



**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**  
**“DEVELOPMENT PROCEDURES BYLAW, 2001, NO. 7343”**

**CONSOLIDATED FOR CONVENIENCE – DECEMBER 11, 2017**

Amendment Bylaw, 2006, No. 7760	Development Permit Areas for Streamside Protection and Enhancement
Amendment Bylaw, 2010, No. 8066	Accessory Coach House Development
Amendment Bylaw, 2010, No. 8136	Streamside Protection and Enhancement Development Permit Guidelines
Amendment Bylaw, 2012, No. 8240	Sections 3 and 5
Amendment Bylaw, 2014, No. 8348	Sections 2, 3, 4, 9, 13 and Schedule A
Amendment Bylaw, 2015, No. 8424	Approval of Strata Conversions Less Than Three Dwelling Units
Amendment Bylaw, 2015, No. 8408	Schedule A / Level-B Accessory Coach House
Amendment Bylaw, 2015, No. 8454	Clarification of Public Meeting Requirement
Amendment Bylaw, 2017, No. 8538	Schedule A Fees
Amendment Bylaw, 2017, No. 8485	Schedule A Fees

# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## BYLAW NO. 7343

### **A Bylaw to Establish Procedures to Amend the Official Community Plan, the Zoning Bylaw, Adopt a Heritage Revitalization Agreement Bylaw, or to Issue Permits Under Part 26 of the *Local Government Act***

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

#### **1. TITLE**

This bylaw shall be cited as the City of North Vancouver "**Development Procedures Bylaw, 2001, No. 7343.**"

#### **2. DEFINITIONS** *[Bylaw 8348, June 9, 2014]*

"**Applicant**" means a person who is an owner of the property which is the subject of an application, or a person acting with the written consent of the owner;

"**City**" means the City of North Vancouver.

#### **3. SCOPE**

This bylaw shall apply to:

(a) An amendment to:

- (i) The Official Community Plan
- (ii) The Zoning Bylaw
- (iii) A Land Use Contract

(b) Issuance of:

- (i) Development Permits;
- (ii) Development Variance Permits;
- (iii) Temporary Use Permits.

*[Bylaw 8348, June 9, 2014]*

(c) The adoption of a Heritage Revitalization Agreement Bylaw.

#### **4. APPLICANT, FEES, LEGAL FEES, AND REFUND POLICY**

*[Bylaw 8348, June 9, 2014]*

(a) Applications for bylaw amendments, permits, and permit extensions shall be submitted in writing to the City by the Applicant, and shall be accompanied by all information relevant to the proposed development required by the City to

conduct a thorough review and analysis of the proposed development. The Applicant must apply in the form prescribed by the City and must provide the information required by the form.

- (i) If the Director of Community Development is not satisfied that the information is sufficient either in scope, level of detail, accuracy or in any other respect, the Director of Community Development may, within 30 business days of receipt of the information submitted by the applicant, require the applicant to provide, at the applicant's expense, further information reasonably required to comply with this section;
  - (ii) Every report or other document provided to the municipality must contain an express grant of permission to the municipality to use and reproduce the information contained in the report or other document for non-commercial purposes.
- (b) All legal fees directly associated with amendments or permits covered by this bylaw shall be borne by the applicant. *[Bylaw 8454, December 9, 2015]*
- (c) Refunds of application fees shall be made on the following basis:
- (i) If the application is rejected by the Council of the Corporation of the City of North Vancouver (Council) prior to any Public Hearing or Public Meeting process being authorized by Council, 50 percent of the application fee shall be refunded to the applicant;
  - (ii) If prior to any Public Hearing or Public Meeting process being authorized by Council the applicant withdraws the application within six months of submission, 50 percent of the application fee shall be refunded;
  - (iii) If an application is withdrawn prior to any significant work being commenced by the City, an amount up to the full application fee may be refunded to the applicant at the discretion of the Director of Community Development;
  - (iv) If the applicant fails within one year to respond to requests for further information in support of the application, the application shall be deemed void and in which case no refund of fee will be granted.

## **5. PROCESS**

- (a) An application under Section 2 shall be processed by the Director of Community Development, or his designate, who shall submit a report to Council for consideration other than applications which may be approved by the Director of Community Development.

