



**THE CORPORATION OF THE  
CITY OF WHITE ROCK  
BYLAW NO. 2485**

*A Bylaw to establish procedures for processing  
development applications, to issue permits under Part  
14 of the Local Government Act and for the referral of  
liquor and cannabis licence applications*

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# City of White Rock Development Procedures Bylaw, 2024, No. 2485

**WHEREAS** the City of White Rock is required to establish procedures by bylaw under which an owner of land may apply for an amendment to a plan or bylaw or for the issue of land use permit;

**AND WHEREAS** the City of White Rock receives referrals from the Province of British Columbia for liquor license applications, which require community input and recommendation by way of Council resolution;

**NOW THEREFORE**, the Council of the City of White Rock in open meeting assembled, enacts as follows:

**1. TITLE**

This Bylaw may be cited for all purposes as “**City of White Rock Development Procedures Bylaw, 2024, No. 2485**”.

**2. DEFINITIONS**

**2.1** In this Bylaw:

**ADVISORY DESIGN PANEL:** means the panel appointed by the Council and governed by the “City of White Rock Advisory Design Panel Terms of Reference”, as amended or replaced by the City Council from time to time, to advise the City Council generally on the design quality of the built environment of the City, and specifically to provide comments and suggestions to the City Council and City employees to improve the design quality of development permit applications for new development or redevelopment in the City.

**AGENT:** means the person, firm or corporation given express written authority under an authorization form to represent the Owner.

**APPLICANT:** means the Owner, or Agent, who makes an Application.

**APPLICATION:** means an application referred to in section 4.

**APPLICATION FORM:** means a form provided by the City that sets out the minimum standards of information and documentation required for purposes of applying for an Application.

**APPROVING OFFICER:** means a person appointed by Council in accordance with section 77 of the *Land Title Act* and the City of White Rock *Officer and Indemnification Bylaw* and a person designated by Council to act in the place of the appointee.

**CITY:** means the Corporation of the City of White Rock.

<b>CORPORATE OFFICER:</b>	means the municipal employee appointed as the officer responsible for corporate administration in accordance with sections 146 and 148 of the <i>Community Charter</i> or designate.
<b>COUNCIL:</b>	means the council of the City of White Rock.
<b>DEVELOPMENT INFORMATION MEETING:</b>	means a public meeting hosted by the Applicant, at the Applicant's expense, as a means for the Applicant to obtain feedback from residents and answer questions related to the Applicant's development proposal. This meeting is required under this Bylaw to be held in accordance with section 19.
<b>DIRECTOR:</b>	means the Director of Planning and Development Services or their designate.
<b>FEES AND CHARGES BYLAW:</b>	means the City of White Rock <i>Fees and Charges Bylaw, 2022, No. 2447</i> .
<b>MINOR DEVELOPMENT PERMIT:</b>	<p>means a development permit that does not require a variance to a provision of a City bylaw, for any of the following:</p> <ul style="list-style-type: none"> <li>• a development permit with respect to the protection of the natural environment, its ecosystems and biological diversity, for the protection of development from hazardous conditions in any or all of the City's Environmental Development Areas;</li> <li>• a form and character development permit for a houseplex development with five (5) or six (6) residential dwelling units that fall within the Mature Neighbourhood Houseplex Development Permit Area in the <b>Official Community Plan</b>;</li> <li>• a form and character development permit for commercial developments limited to minor façade improvements or signage, that does not involve reconstruction or expansion of the existing building footprint or floor area.</li> </ul>
<b>MINOR DEVELOPMENT VARIANCE PERMIT:</b>	<p>means a Development Variance Permit to vary a provision of a City Bylaw, provided the requested variance does not exceed 10% of the value specified in the relevant bylaw, and meets each of the following relevant criteria:</p> <p>a) in relation to the Zoning Bylaw, a variance to one or more of the following:</p> <ul style="list-style-type: none"> <li>• siting, size and dimensions of buildings, structures and other permitted uses;</li> <li>• lot coverage, provided the variance does not allow for an increase in density;</li> <li>• variance to dimensions of patios and decks;</li> </ul>

- building setbacks and separations, open site space, and permeable surfaces;
- off-street parking and loading for projects that include five or fewer units;
- off-street parking design standards, such as dimensions, siting, and access; and
- loading requirements, including design standards, such as dimensions, siting, and access.

b) any variance related to the Sign Bylaw provisions respecting the size, location and number of signs.

The requested variance must **not** be associated with:

- an application to amend the Official Community Plan or Zoning Bylaw, or with any other proposed bylaw amendment under preparation;
- a condition of a subdivision application;
- works completed without the necessary permit(s) or approval(s) or otherwise in contravention of City bylaws; and
- non-conforming buildings or other structures, or the non-conforming use of buildings, structures or land.

**MAJOR DEVELOPMENT PERMIT:**

means every development permit other than a Minor Development Permit.

**OFFICIAL COMMUNITY PLAN:**

means the City of White Rock *Official Community Plan, 2017, No. 2220*.

**OWNER:**

means a person listed in the Land Titles Office as the owner of a parcel subject to the Application.

**PUBLIC HEARING:**

means a hearing held by or on behalf of Council under Part 14, Division 3 of the *Local Government Act*.

**SECURITY:**

means cash, a certified cheque, bank draft or a clean, unconditional, irrevocable letter of credit in a form satisfactory to the City.

**SIGN BYLAW:**

means the City of White Rock *Sign Bylaw, 2010, No.1923*.

**SUBDIVISION:**

has the meaning given to it under the *Land Title Act*.

**TEMPORARY USE PERMIT:**

means a temporary use permit authorized under the *Local Government Act*.

**ZONING BYLAW:**

means the City of White Rock *Zoning Bylaw, 2024, No. 2506*.

### 3. INTERPRETATION

#### 3.1 In this Bylaw,

- a) except as defined in section 2, the definitions contained in the Zoning Bylaw, the *Local Government Act*, and the *Community Charter* apply to this Bylaw;
- b) words or phrases used in this Bylaw that are not defined in section 2, the Zoning Bylaw, the *Local Government* or *Community Charter* have the meanings commonly assigned to them in the context in which they are used in this Bylaw, considering the specialized use of terms to which the terminology applies.
- c) words importing the singular include the plural and vice versa and words importing the neuter gender include the masculine and the feminine genders or the body corporate or politic;
- d) headings given to sections are for convenience of reference only and do not form part of this Bylaw;
- e) unless expressly stated otherwise, a reference to a section means that section of this Bylaw; and
- f) reference to a statute, regulation or another bylaw refers to that enactment as it may be amended or replaced from time to time.

