

Attachment 2

The following table outlines the proposed general approach to vary the requirements of City bylaws, as set out in Section 498 of the *LGA*, through development variance permits, as an update to the table provided to Council as Appendix 1 in the Council report titled “Framework for Establishing Development Variance Permits and Processes”, dated July 25, 2022.

Bylaws	Bylaw Requirements	General Approach for the Proposed Variance	Approving Authority
Zoning Bylaw	Siting, size, and dimensions of principal and accessory buildings and structures, or a portion of it, including the required yards, distance between the buildings, building height, number of storeys, building width and depth, maximum/minimum frontage of buildings and uses, and similar related requirements, with the exception of the requirements related to fences and retaining walls, clearance at intersections, lot coverage, and minimum/maximum floor area of a dwelling unit/living unit.	<p>Supportable, for principal buildings and their associated accessory buildings, structures, and uses, provided that they do not unduly impose on the adjacent properties and neighbourhood and are generally in compliance with other City policies and bylaws, such as the Official Community Plan.</p>	<p>The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.</p>
	Siting, size, and dimensions of permitted uses or a portion of it (i.e. setback of off-street parking from property’s side and rear yards).		
	Antennae requirements, including area, height, etc.		
	Retaining wall requirements, including height, horizontal distance and landscaping between wall segments, etc.	<p>Supportable, provided there is minimal visual impact on the adjacent properties and neighbourhood.</p>	<p>The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.</p>
	Fence requirements, including height.		

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Bylaws	Bylaw Requirements	General Approach for the Proposed Variance	Approving Authority
	Screening and landscaping requirements to mask or separate uses (not including fence requirements of the Zoning Bylaw (sec. 6.14.2)), including height, width, siting, etc.	Supportable , provided that the proposed alternative continues to improve neighbourhood aesthetics and/or mask uses that impose on adjacent properties.	The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.
	Lot coverage, provided that it does not increase the permitted density of building, structure, or land.	Supportable , provided that the proposed building bulk does not unduly impose on the adjacent properties beyond what is generally permitted within the zoning district; an adequate outdoor area is provided on a property where required; and proposed coverage is not in conflict with impervious surface requirements.	The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.
	Requirements related to clearance at intersections.	Supportable , provided that they are in support of heritage retention and/or the construction of permitted accessory buildings and uses at the rear of narrow corner lots; and are approved by the Engineering Department to ensure operational safety and easy maneuvering at intersections.	The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.
	Size and dimension of permitted uses (i.e. number of employees in a home occupation, maximum floor area of photocopy services in a commercial district).	Supportable , provided that they do not unduly impose on adjacent uses, properties, and the neighbourhood or conflict with other City regulations or Provincial licensing requirements.	The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.

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Bylaws	Bylaw Requirements	General Approach for the Proposed Variance	Approving Authority
Zoning Bylaw	<p>Location of uses on a property or within a building/structure, such as parking, loading, storage yard, home-based child care facilities, etc.</p> <p><u>Note:</u> Where the location of a use is considered a condition of use, or is associated with residential rental tenure requirements, it may not be varied through DVP.</p>	<p>Supportable, provided that it does not unduly impose on adjacent uses, streetscapes, City service, and public safety, and it complies with the applicable OCP/community plan’s policies and/or Provincial licensing requirements.</p>	<p>The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.</p>
	<p>Minimum floor area of a dwelling unit, living unit, multi-family flex unit.</p>	<p>Not supportable, to ensure livability of the units.</p>	<p>Council</p>
	<p>Maximum floor area of a multi-family flex unit.</p>	<p>Not supportable, to maintain the accessory nature of the accessory dwelling units.</p>	<p>Council</p>
	<p>Maximum floor area of accessory buildings in the RM and A Districts.</p>	<p>Not supportable, to maximize density of habitable spaces in the RM and A Districts.</p>	<p>Council</p>
	<p>Unit mix in Category B Supportive Housing.</p>	<p>Not supportable, to ensure the provision of a balanced unit mix in supportive housings to meet the diverse housing needs of the community.</p>	<p>Council</p>
	<p>Driveway access requirement off of a lane in the R1 SSMUH District.</p>	<p>Not supportable, to ensure driveways are provided off of lane when it is feasible, in order to improve safety and accessibility on sidewalks, maximize street parking, etc.</p>	<p>Council</p>

