

PUBLIC HEARING BINDER

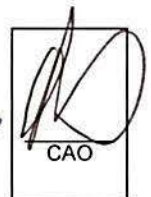
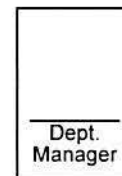
Bylaw 8217 - Temporary Use Permit Regulations



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2	Staff Report - March 20, 2017 This report provides an overview of the project and the land use issues related to the review of this Rezoning Bylaw.
3	Bylaw 8217 Designates the entire District of North Vancouver as an area where temporary use permits may be allowed.
4	Notice
Public Input	
5	- Public correspondence prior to First Reading. - Submissions from the public since First Reading given on March 27, 2017.

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>MARCH 27, 2017</u>
<input type="checkbox"/> Other:	Date: _____



The District of North Vancouver REPORT TO COUNCIL

March 20, 2017
File: 08.3060.20/007.17

AUTHOR: James Gordon, Municipal Clerk
Darren Veres, Development Planner

SUBJECT: Reconsideration of Bylaw 8217 - Zoning Bylaw Amendment Regarding
Temporary Use Permits

RECOMMENDATION:

THAT "District of North Vancouver Rezoning Bylaw 1349 (Bylaw 8217)" is given FIRST Reading;

AND THAT Bylaw 8217 is referred to a Public Hearing.

BACKGROUND:

Bylaw 8217 was considered for First Reading and referral to a public hearing at the March 6, 2017 regular meeting of Council. At that meeting the bylaw was defeated on a 3-3 vote. Pursuant to section 131 of the *Community Charter*, the Mayor has directed that this matter be reconsidered and voted on again in the presence of a full Council; accordingly, Bylaw 8217 is attached and presented for reconsideration.

At the March 6 meeting and prior to the defeat of the bylaw, Council debated a possible amendment to Bylaw 8217. This option appears below as Option 2.

Conclusion:

Bylaw 8217 provides an opportunity for Council to consider a business-friendly initiative which would allow for greater flexibility in accommodating temporary uses within the District.

Options:

The following options are available to Council:

1. Grant First Reading to Bylaw 8217 and refer it to a public hearing;
2. Amend the bylaw at First Reading by adding:

SUBJECT: Reconsideration of Bylaw 8217 - Zoning Bylaw Amendment Regarding Temporary Use Permits

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“, except for lands which are located outside of the District's four growth centres and zoned one of the Single Family Residential (RS) zones.

For the purposes of defining the District's four growth centres, reference is made to the District Official Community Plan Bylaw 7900 Schedule A "Town and Village Centres" Lynn Valley, Lower Lynn, Maplewood and Lower Capilano-Marine."

to section 4B01-A Temporary Use Permits after the words "as an area where temporary use permits may be allowed"; or,

3. Refer the bylaw back to staff for further modification.

Respectfully submitted,



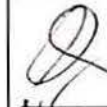

James Gordon
Municipal Clerk


Darren Veres
Development Planner

Attachment: February 20, 2017 Staff Report

REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev. _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Services _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Utilities _____	<input type="checkbox"/> Finance _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Parks _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> NVRC _____
<input type="checkbox"/> Environment _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Facilities _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Human Resources _____	<input type="checkbox"/> Real Estate _____	

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>March 6, 2017</u>
<input type="checkbox"/> Other:	Date: _____

 Dept. Manager	 GM/ Director	 CAO
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The District of North Vancouver REPORT TO COUNCIL

February 20, 2017
File: 08.3060.20/007.17

AUTHOR: Darren Veres, Community Planner

SUBJECT: Bylaw 8217: Temporary Use Permit Amendments; Bylaw 8144: Development Procedures Bylaw Amendments; and Bylaw 8218: Fees and Charges Bylaw Amendment

RECOMMENDATION:

THAT "The District of North Vancouver Rezoning Bylaw 1349 (Bylaw 8217)" is given FIRST Reading;

AND THAT Bylaw 8217 is referred to a Public Hearing;

AND THAT "Development Procedures Bylaw 8144, 2017" is given FIRST Reading;

AND THAT "The District of North Vancouver Fees and Charges Bylaw 6481, 1992, Amendment Bylaw 8218, 2017 (Amendment 51)" is given FIRST Reading.

REASON FOR REPORT:

The proposed bylaws require Councils consideration:

- Bylaw 8217 (Attachment 1) designates the entire District as a Temporary Use Permit area, sets general conditions for temporary uses and deletes the Development Permit Regulations of the Zoning Bylaw which occur in the Official Community Plan (OCP) ;
- Bylaw 8144 (Attachment 2) replaces the Development Procedures Bylaw to update the District's development review procedures;
- Bylaw 8144 also delegates authority to issue Temporary Use Permits to the General Manager of Planning, Properties and Permits except for Single-Family Residential (RS zoned) lands located outside of the 4 key centres; and
- Bylaw 8218 (Attachment 3) amends the Fees and Charges Bylaw to reference the revised Development Procedures Bylaw.

SUBJECT: Bylaw 8217: Temporary Use Permit Amendments; Bylaw 8144: Development Procedures Bylaw Amendments; and Bylaw 8218: Fees and Charges Bylaw Amendment

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BACKGROUND:

Temporary Use Permits

Section 492 of the *Local Government Act* allows local governments to designate areas where temporary uses may be allowed and to specify general conditions regarding the issuance of temporary use permits in those areas. The purpose of temporary use permits (TUP) is to allow a short term use which would otherwise not be permitted on a piece of land. This allows the District to support business growth and short term economic opportunities. TUPs are only valid for up to three years with one renewal of up to three years allowed. Upon the expiration of the TUP, the temporary use must stop and the land may need to be restored to the condition it was in prior to the temporary use or meet any other conditions specified in the permit.

Council established TUP provisions in the Zoning Bylaw in 2010, and delegated authority to issue permits to the General Manager of Planning, Permits and Properties. There are currently two Temporary Commercial and Industrial Use Permit areas designated in the Zoning Bylaw: a portion of Lynn Creek (north of Main St) and 1015 – 1037 Marine Drive.

In the summer of 2016, staff undertook a comprehensive review and analysis of changes to industrial lands in the District from 2011 and 2106. The review included an analysis of changes in industrial land area, industrial zoning changes approved and currently under application and business licence information.

Staff presented the findings of the Industrial Lands Review to Council at the November 14, 2016 Council Workshop. At that workshop, a discussion was held regarding potential opportunities for continuing to support industrial businesses and economic development. Staff identified TUPs as one tool which can be used to support business growth and create short-term economic opportunities in locations that are suitable for the proposed use. This business-friendly flexible approach has been successfully used in Lynn Creek since 2010.

At the January 31, 2017 Council Workshop, staff presented a draft of Bylaw 8217 to Council for input. This Bylaw amends the Zoning Bylaw to designate the entire District of North Vancouver as a TUP area. This designation would allow TUPs to be considered anywhere in the municipality. Council generally supported this approach but expressed some concern with the issuance of TUPs in single-family residential neighbourhoods. In response to Council's input, Bylaw 8217 has been revised to exclude delegation of TUPs in single-family (RS zoned) neighbourhoods which are located outside of the four key centres (Lynn Valley, Lynn Creek, Lionsgate and Maplewood). Any application for TUPs in RS lands outside of these four centres would be referred to Council for consideration.

Bylaw 8217 also deletes Part 4A Development Permit Regulations of the Zoning Bylaw as development permit regulations are already addressed in Schedule B of the OCP.

SUBJECT: Bylaw 8217: Temporary Use Permit Amendments; Bylaw 8144: Development Procedures Bylaw Amendments; and Bylaw 8218: Fees and Charges Bylaw Amendment

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Development Procedures Bylaw

Development Procedures Bylaw 7738 defines the procedure under which an owner of land may apply to amend the Official Community Plan, amend the Zoning Bylaw, subdivide land, apply for the issuance of a development permit, development variance permit, temporary use permit, liquor license motion, sign permits or heritage alteration permit. This bylaw briefly outlines the development process including refund of fees and outlines double fees for works conducted without permit.

At the January 18, 2016 Council Workshop, the General Manager provided an overview of a revised Development Procedures Bylaw 8144 which proposed updates to the development review procedures to be consistent with current practice and legislation. Council provided input with respect to public notification delivery distance, the need for a clarity regarding the development application process and the need for a web-based tool for searching for development applications.