### 4. SCOPE

#### 4.1 This Bylaw applies to an application for:

- a) **amendments to or the making of:**
  - i) the Official Community Plan; and,
  - ii) the Zoning Bylaw;
- b) **issuance of:**
  - i) Development Permits – Major & Minor (including applications to amend);
  - ii) Development Variance Permits;
  - iii) Minor Development Variance Permits; and
  - iv) Temporary Use Permits;
- c) **applications for:**
  - i) Subdivision;
  - ii) liquor or cannabis licence (including applications to amend);
  - iii) request for acquisition of an interest in a portion of a highway;
- d) **time extension for:**
  - i) amendments to the Zoning Bylaw and Official Community Plan;
  - ii) Temporary Use Permits;
  - iii) Subdivision applications; and
- e) **Establishment or preparation of:**
  - i) A Phased Development Agreement
  - ii) Housing Agreement

- f) a decision on an application for conversion into strata lots of a previously occupied building pursuant to the *Strata Property Act*.

**4.2** Where an application is received that is not provided for in this section, the Director may select the most appropriate category and apply the associated requirements in this Bylaw to that application.

## **5. DELEGATION OF COUNCIL POWERS**

### **5.1 Administrative Authority**

- a) Council delegates to the Director, the authority to:
  - i) determine the applicable application requirements in accordance with this Bylaw;
  - ii) require development approval information in accordance with section 484 of the *Local Government Act*;
  - iii) determine whether an applicant is required to conduct one or more Development Information Meetings;
  - iv) grant application extensions and waive an application extension fee in accordance with section 8;
  - v) issue a refund for an application fee in accordance with section 8;
  - vi) create, update and amend forms for applications, permits and other administrative forms associated with the processing and review of applications;
  - vii) require that the Applicant provide Security in accordance with section 22.

### **5.2 Minor Development Permits**

- a) Council delegates to the Director, the authority to issue Minor Development Permits in accordance with section 490 of the *Local Government Act*.
- b) The Director may refer the Minor Development Permit application to Council for consideration.

### **5.3 Minor Development Variance Permits**

- a) Council delegates to the Director, pursuant to section 498.1 of the *Local Government Act*, authority to issue a Minor Development Variance Permit, subject to provisions set out in Schedule "D".
- b) The Director shall apply the following guidelines in determining whether to issue a Minor Development Variance Permit:
  - i) the requested variance facilitates the use and development of the site, taking into account the specific site conditions, and any special circumstances that have unreasonably compromised the potential development of the site;
  - ii) the applicant has made reasonable efforts to eliminate the need for, or reduce the extent of, the requested variance;
  - iii) the proposed development is generally compatible with the adjacent neighbourhood and uses;
  - iv) the proposed development will not have significant impacts on adjacent uses,

- streetscapes, or the natural environment;
  - v) alignment with the *Official Community Plan* and do not conflict with other City Policies and regulations; and,
  - vi) the requested variance generally meets the intent of the Zoning Bylaw.
- c) The Director reserves the ability to refer the Minor Development Variance Permit application to Council for consideration.

#### **5.4 Minor Amendments to Development Permits**

- a) Council delegates to the Director the authority to approve minor amendments to an issued Major or Minor Development Permit as follows:
  - i) to provide for an alteration or change which does not affect the overall character and intent of the original permit, and does not vary any bylaw regulations;
  - ii) to establish the terms, requirements, and conditions for the minor amendment in accordance with the Development Permit Area guidelines established in the Official Community Plan.

#### **5.5 Consultation Opportunities for Official Community Plan Amendments**

- a) Council delegates to the Director the authority to consider and provide one or more opportunities it considers appropriate for early and ongoing consulting with persons, organizations and authorities they consider will be affected by an amendment(s) to the Official Community Plan.

#### **5.6 Zoning Bylaw Amendments that are consistent with White Rock's Official Community Plan**

- a) Council delegates to the Director the authority to decide whether to hold a Public Hearing where a proposed Zoning Bylaw is consistent with the Official Community Plan in accordance with section 464 (2) of the *Local Government Act*.

#### **5.7 Specific Liquor Licence Applications**

- a) The Director may exercise all the powers and perform the duties of Council pursuant to sections 38(2) and 38(3) of the *Liquor Control and Licensing Act* for the following types of liquor licence applications:
  - i) Existing Liquor Primary and Liquor Primary Club:
    - (a) change to opening and/or closing hours of liquor service by 1 hour or less;
    - (b) structural change applications that increase person capacity;
    - (c) structural change applications to add a new patio on private property and without variance(s); and
    - (d) adding or increasing a temporary use area endorsement;
  - ii) Manufacturer Licence Amendment:
    - (a) lounge endorsement for liquor consumption;
    - (b) amendment to lounge endorsement to increase person capacity;
    - (c) special event area endorsement for liquor consumption;
    - (d) amendment to special event area endorsement to increase person capacity;

- (e) extensions of liquor service for the service area, limited to a maximum of 1-hour extension;
- iii) Food Primary Licence Amendment:
  - (a) patron participation endorsement;
  - (b) add or increase a temporary use area endorsement;
  - (c) permanent change to hours of liquor service by 1 hour or less.
- b) Where a Liquor License Amendment application also includes a Zoning bylaw amendment, Temporary Use Permit, or a proposed variance to the Zoning Bylaw, the authority to consider a Liquor License Amendment application will remain with Council.
- c) The Director may elect to opt out of providing comment to the BC Liquor and Cannabis Regulation Branch for increases in capacity under 10 persons and for permanent patio additions under 15 square metres in size.
- d) The Director reserves the ability to refer an application under section 5.7.a) to Council for consideration.

### **5.8 Strata Title Conversation**

- a) Council delegates to the Director the authority to approve strata title conversions under section 242 of the *Strata Property Act*.

## **6. RECONSIDERATION**

- 6.1** An Owner whose application was subject to a decision made by the Director is entitled to have the decision reconsidered by Council.
- 6.2** An Owner who wishes to have a decision reconsidered by Council shall apply for a reconsideration in writing to the Corporate Officer within ten business days after the Director's decision is communicated in writing to the Owner, provided that the Owner has paid the applicable fee set out in the Fees and Charges Bylaw.
- 6.3** An application for reconsideration must include:
  - a) the nature of the decision;
  - b) the reasons the Owner wishes the decision to be reconsidered by Council;
  - c) the decision the Owner requests be made by Council;
  - d) a copy of any materials that the Applicant considers are relevant to the reconsideration by Council.
- 6.4** At the meeting, Council may hear from the Applicant and any other person interested in the matter under reconsideration who wishes to be heard.
- 6.5** After reconsidering the decision, Council may either confirm the decision of the Director or substitute its own decision, including decisions regarding permit conditions and amounts of Security.

