

## **ADMINISTRATIVE REPORT**

<b>TO:</b> Planning Committee
<b>FROM:</b> Administration
<b>DATE:</b> April 6, 2021
<b>RE:</b> Zoning Amendment – Development Application Improvements and Drainage Plan Requirements

### **ISSUE**

Amendments to Zoning Bylaw 2012-20 to enable improvements to the development application process and manage drainage requirements more effectively.

### **REFERENCE**

- Zoning Bylaw 2012-20
- Bylaw 2021-24 (Proposed)
- Development Guidelines

### **HISTORY**

Proposed Bylaw 2021-24 contains a number of amendments to the Zoning Bylaw to enable Administration to implement a more consistent process for reviewing development permit applications and ensure better compliance with drainage requirements. A summary of the proposed amendments was presented to Council at a CAR meeting on March 18, 2021.

A letter has been sent to the Contractor's Association and no response has been received to date.

### **ALTERNATIVES**

1. Proceed with the amendments as presented under the bylaw process.
2. Refer the bylaw back to Administration for further review.

### **ANALYSIS**

The edits proposed in this bylaw are designed to improve the consistency of the development permit review process, and improve drainage outcomes for new development.

Bylaw 2021-24 proposes amendments in the following areas:

- Amend the definition of Lot Grading Certificate
- Clarify the requirements for a complete development permit application
- Enable fee collection up-front
- Amend formulas for calculating landscaping and hard-surfacing securities
- Establish standard requirements for demonstrating compliance with drainage and servicing requirements
- Establish consistent language throughout the Zoning Bylaw

### **Definition of Lot Grading Certificate**

The proposed amendment to the definition of Lot Grading Certificate will align it with the definition provided in the *City of Whitehorse Development Guidelines*.

Requirements for complete application

The proposed amendments will clarify the requirements for information to be submitted at time of application for a development permit. Much of the wording is existing in the current text of the Zoning Bylaw but has been reorganized for clarity.

Enable fee collection up-front

The proposed amendments would enable the City to collect the application fee at time of application submission, and lay out the process for dealing with changes during the review process resulting in changes to the fee calculation. Corresponding amendments to the Fees & Charges Bylaw are in progress.

Amend formula for calculating securities

The current formula for calculating landscaping and hard-surfacing securities is based on 125% of the projected installation costs. Quotes from the applicant are used to calculate the securities. Review of calculated securities since 2018 has revealed substantial deviations in calculated securities when prorated on a per tree/shrub or parking space basis. The amendment proposes to apply a standard calculation based on the minimum number of trees/shrubs and parking spaces required, based on the average amounts provided for developments between 2018 and 2020.

Requirements for demonstrating compliance with drainage and servicing requirements

Establish standard requirements for drainage design by referring specifically to the process laid out in the *City of Whitehorse Development Guidelines*. All developments will be required to provide a main floor elevation on the siting certificate submitted through the building permit process, and may be required to provide a Lot Grading Certificate or Record Drawings to demonstrate compliance with drainage and servicing requirements.

Enable the City to collect a security to ensure a Lot Grading Certificate is provided following occupancy approval in cases where the Certificate cannot be provided prior to occupancy approval.

Change terminology from ‘As-built Drawing’ to ‘Record Drawing’ for greater consistency with industry standards, and increase the value of the existing security for As-built/Record Drawings to improve compliance with providing the drawings.

Consistent language throughout Bylaw

Currently the terms ‘lot grading’ and ‘site grading’ are used interchangeably in the bylaw. The proposed amendments would apply consistent use of the term ‘lot grading’.

The proposed schedule for the Zoning Bylaw amendment is:

Planning Committee:	April 6, 2021	Report to Committee	June 7
First Reading:	April 13	2 <sup>nd</sup> & 3 <sup>rd</sup> Reading	June 14
Public Hearing:	May 10		

**ADMINISTRATIVE RECOMMENDATION**

THAT Council direct that Bylaw 2021-24, a bylaw to amend the Zoning Bylaw to improve the development application process and manage drainage requirements more effectively, be brought forward for consideration under the bylaw process.