At the January 31, 2017 Council Workshop, staff presented updates to draft Bylaw 8144 which resulted from Council input at the 2016 workshop. These updates also include process practices regarding public notification provisions, preparation of a Best Practices Guidelines for Application Notification (Attachment 4), addition of development process flowchart used at public meetings and included with development letters, and introduction of a map-based website for development applications (link here)

<http://dnv.maps.arcgis.com/apps/Shortlist/index.html?appid=bda3e32e80ca49d9859d63ad640ffcc0> In addition, since this workshop, staff have launched a website which provides a "sign up" service for people and community groups wishing to be informed of major development applications (link here) <http://www.dnv.org/property-development/receive-notification-about-applications-new-development-your-area>. This self-management system will ensure timely referrals to community groups as well as ensuring the contacts for these groups stay current as the District no longer maintains a listing of community groups.

Many of the Council suggestions received in 2016 and 2017 have already been put into practice with the updated procedures bylaw being a further step to occur.

Council was generally supportive of draft Bylaw 8144 but expressed concern with the sign requirements. To address these concerns, Staff propose to increase the length of time that a sign is posted on a site from 7 to 12 days (not including the day the sign goes up or the day of a public hearing) and this proposal is included in Bylaw 8144.

PROPOSED BYLAWS:

Bylaw 8217 designates the entire District of North Vancouver as a temporary use permit area and contains general conditions for such temporary uses which can be specified (and even added to) in the permit. This designation would allow landowners anywhere in the District to apply for TUPs. The Bylaw also delegates issuance of TUPs to the GM of Planning,

SUBJECT: Bylaw 8217: Temporary Use Permit Amendments; Bylaw 8144: Development Procedures Bylaw Amendments; and Bylaw 8218: Fees and Charges Bylaw Amendment

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Properties and Permits with the exception of TUPs on single-family (RS zoned) land outside of the four key centres.

Bylaw 8144 is a new Development Procedures Bylaw which updates the development procedures to meet current practices, strengthens the public notification procedures of the District and provides reconsideration language. In addition, a Best Practices Guidelines for Application Notification is also proposed to provide planners with additional guidance on how to implement the Procedures Bylaw.

In addition to the fees being removed from the Development Procedures Bylaw 7738, Fees and Charges Bylaw 6481 also requires a housekeeping amendment to refer to the correct Development Procedures Bylaw number.

To assist in Council's assessment of the proposed changes the following items are attached to this report:

1. Bylaw 8217 – Part 4B-A Temporary Use Permit Regulations (Attachment 1);
2. Development Procedures Bylaw 8144 (Attachment 2);
3. Bylaw 8210 Fees and Charges Bylaw Amendment (Attachment 3);
4. Best Practice Guidelines for Application Notification and Development Process Flowchart (Attachment 4); and
5. Table of Concordance which provides a detailed section-by section comparison of the existing and proposed Development Procedures Bylaws (Bylaw 7738 and the Bylaw 8144) (Attachment 5).

Should Council advance Bylaws 8217 and 8144, staff will provide a subsequent report recommending repeal or housekeeping amendments to the following policies so that they are consistent with the Bylaws:

6. Public Notification Policy (Administrative Policy, Attachment 6): amend to be consistent with the expanded notification radius in Bylaw 8144 and self-sign-up notification system for community groups;
7. Public Information Meetings – Developer (Council Policy, Attachment 7): amend to be consistent with Bylaw 8144;
8. Subdivision Approval Under Section 944 of the Local Government Act (Council Policy, Attachment 8): repeal as redundant and outdated;
9. Subdivision Approvals (Council Policy, Attachment 9): repeal as addressed in the Approving Officer's Best Practices;
10. Development Variance Permits – Support Material (Council Policy, Attachment 10): repeal to be consistent with current practices; and
11. Liquor Applications (Council Policy, Attachment 11): update to be consistent with current legislation and practice.

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Concurrence:

These Bylaws have been reviewed by Development Planning, Strategic Communications and Community Relations, Clerks Office and the District's Solicitor.

Liability/Risk:

Application review procedures can give rise to bylaw challenges if consistent procedures are not followed. Many procedures are articulated in the *Local Government Act* and are therefore not duplicated with Bylaw 8144. However, Council may enact certain provisions by bylaw, such as the delivery of notice provisions within Section 6 and 7 of Bylaw 8144. These are minimum standards which should be met in each case to reduce the potential for a successful bylaw challenge.

Social Policy Implications:

Establishing development procedures in a bylaw demonstrates and implements fairness, consistency and accountability in a system of land use regulation. For example, the right of land owners to apply for a change to their zoning and OCP designation is enacted in legislation. The procedure bylaw then establishes a framework for the review of such application, including inviting public participation and comment in a process which culminates in a decision of Council, or a person or another body who has been delegated the powers, duties, and functions of Council. Ultimately, enacting procedures in a bylaw helps to establish the legitimacy of the regulatory framework of land use regulation.

Public Input:

Should Council give first reading to the zoning bylaw amendment to allow an expanded TUP Area, then a Public Hearing will be held.

Conclusion:

The proposed Temporary Use Permit Bylaw 8217 is a business-friendly initiative which allows greater flexibility to accommodate short term commercial or industrial opportunities in the District. The proposed Development Procedures Bylaw 8144 updates the District's development review procedures for consistency with current practices and provides clarity for the community, staff and applicants. Bylaw 8144 increases the minimum notification area required for major applications and defines the expectation for signage related to public hearings. The proposed Fees and Charges Bylaw housekeeping amendment is necessary to reflect changes to the Development Procedures Bylaw title.

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Options:

1. Introduce Bylaws 8217, 8144, and 8218 and refer Bylaw 8217 to Public Hearing (staff recommendation); or,
2. Defeat the bylaws at first reading.

Respectfully submitted,



Darren Veres
Development Planner

Attachments:

1. Bylaw 8217 - Part 4B-A Temporary Use Permit Regulations;
2. Bylaw 8144 - Development Procedures Bylaw
3. Bylaw 8210 - Fees and Charges Bylaw;
4. Best Practices Guidelines for Application Notification and Development Process Flowchart;
5. Table of Concordance;
6. Public Notification Policy (Administrative Policy);
7. Public Information Meetings – Developer (Council Policy);
8. Subdivision Approval Under Section 944 of the Local Government Act (Council Policy);
9. Subdivision Approvals (Council Policy);
10. Development Variance Permits – Support Material (Council Policy); and
11. Liquor Applications (Council Policy).

REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev. _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Services _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Utilities _____	<input type="checkbox"/> Finance _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Parks _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> NVRC _____
<input type="checkbox"/> Environment _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Facilities _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Human Resources _____	<input type="checkbox"/> Real Estate _____	

The Corporation of the District of North Vancouver**Bylaw 8217**

A bylaw to amend District of North Vancouver Zoning Bylaw 3210, 1965

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as "The District of North Vancouver Rezoning Bylaw 1349 (Bylaw 8217)".

2. Amendments

2.1 District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:

- a) Part 4A "Development Permit Regulations" is deleted in its entirety.
- b) Part 4B-A "Temporary Commercial and Industrial Use Permit Regulations", is deleted in its entirety including 4B-A Schedule A Maps 1 and 2.
- c) Insert a new Part 4B-A, "Temporary Use Permit Regulations", as follows:

"PART 4B-A TEMPORARY USE PERMIT REGULATIONS"**4B01-A Temporary Use Permits**

The entire area of the District of North Vancouver is designated as an area where temporary use permits may be allowed.

4B02-B General Conditions

- (1) The temporary use must not unreasonably interfere with orderly and efficient development of the surrounding area;
- (2) The temporary use shall be subject to conditions identified in Section 414 Good Neighbour Requirements for Employment Zones and Village Commercial Zones;
- (3) The temporary use shall operate at an intensity of use suitable to the surrounding area and will be compatible with regard to design and operation with other uses in the vicinity;
- (4) The temporary use shall demonstrate a plan for cessation or relocation of the use once the permit has lapsed; and
- (5) The temporary use may be exempted from the requirement to obtain a development permit.