## **7. APPLICATION AND SUPPORTING MATERIAL SUBMISSION**

- 7.1** Applications subject to this Bylaw shall be made in accordance with the submission requirements set out in Schedule A and shall:
  - a) be made through a fully completed Application Form signed by the Applicant and the registered owner(s) of the land subject to the application;

- b) be accompanied by the fees for the application as set out in the Fees and Charges Bylaw; and
- c) be accompanied by any reports or plans prepared by registered professionals must be electronically sealed in accordance with the requirements of the applicable professional regulation authority.

**7.2** The Application Form and submission requirements shall be sent by email to the Planning Division.

**7.3** If an Applicant does not provide the required information or documents requested by the City in respect to an application within one (1) year of the request, the application may be cancelled and the Applicant will be required to submit a new application in accordance with this Bylaw, except if an extension is requested in accordance with section 21.

**7.4** The completed application form and all documents accompanying an application for a permit under this bylaw become the property of the City and are subject to the *Freedom of Information and Protection of Privacy Act (BC)*.

**7.5** An application is not complete unless the Applicant executes a consent to section 7.4.

**7.6** If an Applicant withdraws an application, this Bylaw applies to any reapplication for the same as if it were a new application.

## **8. FEES, LEGAL FEES AND REFUND POLICY**

**8.1** Application fees in accordance with the Fee and Charges Bylaw are payable to the City at the time of application submission. A review of an application will only proceed for complete applications when all fees have been paid in full.

**8.2** All legal fees associated with applications shall be borne by the Applicant.

**8.3** Where an Applicant has obtained third reading of an amending bylaw and met all established requirements to be considered for adoption in a timely fashion, but such consideration is pending, the additional fee for extension may be waived by the Director.

**8.4** The Director may authorize refunds in accordance with the Fee and Charges Bylaw for applications that are withdrawn.

**8.5** Refunds of application fees shall be made on the following basis:

- a) 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; and
- b) if the Applicant fails within one (1) year to respond to requests for further information in support of the application, the application shall be deemed void in which case no refund of fee will be granted, and the file will be closed.

## **9. APPROVAL PROCESS**

**9.1** The Director may refer an application to other City staff and applicable external agencies for review and comment.

**9.2** The Director shall process all delegated applications and will submit a report to Council for consideration for applications that must be approved by Council.

## **APPLICATION TYPES**

*Sections 10 through 16 set out the general approval procedures for applications for the respective application type.*

### **10. BYLAW AMENDMENT PROCEDURES**

#### **Staff Report**

- 10.1** If an Applicant makes a bylaw amendment application in conformance with this Bylaw, the Director shall prepare a staff report and recommendation(s) to Council, which will contain:
- a) a copy of the completed Application Form and submission materials;
  - b) staff recommendation(s) regarding the proposed amendment;
  - c) if staff recommends first, second, third reading or adoption of an amendment bylaw, a copy of the draft amendment bylaw will be provided;
  - d) if staff recommends refusal of the bylaw, a copy of the draft bylaw may not be attached to the staff report; and
  - e) any additional relevant information that may be provided by the Director.
- 10.2** An application for an Official Community Plan or Zoning Bylaw amendment may be forwarded to Council with an initial application information report from the Director for preliminary review and feedback.

#### **Consultation**

- 10.3** Prior to a bylaw amendment being brought before Council, the Director may require the Applicant to conduct one or more Development Information Meetings in accordance with section 19.

#### **Council Consideration**

- 10.4** Prior to a Public Hearing being held for the application, Council may allow the Applicant or their consultant the opportunity to speak to their application when Council is considering a staff report related to their application.
- 10.5** On receipt of the Director's report and recommendations, Council may consider the following:
- a) give first reading to the bylaw;
  - b) authorize drafting of amendments to the bylaw;
  - c) give more than one reading to the bylaw;
  - d) direct staff to proceed with consultation;
  - e) in the case of an Official Community Plan amendment, direct staff to proceed with consultation in accordance with Council Policy 512 Official Community Plan Consultation;
  - f) decline the application;
  - g) defer consideration of the bylaw to a future Regular Council Meeting; or
  - h) refer the application back to staff, with directions.

### **Public Hearing**

**10.6** If Council gives first or second readings to a bylaw amendment, it will refer the bylaw to a Public Hearing unless the Public Hearing has been waived or is prohibited under the *Local Government Act*.

### **Notification**

**10.7** Public notification will be issued in accordance with section 17.

### **Council Consideration After Public Hearing**

**10.8** After the public hearing has been closed, Council will consider the proposed bylaw amendment, and may:

- a) give second or third reading, or both;
- b) give second, third and final readings;
- c) amend the bylaw if the amendment does not alter the use or density, or without prior written consent of the owner does not reduce density; and:
  - i) give second or third reading, or both;
  - ii) give second, third, and final readings;
  - iii) defer the bylaw amendment to a future meeting; or
  - iv) refer the bylaw amendment back to staff, with direction.

**10.9** After Council has given third reading to a proposed bylaw amendment, the Director may:

- a) refer the bylaw amendment to the Ministry of Transportation, if required;
- b) advise the Applicant in writing of any development pre-requisites to be addressed prior to further Council consideration.

**10.10** Council may consider final adoption of a proposed bylaw amendment:

- a) after three readings have been given and any pre-requisites have been completed to Council's satisfaction; and
- b) where a development permit is required, upon receipt of a report from the Director stating that a development permit has been prepared and is ready for consideration.

**10.11** Following final adoption of a bylaw amendment:

- a) staff will notify the Applicant of Council's decision in writing and include copies of the adopted bylaw if applicable; and
- b) staff will update the Official Community Plan and Zoning Bylaw for consolidated amendments, as applicable.

## **11. GENERAL PERMIT PROCEDURES**

### **Council Consideration**

**11.1** Except for Minor Development Permits, Minor Development Variance Permits and minor amendments to a Development Permit, every Application for a permit will be considered by Council.

**11.2** Minor Development Permits, Minor Development Variance Permits, and minor amendments to Development Permits are delegated permits that will be considered by the

Director.

**11.3** Council may, by resolution, issue, defer or decline the permit and provide reasons for deferring or declining the application.

**11.4** If an application is declined by Council, the Applicant may amend the application to address any deficiencies identified by Council and resubmit the amended application for Council's consideration.

### **Security**

**11.5** Securities may be required to be posted in accordance with section 22.

### **Permit Term**

**11.6** Subject to the terms of a permit, a permit lapses if the holder of the permit does not substantially start any construction with respect to which the permit was issued within two (2) years after the date of issuance of the permit.

