



The Corporation of the District of North Cowichan

Development Procedures Bylaw

BYLAW NO. 3924

A bylaw to establish procedures for the processing of land development applications, including amendments to the Official Community Plan, to the Zoning Bylaw, Permit applications under Part 14 [Planning and Land Use Management] of the Local Government Act and Agricultural Land Commission applications.

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The Council of The Corporation of the District of North Cowichan, in open meeting assembled, enacts as follows:

PART 1 - INTRODUCTION

1.1. TITLE

1.1.1. This bylaw may be cited as "Development Procedures Bylaw No. 3924, 2024".

1.2. INTERPRETATION

1.2.1. Words and terms in *italicized* font are defined in the 'Schedule A – Definitions', attached to and forming part of this bylaw.

1.2.2. Italicized text in square brackets has been added for convenience of reference only and is not part of this bylaw.

1.2.3. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as revised or replaced from time to time, and any bylaw referred to herein is a reference to an enactment of *Council*, as revised, consolidated or replaced from time to time.

1.3. SEVERABILITY

1.3.1. If any section, subsection, sentence, clause, or phrase of this bylaw is held to be invalid by a court of competent jurisdiction, that section, subsection, sentence, clause, or phrase will be severed and the validity of the remaining portions of the bylaw will not be affected.

1.4. SCOPE

1.4.1. This bylaw applies to an *Application*:

(a) To amend an *Official Community Plan* Bylaw, a *Zoning Bylaw*, or both;

(b) For the issuance of a:

(i) *Development Permit (DP)*;

(ii) *Development Permit with Variance (DPV)*;

(iii) *Development Variance Permit (DVP)*; or

(iv) *Temporary Use Permit (TUP)*;

(c) To exclude land from the *Agricultural Land Reserve (ALR)*;

(d) For local government review of an *Application* to the *Agricultural Land Commission (ALC)*;

(e) For an *Early Consideration Application*;

(f) For a *Telecommunications Antenna Structure Application (Statement of Concurrence)*; or

(g) For an alteration to an approved *Permit*.

PART 2 - APPLICATIONS

2.1. GENERAL PROVISIONS FOR APPLICATIONS

- 2.1.1. The following is required for all *Applications* made pursuant to this bylaw:
- (a) An *Application* made pursuant to this bylaw will be provided to the *Director* in writing by the *Owner(s)* of the land that is subject to the *Application*, or by a person authorized by the *Owner(s)*;
 - (b) An *Application* must be endorsed in writing by all *Owner(s)* of the applicable lands;
 - (c) If there is a change of ownership of a parcel of land that is the subject of an *Application* pursuant to this bylaw, the *District* will require an updated title certificate and written authorization from the new *Owner* prior to proceeding with the *Application*;
 - (d) An *Application* made pursuant to this bylaw must be submitted to the *District* on the prescribed *Application* form approved by the *Director* and must include an *Application* fee, payable to the *District*, in accordance with the *Fees and Charges Bylaw*;
 - (e) Where an *Applicant* wishes to rezone only a portion of a lot, the *Applicant* must provide a reference plan prepared by a *BC Land Surveyor* showing exact dimensions of the area subject to the proposed *Zoning* change; and
 - (f) Any *Application* made pursuant to this bylaw is subject to the requirements of the *Development Approvals Information Bylaw*.
 - (g) Other prescribed supporting information as specified.
- 2.1.2. Upon receipt of a *Complete Application*:
- (a) The *Director* will acknowledge acceptance of the *Application* and direct staff to process the *Application*;
 - (b) The *Director* may choose to refer the *Application* to *Council* or a *Committee of Council* for information and direction; or
 - (c) The *Director* or *Council* may refer the *Application* to other agencies, groups, persons, or staff members for information and comment.
- 2.1.3. Where more than one *Application* is required for a single development, the *Director*, at their sole discretion, may accept and process more than one *Application* at a time and determine the order that *Applications* will be accepted and processed.
- 2.1.4. Submitting an *Application* or fulfilling the information requirements specified herein does not guarantee development approval.

