



<i>COUNCIL AGENDA</i>	
Date: <u>October 6, 2025</u>	Item: <u>9.7.</u>



DISTRICT OF WEST VANCOUVER
750 17TH STREET, WEST VANCOUVER BC V7V 3T3

COUNCIL REPORT

Date:	September 11, 2025
From:	James Allan, Manager, Cypress Village Applications Review Office
Subject:	Proposed Delegation of the Administration of Covenants in Rodgers Creek and Cypress Village Areas
File:	2500.01

RECOMMENDATION

THAT proposed “Development Procedures Bylaw No. 4940, 2017, Amendment Bylaw No. 5407, 2025” be read a first, second and third time.

1.0 Purpose

To bring forward an amendment to the Development Procedures Bylaw to delegate the administration of covenants required under Section 219 of the *Land Title Act* for parcels located in the CD3 Zone (Rodgers Creek) and CV Zone (Cypress Village) (see **Appendix A**) to the Director of Planning, Development and Environment Services.

2.0 Legislation/Bylaw/Policy

The CD3 and CV Zones in Zoning Bylaw 4662, 2010, regulate development of the Rodgers Creek and Cypress Village Areas, including the use, density, heights and maximum floor area, which varies within sub-areas in each zone. Upon subdivision or building permit issuance, covenants are required to be registered on the title of new parcels created, in order to apply some of the requirements of the zone to the parcels and to apportion the overall permitted floor area and dwelling units.

3.0 Council Strategic Objective(s)/Official Community Plan

Council’s Strategic Objectives and the Official Community Plan do not apply. The proposed delegation is brought forward for administrative purposes and to provide efficient processing of development related covenants in the Rodgers Creek and Cypress Village areas.

4.0 Financial Implications

To prepare, modify or review legal documents, applicants or property owners are required to pay the fees required by the Fees and Charges Bylaw No. 5251, 2023. These fees cover staff time and legal review and no changes are proposed to these fees.

5.0 Background

5.1 Previous Decisions

Not applicable.

5.2 History

Not applicable.

6.0 Analysis

6.1 Discussion

Section 603.04 (6) of the CD3 Zone and Section 750.05 (5) (a) of the CV Zone requires covenants be registered at the time of subdivision or prior to building permit issuance on the title of parcels, restricting the use of the parcels to the regulations in the bylaw. Examples include an allocation of the overall permitted number of units and floor area, the required tenure of dwelling units, or maximum number of storeys and height of buildings. At the time of subdivision, anticipating the exact number of units, floor area, height and number of storeys, etc. that will be built is challenging. Developers may also need to amend covenants to reflect changing market and/or site conditions.

Covenants are also registered on title of parcels at the development or building permits stage with professional recommendations that must be followed for development of lands (e.g. geotechnical recommendations). These covenants may need to be updated or discharged as standards progress, site conditions are reviewed, or professional recommendations change.

To streamline the processing of development applications and building permits in the CD3 and CV Zones, staff are bringing forward a proposed bylaw amendment to delegate the administration of covenants in these areas to the Director of Planning, Development and Environment Services. The proposed delegation includes amending and discharge of existing covenants. This delegation is expected to streamline the administration of covenants and prevent additional processes for applicants by having to bring covenants forward to Council to administer.

6.2 Climate Change & Sustainability

Not applicable.

6.3 Public Engagement and Outreach

Not applicable

6.4 Other Communication, Consultation, and Research

The proposed bylaw amendment was reviewed by the District's solicitor.

7.0 Options

7.1 Recommended Option

Staff recommend Council give first, second and third readings to the proposed bylaw amendment to delegate the administration of covenants required under the *Land Title Act* in the CD3 and CV Zones to the Director of Planning, Development and Environment Services. The proposed bylaw amendment streamlines the administration of covenants required in the CD3 and CV Zones during processing of development applications.

7.2 Considered Options

- a. defer consideration pending the receipt of additional information (to be specified); or
- b. reject the proposed amendment.

8.0 Conclusion

Staff recommend Council delegate the administration of covenants in the CD3 Zone (Rodgers Creek) and the CV (Cypress Village) Zone to the Director of Planning and Development, and Environment Services.

Author:



James Allan, Manager of Cypress Village Applications Review Office

Concurrence:



Michelle McGuire, Senior Manager of Current Planning and Urban Design

Appendices

- A – CD3 Zone (Rodgers Creek) and CV Zone (Cypress Village)
- B - Development Procedures Bylaw No. 4940, 2017 Amendment Bylaw No. 5407, 2025