## **12. PERMIT TYPES AND PROCESSES**

### **12.1 DEVELOPMENT PERMITS (MINOR AND MAJOR)**

#### **Design Review**

- a) The Director may refer a development permit application to the Advisory Design Panel for review and comment.

#### **Staff Report**

- b) Except in the case of delegated permits, under the direction of the Director, staff shall prepare a report for Council advising on the application with the following included:
  - i) a statement of whether the proposed development permit complies with the Official Community Plan;
  - ii) if applicable, a statement of any provisions in the Zoning Bylaw or other bylaw that are to be varied or supplemented and how they are to be varied or supplemented; and,
  - iii) a copy of the proposed development permit.

### **12.2 DEVELOPMENT VARIANCE PERMITS (INCLUDING MINOR DEVELOPMENT VARIANCE PERMITS)**

#### **Staff Report**

- a) Except for Minor Development Variance Permits, under the direction of the Director, staff shall prepare a report for Council advising on the application that includes:
  - i) a statement of the provisions in the Zoning Bylaw or other bylaw that is to be varied or supplemented and how they are to be varied or supplemented; and
  - ii) a copy of the proposed development variance permit.

#### **Public Notification**

- b) Except for Minor Development Variance Permits, the City shall mail or otherwise

deliver notice in accordance with section 17 of when it proposes to pass a resolution to issue a development variance permit.

- c) Recipients of a notice may provide written submissions on the proposed resolution to Council.

### **12.3 TEMPORARY USE PERMIT**

#### **Staff Report**

- a) Under the direction of the Director, staff shall prepare a report for Council advising on the application that includes:
  - i) a statement of the proposed use and any recommended conditions under which the temporary use may be carried on; and
  - ii) a copy of the proposed Temporary Use Permit.

#### **Public Notification**

- b) The City shall mail or otherwise deliver notices in accordance with section 17 of when it proposes to pass a resolution to issue a Temporary Use Permit.
- c) Recipients of a notice may provide written submissions on the proposed resolution to Council.

#### **Permit Term**

- d) A Temporary Use Permit is valid until the earlier of the date the permit expires, as specified in the temporary use permit, or three (3) years after the Temporary Use Permit was issued.

### **13. LICENSED ESTABLISHMENT PROCEDURES**

This section applies to all liquor licence applications and cannabis licence applications referred to Council under the *Liquor Control and Licensing Act* and the *Cannabis Control and Licensing Act* which do not require a rezoning.

#### **Public Notification**

- 13.1** Staff shall prepare a notice of the application which shall be mailed to all owners and tenants in occupation of property within 100 metres (328 feet) of any boundary of the parcel(s) subject to the application .

#### **Staff Report**

- 13.2** Except where the consideration of a liquor license application has been delegated, under the direction of the Director, staff will prepare a report and recommendations for Council as to whether to proceed to a Public Hearing;

#### **Council Consideration**

- 13.3** Upon receipt of the staff report, Council may:
  - a) adopt a resolution on the application in accordance with the *Liquor Control and Licensing Act* or the *Cannabis Control and Licensing Act*; or
  - b) instruct that further information be obtained; or

- c) request that a Public Hearing be held by the Council.

### **Public Hearing**

- 13.4** If Council requests that a Public Hearing be held, the Public Hearing will either be held in Council Chambers, by electronic means, or in an appropriate public venue, as set out in the notice of the Public Hearing.

### **Advertisement**

- 13.5** When authorized to proceed to a Public Hearing, the Director or the Corporate Officer shall advertise the application notice in accordance with section 17.

### **Council Consideration following a Public Hearing**

- 13.6** Following a Public Hearing, Council may:

- a) adopt a resolution to provide a recommendation to issue or refuse the application; or
- b) instruct that further information be obtained.

### **Provide Resolution to LCRB**

- 13.7** A Copy of the Council resolution or delegated decision will be submitted to the BC Liquor or Cannabis Regulation Branch, as applicable, along with copies of all reports, comments, documentation, and results of any public consultation.

## **14. STATRA TITLE CONVERSION APPLICATION PROCEDURES**

### **Review**

- 14.1** Where an application for a strata title conversion has been submitted, the Approving Officer may:
- a) refuse the application, or refuse the application until specified terms and conditions are met;
  - b) forward the application to Council for a decision; or
  - c) approve the application, or approve the application subject to terms and conditions.

### **Application Lapse and Extensions**

- 14.2** Where a strata title conversion has not been completed within one (1) year from the date of approval of the application, the Approving Officer shall not sign the required strata plans unless the Approving Officer extends the time for completion for a period of up to one (1) year.
- 14.3** The Approving Officer may grant additional extensions for completion provided that an application not completed at the earlier of either the end of the third anniversary of its original expiry date, or the last business day prior to this anniversary, shall be closed permanently and a new application will be required.

## **15. SUBDIVISION**

### **Referral**

- 15.1** On receipt of a complete Subdivision application, the Director will refer it to other City staff and to applicable external agencies for review and comments.

### **Consideration**

**15.2** The Approving Officer will consider applications for Subdivision.

### **Application Review**

**15.3** After the referral period, the Approving Officer shall review the application and may issue:

- a) a preliminary layout review (PLR) letter; or
- b) a refusal of the application.

**15.4** Where a PLR letter is issued, all outstanding items and conditions must be addressed, and fees deposited to the City, in the timeframe set out in the PLR, prior to consideration for final approval.

**15.5** When all PLR requirements are completed, the Applicant must submit a written request for final approval with final approval fees along with all documents requiring City signatures prior to registration.

**15.6** The Applicant's notary or solicitor is required to provide copies of all registered documents to the Approving Officer within two weeks of registration.

## **16. REQUEST FOR ACQUISITION OF AN INTEREST IN A PORTION OF A HIGHWAY**

### **Staff Report**

**16.1** Under the direction of the Director, staff will prepare a report and recommendation for Council regarding the requested purchase of a portion of the highway.

**16.2** On receipt of the Director's report and recommendations, Council may consider the following:

- a) refer the preparation of a road closure bylaw and notice of land disposition to staff; or,
- b) reject the application.

### **Public Notification**

**16.3** If Council directs staff to prepare a road closure bylaw and notice of land disposition, a notice of the (road closure and) land disposition under section 26 of the *Community Charter* is posted and published, informing residents of the intention to close the road and sell the property. If the proposed price of the land is less than fair market value, a notice of assistance is also required under section 24 of the *Community Charter*.

### **After the Public Notification period**

**16.4** Following the required notice period, an agreement is drafted for the sale of the requested portion of the highway, and if a land exchange is proposed for the purchase by the City of the Applicant's land, to be approved by Council. Once Council approves of the agreement the agreement is signed by both parties.

