to delegating a minor variance to “increase” a regulation, rather than a “decrease”. The same error is contained in both proposed bylaws and pertain to regulations for combined setback and building separation. Therefore, correcting these errors prior to Final Adoption is recommended.

COUNCIL OPTIONS

1. That Council approve the recommendations of this report and proceed to adopt the bylaws as amended.
2. That Council reject the recommendations of the report.
3. That Council provide alternative direction to staff.

LEGAL IMPLICATIONS

If the proposed bylaws are not amended, that would effectively mean the Delegate could not consider minor variances for combined setback or building separation as intended.

FINANCIAL IMPLICATIONS

If the proposed bylaws are not amended, circumstances could occur where an applicant would not benefit from a reduced process timeline and application fee since they would be required to have the variance considered by Council, which is a longer process and more costly process.

STRATEGIC PLAN IMPLICATIONS

If the proposed bylaws are not amended, the full benefit of reduced application processing times would not be realized to the full extent anticipated, and as supported by the Strategic Plan Objective 6.3.1 “Review and improve the development application process based on recommendations in the KPMG report.”

CONCLUSION

The proposed amendments arise from errors in the bylaw, which would effectively eliminate the delegation of minor variances for combined setback and building separation. Since it was the intention to include these in the suite of regulations that could be considered by a delegated authority, correcting these errors prior to Final Reading is recommended.

Prepared by: Andrea Pickard, Senior Planner

Approved by: Lindsay Chase, Director of Planning

Attachments:

Attachment 1: Delegation Authorization Bylaw (Development Variance Permits), 2025, No. 10121

Attachment 2: Delegation Authorization Bylaw (Development Permits), 2020, Amendment Bylaw, 2025 No. 10142

ADMINISTRATOR’S COMMENTS:

I endorse the recommendation from the Director of Planning.

Brent Reems, Chief Administrative Officer