



DEVELOPMENT VARIANCE PERMIT

Applications for development variance permits will be substantially processed as follows.

Please note, this guide should be used in conjunction with the District of West Vancouver [Development Procedures Bylaw](#).

Refer to the [Fees and Charges Bylaw](#) for applicable application costs.

Refer to our [Submitting a Development Application](#) webpage for the Planning Submission Checklist and Development Application form which includes the submission requirements.

Development variance permits

The topography of West Vancouver and the diversity of its neighbourhoods sometimes require variances to accommodate situations the regulations cannot anticipate. An application for a development variance permit (DVP) may be considered if a development proposal does not meet certain provisions of the zoning bylaw, subdivision bylaw, or a land use contract. A DVP cannot be used to vary permitted land use or the density of the property. To alter use or density, a rezoning application and/or an *Official Community Plan* amendment is required.

Evaluation criteria

Applications for a DVP must provide a positive benefit to the community and must minimize any potential negative impact on neighbours or the streetscape. Applications that would have a negative impact compared to standard regulations will not be supported. The following are examples of criteria that will be used to determine whether a DVP will be supported.

Positive benefits would include designs that:

- achieve superior sustainability performance
- enhance views from neighbouring buildings and sites
- complement a particular streetscape or neighbourhood
- work with the topography on a site, reducing the need for major site preparation or earthwork
- maintain or enhance desirable site features, such as natural vegetation, creeks, trees, and rock outcrops
- retain heritage structures, features, or trees
- result in superior siting with respect to light access and privacy

Potential impacts on the community include designs that:

- are inconsistent with neighbourhood character
- increase the appearance of building bulk from the street or surrounding neighbourhood



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- reduce light access, privacy, or views of adjacent lots
- require extensive site preparation and disturbance
- include unattractive building elements, such as unscreened foundations or blank, flat walls with little variation

Where a variance to lot dimensions is requested in order to accommodate a subdivision, rationale must be provided as to why the proposal results in a superior solution than a complying subdivision. Further, any proposed subdivision must demonstrate that an adequate driveway can be provided; is free of switchbacks and other sharp curves; provides entrances with adequate view angles and site distances onto public roads; and provides grades of less than 20%.

A non-conventional subdivision should not:

- impact privacy or views relative to surrounding properties
- allow an increase in house size over that permitted under a conventional subdivision. A limitation on maximum house size may be imposed to restrict development to that allowed under a conventional subdivision
- result in an inferior solution to a conventional, complying subdivision

Processing steps for a development variance permit

1. Initial inquiry

Applicant makes an inquiry to the Planning Department regarding their development proposal. Prior to preparing detailed plans or submitting a development variance permit application, applicants are advised to discuss the proposal with Planning Department staff and neighbours. Staff provide an overview of the process and application requirements.

2. Formal application submission

Applicant submits a formal application. District staff will review the application for completeness and accuracy and request any missing submission requirements before taking in the application for processing. Once a complete submission is received, staff will open the application file and generate the invoice.

3. Rationale statement

All applications for development variance must include a statement that explains the rationale and justification for the variance. The justification should address the evaluation criteria outlined above. This statement may be submitted to Council.

4. Referral process

Staff prepare internal and external referrals by distributing an information and referral memo to all applicable District departments, government ministries, and relevant advisory bodies as necessary for review.



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5. **Post-referral review**

Applicant receives feedback from the review process, outlines additional information requirements, and/or possible revisions.

6. **Applicant response to referral comments**

Applicants revises and updates their proposal in response to staff comments.

7. **Report to Council**

Staff prepare Report to Council on the application, including a proposed DVP and a date for consideration is recommended. Council may:

- a. set a date for Council consideration; or
- b. request further information prior to making a decision to consider the proposed DVP; or
- c. deny the application

8. **Application notification**

The District issues neighbourhood notification to property owners and residents within 50 metres from the subject property. The notice will advise people of when Council will be considering the variance application and opportunities to provide input.

9. **Council consideration for DVP**

Staff prepare report to Council. Council may:

- a. approve the development permit with or without conditions; or
- b. refer the proposal back to staff for modifications or request further information; or
- c. reject the application

10. **Notice on title**

If the development variance permit is granted, a notice of variance permit will be registered on the title of the property at the Land Titles Office.

11. **Issuance of development variance permit**

Once development permit conditions are met, the District issues the development permit to the applicant.

12. **Building permit application**

Once a development permit is approved, the applicant will need to apply for a building permit.