- 2.1.5. If an *Application* has been incomplete for a period of six months from the date on which any missing information has been requested from the *Applicant*, it shall be deemed inactive, and the *Applicant* will be given 30 days written notice to provide the outstanding information.
- 2.1.6. For any incomplete or inactive *Application*:
- (a) If an incomplete *Application* is submitted, the *Director* may refuse to accept or process the *Application*.
 - (i) If the *Director* refuses to process an incomplete *Application* under subsection (a), the *Director* must inform the *Applicant*, in writing as to why the *Application* was not accepted, including which areas were incomplete;
 - (b) Upon an *Application* becoming inactive, the *Applicant* will be given 30 days written notice to provide outstanding information.
 - (i) If the *Applicant* fails to respond within the 30 days, the *Application* may be closed and the *Director* will notify the *Applicant* in writing accordingly; or
 - (ii) If the *Applicant* responds in writing within the 30 days, the *Director* will consider a request for extension;
 - (c) A new *Application* must be submitted for any *Application* that was closed due to inactivity or incompleteness.
 - (d) Upon closure of an incomplete or inactive *Application*, the *Applicant* will be notified in writing, and any applicable fee refund will be paid to the *Applicant* in accordance with the *Fees and Charges Bylaw*.

2.2. APPLICATION FEES

- 2.2.1. The *Applicant* must pay the *Application* fee set out in the *Fees and Charges Bylaw* before the *Application* can be accepted as complete.
- 2.2.2. If an *Application* involves one or more contiguous parcels of land, the parcels will be considered as one parcel for the purpose of determining applicable *Application* fees.
- 2.2.3. If an *Application* involves two or more parcels of land that are not contiguous, the parcels will be considered as separate parcels and separate *Applications* for the purpose of determining applicable fees payable by the *Applicant*.
- 2.2.4. Upon written request from an *Applicant* to withdraw an *Application*:
- a) the *Application* will be closed;
 - b) written confirmation will be provided to the *Applicant*; and
 - c) any applicable fee refund will be paid to the *Applicant* in accordance with the *Fees and Charges Bylaw*.

2.3. PERFORMANCE SECURITY

- 2.3.1. *Security* required prior to issuance of a *Permit* will be provided by the *Applicant* in the form of cash, a certified cheque, or an irrevocable letter of credit, effective for a period determined by the *Director*. Irrevocable letters of credit must be clean and unconditional, automatically renewing, and redeemable at a local bank.
- 2.3.2. In imposing *Security* requirements under s. 502 of the *Local Government Act*, *Council* or the *Director* must require *Security* in accordance with the following guidelines:
- a) at least equal to 125% of the estimated cost of installation and construction for any and all works required under the approved *Permit*;
 - b) where estimated costs or extent of work are subject to uncertainty, an amount equal to or greater than 125% but not greater than 200%, depending on the degree of uncertainty;
 - c) where a hazardous condition or environmental damage may arise as a result of non-compliance, an amount equal to or greater than 125% but not greater than 200%, depending on the hazard and risk.
- 2.3.3. At the request of the *Director*, the *Applicant* must provide all information necessary to determine the cost of installing and constructing the works required under an approved *Permit* or undertake works to correct the unsafe condition or correct damage to the natural environment.
- 2.3.4. *Security* will be returned in whole or in part as specified in the *Permit* (as may be amended by written agreement between the *District* and the *Applicant*), or upon expiration of any pre-determined term.
- 2.3.5. A partial return of *Security* must not result in the *District* holding less than \$1,000 or 10% of the *Security* required, whichever is greater.
- 2.3.6. If the required works are not implemented within 12 months of substantial completion of the development authorized within a *Permit*, or not in substantial compliance with the approved *Permit*, or an unsafe condition or damage to the natural environment has resulted due to a violation of the *Permit*, the *District* may redeem the *Security*, enter onto the property, and use the proceeds to complete outstanding works required by the *Permit* or undertake works to correct the unsafe condition or correct damage to the natural environment. The *Applicant* will be given 30 days written notice to complete the required works.