READ a first time

PUBLIC HEARING held

READ a second time

READ a third time

Certified a true copy of "Rezoning Bylaw 1349 (Bylaw 8217)" as at Third Reading

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure on

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

The Corporation of the District of North Vancouver**Bylaw 8144**

A bylaw to define development review procedures for the District of North Vancouver

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation

1. This bylaw may be cited as "Development Procedures Bylaw 8144, 2017".

Definitions

2. In this bylaw:

- (a) "abutting" means sharing a common boundary of at least one point, or would share a common boundary of at least one point, if not for a shared highway which does not exceed 20 m in width;
- (b) "applicant" means the owner or a representative of the owner duly authorized to act on the owner's behalf in relation to an application;
- (c) "application" means a written request by an applicant to amend the Official Community Plan or Zoning Bylaw, or to enter into a heritage revitalization agreement, or phased development agreement or for the issuance of a development permit, development variance permit, or temporary use permit, in a form and content prescribed by the General Manager and this bylaw;
- (d) "Fees and Charges Bylaw" means the District of North Vancouver Fees and Charges Bylaw 6481, as amended or replaced;
- (e) "General Manager" means the General Manager of Planning, Properties & Permits and his lawful deputy, as defined in the Officers and Employees Bylaw, and any person designated in writing by the General Manager of Planning, Properties & Permits to carry out any administrative act or function under this bylaw;
- (f) "Official Community Plan" means the District of North Vancouver Official Community Plan Bylaw 7900, as amended or replaced;
- (g) "Officers and Employees Bylaw" means the District of North Vancouver Officers and Employees Bylaw 7052, as amended or replaced;
- (h) "owner" means a person listed in the land titles office as the owner of a parcel;

- (i) "parcel" means any lot, block or other area of land that is the subject of an application;
- (j) "Zoning Bylaw" means the District of North Vancouver Zoning Bylaw 3210, 1965, as amended or replaced.

Delegation

- 3. Council delegates to the General Manager the powers of Council to administer this bylaw including prescribing the form of permits issued and agreements approved under this bylaw.

Application

- 4. (1) An applicant who wishes to seek District approval for an amendment to the Official Community Plan or Zoning Bylaw, and an applicant who wishes to seek District approval for a heritage revitalization agreement or phased development agreement, and an applicant who applies for issuance of a development permit, development variance permit or temporary use permit must:
 - (a) seek approval from Council or the General Manager in accordance with the this bylaw;
 - (b) complete an application and submit it to the General Manager; and,
 - (c) pay the application fee, at the time of application submission, in accordance with the Fees and Charges Bylaw.
- (2) The applicant must provide the following information, at the applicant's expense, to the General Manager at the time of application submission:
 - (a) owner's authorization for the applicant to act on the owner's behalf with respect to the application;
 - (b) documents and plans which describe the proposal;
 - (c) documents and plans that demonstrate compliance with the existing or proposed regulations, as applicable; and,
 - (d) any additional information the General Manager determines is required to assist the Council or the General Manager in their consideration of the application.

Application Review and Consideration

5. (1) Upon receipt of a complete application the General Manager may, as applicable:

- (a) review the application;
- (b) prepare a report, amending bylaw, or permit for Council's consideration;
- (c) issue, amend, refuse, impose requirements, set conditions and standards, supplement a bylaw, and impose conditions for the sequence and timing of construction for the development permits in accordance with the *Local Government Act* and Part 1 of Schedule B of the Official Community Plan; or,
- (d) issue, renew, refuse, set conditions, establish the permit expiration date, require security, and require an undertaking in respect of a temporary use permit in accordance with the *Local Government Act* and Zoning Bylaw except for lands which are located outside of the District's four growth centres and zoned one of the Single Family Residential (RS) zones.

For the purposes of defining the District's four growth centres, reference is made to the District Official Community Plan Bylaw 7800 Schedule A "Town and Village Centres" Lynn Valley, Lower Lynn, Maplewood and Lower Capilano-Marine."

(2) Upon receipt of a complete application, General Manager's report, amending bylaw or permit, Council must consider the application in accordance with the *Local Government Act*, and may as applicable:

- (a) give the amending bylaw first reading;
- (b) forward the amending bylaw to a public hearing or waive the holding of a public hearing;
- (c) authorize the heritage revitalization agreement or phased development agreement;
- (d) authorize the issuance of a development permit, development variance permit or temporary use permit;
- (e) reject or refuse the application; or
- (f) defer or otherwise deal with the application;

and after having given the bylaw 3 readings, adopt the bylaw.

Application Reconsideration

6. Within 10 days of the General Manager's decision to issue, amend, refuse, impose requirements, set conditions and standards, supplement a bylaw, impose conditions for the sequence and timing of construction and require development approval information for a development permit or require security or undertaking in respect of a temporary use permit the applicant may request that Council reconsider the decision subject to the following:

- (1) the request shall be in writing, and include reasons in support of the reconsideration;
- (2) upon receipt of a complete written request for Council's reconsideration, the General Manager shall prepare and forward a report to Council attaching the application and setting out the reasons for the decision;
- (3) at a date and time set by Council the applicant shall have the opportunity to appear before Council and be heard regarding the decision of the General Manager; and
- (4) following this, Council shall reconsider the decision of the General Manager and either uphold the decision or substitute the Council's decision for the General Manager's.

Delivery of Notice

7. (1) The distance for mailing or delivery of *Notice of a Public Hearing* under section 466 of the *Local Government Act* is 100 metres from that part of the area that is subject to an amendment to the Official Community Plan or Zoning Bylaw, a heritage revitalization agreement, or phased development agreement and 75 metres for an amendment to the Zoning Bylaw for single-family subdivision.
- (2) The distance for mailing or delivery of notice under section 493 [*Temporary Use Permits*] and section 498 [*Development Variance Permits*] of the *Local Government Act* includes all parcels abutting that part of the area that is the subject of the permit application.

Posting of Notice

8. (1) In circumstances where the *Local Government Act* requires the delivery of a notice of public hearing to owners and tenants in occupation, except when the public hearing is waived, the District must, at least 12 days before the public hearing post a notice on the area, or on a highway adjacent to the area, that is the subject of the applicable bylaw.
- (2) Noncompliance with subsection (1) due to the removal, destruction or alteration of the notice by unknown persons, vandalism or natural occurrence will not affect the validity of the applicable bylaw.
- (3) The posted notice must have a minimum dimension of 1.2 m x 2.4 m.
- (4) The form of the posted notice must be substantially the same as Schedule A, as applicable to the application.
- (5) The posted notice must state the following, as applicable to the application:
 - (a) time and date of the public hearing;
 - (b) place of the public hearing;

- (c) a phrase which in general terms describes the proposal;
- (d) civic address of the parcel that is subject of the application; and,
- (e) a District website address and phone number.

(6) Subject to subsection (1) a minimum of one notice must be posted on the area or on a highway adjacent to the area that is the subject of the bylaw alteration.

Severability

9. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.

Repeal

10. Development Procedures Bylaw 7738, 2008, and all amendment thereto are repealed.

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8144

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DISTRICT OF
**NORTH
VANCOUVER**

PUBLIC HEARING

Proposal: (Insert a phrase which in general terms describes the proposal)

(Insert an image of the proposal)

(Insert the time and date of the public hearing)

(Insert the place of the public hearing)

dnv.org/public_hearing
604-990-2387

↑ 2.4 m ↓

The Corporation of the District of North Vancouver

Bylaw 8218

A bylaw to amend the District of
North Vancouver Fees and Charges Bylaw 6481, 1992

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as "The District of North Vancouver Fees and Charges Bylaw 6481, 1992, Amendment Bylaw 8218, 2017 (Amendment 51)".

2. Amendments

2.1 The Fees and Charges Bylaw 6481, 1992 is amended as follows:

- a) Schedule B is amended by deleting and replacing the definition of "Development Conducted without a Permit" and replacing it with a new definition of "Development Conducted without a Permit" as follows:

"If any development for which a permit is required by the District of North Vancouver Development Procedures Bylaw 8144 is commenced without a permit issued by the Council, the applicant for the proposed development must pay double the fee prescribed in this bylaw."

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Best Practices Guidelines for Application Notification

Introduction:

These best practices supplement the notification requirements of the Development Procedures Bylaw.

General Notification Requirements for all Applications

1. Minimum notification is per the Development Procedures Bylaw.
2. The notification radius may be increased on a case-by-case basis where it makes sense to do so (e.g. finishing a block or including adjacent residential neighbours beyond a commercial area.)
3. Development notification letters should include a process diagram to explain the process and where the application is in the process.
4. Basic information related to major development applications should be available on the District's website including planner and applicant contact information.
5. Notification signs installed on development sites should be placed for maximum visibility from each street frontage, and if reasonable to do so be replaced if damaged or vandalized.