### **Subdivision Application Submission and Review**

**16.5** The property owner makes an application for a lot line adjustment subdivision to incorporate the former municipal right of way with their adjacent property, and if a land exchange is proposed the application must include road dedication and road closure plans.

**16.6** A Preliminary Layout Review (PLR) is issued with the condition that the road closure and dedication are approved. Staff obtain confirmation that the Province will not resume the portion of the highway to be closed.

#### **Bylaw Preparation**

**16.7** Under the direction of the Director, staff will prepare a report with a road closure bylaw that also removes the road dedication from the parcel, and if a land exchange is proposed, a highway dedication bylaw for the property to be dedicated to the City.

#### **Council Consideration & Public Notification**

**16.8** Upon receipt of the report and draft bylaw from the director, Council may give the Bylaws first, second, and third readings.

**16.9** If Council gives the first three bylaw readings, a notice of the road closure under the *Community Charter* is posted and published in accordance with section 17 of this Bylaw.

#### **Final Adoption and Subdivision Approval**

**16.10** Council considers final adoption of the road closure bylaw.

**16.11** Council, by resolution, approves the sale of the land.

**16.12** The Approving Officer approves the lot line adjustment, or subdivision plan if required.

### **17. PUBLIC NOTIFICATION**

#### **Notification Requirements**

**17.1** Any application under this Bylaw that is subject to a notice requirement shall be issued in accordance with Schedule "B" and this section.

**17.2** Any notice that is required to be advertised under the *Local Government Act* may be given by no less than three of the following methods:

- a) electronically by posting the notice on the City's official website;
- b) electronically by posting the notice on the City's official Facebook page;
- c) by publishing at least once a week for two consecutive weeks in at least one newspaper or other publication circulating in the City;
- d) posting a hard copy of the notice on the City's Public Notice posting place.

#### **Public Hearing**

**17.3** The notice shall be published by at least one of the means of publication specified above not less than 3 days and not more than 10 days before the Public Hearing, or the date of first reading of a Bylaw Amendment if a public hearing is prohibited or waived.

**17.4** For applications subject to a Public Hearing that alter the use, density or residential rental tenure in any area, the notice shall be mailed or otherwise delivered at least 10 days before the Public Hearing to the owners and any tenants in occupation of all parcels which are the subject of the application.

**17.5** The above notification under section 17.4 is not required if ten or more parcels owned by 10 or more persons are the subject of the application.

### **Notification Area**

- 17.6** Except for Development Variance Permit and Temporary Use Permit applications, all other applications that require the City to mail notice under the *Local Government Act*, the notice shall be mailed or otherwise delivered to all owners and tenants in occupation of each parcel of land that is subject to the application and to all owners of property and tenants in occupation of property within 100 metres (328 feet) of any boundary of the parcel(s) subject to the application.
- 17.7** For Development Variance Permit and Temporary Use Permit applications that require the City to mail notice under the *Local Government Act*, the notice shall be mailed or otherwise delivered to all owners and tenants in occupation of each parcel of land that is subject to the application and to all owners of property and tenants in occupation of property within 50 metres (164 feet) of any boundary of the parcel(s) subject to the application.

### **Notification for Licenced Establishment Referral Applications**

- 17.8** Where notice is required for an application referred to the City by the Liquor and Cannabis Regulation Branch, then:
- a) as determined by the Director, the applicant may be required to hold a development information meeting that is satisfactory to the Director;
  - b) notice shall be by the applicant concerning the development information meeting to property owners as shown on the assessment roll and tenants of all parcels a 100 metre radius of the subject property; and
  - c) notice shall be published in a newspaper at least 3 and not more than 10 days before the development information meeting.

### **Notification for Deferred Applications**

- 17.9** If a meeting of Council, at which an Application is to be considered, is adjourned without consideration of such application having been completed, no further notice is required, provided the following are announced to those in attendance:
- a) the time and date of the future meeting at which the application is to be considered; and
  - b) the place of the meeting, if applicable; or
  - c) the way in which the meeting is to be conducted by electronic or other communication means, if applicable.
- 17.10** Where an adjournment is made without an announcement under section 17.9 above, a further notice must be given in accordance with the same requirements as the original notice.

### **Notification for Reconsideration**

- 17.11** Notice for a decision subject to a reconsideration under section 6 will be issued in accordance with the same requirements as a original notice for the delegated decision.

## **18. DEVELOPMENT PROPOSAL SIGN REQUIREMENTS**

### **18.1 Development Proposal Sign**

- a) Application listed under Schedule “B” in this Bylaw that is subject to a Development Proposal Sign requirement must post a notice on the subject property advertising the application, at the Applicant’s expense, as follows:
  - i) no later than twenty-one (21) days of submitting the complete application;
  - ii) in a location that is highly visible from the primary road frontage;
  - iii) by providing a digital copy of the sign to the Director for review and approval prior to posting it on the property; and
  - iv) by providing a photo of the sign(s) posted on the site to the Director no later than three (3) days after posting the sign.
- b) The development proposal sign shall have a width of 8’ (244 cm) and a height of 4’ (122 cm), must be in accordance with the form and content specified in Schedule “C” and must include the following information:
  - i) type of application(s);
  - ii) address or legal description of the property(ies);
  - iii) development application number;
  - iv) name and phone number (and may include the e-mail address) of Applicant;
  - v) description and statistics about the proposal, such as proposed use, floor area, parking to be provided, and number of lots to be created;
  - vi) context map with subject property outlined in red;
  - vii) a 3D rendering illustrating the design of the proposed development, if applicable
  - viii) the Planning Division contact information including phone number.
- c) The Applicant must ensure that the development proposal sign is installed and maintained in good readable condition in accordance with the requirements of this Bylaw.
- d) Failure to provide the Director with documentation of the signage installation will result in a postponement in the processing of the application.
- e) The sign must be posted centrally on the frontage of the land and multiple signs must be posted where the lands have frontage on multiple streets as follows:
  - i) no further than 6 metres (19.7 feet) from the property line abutting a street;
  - ii) if a property abuts two or more streets, excluding lanes, a sign shall be posted no further than 6 metres (19.7 feet) from each property line abutting a street, or alternatively, at a 45-degree angle from the intersection point of the 2 streets; and
  - iii) if the placement of a required sign on a property is not feasible, the development proposal sign may be posted on an abutting road right of way, subject to approval by the City.

