



## REQUEST FOR DECISION

**MEETING DATE:** May 27, 2024

**TITLE:** Bylaw Amendments and Repeals to Effect the Community Standards Bylaw - Third Reading

**DIVISION:** Sustainable Growth and Development Services

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### **SUMMARY:**

Presentation of amendments and repeals of existing City bylaws to effect the proposed C-1312-24 - Community Standards Bylaw for third reading.

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### **PROPOSED MOTION:**

THAT third reading be given to C-1322-24 - Open Space Area Bylaw Amendment.

THAT third reading be given to C-1323-24 - Traffic Bylaw Amendment, as amended.

THAT third reading be given to C-1321-24 - Development Fees and Fines Bylaw Amendment, as amended.

THAT third reading be given to C-1324-24 - 2024 Fees and Charges Bylaw Amendment.

THAT third reading be given to C-1319-24 - Omnibus Community Standards Repealing Bylaw.

### **BACKGROUND / ANALYSIS:**

During the April 22, 2024 Council meeting, Administration presented bylaw amendments and repeals to effect the Community Standards Bylaw (CSB). These amendments / repeals were given first and second readings.

## Bylaw Amendments

The recommended amendments are as follows:

1. *Open Space Area Bylaw* (Attachments 1 and 2)
  - New sections and definitions have been added to:
    - provide clarity on the activity of camping;
    - allow for a pilot program for liquor consumption by adults in designated picnic areas between 11 a.m. and 9 p.m.; and
    - expand and add clarity regarding situations considered as “causing a disturbance.”
2. *Traffic Bylaw* (Attachments 3 and 4)
  - The definition of “boulevard” was revised to match the definition in the CSB; and
  - A section was added to indicate driveway extensions are not permitted unless permits are obtained.
3. *Development Fees and Fines Bylaw* (Attachments 5 and 6)
  - Schedule H, which details fees for Infrastructure Use, was revised to include the following:
    - Addition of a one time / owner permit fee for boulevard garden for \$60
    - Addition of permit fee for driveway extension for \$175
    - Addition of re-inspection fee for driveway extensions (same price as application fee + GST)
  - Schedule N, which outlined the penalties and fines associated for violations of the *Construction Site Cleanliness Bylaw*, has been removed. These fines have been moved to the proposed CSB where construction site cleanliness will now be addressed.
4. *2024 Fees and Charges Bylaw* (Attachments 7 and 8)
  - Schedule F has been added to show fees for notice of appeals. These fees have been moved from the *Nuisances, Unsightly and Untidy Property Bylaw* (which has been recommended for repeal).
  - Administration recommends updating the fee for appeal of a municipal order to \$200 to align with the City’s Subdivision and Development Appeal Board (SDAB) appeal fees (also \$200).
  - Previously, the fee for appeal of a municipal order was \$100 for a residential property and \$200 for a business property. The City does not currently differentiate between property type for SDAB appeal fees. Doing away with this distinction and charging a flat fee of \$200 would create greater consistency.

## 5. *Land Use Bylaw* (LUB)

- Amendments have been proposed to the LUB to effect the following CSB standards related to recreational vehicle (RV) parking on private, residential property (e.g., in yards and in front driveways):
  - Removing snowmobiles and all-terrain vehicles (ATV) from the definition of RVs;
  - Adding a definition for ATVs that includes snowmobiles;
  - ATVs with tracks (such as snowmobiles) can park between November 15 and April 15;
  - ATVs with wheels (quads and dirt bikes) can park year-round; and
  - Extending RV parking timeframes to allow for the start of hunting season.
    - With this change, RVs can park between April 15 and November 30 instead of May 1 to October 31 (as it is currently).
- These amendments are addressed in greater detail in the third reading of the *Land Use Bylaw* that is included in the same Council package.

### ***Bylaw Repeals***

An Omnibus Community Standards Bylaw was presented to repeal the following bylaws (see Attachment 9). All content in these bylaws has been moved to the CSB.

1. Consumption of Cannabis in a Public Place Bylaw
2. Construction Site Cleanliness Bylaw
3. Noise Control Bylaw
4. Nuisances, Unsightly, and Untidy Property Bylaw

### ***Bylaw Amendments since April 22, 2024 Council Meeting***

#### *Development Fees and Fines Bylaw*

During the April 22, 2024 meeting, Council recommended that the duration of the proposed fee for the boulevard garden permit be amended from “3-year fee” to a “one-time fee.” This requested change has been addressed (see Schedule H, Attachment 6). This one-time fee will be assessed for each boulevard garden, per applicant.

#### *Traffic Bylaw*

To ensure consistency with the introduction of boulevard gardens in the CSB, the following amendments have been made to the *Traffic Bylaw* (Attachment 4):

- Added definition of “Boulevard Garden” and,
- Added language about maintenance of a boulevard and keeping them free of landscape developments unless a permit is obtained for a boulevard garden. This wording is the same as that of the *Community Standards Bylaw*.

## **CONSULTATION / ENGAGEMENT:**

Public consultation on the proposed standards of the CSB took place over a nine-week period between May 7 and July 9, 2023. Members of City Council and City staff attended several

community events, information sessions, and committee meetings to raise awareness of the consultation and encourage residents to complete the survey. In total, 1,204 responses were received.

### **IMPLEMENTATION / COMMUNICATION:**

The third reading of the proposed bylaw amendments and repeals has been scheduled for discussion at the same Council meeting as the third reading of the CSB. The amendments and repeals are dependent on the approval of the CSB. If the CSB is not approved, these proposed amendments and repeals cannot be approved.

The proposed coming into force dates of the CSB and various impacted amendments is July 1, 2024.

### **IMPACTS:**

The CSB will serve to regulate and enable activities that relate to the safety, health and welfare of residents, businesses, community organizations, building developers, commercial property owners, and utility companies on private and public property. It will provide a “one stop shop” for the community to find information on community standards.

### **FINANCIAL IMPLICATIONS:**

n/a