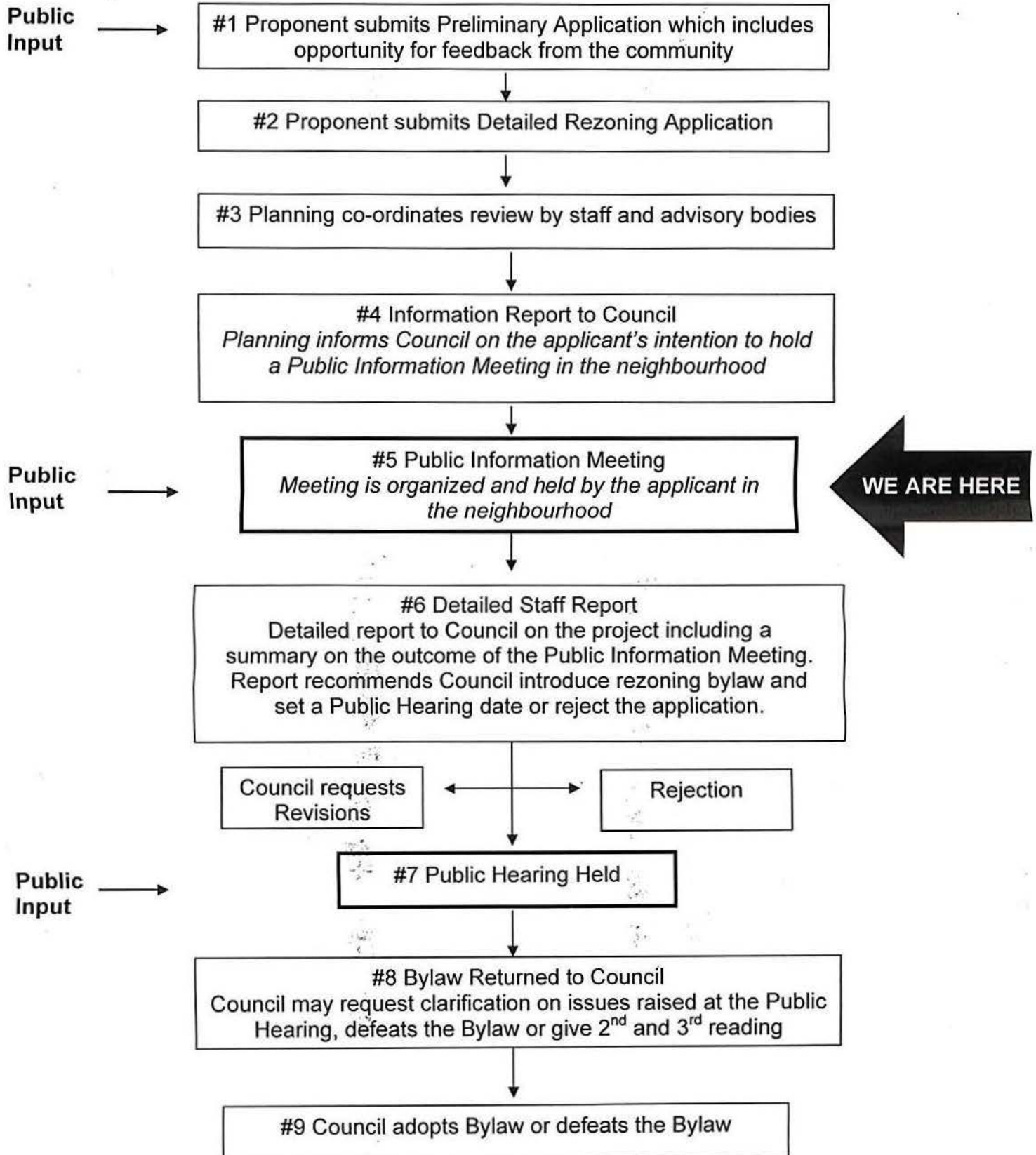
Developer's Early Input Meetings

1. Notification of an applicant's preliminary application meeting should be advertised in the local newspaper and a letter distributed to all property owners and tenants within the notification radius.
2. Meeting notification signs should be placed for maximum visibility from each street frontage.
3. Confirmation of delivery of meeting notification to renters, industrial/commercial tenants, strata owners is required to be given to staff (including method of delivery, date and number of notices delivered).
4. Developer's notification letters must include a short process diagram to explain the process and where the application is in the process.
5. Staff should attend developers' early input meetings to explain the process and timeline. Staff should bring a process timeline graphic to the meeting.

Outreach Prior to Application

1. Staff continue the practice of meeting with interested residents, owners, neighbours or community groups.
2. Staff continue the practice of providing relevant policy, process and timeline information to commercial realtors, owners representatives and developers when we are advised a site is being marketed.

PROCESS FOR APPLICATIONS REQUIRING REZONING THE DISTRICT OF NORTH VANCOUVER



Should you wish to contact District Council, they can be reached at: council@dnv.org

Table of Concordance

Existing Part 4A of Zoning Bylaw 3210		Reason for Change
<p>4A01 Development Permits</p> <p>Development permits will be issued within development permit areas to</p> <ul style="list-style-type: none"> (1) regulate the dimensions and siting of buildings and structures on the land; (2) regulate the siting and design of off-street parking and loading facilities in accordance with the permit; (3) require that landscaping or screening be established around different uses in accordance with the standards set out in the permit; (4) require the pavement of roads and parking areas in accordance with the standards set out in the permit; (5) require that the land be developed, including the provision of sewage, water and drainage facilities, and the construction of highways, street lighting, underground wiring, sidewalks and transit service facilities; (6) subject to section 740 of the Municipal Act, require the construction of buildings and structures in accordance with the specifications, terms and conditions of the permit; (7) require the preservation or dedication of natural watercourses and the construction of works to preserve and beautify them in accordance with the terms and conditions in the permit; (8) require that an area of land specified in the permit above the natural boundary of streams, rivers, lakes or the ocean remain free of development, except that specified in the permit; (9) require the provision of areas for play and recreation; (10) limit the number, size and type and specify the form, appearance and construction of signs; and (11) regulate the exterior finishing of buildings, other than residential buildings containing 3 or less self-contained 	<p><i>Part 4A "Development Permit Regulations" is deleted in its entirety.</i></p>	<p>Development permit regulations are already addressed in Schedule B of the OCP.</p>

<p>dwelling units, having due regard for requirements made under subsection (3). (Bylaw 5337)</p> <p>4A02 Development Permit Areas The owner of land within a Development Permit Area designated and delineated on the Zoning Map shall obtain or hold a Development Permit prior to the commencement of a development unless the total development consists of three or less self-contained dwelling units. (Bylaw 5337)</p> <p>4A03 Development Permit Fee (deleted by Bylaw 5649 and consolidated under the Development Application Fees Bylaw).</p> <p>4A04 Development Permit Security Deposits As a condition of the issue of a development permit, the holder shall provide a security satisfactory to the Director of Financial Services to ensure that the development is carried out in accordance with the terms and conditions set out in the permit. (Bylaw 5337)</p> <p>4A05 Issue of Development Permits Issuance of Development Permits is by Council resolution. (Bylaw 5337)</p> <p>4A06 Public Information Meeting If deemed necessary, Council may, by resolution, require that a public information meeting be held in respect of an application for a Development Permit. (Bylaw 5466)</p>		
Existing Part 4B-A of Zoning Bylaw 3210	Amendment to Part 4B-A of Zoning Bylaw 3210	Reason for Change
<p>4B01- A Temporary Commercial and Industrial Use Permits</p> <p>Temporary Commercial and Industrial Use Permits will be issued within Temporary Use Permit Areas</p> <p>(1) Allow a commercial or industrial use not permitted by the zoning bylaw;</p>	<p>4B01-A Temporary Use Permits</p> <p>The entire area of the District of North Vancouver is designated as an area where temporary use permits may be allowed.</p>	<p>-References to industrial and commercial uses removed to allow issuance of temporary permits for any use; -Entire District designated as an temporary use area where permits are allowed.</p>

