

**City of Chilliwack**

**Bylaw No. 2677**

**A bylaw to authorize the Delegation of Local Government Authorities**

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WHEREAS Council may, pursuant to Section 229(1) of the *Local Government Act*, delegate its powers, duties and functions to its officers, employees, committees, members or to other bodies established by the City;

AND WHEREAS Council's authority to delegate its powers, duties and functions is limited as set out in Section 229(2) of the *Local Government Act*;

AND WHEREAS Council may, pursuant to Section 154 of the *Community Charter*, delegate its powers, duties and functions to its officers, employees, committees, members or to other bodies established by the City;

AND WHEREAS Council's authority to delegate its powers, duties and functions is limited as set out in Section 154(2) of the *Community Charter*;

THEREFORE, Council of the City of Chilliwack in open meeting assembled, enacts as follows:

1. This bylaw may be cited as **“Delegation Authority Bylaw 2000, No. 2677”**.

**INTERPRETATION**

2. In this bylaw

“City” means the City of Chilliwack;

“Council” means the Council of the City of Chilliwack;

“Mayor” means the Mayor of the City of Chilliwack; and,

“Officer” means a designated Municipal Officer holding a position with the City which has been designated by bylaw as an officer position in accordance with the Community Charter.

**DELEGATION OF AUTHORITIES**

3. Council hereby delegates to the Mayor and to the Officers set out in Schedules “A” and “B” to this bylaw, the powers, duties and functions of Council as set out opposite to the Mayor or specified Officer, subject to any limitations on that delegated authority.

**DELEGATION TO PERSONS HOLDING POSITION**

4. Where this bylaw delegates a power, duty or function to a named position, the delegation is to the person who, from time to time, holds the position and to any person who, from time to time, is the deputy of that person so appointed by Council.

**NO DELEGATION BY A DELEGATE**

5. A person to whom a power, duty or function has been delegated under this bylaw has no authority to further delegate to another person any power, duty or function that has been delegated by this bylaw.

**SEVERABILITY**

6. If any portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

“Delegation Authority Bylaw 2000, No. 2677” adopted on the 12<sup>th</sup> day of June, 2000.

Amendment Bylaw No. 2804 adopted on the 10<sup>th</sup> day of December, 2001.

Amendment Bylaw No. 2816 adopted on the 11<sup>th</sup> day of March, 2002.

Amendment Bylaw No. 3258 adopted on the 18<sup>th</sup> day of April, 2006.

Amendment Bylaw No. 3412 adopted on the 22<sup>nd</sup> day of May, 2007.

Amendment Bylaw No. 3455 adopted on the 19<sup>th</sup> day of November, 2007.

Amendment Bylaw No. 3615 adopted on the 4<sup>th</sup> day of May, 2009.

Amendment Bylaw No. 3643 adopted on the 16<sup>th</sup> day of September, 2009.

Amendment Bylaw No. 3732 adopted on the 20<sup>th</sup> day of December, 2010.

Amendment Bylaw No. 3806 adopted on the 20<sup>th</sup> day of September, 2011.

Amendment Bylaw No. 3792 adopted on the 23<sup>rd</sup> day of January, 2012.

Amendment Bylaw No. 3852 adopted on the 15<sup>th</sup> day of May, 2012.

Amendment Bylaw No. 3936 adopted on the 2<sup>nd</sup> day of July, 2013.

Amendment Bylaw No. 3960 adopted on the 5<sup>th</sup> day of November, 2013.

Amendment Bylaw No. 4051 adopted on the 2<sup>nd</sup> day of September, 2014.

Amendment Bylaw No. 4070 adopted on the 21<sup>st</sup> day of October, 2014.

Amendment Bylaw No. 4139 adopted on the 1<sup>st</sup> day of September, 2015.

Amendment Bylaw No. 4171 adopted on the 15<sup>th</sup> day of December, 2015.

Amendment Bylaw No. 4348 adopted on the 16<sup>th</sup> day of May, 2017.

Amendment Bylaw No. 4385 adopted on the 18<sup>th</sup> day of July, 2017.

Amendment Bylaw No. 4535 adopted on the 5<sup>th</sup> day of June, 2018.

Amendment Bylaw No. 4597 adopted on the 2<sup>nd</sup> day of October, 2018.

Amendment Bylaw No. 4665 adopted on the 2<sup>nd</sup> day of April, 2019.

Amendment Bylaw No. 4714 adopted on the 8<sup>th</sup> day of July, 2019.

Amendment Bylaw No. 4748 adopted on the 1<sup>st</sup> day of October, 2019.

Amendment Bylaw No. 5191 adopted on the 12<sup>th</sup> day of April, 2022.

Amendment Bylaw No. 5240 adopted on the 20<sup>th</sup> day of September, 2022.