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Appendix A

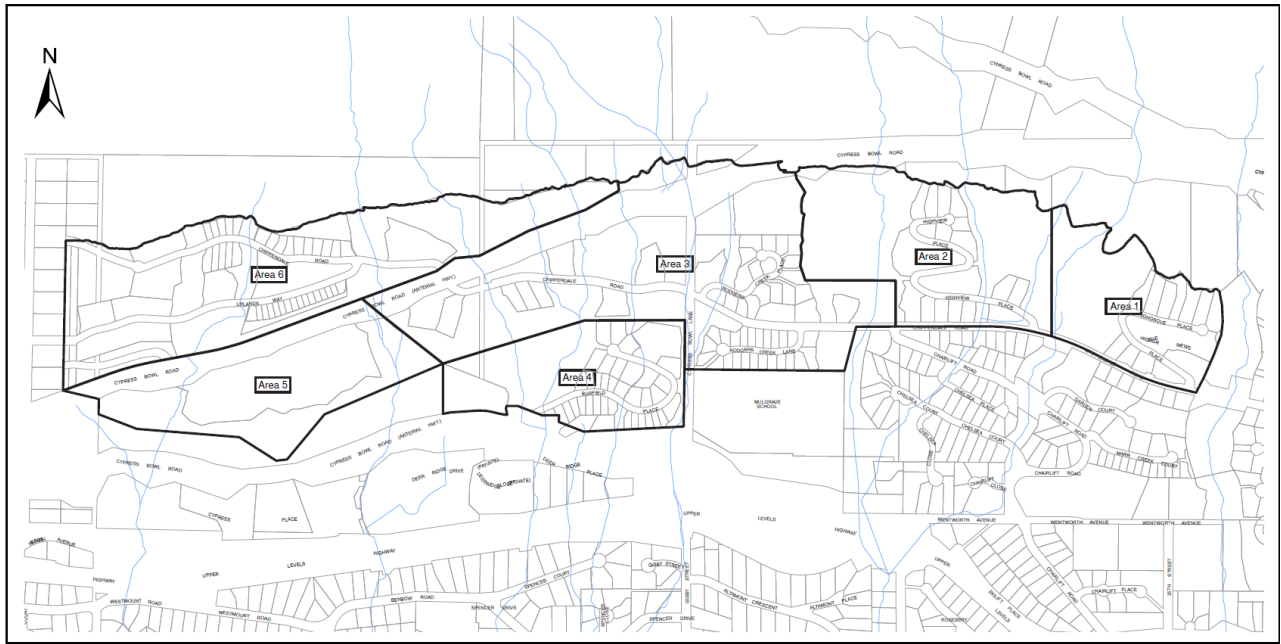


Figure 1: Rodgers Creek Area

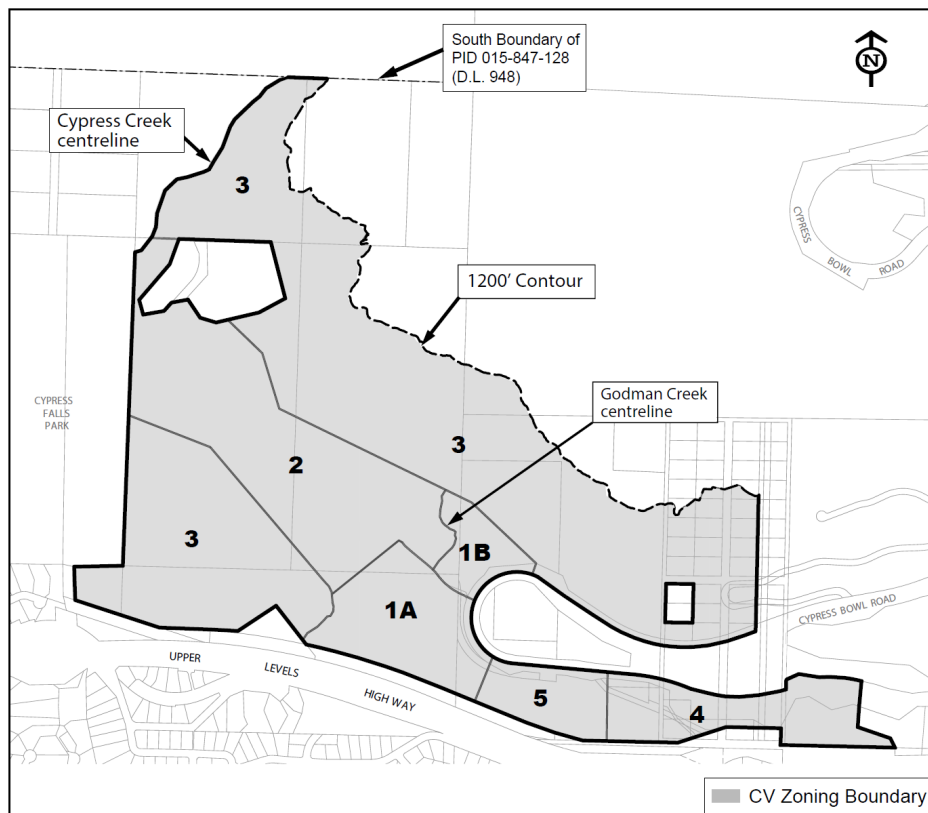


Figure 2: Cypress Village Area

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District of West Vancouver

**Development Procedures Bylaw No. 4940, 2017,
Amendment Bylaw No. 5407, 2025**

Effective Date:

District of West Vancouver

Development Procedures Bylaw No. 4940, 2017, Amendment Bylaw No. 5407, 2025

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District of West Vancouver

Development Procedures Bylaw No. 4940, 2017, Amendment Bylaw No. 5407, 2025

A bylaw to address delegation of administration of covenants.

Previous amendments: Amendment bylaws 5029, 5043, 5073, 5077, 5109, 5127, 5156, 5210, 5224, 5232, 5271, 5318, and 5354.

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for delegation of administration of covenants registered in favour of the District;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Development Procedures Bylaw No. 4940, 2017, Amendment Bylaw No. 5407, 2025.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Amends Part 19

- 3.1 Development Procedures Bylaw No. 4940, 2017, Part 19 is amended by: deleting Section 19.1 and replacing with the following:

19.1 General Delegations

19.1.1 Council delegates to the Approving Officer, appointed by Council pursuant to Section 77 of the Land Title Act, the following authority:

- a) To enter into, and amend, works and services agreements pursuant to Section 509 of the Local Government Act.

b) Under Section 512 of the Local Government Act, to exempt a parcel from a minimum highway frontage requirement.

19.1.2 Council delegates to the Director, the authority to amend or discharge covenants registered in favour of the District under section 219 of the *Land Title Act*, in the CD3 and CV Zones.

READ A FIRST TIME on

READ A SECOND TIME on

READ A THIRD TIME on

ADOPTED by the Council on.

Mayor

Corporate Officer