- (b) The review of applications by the Council or the Director of Community Development may include referrals to persons or groups for such reports or advice as is deemed necessary to evaluate the application.
- (c) In the event the Director of Community Development rejects a Development Permit, the applicant may apply to the Council for reconsideration of the application. *[Bylaw 8454, December 9, 2015]*

## 6. DELEGATION OF COUNCIL POWERS

- (a) The Council delegates to the Director of Community Development the powers of the Council under s.920(2) of the *Local Government Act* to issue Development Permits in respect of Development Permit Areas established by the Official Community Plan, 2014, No. 8400, provided that they do not involve a variance to the Zoning Bylaw, 1995, No.6700, including the powers of the Council to require that the applicant provide security for the purposes of s.925 of the *Local Government Act*, however:
  - (i) The Director of Community Development reserves the ability to refer the Development Permit Application to Council for consideration.
- (b) In imposing security requirements under s.925 of the *Local Government Act*, the Director of Community Development may require the applicant to provide as security:
  - (i) undertaking works, construction or other activities to satisfy a condition in the permit respecting landscaping; plus
  - (ii) provide a letter of credit in the amount of 1% of the estimated value of all construction occurring within the scope of the permit as calculated by a quantity surveyor, to be cashed if conditions of the permit with respect to development energy usage are not met and certified as such by a recognized professional within a period of 24 months following the issuance of a certificate of occupancy and/or at the discretion of the Director of Community Development.
- (c) In imposing the security requirements set out in section (d), the Director of Community Development may require security to be maintained for so long as there is a reasonable possibility of contravention of a landscaping condition, the creation of an unsafe condition, and the causing of harm to the environment in connection with the development authorized by the permit.
- (d) An owner of land whose Development Permit application is subject to this section may, within 10 business days of being notified in writing of the Director of Community Development's decision on their Development Permit application, request the Council to reconsider the Director of Community Development's decision, by giving notice in writing to the City Clerk setting

out the grounds on which the applicant considers the decision is inappropriate and what decision, including what Development Permit conditions and what amounts of security the Council ought to substitute, and paying the applicable amendments thereto.

- (e) At any time following the submission of a Development Permit application or up to 10 business days following being notified in writing of the Director of Community Development's decision on their Development Permit application, the owner of the land may request Council consideration of their Development Permit application, including what Development Permit conditions and what amounts of security the Council ought to substitute, provided the owner has paid the applicable fee set out in Schedule "A". [Bylaw 8454, December 9, 2015]
- (f) The City Clerk must notify the applicant of the date of the meeting at which the reconsideration will occur.
- (g) The Council may either confirm the decision of the Director of Community Development; or substitute its own decision, including the Development Permit conditions and amounts of security.
- (h) The Council delegates to the Director of Community Development the powers of the Council under s.242 of the *Strata Property Act* to act as the approving authority for applications to convert previously occupied buildings with fewer than three units to strata title. [Bylaw 8424, June 22, 2015]

## **7. AMENDMENTS TO OFFICIAL COMMUNITY PLAN, ZONING BYLAW OR LAND USE CONTRACTS AND ADOPTION OF HERITAGE REVITALIZATION AGREEMENT BYLAWS**

Council shall, following receipt of a staff report with respect to an application to amend the Official Community Plan, the Zoning Bylaw, or a Land Use Contract, or adopt a Heritage Revitalization Agreement Bylaw: [Bylaw 8454, December 9, 2015]

- (a) Proceed with the consideration of the bylaw or bylaws as set forth in Part 26 or 27 of the *Local Government Act*;
- (b) Withhold consideration of the bylaw or bylaws pending further input from the applicant or City staff;
- (c) Reject the application.

## **8. DEVELOPMENT PERMITS AND DEVELOPMENT VARIANCE PERMITS**

[Bylaw 8454, December 9, 2015]

Following receipt of a staff report with respect to a Development Permit or a Development Variance Permit application, Council may, at its discretion, hold a Public Meeting to provide an enhanced opportunity for public input. In the event that a development application involves a zoning amendment and a Development

Permit / Development Variance Permit, the requirement for a Public Meeting shall be waived in lieu of the Public Hearing for the Zoning Amendment Bylaw.

Upon receipt of a staff report with respect to the Development Permit or a Development Variance Permit, Council shall:

- (a) Issue the permit; or
- (b) Withhold the permit pending resolution of issues raised by Council, staff or the public; or
- (c) Reject the permit application.

**9. TEMPORARY USE PERMITS** *[Bylaw 8348 June 9, 2014]*

Council may, following receipt of a staff report with respect to a Temporary Use Permit Application, hold a Public Meeting, and shall: *[Bylaw 8454, December 9, 2015]*

- (a) Upon compliance with the requirements of the *Local Government Act*, issue the permit with or without conditions and undertakings; or
- (b) Withhold the permit pending resolution of issues raised by Council, staff, or the public; or
- (c) Reject the permit application.

