



City of Port Moody

Bylaw No. 3219

A Bylaw to amend City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918 to include early input opportunities.

The Council of the City of Port Moody enacts as follows:

1. Citation

- 1.1 This Bylaw may be cited as “City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918, Amendment Bylaw No. 4, 2019, No. 3219”.

2. Amendments

- 2.1 City of Port Moody Development Approval Procedures Bylaw, 2011, No. 2918 is amended by adding the following definition to section 3.1:

“Pre-Application means an Application specifically for initial review of a tentative proposal by staff and or by Council in order to provide guidance for the preparation of an Application.”.

- 2.2 Bylaw No. 2918 is further amended by replacing section 4. SCOPE with the following section 4:

“4. SCOPE

- 4.1 This Bylaw shall apply to:

- (a) A preliminary review through a Pre-application for a possible Official Community Plan, Zoning Bylaw, or Land Use Contract amendment;
- (b) An amendment to:
 - (i) the Official Community Plan;
 - (ii) the Zoning Bylaw;
 - (iii) a Land Use Contract; and
- (c) The issuance of a permit, including:
 - (i) a Development Permit;
 - (ii) a Development Variance Permit;

(iii) a Temporary Commercial Use or Temporary Industrial Use Permit.”

2.3 Bylaw No. 2918 is further amended by deleting section 6. Procedures for Processing Official Community Plan Zoning Bylaw, and Land Use Contract Amendment Applications in its entirety.

2.4 Bylaw No. 2918 is further amended by adding the following section 6:

“6. PROCEDURES FOR PRE-APPLICATION REVIEW

6.1 Review

6.1.1 Depending on the particulars of the Pre-application, it may be referred to other City staff and applicable external agencies by the General Manager of Planning and Development for review and comments.

6.1.2 Under the direction of the General Manager of Planning and Development, staff shall provide a summary to Council advising on the results of the Pre-application review.

6.2 Council Input

6.2.1 The applicant of a Pre-application has the option to present the tentative proposal to Council for information.”.

2.5 Bylaw No. 2918 is further amended by adding the following section 7 and renumbering subsequent sections:

“7. PROCEDURES FOR PROCESSING OFFICIAL COMMUNITY PLAN, ZONING BYLAW, AND LAND USE CONTRACT AMENDMENT APPLICATIONS

7.1 Review

7.1.1 Depending on the particulars of the Application, it may be referred to other City staff and applicable external agencies by the General Manager of Planning and Development or designate for review and comments.

7.1.2 Under the direction of the General Manager of Planning and Development or designate, upon receipt of a complete application, staff shall refer the application to the Community Planning Advisory Committee for review prior to consideration of Council.

7.1.3 Under the direction of the General Manager of Planning and Development, staff shall prepare a report to Council following the first staff review advising on the merits of the Application and include input received from the Community Planning Advisory Committee.

- 7.1.4 Under the direction of the General Manager of Planning and Development, staff shall prepare a report to Council to consider the application and bylaw(s) once the items addressed in the review process have been substantially addressed.
- 7.1.5 Notwithstanding items 7.1.2, 7.1.3, and 7.1.4 RS1-S (Small Lot) rezoning applications are exempt from the requirement of seeking Community Planning Advisory Committee review.