<p>(2) Specify general conditions under which the temporary commercial or industrial use may be carried on;</p> <p>(3) Allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.</p>		<p>-Removed subsections (1)(2) and (3) as these are statutory requirements outlined in the <i>Local Government Act</i>.</p>
<p>4B02-B <u>Temporary Commercial and Industrial Use Permit Area</u></p> <p>The owner of land within the territorial designation of the District of North Vancouver a Temporary Commercial and Industrial Use Permit Area designated and delineated on the Zoning Map may apply for a Temporary Use Permit for commercial and industrial uses not permitted in the zoning bylaw.</p>	<p><i>Deleted</i></p>	<p>Redundant</p>
<p>4B03-C <u>General Conditions</u></p> <p>(1) The temporary commercial or industrial use must not unreasonably interfere with orderly and efficient development of the neighbourhood;</p> <p>(2) The temporary commercial or industrial use is subject to conditions identified in Section 414 Good Neighbour Requirements for Employment Zones;</p> <p>(3) The temporary use will operate at an intensity of use suitable to the surrounding area and will be compatible with regard to design and operation with other uses in the vicinity;</p> <p>(4) The temporary use can demonstrate a plan for relocation once the permit has lapsed;</p> <p>(5) The temporary commercial or industrial use permit may specify the demolition of a building or structure associated</p>	<p>(1) The temporary use must not unreasonably interfere with orderly and efficient development of the surrounding area;</p> <p>(2) The temporary use shall be subject to conditions identified in Section 414 Good Neighbour Requirements for Employment Zones;</p> <p>(3) The temporary use shall operate at an intensity of use suitable to the surrounding area and will be compatible with regard to design and operation with other uses in the vicinity;</p> <p>(4) The temporary shall demonstrate a plan for cessation or relocation of the use once the permit has lapsed; of a temporary use permit.</p>	<p>-References to industrial and commercial uses removed;</p> <p>-Subsection (5)(6) and (7) have been removed as they are covered in draft Development Procedures Bylaw 8144 or the <i>Local Government Act</i></p>

<p>with the permit or the restoration of land as described in the permit to a condition specified in the permit by the date specified in the permit;</p> <p>(6) The temporary commercial or industrial use permit may specify that the applicant deposit securities to guarantee the performance of the terms of the permit; and</p> <p>(7) The temporary commercial or industrial use permit may specify the form of security and means for determining when there is default under the permit and the amount of the security that forfeits to the local government in the event of default.</p>		
<p>4B05-E <u>Temporary Commercial and Industrial Use Permit Issuance</u></p> <p>Issuance of Temporary Commercial and Industrial Use Permits is delegated to the Director of Planning, Permits and Bylaws.</p>	<i>Removed</i>	Delegation authority relocated to Development Procedures Bylaw 8144
<p>4B06-F <u>Public Information Meeting</u></p> <p>If deemed necessary, the Director Generally Manager may require that a public information meeting be held in respect of an application for a Temporary Use Permit. (Bylaw 7867)</p>	<i>Removed</i>	Public Notification Requirement relocated to Development Procedures Bylaw 8144

Existing Bylaw 7738	Proposed Bylaw 8144	Reason for Change
<p>Title</p> <p>1. This bylaw may be cited as “DEVELOPMENT PROCEDURES BYLAW 7738.”</p>	<p>Citation</p> <p>1. This bylaw may be cited as “Development Procedures Bylaw 8144, 2017”.</p>	New bylaw title.
<p>No definitions in Bylaw 7738</p>	<p>Definitions</p> <p>2. In this bylaw:</p>	Definitions were added to assist with bylaw interpretation

	<ul style="list-style-type: none"> (a) "abutting" means sharing a common boundary of at least one point, or would share a common boundary of at least one point, if not for a shared highway which does not exceed 20 m in width; (b) "applicant" means the owner or a representative of the owner duly authorized to act on the owner's behalf in relation to an application; (c) "application" means a written request by an applicant to amend the Official Community Plan or Zoning Bylaw, or to enter into a heritage revitalization agreement, or phased development agreement or for the issuance of a development permit, development variance permit, or temporary use permit, in a form and content prescribed by the General Manager and this bylaw; (d) "Fees and Charges Bylaw" means the District of North Vancouver Fees and Charges Bylaw 6481, as amended or replaced; (e) "General Manager" means the General Manager of Planning, Properties & Permits and his lawful deputy, as defined in the Officers and Employees Bylaw, and any person designated in writing by the General Manager of Planning, Properties & Permits to carry out any administrative act or function under this bylaw; (f) "Official Community Plan" means the District of North Vancouver Official Community Plan Bylaw 7900, as amended or replaced; (g) "Officers and Employees Bylaw" means the District of North Vancouver Officers and Employees Bylaw 7052, as amended or replaced; (h) "owner" means a person listed in the land titles office as the owner of a parcel; 	
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	<p>(i) "parcel" means any lot, block or other area of land that is the subject of an application;</p> <p>(j) "Zoning Bylaw" means the District of North Vancouver Zoning Bylaw 3210, 1965, as amended or replaced.</p>	
<p>Scope</p> <p>2. This bylaw applies to:</p> <p>a) development applications, including:</p> <p>i. preliminary applications;</p> <p>ii. development permit applications;</p> <p>iii. development variance permit applications;</p> <p>iv. subdivision applications;</p> <p>v. temporary commercial and industrial use permits;</p> <p>vi. liquor license applications; and</p> <p>vii. sign permit applications.</p> <p>b) amendments to:</p> <p>i. an Official Community Plan; or</p> <p>ii. the Zoning Bylaw; and</p> <p>c) research requests, document preparation, and other related services.</p>	<p>Short Description of the purpose of the bylaw:</p> <p>A bylaw to define public hearing notification requirements, and procedures under which an owner of land may apply to amend the Official Community Plan or Zoning Bylaw, enter into a heritage revitalization agreement, or phased development agreement, or for the issuance of a development permit, development variance permit, or temporary use permit.</p>	<p>Certain types of applications were removed as follows:</p> <ul style="list-style-type: none"> - Subdivision (The processing of subdivision applications is within the Approving Officer's jurisdiction) - Liquor Licence Applications (The District's Liquor Application Policy is sufficient) - Sign Permits (Procedures are found in Sign Bylaw 7532) <p>Application types added, which have a public hearing requirement as follows:</p> <ul style="list-style-type: none"> - Heritage revitalization agreement - Phased development agreement
<p>No delegation language in Bylaw 7738</p>	<p>Delegation</p> <p>3. (1) Council delegates to the General Manager the powers of Council to administer this bylaw including prescribing the form of permits issued and agreements approved under this bylaw.</p>	<p>Administrative delegation provisions added for clarity and certainty regarding the General Manager's powers to administer the bylaw.</p>

<p>Application</p> <p>3. An application under section 2 of this bylaw must be submitted to the District of North Vancouver by the registered owner of the land, or by a person authorized to do so in writing by the owner, and shall be accompanied by:</p> <p>a) a written description of the specific proposal;</p> <p>b) the reasons for the requested amendment to an Official Community Plan or Zoning Bylaw;</p> <p>c) those materials required for the processing of the application(s), as deemed appropriate by the Director of Planning, Permits and Bylaws; and</p> <p>d) the applicable fee(s) prescribed in Schedule "B" of the District of North Vancouver Fees and Charges Bylaw 6481.</p>	<p>Application</p> <p>4. (1) An applicant who intends to amend the Official Community Plan or Zoning Bylaw, and an applicant who intends to enter into a heritage revitalization agreement or phased development agreement, and an applicant who applies for issuance of a development permit, development variance permit or temporary use permit must:</p> <p>(a) seek approval from Council or the General Manager in accordance with the <i>Local Government Act</i> and this bylaw;</p> <p>(b) complete an application and submit it to the General Manager; and,</p> <p>(c) pay the application fee, at the time of application submission, in accordance with the Fees and Charges Bylaw.</p> <p>(2) The applicant must provide the following information, at the applicant's expense, to the General Manager at the time of application submission:</p> <p>(a) authorization from the owner for the applicant to act on the owner's behalf with respect to the application;</p> <p>(b) documents and plans which describe the proposal;</p> <p>(c) documents and plans that demonstrate compliance with the existing or proposed regulations, as applicable; and,</p> <p>(d) any additional information the General Manager determines is required to assist the Council or the General Manager in their consideration of the application.</p>	<p>Changes intended to improve clarity regarding delegated authority and a requirement to submit information at the applicant's cost.</p>
<p>Refunds of Fees</p> <p>4. The refundable portion of a fee prescribed in Schedule "B" of the District of North Vancouver Fees and Charges Bylaw 6481 will be returned to the applicant in the</p>	<p>Removed</p>	<p>Fee provisions moved to the Fees and Charges Bylaw 6481.</p>