2.4. PERMIT ISSUANCE, AMENDMENT, RENEWAL AND EXTENSION

- 2.4.1. The date of issuance for a *Permit* is the date of approval of the *Permit* by *Council* or its *Delegate*, unless otherwise specified in the permit.
- 2.4.2. An *Application* for an amendment to an issued *Permit* will be determined by *Council* or its *Delegate* according to the *Application* type. Approval of any

amendment does not constitute a renewal or extension to a *Permit* and a revised *Permit* will be issued without change to the expiry date.

2.4.3. *Applications* to renew or extend a *Permit* under this bylaw must be made prior to the lapse of the *Permit*.

2.4.4. *Council* or its *Delegate* may consider an *Application* for one extension of an approved *Permit* provided no change in the approved *Permit* is proposed. A permit may only be extended once.

2.5. RE-APPLICATION

2.5.1. Subject to s. 460 of the LGA, where an *Application* made pursuant to this bylaw has been refused by *Council* or its *Delegate*, re-application will not be accepted for a 6-month period immediately following the date of refusal, with the exception of Official Community Plan applications which may not be accepted for a 12-month period immediately following the date of refusal.

2.5.2. Despite section 2.5.1, revised *Applications* that are, in the opinion of the *Director*, significantly different from a bylaw amendment or *Permit Application* that have been refused can be accepted for consideration immediately.

2.5.3. Despite subsection 2.5.1, where a material bylaw change occurs subsequent to the refusal of an *Application* and which would be relevant to consideration of the same or similar *Application*, the *Director* may accept a re-application within the respective timeframes specified in subsection 2.5.1 for each type of application, from the date of refusal.

2.6. EARLY CONSIDERATION

2.6.1. At any time prior to receipt of a *Complete Application*, the *Director* may, with or without requiring any additional information, including information specified within the *Development Approvals Information Bylaw*, bring forward a report to *Council* regarding *Early Consideration* of an *Application*.

2.6.2. Upon receipt of an *Early Consideration* report, *Council* may:

(a) deny the *Application*, in which event the *Applicant* will be entitled to a refund for any of the following which apply:

(i) 75% of the Large Project Surcharge;

(ii) 100% of the Density Surcharge;

(iii) 100% of Public Hearing Surcharge;

(b) defer *Early Consideration* report and request further information;

(c) proceed with the *Application*; or

(d) take any other appropriate action.

- 2.6.3. If *Council* decides to proceed with the *Application*, the *Application* will be assessed for completeness and proceed in accordance with this bylaw.
- 2.6.4. A decision by *Council* to proceed with an *Application* subsequent to an *Early Consideration* report does not confer approval and is made on a “without prejudice” basis to any subsequent decision on whether to give readings to a bylaw or issue a *Permit*, including any conditions attached thereto.

PART 3 - COUNCIL DECISIONS

3.1. BYLAW AMENDMENT APPLICATIONS

- 3.1.1. Upon receipt of a report from the *Director* regarding an *Application* to amend the *OCP Bylaw* or *Zoning Bylaw*, *Council* may without limitation:
- (a) Proceed with the proposed bylaw amendment with or without specifying changes, additional conditions, or requirements, which may include initial reading(s) of the bylaw;
 - (b) Forward the amendment bylaw(s) to a *Public Hearing* or waive the requirement for a *Public Hearing* as per s. 464 of the LGA;
 - (c) Reject or deny the *Application*; or
 - (d) Refer the *Application* to staff or a committee for recommendation, or otherwise deal with the *Application*.
- 3.1.2. *Council* may proceed with the adoption of an amendment bylaw only:
- (a) After the bylaw has received third reading; and
 - (b) Where approval from *Ministry of Transportation and Infrastructure (MOTI)* or another authority or body is required by statute or regulation, following receipt of written approval from the authority.
- 3.1.3. *Council* may decline to proceed with adoption of an amendment bylaw until any of the following have been satisfied:
- (a) Where a *DP* is required by the *OCP*, upon receipt of a report from the *Director* stating that the *DP* has been prepared and is ready for approval subject to *Council's* adoption of the amendment bylaw;
 - (b) When all necessary covenants and statutory rights of way associated with the *Application* have been registered on the property title;
 - (c) When all legal agreements associated with the *Application* have been duly executed and are in effect prior to adoption; or
 - (d) Any other precedent conditions have been satisfied.