## **18.2 Removal of Development Signage**

- a) The sign must be visible on the property(ies) until the application is withdrawn by the Applicant, closed by the City, denied by Council or implemented through the adoption of the bylaw amendment, permit approval, or Approving Officer’s approval, and the Applicant must remove the sign within ten (10) days after such occurrence.
- b) The Applicant must inform staff once the sign(s) have been removed by submitting photographic evidence to the Planning Division. If the Applicant fails to do so, the

City, by its employees or contractors, may enter the site and remove the sign(s) and the Applicant shall pay the sign removal fee set out in the Fees and Charges Bylaw, and if such fee is unpaid by the 31st day of December of the year in which the expenses were incurred, the expenses shall be added to and form part of the property taxes payable in respect of the site as taxes in arrears.

### **18.3 Exemption**

- a) Notwithstanding section 18.1, a City-initiated bylaw amendment involving multiple properties affecting multiple properties, are exempt from requirements to install development proposal signage.

## **19. DEVELOPMENT INFORMATION MEETING**

**19.1** For applications listed within Schedule “B” under this Bylaw subject to the Development Information Meeting requirement, Applicants may be required to hold a Development Information Meeting at their own expense prior to the application being considered by Council or prior to statutory notification(s) in the case of an application not requiring bylaw readings, such as a Temporary Use Permit.

**19.2** The Director may require an Applicant to hold one or more Development Information Meetings to inform and obtain input from owners and occupiers near a proposed development site subject to a development application.

**19.3** The notice of a Development Information Meeting shall be published in accordance with section 17 and mailed or distributed in accordance with sections 17.6 or 17.7 not less than 3 days and not more than 10 days before the meeting. The notice will be sent after the Applicant has confirmed the development proposal sign has been installed on the property.

**19.4** The Applicant is responsible for notifying neighbouring residents of the Development Information Meeting. The notice must include the civic address of the property under application, the date, time, and location of the Development Information Meeting, and contact information for the applicant and the Planning Division.

**19.5** The Applicant shall provide the City with an information sheet that explains the proposed development no less than fourteen (14) days prior to the Development Information Meeting for the Director’s approval. The information sheet will be included in the mail notification mailed by the Applicant.

**19.6** The applicant shall record public input provided at the Development Information Meeting and shall provide a summary of the meeting to the Director within seven (7) days following the Development Information Meeting, which must include:

- a) an overview of the notice that was distributed;
- b) the location or electronic means, date, and time the meeting was held;
- c) information about the proposal and how it was communicated;
- d) survey results, resident feedback, or other manner of information that was used to collect input;
- e) discussion of how any issues or concerns identified from the meeting may be addressed and copies of any comment sheets received at the meeting; and
- f) the number of attendees.

## **20. TRANSFER OF APPLICATION**

**20.1** If an Applicant wants to transfer an application that is under consideration by the City to another person, the Applicant must submit the following:

- a) a letter signed by the current Applicant and each land owner authorizing the change and giving permission for the proposed applicant to make use of any supporting reports, documents, fees, deposits, or securities submitted to the City;
- b) a letter signed by the new applicant; and, when considered relevant by the Director, new land Owner; and
- c) a new Application Form completed and signed by the new applicant and updated legal title search.

**20.2** If there is a change of ownership for a property that is the subject of an application in section 4 that is under review or consideration by Council, the Director or the Approving Officer, and the information under section 20.1 above cannot be provided, the file will be closed, and a new application will be required. Original applicants will be eligible for refunds in accordance with section 8.

## **21. APPROVED, REJECTED AND INACTIVE APPLICATIONS**

### **21.1 Bylaw Amendment Applications**

#### Lapse of Bylaw amendment

- a) A proposed bylaw amendment which has not been given final adoption by Council within one (1) year after the date it was given third reading lapses, where any subsequent consideration of the proposal will require a new application, unless an extension has been granted in accordance with this section.

#### Extensions

- b) Despite section 21.1. a), upon written request by the Applicant prior to the expiry of the one (1) year period referenced above, the Director may grant an extension of up to six (6) months to enable the Applicant to complete the requirements for final adoption.
- c) The Director may grant a maximum of two (2) extensions per bylaw amendment application.
- d) On receipt of an extension request, the Director may:
  - i) grant the request; or
  - ii) deny the request for an extension and close the application.
- e) The prescribed fee for an extension set out in the Fee and Charges Bylaw shall apply and be paid by the Applicant for each extension granted.
- f) On written request by the Applicant and prior to the expiry of the second extension period, Council may grant a final extension of up to one (1) year.

### **21.2 Permit Applications**

#### Incomplete Applications and Expiry

- a) Where a permit application does not comply with this Bylaw and the Applicant fails to

provide the required information or documents requested by the Director in respect to an application, the permit application shall expire within one (1) year from the date of the initial application submission.

- b) An application that is expired for non-compliance shall be closed permanently unless renewal of the application for a period of up to six (6) months has been requested by the Applicant in writing and is authorized by the Director prior to the date of expiry.

Time-extension

- c) Any development permit issued will be void 2 years after the date of issue of the permit unless the development authorized thereunder has substantially commenced.
- d) Except Temporary Use Permits and Development Variance Permits, upon written request by the Applicant the Director may grant a maximum of one (1) extension for a period not exceeding one (1) year, provided that at the time of such extension request, the permit has not been void for a period of more than six (6) months.
- e) On written request by the Applicant and prior to the expiry of the first extension period, Council may grant a final extension of up to one (1) year.
- f) A Temporary Use Permit may be renewed only once for a period of up to three (3) years by Council.

**21.3 Subdivision**

- a) The Approving Officer may grant an extension to the timeline set out in the PLR for up to six (6) months and a maximum of two (2) extensions per application.

**21.4 Reapplying**

- a) A re-application for the same bylaw amendment or permit that has been refused by Council or the Director will not be considered by Council or the Director within a six (6) month period immediately following the date of refusal.
- b) If an Applicant has substantially amended their proposal, demonstrating in writing the changes and how they differ from the previous proposal, Council may allow re-application by a 2/3 affirmative vote, waiving the six (6) month waiting period.

**22. POSTING OF SECURITY FOR PERMITS**

**22.1** Council or the Director may require the provision of Security as a condition of a permit where the permit authorizes or requires the construction or alteration of a building or structure, or the installation of landscaping.

**22.2** The amount of Security will be based on the actual cost of construction, including the material and labour costs estimated by the Director plus a contingency amount of up to ten (10) percent of the estimated costs.

**22.3** An Applicant shall be required to pay the fees set out in the Fees and Charges Bylaw associated with reviewing and administering the Security as applicable.

**22.4** The City may undertake works and apply the Security for payment of the works if:

- a) a condition in a permit respecting landscaping has not been satisfied;
- b) an unsafe condition results as a consequence of a contravention of a condition in the

permit; or

- c) damage to the natural environment has resulted as a consequence of a contravention of a condition in a permit.