<p>following circumstances:</p> <p>a) if an application is withdrawn by the applicant or rejected by Council before either a public hearing or public meeting date is established or public notification is given, but not if the public hearing is waived; or</p> <p>b) if an application is approved by Council without the convening of a public hearing or public meeting or undertaking public notification.</p> <p>Development Conducted without a Permit</p> <p>6. If any development for which a permit is required by this bylaw is commenced without a permit issued by the Council, the applicant for the proposed development must pay double the fee prescribed in Schedule "B" of the District of North Vancouver Fees and Charges Bylaw 6481.</p>		
<p>Process</p> <p>7. Every application will be processed by the Director of Planning, Permits and Bylaws who will present a detailed report to the Council for its consideration, except where authority to issue Development Permits has been delegated to the Director of Planning, Permits and Bylaws in accordance with section 11 of this bylaw.</p> <p>Official Community Plan or Zoning Bylaw</p> <p>8. The Council shall, following receipt of the report pursuant to section 7 in respect of an application to amend the Zoning Bylaw or an Official Community Plan, proceed with an amending bylaw or reject the application.</p> <p>Permits</p> <p>9. After receipt of the report pursuant to section 7, the Council shall consider an application for a permit and at Council's discretion, hold a public meeting and then either:</p> <p>a) issue the permit, or</p>	<p>Application Review and Consideration</p> <p>5. (1) Upon receipt of a complete application the General Manager may, as applicable:</p> <ul style="list-style-type: none"> (a) review the application; (b) prepare a report, amending bylaw, or permit for Council's consideration; (c) issue, amend, refuse, impose requirements, set conditions and standards, supplement a bylaw, and impose conditions for the sequence and timing of construction for the development permits in accordance with the Local Government Act and Part 1 of Schedule B of the Official Community Plan; or, (d) issue, renew, refuse, set conditions, establish the permit expiration date, require security, and require an undertaking in respect of a temporary use permit in accordance with the Local Government Act and Zoning Bylaw except for lands which are located outside of the District's four growth centres and zoned one of the Single Family Residential (RS) zones. 	<p>The bylaw wording has been modified to be more consistent with legislative powers, duties and functions of Council, and the new Official Community Plan, which delegates the authority to the General Manager to consider the issuance of certain types of development permits.</p> <p>The existing Sec. 10 refusal notice provision was not included in the new bylaw as the applicant is provided notice regardless of the outcome of the decision. This is done to ensure procedural fairness.</p>

<p>b) refuse to issue the permit.</p> <p>Refusal</p> <p>10. Where an application for a bylaw amendment or a permit has been refused by Council, the Municipal Clerk shall notify the applicant in writing within 15 days of the date of refusal by Council.</p>	<p>For the purposes of defining the District's four growth centres, reference is made to the District Official Community Plan Bylaw 7800 Schedule A "Town and Village Centres" Lynn Valley, Lower Lynn, Maplewood and Lower Capilano-Marine."</p> <p>(2) Upon receipt of a complete application, General Manager's report, amending bylaw or permit, Council must consider the application in accordance with the <i>Local Government Act</i>, and may as applicable:</p> <ul style="list-style-type: none"> (a) give the amending bylaw first reading; (b) forward the amending bylaw to a public hearing or waive the holding of a public hearing; (c) authorize the heritage revitalization agreement or phased development agreement; (d) authorize the issuance of a development permit, development variance permit or temporary use permit; (e) reject or refuse the application; or (f) defer or otherwise deal with the application; <p>and after having given the bylaw 3 readings, adopt the bylaw.</p>	
<p>Delegation of Authority to Issue Development Permits</p> <p>11. Deleted.</p>	<p><i>Removed</i></p>	
<p>No Reconsideration language in Bylaw 7738</p>	<p>Application Reconsideration</p> <p>6. Within 10 days of the General Manager's decision to issue, amend, refuse, impose requirements, set conditions and standards, supplement a bylaw, and impose conditions for the sequence and timing of construction for a development permit or temporary use permit the applicant may request that Council reconsider the decision subject to the following:</p> <p>(1) the request shall be in writing, and include reasons in</p>	<p>Changes intended to improve the clarity around procedures for the reconsideration of a decision by the General Manager.</p>

	<p>support of the reconsideration;</p> <p>(2) upon receipt of a complete written request for Council's reconsideration, the General Manager shall prepare and forward a report to Council attaching the application and setting out the reasons for the decision;</p> <p>(3) at a date and time set by Council the applicant shall have the opportunity to appear before Council and be heard regarding the decision of the General Manager; and</p> <p>(4) following this, Council shall reconsider the decision of the General Manager and either uphold the decision or substitute the Council's decision for the General Manager's.</p>	
<p><i>Existing public hearing notice delivery procedures are found in the Public Notification Policy.</i></p> <p>Public Hearing notice delivery "75 m radius".</p> <p>Temporary Use Permit notice delivery "Adjacent Neighbours"</p> <p>Development Variance Permit notice delivery "Adjacent Neighbours"</p>	<p>Delivery of Notice</p> <p>7. (1) The distance for mailing or delivery of notice of a public hearing under section 466 of the <i>Local Government Act</i> is 100 metres from that part of the area that is subject to an amendment to the Official Community Plan or Zoning Bylaw, a heritage revitalization agreement, or phased development agreement and 75 metres for an amendment to the Zoning Bylaw for single-family subdivision.</p> <p>(2) The distance for mailing or delivery of notice under section 493 [<i>Temporary Use Permits</i>] and section 498 [<i>Development Variance Permits</i>] of the <i>Local Government Act</i> includes all parcels abutting that part of the area that is the subject of the permit application.</p>	<p>Notice provisions which supplement the legislative requirements should be enabled by Bylaw.</p>
<p><i>Existing public hearing notice posting procedures are found in the Public Notification Policy.</i></p> <p>Public Hearings. In practice we post a sign, although it is not noted in the attached policy.</p>	<p>Posting of Notice</p> <p>8. (1) In circumstances where the <i>Local Government Act</i> requires the delivery of a notice of public hearing to owners and tenants in occupation, except when the public hearing is waived, the District must, at least 12 days before the public hearing post a notice on the area, or on a highway adjacent to the area, that is the subject of the applicable bylaw.</p> <p>(2) Noncompliance with subsection (1) due to the removal, destruction or alteration of the notice by unknown persons,</p>	<p>Notice provisions which supplement the legislative requirements should be enabled by Bylaw.</p>

	<p>vandalism or natural occurrence will not affect the validity of the applicable bylaw.</p> <p>(3) The posted notice must have a minimum dimension of 1.2 m x 2.4 m.</p> <p>(4) The form of the posted notice must be substantially the same as Schedule A, as applicable to the application.</p> <p>(5) The posted notice must state the following, as applicable to the application:</p> <ul style="list-style-type: none"> (a) time and date of the public hearing; (b) place of the public hearing; (c) a phrase which in general terms describes the proposal; (d) civic address of the parcel that is subject of the application; and, (e) a District website address and phone number. <p>(6) Subject to subsection (1) a minimum of one notice must be posted on the area or on a highway adjacent to the area that is the subject of the bylaw alteration.</p>	
No definitions in Bylaw 7738	<p>Severability</p> <p>9. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.</p>	Intended to signal to a reviewing court that each provision of the bylaw is severable from the others and that the entire bylaw should not be declared invalid.
<p>Repeal</p> <p>12. The Development Procedures Bylaw 5959 and amendments thereto are repealed.</p>	<p>Repeal</p> <p>10. Development Procedures Bylaw 7738, 2008 and all amendment thereto are repealed.</p>	Repeal of outdated bylaw and amendments.
<p>Effective Date</p> <p>13. This bylaw will come into force and take effect on January 1, 2009.</p>	Removed	Bylaw will come into effect at adoption.

No Schedules in Bylaw 7738	Schedule A to Bylaw 8144	Provides a visual reference for the sign notice.
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Existing Fees and Charges Bylaw 6481	Amendment to Fees and Charges Bylaw 6481	Reason for Change
1.Title This bylaw may be cited as "The District of North Vancouver Fees and Charges Bylaw 6481, 1992	1. Title This bylaw may be cited as "The District of North Vancouver Fees and Charges Bylaw 6481, 1992, Amendment Bylaw 8218, 2017 (Amendment 51)	Replace reference to Bylaw 7738 with reference to Bylaw 8144
2. Amendments Schedule B: "Development Conducted without a Permit " If any development for which a permit is required by the District of North Vancouver Development Procedures Bylaw 7738 is commenced without a permit issued by the Council, the applicant for the proposed development must pay double the fee prescribed in this bylaw."	2. Amendments Schedule B: "Development Conducted without a Permit " If any development for which a permit is required by the District of North Vancouver Development Procedures Bylaw 8144 is commenced without a permit issued by the Council, the applicant for the proposed development must pay double the fee prescribed in this bylaw."	



