

Site Plan Approval Appeal Hearing

Monday, May 12, 2025

5:00 p.m. – 6:00 p.m.

Council Chambers



Agenda

A site plan approval application was received on DATE for the development of six 8-unit residential buildings at PID 55266134. The Development Officer approved the application on April 3, 2025 and notification letters describing the appeal process were sent to property owners within a 30m radius on April 7, 2025. One appeal was received within the 14-day appeal period which led to the scheduling of this appeal hearing.

1. Meeting Opening (Mayor)

2. Appeal Hearing

- a. Staff Presentation** – Development Officer provides an overview of application and review process
 - i. Council may ask questions pertaining to site plan criteria for development in residential zones (LUB Section 5.1.12)
- b. Appellant Presentation** – Appellant presents argument of how the decision of the Development Officer does not comply with the Land Use Bylaw
 - i. Council may ask questions pertaining to site plan criteria for development in residential zones (LUB Section 5.1.12)
- c. Council Deliberation** – Council discusses whether the Development Officer properly applied Section 5.1.12, or whether there was an error in interpretation or an unreasonable decision.
- d. Council Decision** – Council renders a decision to uphold or overturn the decision of the Development Officer.

3. Meeting Adjourned (Mayor)

Public Hearings – Guide

Role of Council:

- **Act as the Appeal Body:** Council serves as the appeal authority, as per Municipal Government Act Section 232(3) and 237, for Site Plan Approval decisions made by the Development Officer under the Land Use Bylaw.
- **Apply the Same Criteria as Staff:** Council must evaluate the appeal using the same criteria that guided the original decision—specifically, the *Site Plan Criteria for Residential Zones outlined in Section 5.1.12* of the Land Use Bylaw.
- **Review Grounds of Appeal Only:** Council's focus is limited to determining whether the Development Officer properly applied Section 5.1.12, or whether there was an error in interpretation or an unreasonable decision.
- **Avoid Introducing New Criteria:** Council may not consider issues outside the scope of Section 5.1.12 or impose new or alternative conditions not enabled by the Land Use Bylaw.
- **Render a Jurisdictional Decision:** Council can uphold or overturn the Development Officer's decision, but only within the limits of the enabling bylaw and planning framework.

Staff

- Present matter being considered (summary of report and analysis)
- Council may ask staff questions

Appellant (or Designate)

- Appeal rationale presented / limited to 10 Minutes
- Council may ask questions

Public

- There is no speaking role for the public. An opportunity to appeal was provided to all property owners within 30m of the subject lands.