**10. POSTING OF A SIGN**

A sign may be required to be posted at the development site for public information prior to a Public Hearing, Public Meeting or public information meeting. Failure to post the sign may result in a delay in the process. *[Bylaw 8454, December 9, 2015]*

**11. REFUSAL**

Where an application under Section 2 has been rejected by Council, the City Clerk shall notify the applicant in writing within fifteen (15) days of the date of Council's rejection.

**12. RE-APPLICATION**

Where an application under Section 2 has been rejected by Council, no re-application for the same amendment shall be considered within one year from the date of Council's rejection.

**13. EFFECT OF THIS BYLAW**

Nothing in this bylaw shall be construed as:

- (a) Preventing Council from initiating an application to amend any plan, bylaw or land use contract or issuing to itself any permit;
- (b) Affecting the referral of any plan, bylaw, amendment or permit to any Council Committee, Commission or Panel; *[Bylaw 8348, June 9, 2014]*
- (c) Preventing the Council from tabling or otherwise dealing with any application in the manner it deems appropriate;
- (d) Compelling the Council to consider an application provided for in this bylaw.

#### **14. SEVERABILITY**

If any portion of this bylaw is for any reason held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the portion that is invalid shall not affect the validity of the remainder of this bylaw.

#### **15. REPEAL**

"Development Procedures Bylaw, 1998, No. 7000" is hereby repealed.

READ a first time by the Council on the 23<sup>rd</sup> day of July, 2001.

READ a second time by the Council on the 23<sup>rd</sup> day of July, 2001.

READ a third time and passed by the Council on the 23<sup>rd</sup> day of July, 2001.

RECONSIDERED and finally adopted by the Council, signed by the Mayor and City Clerk and sealed with the Corporate Seal on the 30<sup>th</sup> day of July, 2001.

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"Barbara A. Sharp"

MAYOR

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"Bruce A. Hawkshaw"

CITY CLERK

**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

**“Development Procedures Bylaw, 2001, No. 7343”**

**SCHEDULE “A”  
FEES**

<b>Type of Application</b>	<b>Fees</b>
1. Amend the Official Community Plan (OCP)	\$5,000
2. Amend the Zoning Bylaw	
(a) To allow a Coach House	\$1,750
(b) To rezone to an existing zone	\$3,500
(c) To rezone to a Comprehensive Development (CD) zone	\$4,500
	<p>All rezoning applications for lots greater than 1,500 sq. m. (16,146 sq. ft.) are subject to an additional fee calculated as follows:</p> <p>(SITE AREA – 1,500 SQ. M.) x PROPOSED FSR X \$0.45 = \$_____</p>
(d) Text Amendment	\$4,000
3. Amend a Land Use Contract (LUC)	\$4,000
4. Obtain a Development Variance Permit (DVP)	
(a) Within a One-Unit or Two-Unit Zone	\$1,750
(b) All other zones	\$2,700
(c) Varying the Sign Bylaw	\$350
(d) In combination with a concurrent rezoning	\$1,000



Type of Application	Fees
5. Obtain a Development Permit	
(a) Streamside Protection and Enhancement DP	
(i) Minor (Landscape, Accessory Building or Accessory Structure)	\$50
(ii) Full (Principal Building in any zone)	\$350
(iii) Full with Variance (variance to zoning or not meeting guidelines)	\$1,750
(b) Form and Character DP	
(i) Coach House	\$500
(ii) Two-Unit (Duplex)	\$500
(iii) Commercial, Residential Multi-family or Mixed Use	\$3,700
(iv) Council Consideration of DP <i>[Bylaw 8454, December 9, 2015]</i>	\$1,250 (in addition to original base fee)
(v) Rooftop Antenna <i>[Bylaw 8485, December 11, 2017]</i>	\$2,500
6. Minor Amendment to a Development Permit	
(a) Streamside Protection and Enhancement	\$200
(b) Coach House	\$200
(c) Two-Unit (Duplex)	\$200
(d) Commercial, Residential Multi-family or Mixed Use	\$750
7. Obtain a Temporary Use Permit (TUP)	\$2,300
8. Liquor License Consultation Fee	\$406 / first 70 sq. m. (750 sq. ft.) \$94 / each additional 10 sq. m. (108 sq. ft.)
9. Obtain a Heritage Revitalization Agreement (HRA)	\$4,000
10. Exemption from Development Permit (DP) for Streamside Protection and Enhancement	\$25
11. Additional Public Hearing Advertising Fee	\$1,750
12. Additional Public Meeting Advertising Fee	\$875
13. Pre-Application Review (applied to future application fee[s], if application is submitted)	\$500

*[Bylaw 8538, March 27, 2017]*