

COUNCIL REPORT

To: Mayor and Council

From: Administration

Date: June 18, 2025

Subject: Delegation of Minor Variances

RECOMMENDATION:

THAT Council directs staff to prepare amendments to the Development Procedures Bylaw and Delegation of Authority Bylaw to enable the Director of Corporate Services to issue minor development variance permits, based on the criteria and approach outlined in this report.

BACKGROUND:

As part of the Development Services Project awarded to Praxis Solutions in April, staff have been working with the consultant to review current development services policies, procedures, and bylaws to find ways to modernize and align service offerings with best practices. In November 2021, the Province gave local governments the authority, if they chose, to delegate minor variances to staff. Staff are now considering incorporating this new authority into the District's development services offerings.

Section 498.1 of the *Local Government Act* permits a local government to delegate authority to an officer or employee to issue development variance permits (DVPs), provided the variance is considered "minor" and relates to only:

- siting, size and dimensions of buildings, structures and permitted uses;
- off-street parking and loading space requirements
- regulation of signs; or
- screening and landscaping to mask or separate uses or to preserve, protect, restore and enhance natural environment.

A delegation bylaw must establish criteria for what constitutes a minor variance and include guidelines for staff to follow when making a decision. Delegated decisions must remain subject to Council reconsideration upon request of the applicant.

Currently, all DVPs in Mackenzie are reviewed by Council, and public notification is required. This applies even to small-scale variances that have little to no neighbourhood impact. As a result,

minor adjustments—such as a slight reduction in a setback or small variance to parking—are subject to extended timelines, additional administrative work, and Council agenda time. A delegation framework would help streamline approvals for routine applications while maintaining transparency and accountability through defined limits and procedural safeguards.

DISCUSSION:

Delegating authority for minor DVPs represents a practical opportunity to modernize Mackenzie's development procedures and improve service delivery for applicants. The intent is to allow staff to approve small-scale variances that meet defined thresholds and do not raise broader planning or neighbourhood concerns.

Local governments that have implemented similar delegation models such as the City of Prince George restrict delegated approvals to minor changes—such as reduced side yard setbacks, small increases to height or lot coverage, or limited reductions in required parking—while ensuring that proposals remain consistent with zoning intent and do not result in safety or servicing concerns. These practices have informed the District's proposed approach while ensuring it is tailored to Mackenzie's context and operational capacity.

Examples of proposed criteria to establish what would fall into the category of "minor" variances include a small reduction to a principal building setback, while maintaining a minimum distance from the lot line; a reduction to an accessory building setback, provided it remains at least a certain distance from the lot line; a modest increase in building height, such as up to 1 metre; or a minor increase in lot coverage, remaining under an overall site maximum. These thresholds reflect the scale of variances that are typically minor in nature and intend to provide flexibility for common site design challenges, while ensuring proposals do not compromise land use policy, public safety, or neighbourhood character.

In addition to meeting numerical thresholds, delegated variances would also need to satisfy the following guidelines the delegate must consider:

- The proposal does not negatively impact neighbouring properties in terms of privacy, access to sunlight, or visual scale of buildings;
- The variance remains consistent with the intent of the Zoning Bylaw and Official Community Plan;
- Life safety, servicing capacity, and emergency access are not compromised;
- The variance does not involve environmentally sensitive or geotechnically hazardous areas; and
- No concerns are identified through internal technical review that cannot be addressed through standard conditions or mitigation measures.

Applications that do not meet these conditions would continue to be forwarded to Council. As required by legislation, applicants will have the ability to request that Council reconsider a delegated decision.

Under the *Local Government Act*, delegated minor variances do not require public notification. However, the District recognizes that some proposals, while technically minor, may still be of interest to adjacent landowners. To support transparency, the Director of Corporate Services may provide discretionary notification to neighbouring property owners when a delegated variance is proposed. This notification would not be mandatory but could be used where staff identify the potential for neighbour concern.

Delegating minor variances to staff for approval also supports the District's ability to respond to minor variance requests in a timely and consistent manner, particularly given the ongoing difficulty in maintaining a functioning volunteer Board of Variance (BOV). By enabling staff to approve low-impact, clearly defined variances, applicants will have an alternative option for seeking minor zoning relief, helping to reduce delays and maintain service continuity in the absence of an active BOV.

To implement this framework, amendments will be required to both the District's Development Procedures Bylaw and Delegation of Authority Bylaw. These amendments will:

- Define "minor" variances by regulation type and numerical thresholds;
- Establish staff review criteria;
- Outline the reconsideration process for applicants;
- Assign authority to the Director of Corporate Services to issue eligible minor DVPs.

A draft bylaw package would be brought forward for Council's consideration at a future Council meeting.

CONCLUSION:

Introducing a clear, structured process for minor DVPs will reduce unnecessary delays for applicants, improve permitting timelines, and allow Council to focus on more complex or higher-impact applications.

The proposed framework is consistent with the District's broader goals of enhancing service delivery and modernizing administrative processes.

Staff recommend proceeding with bylaw amendments to enable delegation of minor development variance permits, as outlined in this report.



COUNCIL PRIORITIES:

Strong Governance and Finances

- As the municipality's elected governing body, we serve all residents and businesses in the community. We engage residents and stakeholders on important issues and make our decisions through open and transparent processes. We are careful in our use of resources, mindful of the need to maintain programs and services, while also meeting the community's infrastructure needs.

RESPECTFULLY SUBMITTED:

Emily Kaehn, Director of Corporate Services

Reviewed By: Corporate and Financial Services

Approved By: Chief Administrative Officer