



CARIBOO REGIONAL DISTRICT
BYLAW NO. 5008

A bylaw to establish regulations for requiring
Development Approval Information.

WHEREAS the Board must under Section 486 (2) of the *Local Government Act* establish procedures and policies outlining the process for requiring development approval information and the substance of the information that may be required where an Official Community Plan includes a provision under section 485 (1) of the *Local Government Act*.

NOW THEREFORE the Board of Directors of the Cariboo Regional District hereby enacts as follows:

TITLE:

- (1) This bylaw may be cited as the “Cariboo Regional District Development Approval Information Bylaw No. 5008, 2016”.

DEFINITIONS:

- (2) For the purpose of this bylaw, the following terms are defined as follows:
 - (a) “Board” means the elected and appointed directors of the Cariboo Regional District acting as the Cariboo Regional District Board in assembled meetings thereof.
 - (b) “Designate” means an individual appointed verbally or in writing by the Manager of Planning Services, Deputy Chief Administrative Officer or Chief Administrative Officer to carry out any duty or duties of the Manager of Planning Services.
 - (c) “Highway” includes a street, road, lane, bridge, viaduct and any other way open to public use, but does not include a Forest Service Road, a private right of way on private property, or a pathway not intended for vehicular traffic.
 - (d) “Regional District” means the corporation of the Cariboo Regional District, in the Province of British Columbia, and where the context so requires also means the land included in the boundaries of the Cariboo Regional District.
 - (e) “Subject property” means the entirety of all lands wholly or partially subject to an application. Where an application refers partly or wholly to a portion of unsurveyed Crown land, only that land under application will be considered subject property.

SCOPE:

- (3) Notwithstanding Section 487(3) of the *Local Government Act*, this bylaw enables requisition of development approval information for the following:
- (a) An application to amend a zoning bylaw;
 - (b) An application for development permit; or
 - (c) An application for a temporary use permit.

DEVELOPMENT APPROVAL INFORMATION

- (4) Where an Official Community Plan identifies land as being an area for which development approval information is required for an application, the procedures and policies for requiring such information and the substance of such information are set out in this bylaw.
- (5) If the subject property lies within an area which has been designated a development approval information area under an Official Community Plan, the Manager of Planning Services or their designate, upon receipt of an application, and at any time prior to third reading, will determine whether and to what extent the development approval information is required.
- (a) Upon determining whether and to what extent the development approval information is required, the Manager of Planning Services or their designate will issue a requisition outlining the information requirements pursuant to Sections (11) through (21) by mail.
- (6) Where development approval information is required, the information will be provided by the applicant, at the applicant's expense, in the form of a report prepared by the appropriate professional, as outlined in Section (22), to the Regional District within 120 days of the date noted on the development approval information requisition under Section (5)(a) of this bylaw.

Request for Reconsideration:

- (7) Pursuant to Section 487(4) of the *Local Government Act*, an applicant who is required to submit a report pursuant to Section (5) of this bylaw may appeal to the Board for reconsideration without charge, by submitting a written notice to the Manager of Planning Services or their designate within thirty (30) days of the date noted on the development approval information requisition under Section (5)(a) of this bylaw, which will:
- (a) state the nature of the proposed development and its location; and
 - (b) indicate the reasons why the development approval information required may not be relevant to the application; or

- (c) submit an alternative source of information or request that a different professional prepare the information for the Board's consideration.
- (8) A request made under Section (7) will be considered by the Board within sixty (60) days of the Regional District receiving written notice, in which case the Board will make a final decision and specify the length of time to submit any required development approval information.
- (9) The Corporate Officer must:
 - (a) arrange for each request for consideration to be placed on the agenda for a regular meeting of the Board in accordance with Section (8); and
 - (b) before each reconsideration by the Board, deliver to each Board member a copy of the letter sent under Section (5)(a) of this bylaw.
- (10) At a reconsideration of a requisition for development approval information, the owner or applicant is entitled to be heard by the Board.