“Clint Hames”

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Mayor

“D.W. Hampson”

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Clerk

**Schedule “A”**

<b>Mayor</b>	Authority to approve travel beyond the boundaries of the City, but within North America, for members of Council and the Chief Administrative Officer.
<b>Chief Administrative Officer</b>	<p>Authority to approve travel beyond the boundaries of the City, but within North America, for all Officers and employees.</p> <p>Authority to hire, terminate or suspend any employee (but for clarity not including any Officer) and to make adjustments to rates of pay within the pay range for each position approved by Council, either at the time of hire or during the term of employment, subject to all Local Government Act, Labour Relations Code and Employment Standards Act requirements.</p> <p>Authority to execute a Memorandum of Understanding between the Cultus Lake Park Board, City of Chilliwack and the Royal Canadian Mounted Police (Chilliwack Community Police Office) for “Recovery of Costs for Enhanced Policing Duties – Dedicated Resources – Cultus Lake Park”.</p>
<b>Mayor and Corporate Officer</b>	<p>Authority to execute the following documents on behalf of the City when they are in a standard form, or substantially in a standard form, and under other circumstances that the City considers appropriate:</p> <ul style="list-style-type: none"><li>• Land Title Office Covenants</li><li>• Statutory Rights of Way Agreements</li><li>• Easement Agreements</li><li>• License of Occupation Agreements</li><li>• Encroachment Agreements</li><li>• Renewal of Management Agreements</li><li>• Development Servicing Agreements</li><li>• Renewal of Mutual Aid and Fire Protection Services Agreements</li></ul>
<b>Councillors</b>	In the absence of the Mayor and Acting Mayor, any member of Council has the authority to act as a signatory on behalf of the City of Chilliwack, in accordance with the Community Charter.
<b>Approving Officer</b>	Authority to sign plans facilitating strata conversions.

**Corporate Officer and Director of Corporate Services** Authority to acknowledge Taxi Cost Index notices regarding tariff increases by posting a notice on the City’s website and official Notice Board

Authority to provide comment on:

- Annual temporary changes to liquor licences, up to a maximum of 6 per year;
- Temporary change in hours of sale of alcohol for a limited period;
- Approval of catered community events and for events with extended hours (outdoor events after 10:00 pm or indoor events after 2:00 am on New Years Eve);
- Approval of private events involving alcohol, where necessary.

**Chief Administrative Officer and Director of Finance and Risk Manager** Authority to enter into settlement agreements for claims to a limit of the insurance deductible

**Director of Finance** Authority to approve Community Development Initiatives funding requests under Community Development Initiatives Funding Policy No. C-13 to organizations hosting special events for related liability insurance and traffic control requirements.

**Director of Engineering** Authority to issue Transit Bus Passes at no charge for community purposes or on compassionate grounds.

Authority to issue Development Permits for:

- Development Permit Area No. 1 – Municipal Watersheds and Aquifers for Drinking Water

Authority to issue a minor Development Variance Permit as set out in Schedule “B”.

**Director of Planning** Authority to issue Heritage Alteration Permits, having a construction value of \$50,000.00 or less

Authority to issue development permits, having a construction value of \$150,000.00 or less for:

- Development Permit Area No. 4 – Downtown, Form and Character

- Development Permit Area No. 5 – Urban Corridor, Form and Character
- Development Permit Area No. 6 – Infill Development, Form and Character
- Development Permit Area No. 7 – Industrial Area, Form and Character

Authority to issue amendments to approved and issued Development Permits for:

- Development Permit Area No. 4 – Downtown, Form and Character
- Development Permit Area No. 5 – Urban Corridor, Form and Character
- Development Permit Area No. 6 – Infill Development, Form and Character
- Development Permit Area No. 7 – Industrial Area, Form and Character
- Development Permit Area No. 9 – Farm Home Plate
- Development Permit Area No. 10 – Coach Houses or Garden Suites

Authority to issue Development Permits for:

- Development Permit Area No. 9 – Farm Home Plate
- Development Permit Area No. 10 – Coach Houses or Garden Suites

Authority to issue a minor Development Variance Permit as set out in Schedule “B”.

Authority to issue a statement of concurrence or non-concurrence for telecommunication antenna structure applications.

**Director of Development  
and Regulatory Enforcement  
Services**

Authority to issue development permits for Development Permit Area No. 3 – Riparian Areas  
Authority to exempt single family dwellings from the “Solar Hot Water Ready” regulation

Authority to revoke a business licence or refuse to issue a business licence for a Gathering for an Event in the Agricultural Land Reserve.

Authority to issue or refuse a Temporary Use Permit application as per “Temporary Permission for Second

Dwelling in the “Agricultural Land Reserve Bylaw 2019, No. 4726”, as amended.

Authority to issue development permits for:

Development Area 2 – Hillside and Upland Areas

Development Permit Area No. 8 – Hillside Development.