- 3.1.4. *Council* may, by resolution, postpone consideration of an *Application* to amend an OCP Bylaw or *Zoning Bylaw* where that bylaw is currently undergoing a comprehensive review.

3.2. PERMIT APPLICATIONS

- 3.2.1. Except for *Permits* which may be issued by the *Director* pursuant to the *Delegation of Authority Bylaw*, *Council* may, upon receipt of a report from the *Director* regarding a *Permit*:

- (a) Issue, amend, or refuse the *Permit*;
- (b) Impose requirements, and set conditions or standards;
- (c) Impose conditions for the sequence and timing of construction;
- (d) Require *Security*; or
- (e) Refer the *Application* to staff or a committee for recommendation, or otherwise deal with the *Permit Application*.

3.3. AGRICULTURAL LAND COMMISSION APPLICATIONS

- 3.3.1. In respect of *Applications* subject to s.29(4) of the *Agricultural Land Commission (ALC) Act*, *Council* may, upon receipt of a report from the *Director* [regarding an *application to support the exclusion of land from the ALR*]:

- (a) Authorize the *Application* to proceed to the *ALC*; or
- (b) Not authorize the *Application* to proceed to the *ALC*.

- 3.3.2. In respect of *Applications* subject to s.34.1(2) of the *ALC Act*, *Council* may, upon receipt of a report from the *Director* [regarding an *Application relating to land development in the ALR*]:

- (a) Authorize the *Application* to proceed to the *ALC* and provide comments or and recommendations; or
- (b) Not authorize the *Application* to proceed to the *ALC* and notify the *Applicant* accordingly.

- 3.3.3 Prior to authorizing or not authorizing an *Application* to proceed to the *ALC* under this section, *Council* may first refer the *Application* to the Municipality's Agricultural Advisory Committee for comment.

3.4. COUNCIL POLICY APPLICATIONS

- 3.4.1. Upon receiving a report concerning an *Application* under the *Telecommunications Antenna Structure Policy (TAS Policy)* from the *Director*, *Council* may:

- (a) Issue a *Statement of Concurrence*, conditionally or unconditionally;
- (b) Decline to issue a *Statement of Concurrence*;

- (c) Postpone consideration the *Application* for reasons including, but not limited to:
 - (i) Receipt of additional information from the *Applicant*;
 - (ii) Consideration of feedback from public consultation or adjacent jurisdictions;
 - (iii) Pending assessment of environmental or health implications;
 - (iv) Review of potential impact on local infrastructure or aesthetics; or
 - (v) Evaluation of alignment with other municipal strategies or priorities; or
- (d) Take other actions regarding the *Application*, including:
 - (i) Request further studies or reports;
 - (ii) Consult with affected stakeholders;
 - (iii) Coordinate with federal or provincial regulatory bodies for guidance; or
 - (iv) Recommend alterations or modifications to the proposed structure for better alignment with municipal guidelines.

3.4.2. Upon receiving a report concerning a request to locate telecommunications on Municipal property or infrastructure under the *TAS Policy* from the *Director*, *Council* may do any of the following:

- (a) Direct further negotiations with the *Applicant* on a “without prejudice” basis to outline terms of a potential agreement;
- (b) Specify conditions or requirements *Council* considers necessary for it to entertain consideration of a *License of Occupation*, Lease, or easement;
- (c) Invite the *Applicant* to submit a *Statement of Concurrence Application*, where a *Statement of Concurrence* is required;
- (d) Require the *Applicant* to carry out public consultation as per the *TAS Policy*, where a *Statement of Concurrence* is not required;
- (e) Invite the *Applicant* to apply for a *License of Occupation*, Lease or easement;
- (f) Decline the request; or
- (g) Such further action as *Council* considers appropriate.

3.5. RECONSIDERATION OF DELEGATE’S DECISION

3.5.1. An *Applicant* may request *Council* to reconsider a decision of the *Delegate* regarding the requirement to provide *Security* or the issuance of a *Permit* in accordance with s. 23 of *Delegation of Authority Bylaw*, as revised or replaced from time to time.