Geotechnical:

- (11) If the Regional District requires information in the form of a report related to the geotechnical suitability of land in relation to a proposed development, the Manager of Planning Services or their designate may require that the report:
 - (a) assess the geomorphology, topography and soil composition of the land to be developed;
 - (b) assess the hydrology of the land to be developed, both surface and sub-surface;
 - (c) assess any rooted vegetation and topographical features of the land to be developed, as it may affect soil stability, erosion and land slip;
 - (d) identify the natural boundary of a water body, watercourse or top of bank, as established by a BC Land Surveyor;
 - (e) assess any existing or proposed on-site sewage systems, as they may affect soil stability, erosion and land slip;
 - (f) assess the occurrence and potential impact of flood torrents or storm waves on the land to be developed;
 - (g) assess any sediment loading, turbidity, and any other water quality or quantity concern, which may affect domestic surface water;
 - (h) assess and provide recommendations on the proposed development, including siting of buildings, structures and sewage treatment facilities, building foundations and other structural support, excavation and filling, proposed methods of drainage and sewage absorption, and the sequence of construction that may be required to mitigate against any detrimental environmental effects; and
 - (i) certify that the land is safe for the use intended.

Transportation Networks:

- (12) If the Regional District requires information in the form of a report related to the impact of a proposed development on transportation networks, including traffic flow, the Manager of Planning Services or their designate may require that the report:
- (a) estimate the number of additional vehicle trips per day to be generated by the proposed development;
 - (b) provide an analysis of the proposed development's impact on existing public highways receiving increased traffic circulation, including vehicular capacity of the road, size and configuration of intersections, turning lanes, traffic lights and pullout areas;
 - (c) provide an analysis of the impact of traffic generated by the proposed development on nearby and adjacent uses of the land;
 - (d) provide an analysis of the impact of traffic to be generated by the proposed development on areas where there may be conflict with vehicles including, without limitation, paths or walking trails, wildlife corridors and other intersection points;
 - (e) provide on-site parking and loading requirements and identify internal circulation routes of the proposed development;
 - (f) provide a breakdown of traffic flows associated with the proposed development as follows:
 - (i) weekday and weekend traffic rates;
 - (ii) peak and morning and evening traffic rates
 - (iii) different rates associated with different land use activities; and
 - (iv) percentage of in and out flows.
 - (g) identify any highway upgrading, reconstruction, reconfiguration or expansion to the highways referred in Section (12)(b) that may be necessary in order to accommodate the additional vehicle trips per day to be generated by the proposed development, including the construction of, or alterations to, intersections, turning lanes, traffic lights and pullout areas and their cost and potential funding sources; and/or
 - (h) provide solutions to possible traffic problems in addition to those described in Section (12)(g), including without limitation, opportunities for facilitating transit use, and access by alternative highways.

Local Infrastructure Impact:

- (13) If the Regional District requires information in the form of a report relating to the impact of a proposed development on local infrastructure, the Manager of Planning Services or their designate may require that the report:
- (a) estimate the demand to be generated by the proposed development for water;

- (b) provide an analysis of existing public water systems, if any, and the options available for the supply and delivery of water to the proposed development;
- (c) provide an analysis of existing systems for treatment and disposal of sewage, if any, and the options available for the treatment and disposal of sewage from the proposed development;
- (d) estimate the amount of surface drainage water that would be generated by the proposed development and the options available for the suitable collection, storage and disbursement of drainage;
- (e) identify any possible deficiencies of the current water, sewage disposal and drainage systems in dealing with the proposed development; and/or
- (f) identify the new capital works required for the proposed development for water, sewage disposal and solid waste disposal systems, their cost and the potential funding sources for these expenditures.

Physical Environment:

- (14) If the Regional District requires information in the form of a report relating to the impact of a proposed development on the natural environment, the Manager of Planning Services or their designate may require that the report:
 - (a) identify on the site, the proposed development and any of the following geographical and biological features, both surface and subsurface:
 - (i) watercourses, either permanent or intermittent;
 - (ii) wetlands and bogs;
 - (iii) lakeshore regions;
 - (iv) topography and slopes;
 - (v) flora;
 - (vi) functioning ecosystems;
 - (vii) fish and wildlife habitat;
 - (viii) groundwater quality and quantity;
 - (ix) soil type and conditions;
 - (x) surface water drainage patterns; and
 - (xi) bedrock or other impervious layer(s).
 - (b) estimate the volumes of surface drainage water that would be directed to watercourses and the methods to be used to ensure that contaminants are not released into these waters as a result of the proposed development;
 - (c) examine the impact of the proposed development on the discharge of surface drainage water in relation to fish habitat;

