

**Developer Delegations – POLICY & PROCEDURE**  
**PLANNING & DEVELOPMENT DEPARTMENT**

**Council Adoption Date: May 17, 2021**

**Reason for the Policy**

*Council Procedure Bylaw 4042, 2009* provides the basis for delegations to Council. Working within that framework, this policy clarifies and articulates when a developer chooses to engage Council-in-Committee (CIC) as a delegation to introduce a project and provide early public information on either a rezoning application or a development permit application that does not include rezoning. Developer Delegations are not a pre-requisite to the application process. However, by virtue of having an active application under review with the City, developer led delegations are a unique form of delegation that may appear before CIC, and as such require a formalized policy and procedure to provide the opportunity and direction for these types of delegations.

This policy does not apply to Master Development Rezoning applications, which have a different process that is set out in the *Master Development Plan Policy & Procedure*.

This policy also does not apply to pre-applications for rezoning, which are intended only to solicit initial high level staff input to the applicant and do not include the option for delegations to Council at this very preliminary stage.

**Background**

The City processes a wide range of applications for various types of development related projects. Following the standard process, Council and the public are generally introduced to a development project at the time of First Reading, which typically takes place months into the staff review process. There are times, however, where applicants may wish to introduce large complex projects to Council and the general public earlier in the review process. There are also occasional situations where major development permit applications that do not involve a rezoning would benefit from providing early information to Council and the public.

By providing members of Council with an early opportunity to receive information, applicants can raise awareness about their development proposal and inform both Council and the public about the vision and intent of a proposed project. Individual members of Council will be able to ask questions and the applicant can gain a clearer indication from individual members of Council on what their priorities may be for a proposed development. This early in the process check-in also provides members of Council and the general public with background and a greater understanding of the proposed development and the potential impacts and benefits to the community in preparation for the bylaw consideration process (except in the case of development permit applications, which do not include a bylaw).

Applying to appear as a Developer Delegation before CIC is at the applicant's initiative, and not required as part of the overall process. It is important to note that the purpose of a delegation to CIC is not to circumvent the development application review process or seek early Council indication of approval. CIC is not a decision making body nor is it a venue for debate. The Committee typically only receives information, asks questions and may engage in a preliminary discussion of a rezoning or major development permit application with a delegation in a manner that does not fetter future Council decisions. Additionally, it is important to note that any feedback or questions that a delegation may receive are representative of the individual members of Council and do not constitute a formal position

of Council as a whole. Differing views may be expressed and there may not be consensus resulting from the CIC meeting.

## **Policy and Procedure**

### **Application Types:**

The developer must have an active rezoning application, or an active development permit application where there is no rezoning involved, with the Planning and Development Department. The policy generally encourages the following types of applications to appear as a delegation:

- Major rezoning applications other than Master Development Plan Rezoning applications;
- Rezoning applications within designated Transit-Oriented Development Areas;
- Multi-phase mixed-use developments outside of designated Transit-Oriented Development Areas;
- Major development permit applications that do not include a rezoning application;
- Applications with a significant request for funds from the Affordable Housing Reserve Fund;
- Major applications for a Heritage Revitalization Agreement; and
- Applications proposing significant community or public benefit.

Other scenarios may arise where staff identify that it would be appropriate to encourage an applicant to address CIC early in the rezoning or major development permit application process, and as such, the above list is not exhaustive.

### **When in the Process:**

Delegations should apply to come forward to CIC after staff have reviewed the application and provided initial comments to the applicant through the first review letter. Staff will submit a briefing note to Council in advance of the delegation to provide background on the proposed development. The applicant is required to make staff aware well in advance of when they wish to appear as a delegation so that there is adequate time for staff to prepare a briefing note. This is to be done in consultation with the Planning and Development Department File Manager to ensure that the timing of the Developer-led Delegation is appropriate.

Applicants wishing to appear as a delegation are also asked to provide their presentation materials (i.e., PowerPoint Presentation) to staff in advance of the CIC meeting, so that the materials can be distributed to Council in advance, along with the staff prepared briefing note.

The *Council Procedure Bylaw* specifies that up to three delegations can be scheduled for a CIC meeting. So as not to limit opportunities for other types of delegations, staff will generally work to schedule only one Developer-led Delegation per meeting. However, should there be high demand, and no other delegations are scheduled, staff will be flexible in the application of this guideline.

### **Presentation Guidelines:**

See *Development Application Delegation Presentation Guidelines* for more information.