

MINOR DEVELOPMENT VARIANCE PERMIT

Applications for minor development variance permits (delegated) 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.

Minor development variance permits

The District of West Vancouver has delegated minor development variance permits (DVP) to the Director of Planning & Development where the proposed variance is considered minor in nature. A delegated DVP can only be considered by the Director if it is for a single-family site and it only varies provisions of the zoning bylaw with respect to the siting, size and dimensions of buildings or structures, or off-street parking requirements.

Delegated minor DVP evaluation criteria

Section 19.21 of the *Development Procedures Bylaw* enables delegated approval authority provided that the application complies with certain conditions set out in section 19.21.1. When evaluating a minor DVP, the Director must consider the following guidelines in deciding whether to issue the permit:

- consider comments received from the public notification process;
- if the proposed variance is consistent with the general purpose and intent of the zone;
- alignment with the *Official Community Plan* and District policies;
- protection development from hazardous conditions;
- responding to neighbourhood context, character and streetscape;
- minimizing potential impacts to immediately adjacent or nearby properties; and
- effects on the natural environment.

Where a variance to lot dimensions is requested to accommodate a subdivision, a rationale must be provided. Further, any proposed subdivision must demonstrate that an adequate driveway can be provided to each, 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; or
- result in an inferior solution to a conventional, complying subdivision

Note: 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.

Processing steps for a minor 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 minor development variance permit application, applicants are advised to discuss the proposal with the 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 minor development variance permit must include a statement that explains the rationale and justification for the variance. The justification should address the evaluation criteria outlined above.

4. Referral process

Staff prepare internal and external referrals by distributing an information and referral memo to all applicable District departments and government ministries.

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

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

7. 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 the Director will be considering the variance application and opportunities to provide input.

8. Director consideration

The application is referred to the Director of Planning and Development Services for consideration.

The Director may:

- a. approve the minor DVP with conditions;
- b. refer it back to staff for further information;
- c. reject the application; or
- d. refer the application directly to Council

If neighbourhood comments and public input cannot be resolved, the Director will refer the application to Council. However, the Director can, at their discretion, refer applications directly to Council.

9. Notice on title

If the minor DVP is approved, a notice will be registered on the title of the property at the Land Titles Office.

10. Building permit application

Once a minor DVP is approved, the applicant will need to apply for a building permit. The building permit will only be issued once all conditions of the minor DVP have been met.