- (d) examine the potential for slipping of soil, sand or silt into watercourses as a result of the construction of buildings and structures and the installation of paved areas and the removal of trees and other vegetation that would be removed to accommodate the proposed development;
- (e) examine the impact of the proposed development on fish and wildlife habitat, if any, and the alteration of native fauna related to such habitat and any functioning ecosystems, including without limitation, any rare and endangered plant or animal species;
- (f) examine the impact of the construction of any type of bridge on watercourses and the banks of such watercourses;
- (g) provide a plan for rehabilitation or revegetation to be undertaken by the applicant during and after the construction of the proposed development to restore and preserve disturbed soils, prevent erosion or sloughing and to restore native flora and fauna;
- (h) examine the site's environmentally sensitive features;
- (i) examine how the proposed development may impact the environment on the site of the proposed development and adjacent properties;
- (j) examine how the applicant proposes to mitigate any potential impacts on the environment; and/or
- (k) examine how the applicant proposes to ensure that no foreign materials enter into any watercourses, including without limitation, greases, oils, petroleum products, sediments, and other contaminants during and after the construction of the proposed development.

Affordable, Rental and Year-Round Housing:

- (15) If the Regional District requires a report containing information relating to affordable, rental and year-round housing, the Manager of Planning Services or their designate may require that the report identify and quantify the impact of the proposed development on vacancy rates, average housing costs and/or impact on year-round housing. Where new residential development is proposed by rezoning and/or an Official Community Plan amendment, the Regional District may require a report on the adequacy of properties designated as residential to meet the anticipated housing needs over a period of at least five years.
- (16) The Manager of Planning Services or their designate will have the discretion to further refine the requirements noted in Section (15).

Archaeology & Heritage Resources:

- (17) If the Regional District requires a report containing information relating to heritage and archaeological sites and/or resources, the Manager of Planning Services or their designate may require that the report:

- (a) contain the results of a public consultation process where community heritage mapping projects identify community heritage values through direct community participation;
 - (b) provide historically contextual, thematic or overview studies which describe and illustrate the growth, development and evolution of a community to show how buildings, structures and districts have played a significant role within this history and how they have shaped the communities of today;
 - (c) provide a heritage system plan that illustrates the full range of historical themes that represent a community's heritage; and/or
 - (d) provide archaeological overview assessment mapping and statements of archaeological resource potential and distribution.
- (18) The Manager of Planning Services or their designate will have the discretion to further refine requirements noted in Section (17).

Wildfire Urban Interface:

- (19) If the Regional District requires a report containing information relating to community services and public facilities, the Manager of Planning Services or their designate may require that the report identify susceptibility to wildfire, from conditions both on and off-site, and specify ways to reduce wildfire hazard and wildfire risk.

Community & Emergency Protective Services:

- (20) If the Regional District requires a report containing information relating to community services and public facilities, the Manager of Planning Services or their designate may require that the report:
- (a) identify the local community services that would be affected by the proposed development, including without limitation, the provision of school services, public transit, parkland and public space, recycling facilities, protective services such as fire and police services, health care and recreational facilities;
 - (b) examine the potential financial impacts of the proposed development on existing community services and public facilities; and/or
 - (c) outline any potential costs and identify possible strategies to mitigate against the potential impacts, including an outline of potential funding sources for the provision of additional community services and public facilities that may be required as a consequence of the proposed development.

Development (Sustainability) Checklist:

- (21) The Manager of Planning Services or their designate may require that the applicant provide a report outlining a review of the proposal against the development (sustainability) checklist attached as Schedule "A".

Development Approval Information Requirements:

- (22) Unless authorized by the board, a report containing required development approval information must be prepared by a professional consultant or practitioner as generally outlined in Table 1 below:

Type of Information	Required Professional Accreditation
Geotechnical	Geotechnical Engineer (P. Eng.) or Professional Geoscientist (P. Geo.)
Transportation Networks	Traffic Engineer (P. Eng.)
Local Infrastructure Impact	Civil Engineer (P. Eng.)
Physical Environment	Registered Professional Biologist (R.P. Bio.) Hydrologist (P. Eng.)
Affordable, Rental and Year-Round Housing	Member, Canadian Institute of Planners (MCIP)
Archaeology & Heritage Resources	Professional Member, British Columbia Association of Professional Archaeologists (RCPA)
Community & Emergency Protective Services	Member, Canadian Institute of Planners (MCIP) Architect (MAIBC) Civil Engineer (P. Eng.)
Development (Sustainability) Checklist	Member, Canadian Institute of Planners (MCIP) Architect (MAIBC)

Table 1

- (23) The required professional consultant or practitioner referred to in Section (22) must have qualifications directly related to providing the type of information required.