**22.5** The security shall be in the form of a Letter of Credit as specified in Fees and Charges Bylaw or the deposit of securities as cash or bank certified cheque in a form satisfactory to the City

**23. SEVERABILITY**

**23.1** If any portion 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.

**24. REPEAL**

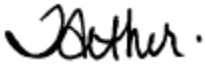
**24.1** Planning Procedures Bylaw, 2017, No. 2234, and all amendments thereto are repealed.

RECEIVED FIRST READING on the	9 <sup>th</sup> day of December, 2024
RECEIVED SECOND READING on the	9 <sup>th</sup> day of December, 2024
RECEIVED THIRD READING on the	15 <sup>th</sup> day of September, 2025
RECONSIDERED AND FINALLY ADOPTED on the	6 <sup>th</sup> day of October, 2025



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Mayor



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Director of Corporate Administration

## **SCHEDULE A - APPLICATION SUBMISSION REQUIREMENTS**

- 1) The applicant must provide the following information, at the applicant's expense, to the Director at the time of application:
  - a) Complete Application form(s).
  - b) Payment of fees as per the City's Fees and Charges Bylaw.
  - c) Owner authorization is required for an applicant who is not the owner to act on behalf of the registered owner(s) of the subject property (ies).
  - d) Legal title search for the parcel dated no more than 10 business days from the date of application submission, together with copies of all non-financial charges, including covenants, statutory rights of way and easements, registered on title.
  - e) Site Disclosure Statement
  - f) Site survey, drawing to scale and prepared by a BC Land Surveyor, showing:
    - Lot dimensions and area;
    - Topography and natural site features such as trees and watercourses;
    - Legal encumbrances such as easements and rights-of-ways; and
    - Features adjacent to the site including: trees and above-ground infrastructure such as driveways, the edge of roadway, parking, utility poles, hydro kiosks, and street lamps.
  - g) PDF files of the drawings for the proposed development are to be placed on the parcel specifying the following:
    - location of existing and proposed buildings and structures with setbacks to the property lines shown;
    - location and dimension of all municipal easements, rights-of-way, and registered covenant areas;
    - Project data and development statistics including confirmation of compliance with zoning bylaw and showing any required variances;
    - floor plan(s) of proposed buildings and floor area ratio where applicable;
    - Building elevations, sections and finishes, drawn to scale (such as 1/8 inch or 1:100 metric), dimensioned and using a geodetic datum, showing all sides of the proposed building(s) and structure(s);
    - Elevation and cross-section drawings showing the building and site development in relation to adjacent properties and public roads and lanes in all directions;
    - Landscape and streetscape plans, showing existing trees and site features, proposed tree removal, retention and site landscaping;
    - location, layout, and dimensions of parking and loading areas;
    - locations and sizes of all above-ground mechanical, electrical, and communications equipment;
    - detailed project data statistics information.
    - Digital 3D massing illustration or model of the proposed development, in colour, that also includes, at minimum, the massing of buildings on adjacent parcels
  - h) if applicable, a Development Data Summary Form which is available from the City;
- 2) Based on the application type under Section 4.0 of this Bylaw, other information that may be

required in addition to Section 1 in this Schedule is as follows, but not limited to:

- a) Arborist Report, reviewing the existing trees on the development site and immediately on adjacent lands;
  - b) View analysis showing photographs or drawings of the view of the project from important vantage points;
  - c) Shadow Study;
  - d) Environmental reports (e.g. for any development within 15 metres of top of watercourse bank);
  - e) Flood Hazard Assessment Report (e.g., for any development with habitable space within the Environmental Floodplain Development Permit Area); and
  - f) A Flood Hazard and Risk Assurance Statement signed by a Professional Engineer.
  - g) A Rental Vacancy Report
  - h) Plans for the Relocation of Persons Occupying a Residential Building on the Subject Property
  - i) Architectural Plans, including a Site Plan, elevations, and floor plans
  - j) Building Report providing BC Building Code review regarding:
    - Fire separation;
    - Soundproofing;
    - Structural integrity;
    - Mechanical review;
    - The building's state of repair and general workmanship;
    - Life expectancy of the building;
    - Projected major increases in maintenance costs due to the condition of the building;
    - The condition of the roof and the exterior and interior surfaces and details of the building; and
    - Any work that would be required to bring the building into compliance with the current BC Building Code.
  - k) Plan of Strata Subdivision (for submission when all conditions are resolved)
  - l) Proposed Subdivision Layout<sup>^</sup>, including the following information:
    - Existing easements or rights-of-way
    - Details on any requested variances
  - m) For an air space parcel subdivision;
    - drawings showing colour overlays of the proposed air space parcel boundaries at every relevant level of the development (floor plans and sections); and
    - a report identifying the intended use of the proposed parcels, including a detailed list of the uses and facilities to be contained in each parcel
- 3)** In addition to the requirements set out in section 1 in this Schedule, and in addition to the Province's application requirements, each application for a Provincial Non-Medical Cannabis Retail Licence application must include:
- a) a site plan identifying the proposed Cannabis Store location, including proposed access, parking and loading areas;
  - b) evidence that the applicant owns, leases or has an agreement to purchase or lease the commercial unit or building in which the Cannabis Store is proposed to be located;
  - c) evidence that the applicant has applied to the Liquor and Cannabis Regulation Branch in

respect of a retail store licence;

- d) the floor plan for the proposed Cannabis Store;
  - e) drawings or renderings of the interior and exterior of the proposed Cannabis Store;
  - f) evidence that the proposed Cannabis Store layout and security program comply with provincial requirements;
  - g) the applicant's business experience, including relevant experience in a federally or provincially regulated sector or industry subject to age restrictions;
  - h) a declaration that the applicant, or any of its principals or affiliates, are not engaged in the unauthorized sale or distribution of cannabis;
  - i) evidence that the proposed Cannabis Store branding complies with provincial requirements and the City's Sign Bylaw.
- 4)** The City may require development approval information regarding anticipated impact on such matters as the following, but not limited to:
- a) traffic impact studies to highlight transportation patterns including traffic flow and volumes, and public transit;
  - b) local infrastructure, including the lowland drainage system;
  - c) public facilities, including schools and parks;
  - d) community services;
  - e) the natural environment of the area affected;
  - f) engineering service requirements

**SCHEDULE B – NOTIFICATION AND CONSULTATION REQUIREMENTS  
BY APPLICATION TYPE**

<b>Application Type</b>	<b>Development Sign</b>	<b>Development Information Meeting</b>	<b>Publish Notice ♦</b>	<b>Newspaper Ad</b>	<b>Mailed or Delivered Notice</b>	<b>Public Hearing</b>
OCP Amendment	✓	✓	✓	✓	✓**	✓
Zoning Bylaw Amendment	✓	✓	✓	✓	✓	✓*
Development Permits and amendments thereto						
Development Variance Permits	✓				✓	
Minor Development Variance Permits						
Temporary Use Permits	✓	✓	✓	✓	✓	
Liquor Licence / Endorsement	✓	✓	✓	✓	✓	✓***
Provincial Non-Medical Cannabis Retail Licence Application		✓	✓	✓	✓	✓***

NOTES: ✓ = yes; **Blank** = not required.