PART 4 - DEVELOPMENT NOTIFICATION SIGN REQUIREMENTS

4.1. MANDATES AND EXEMPTIONS

4.1.1. Development notification signs are mandated for:

- (a) *An Official Community Plan amendment Application*; and
- (b) *A Zoning Bylaw amendment Application* for which a *Public Hearing* is required.

4.1.2. Exemptions from development notification sign requirements include:

- (a) *An Official Community Plan or Zoning Bylaw amendment Application* that affects 10 or more parcels owned by 10 or more persons, or which is geographically non-specific in nature; or

4.2. RESPONSIBILITIES

4.2.1. *Applicants* are responsible for posting development notification signs on the relevant parcel of land subject to the *Application*, bearing all associated costs.

4.3. COMPLIANCE

4.3.1. Failure to adhere to the signage provisions set forth in this bylaw may result in delays in processing the *Application* or render the *Application* as incomplete.

4.3.2. Non-compliance with the required posting of all development notice signs in accordance with this bylaw will result in the postponement of consideration of the *Application* by *Council* or its *Delegate*.

4.4. TIMING AND DURATION

4.4.1. Upon receipt of the *Director's* confirmation of acceptance of a *Complete Application* as per section 2.1.2(a) of this bylaw, the *Applicant* shall erect the development notification sign no later than 21 days from the date of acceptance.

4.4.2. A minimum of 21 days before the *Application* is scheduled for *Council's* consideration, or first reading of an amended bylaw, the *Applicant* shall:

- a) erect the development notification sign; and
- b) provide photographic evidence of installation to the *District*.

4.4.3. *Applicants* shall remove notification signs within a seven-day period following written notice of the *Application* file's closure.

READ a first time on April 17, 2024

READ a second time on April 17, 2024

READ a third time on April 17, 2024

RESCINDED third reading on May 15, 2024

Resolution to amend Section 2.5.1 and Section 2.5.3 so that applicants can re-apply after a 6-month period immediately following the date of refusal, and OCP applicants can re-apply after a 12-month period immediately following the date of refusal.

READ a third time as amended on May 15, 2024

ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER

Schedule "A" to accompany
"Development Procedures Bylaw
No. 3924, 2023".

Presiding Member

Corporate Officer

Schedule A – Definitions

Within this bylaw, the following words have the following definitions, unless the context explicitly dictates otherwise:

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| A.1 | <i>"Agricultural Land Commission" or "ALC"</i> | means the provincial body established by Section 4 of the <i>Agricultural Land Commission Act, SBC 2002, c36. [This Commission is responsible for overseeing the preservation, protection, and promotion of agricultural land, ensuring its sustainable use, and making determinations about its inclusion or exclusion from the designated ALR areas, which are vital for present and future agricultural endeavors.]</i> |
| A.2 | <i>"Agricultural Land Reserve" or "ALR"</i> | means lands established and regulated under the Agricultural Land Commission Act, SBC, 2002, c 26. <i>[Refers to lands that are provincially dedicated to the preservation and promotion of agricultural activities and land. It encompasses regions identified as essential for current and future agricultural production and use.]</i> |
| A.3 | <i>"Applicant"</i> | means the property owner or an authorized representative of the owner in relation to an <i>Application</i> pursuant to this bylaw. |
| A.4 | <i>"Application"</i> | means a written submission by an <i>Applicant</i> seeking to alter the Official Community Plan, amend the Zoning Bylaw, or obtain a Permit. |
| A.5 | <i>"BC Land Surveyor" or "BCLS"</i> | means a professional licensed under the Land Surveyors Act, RSBC 1996, c. 247. <i>[BCLS's are responsible for legally defining property boundaries, conducting land surveys, and producing accurate and legally binding survey documents. This role is critical in land development, real estate transactions, construction projects, and municipal planning, ensuring adherence to legal standards and assisting in resolving boundary disputes.]</i> |