ADMINISTRATIVE POLICY MANUAL

Section:	Land Administration	8
Sub-Section:	Development	3060
Title:	PUBLIC NOTIFICATION POLICY	3

POLICY

It is the policy of the District of North Vancouver to notify residents, businesses and property owners within specified distances of development applications. In addition to all statutory requirements, all development applications noted below shall follow the "Public Notification Policy."

REASON FOR POLICY

The purpose of this policy is to describe public notification practice for development approval processes.

PROCEDURE

The notification areas listed below are intended to establish a minimum notification area for a typical development application. The notification area may be amended for projects which, in the Director of Planning's opinion, require more extensive public notification. The notification guidelines below do not apply if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration.

In this policy, "adjacent neighbours" means lots with property lines that adjoin to the subject property, and lots across a lane or street which would have adjoining property lines if the street or lane did not exist. The notification area radius is measured from the closest property line of the subject site.

Process	Minimum Notification Area	Community Association Notification
Development Variance Permits		
Detailed application	Adjacent neighbours	Yes
Liquor Licenses Requiring Council Motion	Adjacent Neighbours + sign	Yes
Major Development Permits (Commercial, Industrial & Multi-family Form & Character)		
Preliminary application	Adjacent neighbours	Yes
Public Information Meeting	75m radius + sign	Yes
Minor Development Permit		
Detailed application	Adjacent Neighbours	Yes
Public Hearings	75m radius	Yes
Rezoning & Official Community Plan Amendments		
Preliminary application	Adjacent Neighbours	Yes
Public Information Meeting	75m radius + sign	Yes
Subdivisions		
Preliminary application	Adjacent neighbours	No
Detailed application without rezoning or variances	Adjacent neighbours	No
Detailed application with rezoning or variances	75m radius	Yes
Temporary Use Permits		
Detailed application	Adjacent neighbours	Yes

Approval Date:	March 22, 2011	Approved by:	Chief Administrative Officer
1. Amendment Date:		Approved by:	
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	



The Corporation of the District of North Vancouver

ADMINISTRATIVE POLICY MANUAL

Section:	Land Administration	8
Sub-Section:	Development	3060
Title:	NOTIFICATION POLICY FOR NON-STATUTORY PUBLIC CONSULTATION	3

POLICY

It is the policy of the District of North Vancouver to notify residents, businesses and property owners within specified distances of development applications during the processing of that application prior to Council consideration. In addition to all statutory requirements, the development applications noted below shall follow the "Public Notification Policy."

REASON FOR POLICY

The purpose of this policy is to describe public notification during the processing of a development application.

PROCEDURE

The District of North Vancouver may notify the public of development applications and hold public information meetings to disseminate information and solicit public feedback regarding: a proposed amendment to the Official Community Plan Bylaw or Zoning Bylaw; a proposed development requiring the issue of a development permit, development variance permit, or temporary use permit; or a proposal for the issuance of a liquor licence requiring a Council resolution. The following table summarizes the recommended public notification:

<u>Development Proposal</u>	<u>¹Notification Delivery Area</u>	<u>Sign</u>
Official Community Plan & Zoning Bylaw Amendment		
Preliminary application (except subdivision)	100 m	No
Public Information Meeting	100 m	Yes
Subdivision where rezoning is required	75 m	No
Major Development Permit for Commercial, Industrial & Multi-Family Form and Character		
Preliminary application	Abutting land	No
Public Information Meeting	100 m	Yes
Development Variance Permit	Abutting land	No
Temporary Use Permits	Abutting land	No
Liquor Licence requiring a resolution	Abutting land	Yes

¹ The notification delivery area includes tenants and owners from the parcels, any part of which is the subject of the proposed development, except where 10 or more parcels owned by 10 or more persons are the subject of the zoning bylaw amendment.

Sign standards may be found in the District of North Vancouver Development Procedures Bylaw 8144.

Approval Date:		Approved by:	
1. Amendment Date:		Approved by:	
2. Amendment Date:		Approved by:	



EXISTING

ATTACHMENT 7

The Corporation of the District of North Vancouver

CORPORATE POLICY MANUAL

Section:	Land Administration	8
Sub-Section:	Development - Applications	3060
Title:	PUBLIC INFORMATION MEETINGS - DEVELOPER	2

POLICY

The District of North Vancouver encourages applicants for Official Community Plan amendments, rezoning and development permits to liaise with the community to provide the opportunity for public consultation and input prior to the proposal being considered by Council.

To facilitate early dialogue, applications will be discussed by the applicant, staff and the executive of the affected registered community association early in the application review process to identify specific issues. This consultation process will be followed by one or more public information meetings.

However, prior to any Public Information Meetings being held, an information report is to be prepared for Council's consideration which outlines the proposal in detail.

REASON FOR POLICY

1. To establish early dialogue with community associations and identify specific issues of concern.
2. To expand the opportunities for public consultation.
3. To ensure that factual information on all aspects of rezoning and development proposals is conveyed to the affected community.
4. To enable staff and Council to gauge public opinion on a particular application.
5. To inform Council of upcoming development proposals.

AUTHORITY TO ACT

Delegated to Staff

Approval Date:	December 12, 1988	Approved by:	Policy & Planning Committee
1. Amendment Date:	December 11, 1995	Approved by:	Regular Council
2. Amendment Date:	October 27, 1997	Approved by:	Regular Council
3. Amendment Date:		Approved by:	



PROPOSED

The Corporation of the District of North Vancouver

CORPORATE POLICY MANUAL

Section:	Land Administration	8
Sub-Section:	Development - Applications	3060
Title:	PUBLIC INFORMATION MEETINGS - DEVELOPER	2

POLICY

The District of North Vancouver encourages applicants for Official Community Plan amendments, rezoning and development permits to liaise with the community to provide the opportunity for public consultation and input prior to the proposal being considered by Council.

To facilitate early dialogue, applications will be discussed by the applicant and the community early in the application review process to identify specific issues. This consultation process will be followed by one or more public information meetings.

However, prior to any Public Information Meetings being held, an information report is to be prepared for Council's consideration which outlines the proposal in detail.

REASON FOR POLICY

1. To establish early dialogue with community associations and identify specific issues of concern.
2. To expand the opportunities for public consultation.
3. To ensure that factual information on all aspects of rezoning and development proposals is conveyed to the affected community.
4. To enable staff and Council to gauge public opinion on a particular application.
5. To inform Council of upcoming development proposals.

AUTHORITY TO ACT

Delegated to Staff

Approval Date:		Approved by:	
1. Amendment Date:		Approved by:	
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	



REPEAL

ATTACHMENT 8

The Corporation of the District of North Vancouver

CORPORATE POLICY MANUAL

Section:	Land Administration	8
Sub-Section:	Subdivision Control	3320
Title:	SUBDIVISION APPROVAL UNDER SECTION 944 OF THE LOCAL GOVERNMENT ACT	5

POLICY

In cases where the creation of a lot, under Part 26, Division 11, Section 944 of the *Local Government Act*, might be considered to have a negative impact on the adjacent residents, the Council may, upon consideration of the recommendations of the Approving Officer, instruct that a poll of neighbours within a defined area, be conducted.

REASON FOR POLICY

To ensure that adjacent residents are aware of potential subdivision and afford them the opportunity for input prior to approval.

AUTHORITY TO ACT

Retained by Council

Approval Date:	September 26, 1983	Approved by:	Policy & Planning Committee
1. Amendment Date:	July 15, 1988	Approved by:	Updated
2. Amendment Date:	December 11, 1995	Approved by:	Regular Council
3. Amendment Date:		Approved by:	



REPEAL

The Corporation of the District of North Vancouver

ATTACHMENT 9

CORPORATE POLICY MANUAL

Section:	Land Administration	8
Sub-Section:	Subdivision Control	3320
Title:	SUBDIVISION APPROVALS	6

POLICY

Prior to considering the approval of a subdivision, the Approving Officer will provide notification to the adjacent property owners of the application under consideration.

REASON FOR POLICY

To ensure that adjacent residents are aware of potential subdivision and afford them the opportunity for input.