REVIEW:

- (24) Within twenty-one (21) days of receiving a report under Section (5)(a), the Manager of Planning Services or their designate will decide whether such report is complete.
- (a) If in reviewing a report containing development approval information, it is determined that such report is incomplete or deficient, the Manager of Planning Services or their designate will notify the applicant in writing within twenty-one (21) days of receiving such report indicating the nature of such deficiencies.
- (25) An applicant who receives a notice from the Manager of Planning Services or their designate under Section (24)(a) will re-submit the corrected report within six (6) months of receiving such notice. Otherwise the file will be closed. Staff will send a warning letter to

the applicant(s) approximately one (1) month prior to file closure advising of impending file closure.

- (a) The Manager of Planning Services or their designate may consider extenuating circumstances and grant an extension of the expiry.

Independent Review:

- (26) If the Manager of Planning Services or their designate considers that the development approval information provided by an applicant requires an independent review prior to consideration by the Board, the Manager of Planning Services or their designate may require the applicant to provide such a review of the information including a review of the methodology used in its preparation no more than twenty-one (21) days from receipt of the development approval information.
- (27) The Manager of Planning Services or their designate may specify that the independent review be conducted by a member of the relevant professional association and may specify the terms of reference for the review, but will not permit the independent reviewer to complete the review in more than sixty (60) days.
- (28) The applicant must arrange for the independent review to be conducted and submitted in writing to the Board, at the applicant's expense and within the time specified by the Manager of Planning Services or their designate.

PROPRIETARY RIGHTS & PUBLICATION OF INFORMATION:

- (29) The Regional District and its officers and employees may distribute and publicize any report or other document containing development approval information or any non-personal information submitted pursuant to this bylaw.

SEVERABILITY:

- (30) If any section, subsection, sentence, clause or phrase of this bylaw is held to be invalid by a court of competent jurisdiction, that section, subsection, sentence, clause or phrase, as the case may be, will be severed and the validity of the remaining portions of the bylaw will not be affected.

REPEAL BYLAW:

- (31) "Cariboo Regional District Development Approval Information Bylaw No. 4685, 2011" is hereby repealed.

READ a first time this 24th day of March 2016.

READ a second time this 24th day of March 2016.

READ a third time this 24th day of March 2016.

ADOPTED this 24th day of March 2016.

Chair

Corporate Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5008 cited as the “Cariboo Regional District Development Approval Information Bylaw No. 5008, 2016” as adopted by the Cariboo Regional District Board on the 24th day of March, 2016.

Corporate Officer

SCHEDULE “A”:

A checklist of sustainable features to be used as a resource for Cariboo Regional District staff and the Board:

APPLICANT INFORMATION:

Property Address

Registered Property Owner

Applicant Name

Applicant Contact Information (Phone No. and Address)

APPLICATION:

Please select the type(s) of application(s) to which this checklist applies:

☐ Development Permit

☐ Official Community Plan Amendment

☐ Development Variance Permit

☐ Zoning Bylaw or Rural Land Use Bylaw Amendment

☐ Temporary Use Permit

Please explain how the proposed development/application protects and/or enhances the natural environment. Does your proposal:

	Yes	No	N/A	Please provide an explanation for EACH answer you have selected.
1 Fill in pre-existing vacant parcels of land?				
2 Rehabilitate existing contaminated Land?				
3 Use environmentally sensitive or recycled construction materials?				
4 Pursue LEED certification or other green building best practices? If so, specify what level of certification you are aiming for. List all energy/water efficiencies built into the development (i.e. site approaches, appliances, low consumption fixtures, windows etc).				
5 Provide onsite renewable energy generation such as geothermal heating?				

6	Include onsite stormwater management? (i.e. green roof , onsite retention/detention).				
		Yes	No	N/A	Please provide an explanation for EACH answer you have selected.
7	7. Use climate sensitive design features? (i.e. minimize impact of rain and wind).				
8	Provide conservation measures for sensitive lands beyond those mandated by legislation?				
9	Incorporate indigenous species into the landscape plan?				
10	Include water efficient landscaping?				
11	Identify methods for minimizing air emissions/dust during construction/demolition?				

12	Include PowerSmart Residential/Commercial energy saving initiatives offered by BC Hydro? If yes, list which initiatives you are pursuing.				
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