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| A.6 | <i>"Complete Application"</i> | means a submission that fulfills all requirements for <i>Applications</i> as outlined in the bylaw, including written submission by the owner or authorized person, endorsement by all owners of the relevant land, provision of updated title and owner authorization in case of ownership change, submission on the approved form with the required fee, and any additional supporting information as prescribed. It may include a reference plan for partial lot rezoning and must adhere to the Development Approvals Information Bylaw. |
| A.7 | <i>"Council"</i> | means the Council of the District. |
| A.8 | <i>"Delegate"</i> | refers to the person <i>Council</i> has delegated its powers, duties and functions related to land use approvals under section 22 of the Delegation of Authority Bylaw, as revised or replaced from time to time. |
| A.9 | <i>"Delegation of Authority Bylaw"</i> | means the Delegation of Authority Bylaw No. 3814. <i>[Establishes guidelines for delegating Council's powers to municipal officers for efficient decision-making.]</i> |
| A.10 | <i>"Development Approvals Information Bylaw" or "DAI Bylaw"</i> | means the Development Approvals Information Bylaw No. 3942. <i>[Outlines requirements for development proposal information, focusing on environmental, infrastructure, and community impact assessments.]</i> |
| A.11 | <i>"Development Approval Information Area" or "DAIA"</i> | Means a designated area where the District may require development approval information pursuant to this bylaw. <i>[Refers to a designated area where the District may require additional information about the potential impacts of a proposed development on the environment and municipal infrastructure prior to considering its approval.]</i> |
| A.12 | <i>"Development Permit" or "DP"</i> | means a development permit issued pursuant to the LGA. <i>[Refers to the authorization of a permit issued under Section 490 of the LGA, allowing certain forms of development or land use based on guidelines and conditions set by local government regulations.]</i> |

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| A.13 | <i>"Development Permit Area" or "DPA"</i> | means a development permit area identified in the Official Community Plan. [<i>Refers to a designated zone identified in the Official Community Plan, established under Section 488 of the LGA, where specific development guidelines or requirements are imposed to address identified objectives or potential impacts.</i>] |
| A.14 | <i>"Development Permit with Variance"</i> | refers to the authorization of a variance within a development permit that is issued under Section 490 of the Local Government Act. [<i>It allows specific development activities while also permitting deviations from standard land use regulations, such as siting, size, and design elements. These variances are subject to the objectives and guidelines of the development permit area and do not change the land's use or density outside the existing bylaws.</i>] |
| A.15 | <i>"Development Variance Permit" or "DVP"</i> | means a development variance permit issued pursuant to the LGA. [<i>Refers to a permit issued under Section 498 of the LGA, permitting specified deviations from established land-use regulations, within set parameters, without altering the land's actual zoning designation.</i>] |
| A.16 | <i>"Director"</i> | means to the director responsible for planning and building or any employee designated to act on their behalf. |
| A.17 | <i>"District"</i> | means the Corporation of the District of North Cowichan. |
| A.18 | <i>"Early Consideration"</i> | means a Review process for an <i>Application</i> undertaken by <i>Council</i> prior to receipt of the <i>Complete Application</i> . |
| A.19 | <i>"Fees Bylaw" or "Fees and Charges Bylaw"</i> | means the Fees and Charges Bylaw No. 3784. [<i>The bylaw details the specific costs and associated charges levied by the municipality for various services, permits, and Applications. This bylaw is subject to periodic updates and revisions, and its latest version supersedes any previous renditions.</i>] |

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| A.20 | <i>"Landscape Plan"</i> | means a detailed, scaled drawing that outlines the proposed external design features of a development, adhering to the District's Security and Completion Policy. <i>[The plan is to showcase elements such as buffer zones, fence placements, irrigation systems, vegetation types, and other key components essential for ensuring that the development aligns with zoning and aesthetic standards set by the District.]</i> |
| A.21 | <i>"License of Occupation"</i> | refers to a legal agreement granting temporary and non-exclusive use of a specific piece of land or property owned by another entity, typically a government or municipal body. This license does not confer ownership rights but allows the licensee to occupy and use the land for a specified purpose and duration, as outlined in the agreement. |
| A.22 | <i>"Local Government Act" or "LGA"</i> | means the Local Government Act, RSBC 2015, c1. <i>[Refers to the provincial legislation that provides the legal framework and foundation for the establishment, administration, and governance of local governments in the province. This act sets out the powers, duties, and responsibilities of municipalities and regional districts, guiding their operations, land use planning, public consultation, and other key functions.]</i> |
| A.23 | <i>"Ministry of Transportation and Infrastructure" or "MOTI"</i> | means the provincial government department responsible for overseeing the planning, construction, maintenance, and operation of transportation networks, including highways, bridges, public transit, and other related infrastructure within the province. |
| A.24 | <i>"Official Community Plan" or "OCP"</i> | means the Municipality of North Cowichan as Bylaw No. 3900, 2022. <i>[This plan outlines the municipality's long-term vision, goals, and policies for land use, development, and sustainability. It serves as a framework for decision-making and can be amended or replaced as the municipality sees fit.]</i> |

