

Motion Regarding Exemptions for Minor Variance Applications

Whereas the changes to the *Planning Act* as a result of Bill 73 have come into force on July 1, 2016, as proclaimed by the Lieutenant Governor;

And whereas Section 45 (1.3) of the *Planning Act* states that no person shall apply for a minor variance from the provisions of the by-law in respect of the land, building or structure before the second anniversary of the day on which the by-law was amended;

And whereas the *Planning Act* states that Subsection 45 (1.3) does not apply in respect of an application if the council has declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally;

And whereas the City may exempt classes of applications from the two year restriction by way of resolution;

Therefore be it resolved

That staff be directed to exempt minor variance applications to further amend a site specific zoning by-law applied for within two years of the day in which the site specific by-law came into effect for only those circumstances where the minor variance application is, in the opinion of the Director of Planning and Chief Planner, in consultation with the Director of Building, required as a result of an administrative error by City staff.