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Bylaws	Bylaw Requirements	General Approach for the Proposed Variance	Approving Authority
Zoning Bylaw	Impervious surface requirements, including area, materials, etc.	Not supportable , to ensure adequate permeable surface is provided on a property for storm and ground water management purposes.	Council
	Minimum lot area and lot width, provided that it is not a condition of use, and it does not increase the density of land.	Not supportable , to maintain consistency with Provincial legislation.	Council
	Streamside Protection and Enhancement Areas.	Not supportable , to protect the environmentally sensitive areas.	Council
	Minimum number and dimensions of off-street parking spaces and maneuvering aisles.	Supportable , provided that it is demonstrated that it meets the actual needs of the users and is approved by the Engineering Department to ensure safety, feasibility, accessibility and easy maneuvering.	The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.
	The accessible/van accessible parking requirements, including minimum number and dimensions of the spaces and access aisles, maximum slopes of the parking spaces and pedestrian routes connecting parking spaces to the building entrance.	Supportable , provided that full compliance would result in economic hardship, the requirement is substantially met to address the needs of users, and it is approved by the Engineering Department to ensure safety, feasibility, accessibility and easy maneuvering.	The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.
Zoning Bylaw	The requirement applicable to the shared use of parking spaces and the use of excess off-site parking spaces, including the maximum distance between the parking spaces and uses.	Supportable , provided that required measures are considered to ensure safety, accessibility, and convenience for off-site users.	The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.

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Bylaws	Bylaw Requirements	General Approach for the Proposed Variance	Approving Authority
Zoning Bylaw	Visitor parking requirements, including the minimum number and dimensions of parking spaces and access aisles, the provision of turn-around areas, gates, etc.	Supportable , provided that it is demonstrated that it meets the actual needs of the users and is approved by the Engineering Department to ensure safety, feasibility, accessibility and easy maneuvering.	The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.
	Payment-in-lieu (PIL) of parking requirements.	Not supportable , to ensure consistency in application of the PIL program throughout the City.	Council
	EV charging infrastructure.	Not supportable , to ensure all parking spaces will have access to EV charging infrastructures.	Council
	The required number of carwash stalls.	Supportable , provided that other alternatives are considered to satisfy this requirement.	The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.
	The required bicycle parking and end-of-trip facilities.	Supportable , provided that it is demonstrated that it meets the actual needs of the users and is approved by the Engineering Department to ensure safety, feasibility, accessibility and convenience.	The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.
	Minimum dimensions of off-street loading spaces.	Not supportable , to ensure the prescribed standards provided in the Zoning Bylaw are met.	Council

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	The required number of off-street loading spaces.	Supportable , provided that other alternatives are considered to satisfy these requirements.	Council
Subdivision Control Bylaw	The provision of works and services in relation to the subdivision of land.	Not supportable , to ensure all properties have access to all required services.	Council
	The minimum standards related to dimensions, location, alignment and gradient of roads, sidewalks, boulevards, street lighting, and underground wiring.	Not supportable , to ensure all properties have access to all required services.	Council
	The minimum standards for water distribution system, sewage disposal system, fire hydrant system, sewage collection system, sewage disposal system, drainage collection system, drainage disposal system.	Not supportable , to ensure all properties have access to all required services.	Council
Sign Bylaw	The requirements of the Sign Bylaw, including the maximum number, size and dimensions, siting and location, types, minimum height, projection over public properties, etc.	Supportable , provided that it does not unduly impose on adjacent uses, street, City services, and public safety, and it maintains the visual integrity of the area.	The General Manager of Planning and Development for minor variances, and Council for all other variances, as well as reconsideration of minor variances.