7.2 Council Consideration

- 7.2.1 Council may, upon receiving the staff report regarding the subject Application:
 - (a) authorize drafting of a Bylaw Amendment pursuant to the Application for Council consideration;
 - (b) defer the Application;
 - (c) if the proposed amending bylaw is available at the time the application is considered by Council, give first reading to a Bylaw Amendment pursuant to the Application; or,
 - (d) refuse the Application.
- 7.2.2 Where Council gives first and second reading to a Bylaw Amendment pursuant to an Application, it will consider referral of the bylaw to a public hearing.
- 7.2.3 After Council has given third reading to a Bylaw Amendment, the General Manager of Planning and Development, or his or her designate, will advise the applicant as to any steps to be taken prior to further Council consideration of the Bylaw Amendment, if necessary.
- 7.2.4 Notwithstanding section 10 of this bylaw, upon written request by the applicant, the General Manager of Planning and Development or designate may provide an additional one year period between third reading and final adoption to enable the applicant to complete the requirements for final adoption. A maximum of two (2) one-year time extensions may be granted.
- 7.2.5 Where an extension has been granted and the applicant fails to meet the deadline, Council may consider rescinding the bylaw. If the bylaw is rescinded, the application file shall be closed by staff and the applicant shall be notified in writing.

7.3 Consultation

- 7.3.1 For OCP Amendments, Council delegates to the General Manager of Planning and Development, the duty to consider and provide, if necessary, early and ongoing consultation with

persons, organizations, and authorities as required under the *Local Government Act*.

- 7.3.2 Prior to proceeding to Council with the proposed Bylaw Amendment, the applicant may be required to conduct a consultation process on the application, if required by the General Manager of Planning and Development in accordance with the approved guidelines for public and stakeholder consultation.
- 7.3.3 Public input at the community information meetings referred to in section 6.3.2 must be recorded in accordance with the approved guidelines for public and stakeholder consultation.

7.4 Notification

- 7.4.1 The City will ensure a notice is posted on the subject land(s):
 - (a) no later than two weeks after submitting a complete development application;
 - (b) not less than ten (10) days prior to the public hearing, include the meeting information with respect to the public hearing on the posted notice;
 - (c) in a manner that is highly visible from a public road adjoining the land;
 - (d) in accordance with the size, form and content specified in Schedule "A" to this bylaw; and
 - (e) where more than one parcel of land is involved in the Application and the parcels are contiguous, a single notice may be posted providing that it clearly shows all the parcels of land that form part of the Application and specifies how each is affected by the Application.
- 7.4.2 Notice of public hearing shall be published and mailed or otherwise delivered in accordance with the *Local Government Act*.
- 7.4.3 The notice sign may be removed after completion of the Public Hearing; once an application has been withdrawn; or once the application is deemed inactive by the General Manager of Planning and Development.”.

2.6 Bylaw No. 2918 is further amended by replacing the following section 9.3.3:

“9.3.3. The notice sign is to be removed within one week of the application being approved or refused by Council; within one week of the application being withdrawn by the applicant; or once the application is deemed inactive by the General Manager of Planning and Development.”

with the following section 10.3.3:

“10.3.3. The notice sign may be removed after completion of the Public Hearing; once an application has been withdrawn; or once the application is deemed inactive by the General Manager of Planning and Development.”.

2.7 Bylaw No. 2918 is further amended by replacing Schedule A with Schedule A attached to and forming part of this Bylaw.

3. Attachments and Schedules

3.1 The following schedule is attached to and form part of this Bylaw:

- Schedule A – Notification Sign Requirements

4. Severability

4.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

Read a first time this ___ day of _____, 2019.

Read a second time this ___ day of _____, 2019.

Read a third time this ___ day of _____, 2019.

Adopted this ___ day of _____, 2020.

Acting Mayor

D. Shermer
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3219 of the City of Port Moody.

D. Shermer
Corporate Officer

Schedule A

Notification Sign Requirements

The notice shall contain the following information:

- Type of application(s);
- Address or legal description of the property;
- Name, address, and contact information of applicant or agent;
- Description of proposed development;
- Context map with the subject property identified;
- Date (estimate) of open house or information meetings (to be added / updated when known);
- Date of public hearing (to be added in high visibility colour once set);
- E-mail address for providing comments to Council;
- Contact information of the Planning and Development Department;
- City of Port Moody logo; and
- Date application received.

The notice(s) shall have sufficient dimensions, and shall be located in a highly visible location, to the satisfaction of the General Manager of Planning and Development.