Approval Date:	May 15, 1989	Approved by:	Policy & Planning Committee
1. Amendment Date:	October 16, 2006	Approved by:	Regular Council
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	

**REPEAL****ATTACHMENT 10**

The Corporation of the District of North Vancouver

CORPORATE POLICY MANUAL

Section:	Land Administration	8
Sub-Section:	Development - Applications	3060
Title:	Development Variance Permits - Supporting Material	4

POLICY

The following supporting material will be included with the staff report on individual Development Variance Permits for Council's consideration:

1. the age and height of houses within the notification radius on the site and surrounding map;
2. if any additional data for homes outside the notification radius is shown, data for all the intervening homes will also be provided; and
3. colour photographs supplied by the applicant, illustrating the streetscape and contextual relationship of the proposed house with the adjacent single family residences. Where the proposed increase in height is less than 2 feet (.61m), photographs will be not required.

REASON FOR POLICY

To provide Council with relevant information regarding the proposed variance in relationship to adjacent homes in the area.

AUTHORITY TO ACT

Delegated to Staff

Approval Date:	September 8, 1997	Approved by:	Regular Council
1. Amendment Date:	October 14, 1997	Approved by:	Regular Council
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	



CORPORATE POLICY MANUAL

Section:	Legislative and Regulatory Affairs	9
Sub-Section:	Liquor Licences/Permits	4320
Title:	LIQUOR APPLICATIONS	1

POLICY

All Applications for new or amended licences for:

- **Liquor Primary uses - ie. For establishments primarily in the hospitality, entertainment or beverage service business, or private clubs;**
- **Food Primary uses (restaurants) when they include patron participation entertainment (eg. dine and dance or karaoke), and/or hours of liquor service past midnight will be handled in accordance with the procedures outlined in this Policy.**

REASON FOR POLICY

To ensure that all "liquor primary" applications have a staff review process consistent with both the changed LCLB regulations and procedures of 2002/03 and other development related processes in the District.

AUTHORITY TO ACT

Retained by Council.

PROCEDURE

1. Applicant submits an application to the Liquor Control Licensing Branch.
2. Applicant then applies to the Municipality (Community Planning Department) to determine the requirements for business licensing and building and, if necessary, development permit and rezoning. Applications requiring a Development Permit or a Zoning Bylaw amendment follow the normal process for such applications. Applications not requiring a DP or rezoning proceed to steps (3) to (7) below;
3. Applications are referred to all relevant departments for review and discussion, including Fire, Building, Business Licensing, RCMP, Transportation, Engineering and other departments or agencies as appropriate;
4. Applications are referred to the local Community Association and Business Association for review and comment;
5. Applicants place a large notice on the site and two advertisements in a local newspaper as per the existing process for public notification of Development Permit applications;
6. Notice of the licence application is sent to all property owners and occupants within a 100m radius, requesting comments and input;
7. Community Planning prepares a report to Council summarizing all comments and input received, and makes a recommendation regarding the licence application;
8. The Clerk forwards the Council resolution to the LCLB.

Approval Date:	January 13, 1992	Approved by:	Policy & Planning Committee
1. Amendment Date:	December 11, 1995	Approved by:	Regular Council
2. Amendment Date:	July 28, 2003	Approved by:	Regular Council
3. Amendment Date:		Approved by:	



CORPORATE POLICY MANUAL

Section:	Legislative and Regulatory Affairs	9
Sub-Section:	Liquor Licences/Permits	4320
Title:	LIQUOR APPLICATIONS	1

POLICY

All Applications for new or amended licences for:

- **Liquor Primary uses - ie. For establishments primarily in the hospitality, entertainment or beverage service business, or private clubs;**
- **Food Primary uses (restaurants) when they include patron participation entertainment (eg. dine and dance or karaoke), and/or hours of liquor service past midnight will be handled in accordance with the procedures outlined in this Policy.**

REASON FOR POLICY

To ensure that all "liquor primary" applications have a staff review process consistent with 2017 LCLB regulations and other development related processes in the District.

AUTHORITY TO ACT

Retained by Council.

PROCEDURE

1. Applicant submits an application to the Liquor Control Licensing Branch.
2. Applicant then applies to the Municipality (Community Planning Department) to determine the requirements for business licensing and building and, if necessary, development permit and rezoning. Applications requiring a Development Permit or a Zoning Bylaw amendment follow the normal process for such applications. Applications not requiring a DP or rezoning proceed to steps (3) to (7) below;
3. Applications are referred to all relevant departments for review and discussion, including Fire, Building, Business Licensing, RCMP, Transportation, Engineering and other departments or agencies as appropriate;
4. Applicants place a large notice on the site in accordance with public notification procedures of the Development Procedures Bylaw;
5. Notice of the licence application is sent to owners and occupants of abutting properties requesting comments and input;
6. Development Planning prepares a report to Council summarizing all comments and input received, and makes a recommendation regarding the licence application;
7. The Clerk forwards the Council resolution to the LCLB.

Approval Date:		Approved by:	
1. Amendment Date:		Approved by:	
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	

The Corporation of the District of North Vancouver

Bylaw 8217

A bylaw to amend District of North Vancouver Zoning Bylaw 3210, 1965

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as “The District of North Vancouver Rezoning Bylaw 1349 (Bylaw 8217)”.

2. Amendments

2.1 District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:

- a) Part 4A “Development Permit Regulations” is deleted in its entirety.
- b) Part 4B-A “Temporary Commercial and Industrial Use Permit Regulations”, is deleted in its entirety including 4B-A Schedule A Maps 1 and 2.
- c) Insert a new Part 4B-A, “Temporary Use Permit Regulations” , as follows:

“PART 4B-A TEMPORARY USE PERMIT REGULATIONS”

4B01-A Temporary Use Permits

The entire area of the District of North Vancouver is designated as an area where temporary use permits may be allowed, except for lands which are located outside of the District’s four growth centres and zoned one of the Single Family Residential (RS) zones.

For the purposes of defining the District’s four growth centres, reference is made to the District Official Community Plan Bylaw 7900 Schedule A “Town and Village Centres” Lynn Valley, Lower Lynn, Maplewood and Lower Capilano-Marine.

4B02-B General Conditions

- (1) The temporary use must not unreasonably interfere with orderly and efficient development of the surrounding area;
- (2) The temporary use shall be subject to conditions identified in Section 414 Good Neighbour Requirements for Employment Zones and Village Commercial Zones;

- (3) The temporary use shall operate at an intensity of use suitable to the surrounding area and will be compatible with regard to design and operation with other uses in the vicinity;
- (4) The temporary use shall demonstrate a plan for cessation or relocation of the use once the permit has lapsed; and
- (5) The temporary use may be exempted from the requirement to obtain a development permit.

READ a first time March 27th, 2017

PUBLIC HEARING held

READ a second time

READ a third time

Certified a true copy of "Rezoning Bylaw 1349 (Bylaw 8217)" as at Third Reading

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure on

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk



PUBLIC HEARING

Temporary Use Permit Areas

What: A Public Hearing for Bylaw 8217, a proposed amendment to the Zoning Bylaw to designate the entire area of the District as an area where Temporary Use Permits may be allowed (except for lands which are located outside of the District's four growth centres and zoned one of the Single Family Residential (RS) zones).

When: 7 pm, Tuesday, April 18, 2017

Where: Council Chambers, District of North Vancouver Municipal Hall, 355 West Queens Road, North Vancouver, BC

What changes?

There are currently two Temporary Commercial and Industrial Use Permit areas designated in the Zoning Bylaw: a portion of Lynn Creek (north of Main Street) and 1015-1037 Marine Drive. Bylaw 8217 proposes to amend the District's Zoning Bylaw by designating the entire area of the District as an area where Temporary Use Permits may be allowed except for lands which are located outside of the District's four growth centres and zoned one of the Single Family Residential (RS) zones. Bylaw 8217 also proposes to set general conditions for temporary uses and delete the Development Permit Regulations of the Zoning Bylaw which are addressed in Schedule B of the Official Community Plan (OCP).

How can I provide input?

We welcome your input Tuesday, April 18, 2017, at 7 pm. You can speak in person by signing up at the hearing, or you can provide a written submission to the Municipal Clerk at input@dnv.org or by mail to Municipal Clerk, District of North Vancouver, 355 West Queens Road, North Vancouver, BC, V7N 4N5, before the conclusion of the hearing.

Please note that Council may not receive further submissions from the public concerning this application after the conclusion of the public hearing.

Need more info?

Relevant background material and copies of the bylaw are available for review at the Municipal Clerk's Office or online at dnv.org/public_hearing from March 6 to April 18. Office hours are Monday to Friday 8 am to 4:30 pm, except statutory holidays.

Who can I speak to?

Darren Veres, Development Planner, at 604-990-2487 or veresd@dnv.org



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