♦ City Website, City’s Official Facebook Page and a hard copy posted on the City’s Public Notice Posting Place.

\*Unless the Public Hearing is waived or prohibited by the *Local Government Act*.

\*\* Unless 10 or more properties form the subject of the amendment.

\*\*\*Subject to recommendation to Council by the Director.

## SCHEDULE C - DEVELOPMENT PROPOSAL SIGN TEMPLATE

**WHITE ROCK**  
*City by the Sea*

**Existing Zoning:** RM-1 Low-Density Multi-Family Residential

**Proposed Zoning:** RM-2 Medium-Density Multi-Family Residential

# DEVELOPMENT PROPOSAL XX-XXX

*EXAMPLE INTENT:* A Zoning Amendment and Major Development Permit application have been submitted to allow the construction of a multi-family residential building at ABCD Street.

**OUTLINE MAP OF SUBJECT  
SITE & PROJECT  
RENDERING (OPTIONAL)**

2' 0" x 2' 0"  
WIDE WHITE SQUARE  
(MINIMUM)

	EXISTING	PROPOSED
OCB Designation	Urban Neighbourhood	Urban Neighbourhood
Development Permit Area (DPA)	Multi-Family DPA	Multi-Family DPA
Zoning	RM-1	RM-2
Use / Dwelling units		
Parking Spaces		
Max. Height		
Minimum Lot Width		
Minimum Lot Depth		
Minimum Lot Area (m <sup>2</sup> )		
Max. Lot Coverage		
Max. Density (floor area)		

**APPLICANT: ABC LAND DEVELOPMENT INC.**  
**PLANNING AND DEVELOPMENT SERVICES:**

**604-123-4567**  
**604-541-2136**

## **SCHEDULE D – PROVISIONS OF MINOR DEVELOPMENT VARIANCE PERMITS**

*All applications for Minor Development Variance Permits submitted in accordance with this Bylaw will be substantially processed as outlined below. The information is meant as a general guide to the processing procedure and is not regarded as the right to development approval if the steps indicated are followed.*

*A Minor Development Variance Permit allows the Director as delegated authority to review proposed variances against detailed regulations in the Zoning Bylaw. Minor Development Variance Permit applications are not subject to statutory notice provisions in the Local Government Act (see s.499(1.1)).*

### **PART A. APPLICATION EVALUATION CRITERIA AND CONSIDERATION GUIDELINES**

1. The Director shall evaluate Minor Development Variance Permit applications using the following considerations:
  - (i) The applicant must demonstrate the reason why the bylaw requirement cannot be met. It is not sufficient that a variance would be convenient to an owner in order to justify its approval; nor is it required that a variance be justified due to hardship; however, requests for variances on new buildings will generally not be supported unless there is a hardship related to the site (such as the site constraints or topographical issues), or it would support a Council priority (e.g. affordable rental, retention of protected trees, etc.).
  - (ii) Determine the magnitude and significance of the anticipated impact on adjacent planned or constructed buildings and structures, and adjacent planned or existing uses and activities.
  - (iii) The applicant must demonstrate they have explored the availability of substitutions or alternative solutions and determined that none is available, to the satisfaction of the Director.
  - (iv) The applicant can demonstrate the possible mitigation measures to be undertaken to address the potential impacts of the proposed development.
  - (v) The variance would result in a nonconformity that maintains sufficient vehicle vision clearance (i.e. at street and lane corners, driveways), and/or required vehicle access to the site.
2. A variance should:
  - (i) Maintain the general intent and purpose of the Official Community Plan and land use regulation bylaw being varied; and
  - (ii) Be desirable for the appropriate development and use of the land, building or other structure.
3. A variance should not:
  - (i) Result in inappropriate development of the site;
  - (ii) In an unreasonable amount, adversely affect:
    - a) public safety;
    - b) access to, or the operation and maintenance of civil infrastructure, amenities and facilities;
    - c) protected heritage property; or
    - d) the natural environment

- (iii) Result in unacceptable risk for the development, or the adjoining or reasonably adjacent lands and developments from flooding, erosion, landslip, wildfire, avalanche, or other natural hazard;
  - (iv) Injuriouly affect or unreasonably interfere with the use and enjoyment of adjoining or reasonably adjacent lands;
  - (v) Be in conflict with a covenant, registered in favour of the City of White Rock under section 219 of the *Land Title Act*; or
  - (vi) Deal with a matter that is covered in an approved phased development agreement.
4. If the Director is not satisfied that the information provided with the application is sufficient to make a determination at the staff level, or if the Director does not believe that the impacts of the variance requested have been sufficiently mitigated, the Director reserves the right to send the Minor DVP application to Council for their consideration.

## **PART B. REQUIREMENTS AND TERMS AND CONDITIONS**

A Minor Development Variance Permit may include requirements to achieve or address the guidelines in Part A above, including terms and conditions relating to the following:

1. Requirements to provide a report, at the applicant's expense, prepared by a qualified professional with experience relevant to the matter, to assist the Director in determining what terms and conditions will be imposed;
2. Requirements to prevent unsafe conditions, or preventing damage to the environment;
3. The sequence and timing of the construction associated with the development;
4. The registration of covenants under section 219 of the *Land Title Act*.
5. The development shall be carried out within two (2) years of the date of issuance of a Minor Development Variance Permit.
6. If the owner does not substantially commence the development permitted by a Development Variance Permit within two (2) years of the date of the Permit, the Permit shall lapse;
7. The land described by the Minor Development Variance Permit shall be developed strictly in accordance with the terms and provisions of the Permit which shall form a part of the Permit.
8. As a condition of the issuance of a Minor Development Variance Permit, the City may hold a Security in the amount set out by the Permit to ensure that related landscaping is carried out in accordance with the terms of the permit and that any unsafe condition that may occur as a result of contravention of the Permit is corrected.
9. All plans and specifications included in a Minor Development Variance Permit are subject to any changes required by the Building Official or other officials of the City where such plans and specifications do not comply with any duly enacted law or bylaw, and such non-compliance is not specifically permitted by the Permit. Minor variations which do not substantially alter the work referred to in the plans and specifications may be permitted if approved in writing by the Director.