Schedule “B”

The following criteria determines whether a proposed variance is minor:	Guidelines the delegate must consider in deciding whether to issue a minor development variance permit:	Terms and conditions, as may be considered appropriate:	Delegate:
(a) An increase to the maximum total gross floor area of all buildings and structures for residential use for a property within the Yarrow Neighbourhood.	(a) The hydrogeological assessment of the land and all neighbouring properties, prepared by a Professional (as submitted by the applicant), demonstrates the proposed septic system: (1) complies with all applicable legislation; and, (2) can support the increased loading caused by the proposed development without causing an environmental or public health hazard and without causing positive groundwater mounding at the property line. (b) Notwithstanding the above, if the proposed variance involves a renovation or addition that does not exceed the building size exemptions of the City’s “Floodplain Regulation Bylaw”, as amended, a hydrogeological assessment is not required.	(a) A covenant is placed against the Certificate of Title to the land limiting any further increase in gross floor area of all buildings and structures for residential use.	Director of Engineering
(b) Waive the requirement to provide a hydrogeological assessment to facilitate the construction of an Accessory Dwelling Unit for a property within the Yarrow Neighbourhood.	(a) The subject property is a minimum 0.3 hectares in area, subject to a satisfactory percolation test (as submitted by the applicant).	(a) A covenant is placed against the Certificate of Title to the land limiting any further increase in gross floor area of all buildings and structures for residential use.	Director of Engineering



Schedule “B” (continued)

<b>The following criteria determines whether a proposed variance is minor:</b>	<b>Guidelines the delegate must consider in deciding whether to issue a minor development variance permit:</b>	<b>Terms and conditions, as may be considered appropriate:</b>	<b>Delegate:</b>
(c) A reduction to the minimum number of off-street loading spaces for a property in a commercial or institutional zone.	(a) A minimum of one space must be provided; and, (b) If off-street loading, maneuvering, access and egress is accommodated entirely within the subject property without encroaching into the City right of way.	(a) That the development be in accordance with the plans found in Schedule “A” of the Development Variance Permit.	Director of Planning
(d) A reduction to the minimum number of off-street loading spaces for an apartment.	(a) All of the following is met: (1) on-street parking is available for 100m in each direction of the property and on the same side of the street as the subject property; and, (2) road is classified as local.	(a) That the development be in accordance with the plans found in Schedule “A” of the Development Variance Permit.	Director of Planning
(e) A reduction to setbacks to resolve siting errors for an agricultural use, single detached dwelling, accessory dwelling unit, duplex, rural or urban ancillary use.	(a) To a maximum dimension of 0.2m; and, (b) The variance shall not apply to any structures, additions or projections which do not meet the requirements of the BC Building Code.	(a) That the development be in accordance with the plans found in Schedule “A” of the Development Variance Permit.	Director of Planning
(f) An increase to maximum building height for rooftop infrastructure.	(a) To accommodate stairwells and elevator shafts only; and, (b) The placement of the infrastructure is central to the roof of the building.	(a) That the development be in accordance with the plans found in Schedule “A” of the Development Variance Permit.	Director of Planning

Schedule “B” (continued)

<b>The following criteria determines whether a proposed variance is minor:</b>	<b>Guidelines the delegate must consider in deciding whether to issue a minor development variance permit:</b>	<b>Terms and conditions, as may be considered appropriate:</b>	<b>Delegate:</b>
(g) A reduction to the front lot line setback for commercial and industrial uses.	(a) A minimum of 3.0m must be provided; and, (b) If supported by the Design Review Advisory Committee (e.g., to enhance street activation).	(a) That the development be in accordance with the plans found in Schedule “A” of the Development Variance Permit.	Director of Planning
(h) A reduction to the minimum off-street parking space length to accommodate a Short-Term Rental or Accessory Dwelling Unit.	(a) When associated with an existing paved area currently used for parking; (b) No further frontage improvements, road dedication or supplementary setbacks are required; and, (c) The additional driveway length, to meet minimum Zoning Bylaw parking space dimensions, is provided within the City Right-of-Way without encroaching into the sidewalk, street or impacting sightlines.	(a) That the development be in accordance with the plans found in Schedule “A” of the Development Variance Permit.	Director of Planning
(i) To waive the requirement that materials in open storage shall not exceed the height of screening provided.	(a) When materials exceed 2.5m in height; and, (b) When located to the rear of the property and screened from the street by a building.	(a) That the development be in accordance with the plans found in Schedule “A” of the Development Variance Permit.	Director of Planning
(j) To vary the Sign Bylaw to reduce the distance a business premises sign must be sited from a lot line.	(a) To accommodate a supplementary setback; (b) The supplementary setback must not be reduced; and, (c) If sightlines are not obstructed.	(a) That the development be in accordance with the plans found in Schedule “A” of the Development Variance Permit.	Director of Planning

- If a minor development variance permit is refused by the delegate, an owner of land that is subject to a decision of the delegate is entitled to have Council reconsider the matter.
- The obligation to give notice does not apply if a delegate exercises the power to issue a minor development variance permit.
- At the discretion of the delegate, any minor development variance included in Schedule “B” may be forwarded to Council for consideration.