



Corporate NO: R207

Report COUNCIL DATE: September 25, 2000

REGULAR

TO: Mayor & Council **DATE: August 9, 2000**

FROM: City Clerk **FILE: 0000-00**

SUBJECT: Development Variance Permit Notification By-law

RECOMMENDATION

That Council consider introducing the attached Development Variance Permit Notification By-law specifying notification of properties within 10 metres (30 feet), including those properties across dedicated rights-of-way and highways in accordance with s.922(6)(a) and (b) of the Local Government Act.

Intent

To consider a by-law to specify a notification area for Development Variance Permits.

Background

Historically, Development Variance Permit notification in the City of Surrey has always been done the same as the Board of Variance. The notice of the hearing is mailed or otherwise delivered to the owners and occupiers of the properties closest to the subject property contained within the projection of all four sides of that property, including those across dedicated rights-of-way and highways. When Development Variance Permit applications are part of the rezoning application, the variance is included on the Public Hearing notice for the rezoning, and the notification area for a rezoning by-law is 100m (300 ft.).

Discussion

The Local Government Act requires that any notification undertaken for a Development Variance Permit must be mailed or otherwise delivered to any tenants in occupation, as at the date of the mailing or delivery of the notice of each parcel, any part of which is the subject of the permit or is within a distance specified by by-law from that part of the land that is subject to the permit. Therefore, it is recommended that Council give consideration to a by-law specifying notification of adjacent properties, including those across dedicated rights-of-way and highways in accordance with s.922(6)(a) and (b) of the Local Government Act.

Further, provision has also been made to allow for Council to consider an additional notification area where broader notification may be appropriate by virtue of the nature of the variance.

Donna B. Kenny, CMC

City Clerk