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| A.25 | <i>"Owner" or "registered owner"</i> | means the registered owner of an estate in fee simple, their written-authorized agent, the tenant for life under a registered life estate, the holder of the last registered agreement for sale, or the holder or occupier of land as specified in the LGA. |
| A.26 | <i>"Permit" or "Land use permit"</i> | refers to various types of authorizations that local governments issue under section 10 of the LGA. This can include Development Permits (DP), Development Variance Permits (DVP), Development Permit with Variance (DPV), Temporary Trailer Permits (TTP), Temporary Use Permits (TUP), and other such permits as stipulated within the act, governing the use, development, or alteration of land or structures. |
| A.27 | <i>"Public Hearing"</i> | means a public hearing held by the <i>Council</i> in accordance with Part 14, Division 3 of the LGA. <i>[It provides an opportunity for members of the public to present their views directly to Council regarding specific legislative changes or development proposals. The purpose is to ensure transparency, inclusivity, and public participation in municipal decision-making processes.]</i> |
| A.28 | <i>"Public Meeting"</i> | refers to a convened gathering where specific municipal matters are presented, discussed, or deliberated upon, and where members of the public are invited to attend and may have an opportunity to participate or provide input. |
| A.29 | <i>"Site"</i> | means a land area encompassing either a single lot or multiple adjoining lots. |
| A.30 | <i>"Security"</i> | means the financial assurance provided by an <i>Applicant</i> prior to the issuance of a Permit, in the form of cash, a certified cheque, or an irrevocable letter of credit. |

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| A.31 | <i>"Statement of Concurrence"</i> | refers to a formal document or declaration in which a party, typically a government agency or an authoritative body, explicitly agrees or concurs with the findings, recommendations, or decisions made by another party or in a report. This statement signifies that the concurring party acknowledges and supports the conclusions or proposals presented, often as part of a regulatory, planning, or approval process. |
| A.32 | <i>"Telecommunications Antenna Structure Application"</i> | means a written submission by an <i>Applicant</i> seeking a letter of concurrence from <i>Council</i> pursuant to <i>Council's</i> TAS Policy. |
| A.33 | <i>"Telecommunications Antenna Structure Policy"</i> or <i>"TAS Policy"</i> | means <i>Council</i> Policy 'Telecommunication Antenna Structures'. [<i>Sets procedural standards for the placement and design of telecommunication antenna structures within the District.</i>] |
| A.34 | <i>"Temporary Use Permit"</i> or <i>"TUP"</i> | means a permit issued under s. 493 of the LGA. [<i>The permit allows for a use not currently permitted by a zoning bylaw, for a specified period, on a temporary basis. This permit may also specify conditions under which the temporary use may be carried out.</i>] |
| A.35 | <i>"Zoning"</i> | Zoning refers to a planning control tool used by local governments to regulate land use and development. [<i>It involves dividing a municipality into zones, each with specific regulations that determine how land can be used, the types of buildings allowed, their sizes, shapes, and positioning. Zoning is essential for orderly urban development, ensuring compatibility between different land uses, preserving property values, and implementing the community's long-term vision as outlined in the Official Community Plan.</i>] |
| A.36 | <i>"Zoning Bylaw"</i> | means the District of North Cowichan Zoning Bylaw No. 2950, as amended or replaced. [<i>It is a regulatory tool employed by local governments to specify and regulate land use, site density, building location, and the purposes for which land or structures may be used within defined zones or areas of the municipality.</i>] |