



# DISTRICT OF HOPE

## BYLAW NO. 1595

*A bylaw to set out the application and public hearing/information meeting procedures.*

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The Council of the District of Hope, in open meeting assembled, enacts as follows:

### 1. **CITATION**

- a. This bylaw may be cited for all purposes as the ***“District of Hope Application Procedures Bylaw No. 1595, 2025”***.

### 2. **APPLICATION**

This bylaw shall apply to:

- a) Amendments to a/an:
  - i.) Official Community Plan;
  - ii.) Zoning Bylaw.
- b) The issuance of and amendments to a:
  - i.) Development Permit;
  - ii.) Development Variance Permit;
  - iii.) Temporary Use Permit.
- c) Highway Closures

### 3. **DEFINITIONS**

**“District”** means the District of Hope.

**“Owner”** means the registered owner(s) of property or the representative(s) authorized by the owner in writing.

**“Public Notice Place”** means the bulletin board in the foyer of the District of Hope Municipal Office, located at 325 Wallace Street, Hope, BC.

### 4. **ZONING/OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT APPLICATIONS**

- a) All applications for an amendment shall:
  - i.) be submitted on the prescribed form;
  - ii.) include the application fee in the amount set out in the District’s current *Fees and Charges Bylaw*, as amended from time to time;
  - iii.) be referred to Council with a staff report and recommendation.
- b) If the staff recommendation is to refuse the application, the Owner shall be notified, and advised of:

- i.) the reason(s) for the recommendation; and
  - ii.) the procedure if the applicant wishes to address Council as a delegation.
- c) The Council may, upon receipt of an application, proceed with an amendment bylaw or reject the application.

## **5. PUBLIC INFORMATION MEETINGS**

The District, at its discretion, may require the applicant to hold a public information meeting and notification requirements will be at the discretion of District staff. The applicant will be responsible for costs arising from the required notification and/or venue.

## **6. PUBLIC HEARINGS**

Where a Public Hearing is held for a Zoning Bylaw amendment, Official Community Plan Bylaw amendment, or Highway Closure Bylaw, the following procedures shall apply:

- a) A Public Hearing will be held after first reading of the bylaw and before third reading;
- b) A notice of Public Hearing will be issued pursuant to the requirements of the *Community Charter and Local Government Act*;
- c) Where the bylaw alters a permitted use or density, the notice shall:
  - i.) be mailed or otherwise delivered, at least 10 days prior to the Public Hearing, to the owner(s) and tenant(s) in occupation of parcels directly affected by the bylaw and of all parcels, any part of which is within 50 metres of the area subject to the amendment;
  - ii.) be subject to an increased mailout radius at the discretion of District staff;
  - iii.) include, where applicable, a sketch showing the area that is the subject of the bylaw, including the name(s) of adjoining roads;
  - iv.) subsection (c) does not apply if 10 or more parcels owned by 10 or more owners are the subject of the bylaw amendment.
- d) At a Public Hearing all persons who believe that their interests are affected by the proposed bylaw(s), shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the subject bylaw(s).
- e) A record of each Public Hearing containing a summary of the nature of the representations made at the hearing, respecting the bylaw(s), shall be prepared and maintained as a public record and, following receipt by Council, be certified as being fair and accurate by the Corporate Officer.
- f) A Public Hearing may be adjourned and no further notice of the hearing is necessary if the time and place for the resumption of the hearing is stated to those present at the time the hearing is adjourned.

- g) After the Public Hearing, Council may, without further notice of hearing:
  - i.) adopt or defeat the bylaw; or
  - ii.) alter and then adopt the bylaw, provided that the amendment does not alter the permitted use, increase the density, or without the owner's consent, decrease the density of any area from that originally specified in the bylaw.
- h) Should a Zoning Amendment Bylaw, Official Community Plan Amendment Bylaw, or Highway Closure Bylaw not proceed through adoption within one year of the date of Public Hearing for that bylaw, the application may either be cancelled or resubmitted to Public Hearing.

## **7. NOTIFICATION SIGN**

- a) A notification sign shall be required for every Public Hearing unless this requirement is waived by Council resolution. A notification sign shall not be required when a Public Hearing is waived or prohibited.

The following shall apply to notification signs:

- i.) a sign advising of the proposed amendment shall be posted no less than 7 days prior to the Public Hearing date on the subject lands. Signs must be fully visible from the highway on which the lands front;
- ii.) signs shall be to the standard set out in the Sign Notification Guidelines;
- iii.) if the subject lands are more than 1 hectare in area, additional signs may be required, at the District's discretion, to provide adequate exposure to travelled public highways;
- iv.) the owner must provide the District with written notification, including a photo that the sign has been posted in accordance with the provisions of this bylaw;
- v.) if, after posting on the subject lands, the sign(s) is destroyed, vandalized, damaged or stolen, the Public Hearing process will not be affected;
- vi.) the sign(s) shall be removed within 5 days after conclusion of the Public Hearing; and
- vii.) signs required under this bylaw shall not require a sign permit, however, all costs associated with the manufacture, installation and removal, and third-party liability insurance, shall be the responsibility of the Owner.

## **8. PERMITS**

- a) All applications for a permit shall:
  - i.) be submitted on the prescribed form;
  - ii.) include the application fee in the amount set out in the District's current *Fees and Charges Bylaw*, as amended from time to time; and
  - iii.) unless delegated to staff, be referred to Council with a staff report and recommendation.
- b) Council may, upon receipt of the report and recommendation:
  - i.) authorize the issuance of the proposed permit;
  - ii.) authorize the issuance of the proposed permit as amended by the Council; or
  - iii.) refuse to authorize the issuance of the proposed permit.
- c) Where a Development Permit or Development Variance Permit is issued, it shall be filed at the Land Titles Office.

## **9. NOTICE REQUIREMENTS – PERMIT APPLICATIONS**

- a) Prior to passing a resolution to issue a Development Variance Permit, a Development Permit that involves a variance, or a Temporary Use Permit, Council shall give notice pursuant to the requirements of the *Community Charter and Local Government Act*.

The notice shall:

- i.) be mailed or otherwise delivered, at least 10 days prior to adoption of the resolution to issue the permit, to the owner(s) and tenant(s) in occupation of parcels directly affect by the permit and of all parcels, any part of which is within 50 metres of the area subject to the permit;
  - ii.) be subject to an increased mailout radius at the discretion of District staff;
  - iii.) include, where applicable, a sketch showing the area that is the subject of the permit, including the name(s) of adjoining roads.
- b) In the case of a Temporary Industrial or Commercial Use Permit, be published at least 3 days and not more than 14 days before the adoption of the resolution to issue the permit.

## **10. RE-APPLICATION**

Subject to the provisions of the *Council Procedure Bylaw*, where a bylaw amendment or a permit application has been considered by Council and denied, reapplication for the same amendment or permit shall not be considered within 12 months immediately following the date of such denial, unless by an affirmative vote of at least 2/3 of the Council members the time period is varied or waived.

**11. REPEAL**

THAT *Application Procedures and Public Hearing/Information Meeting Procedural Bylaw No. 13/93* and all amendments thereto, are hereby repealed in their entirety.

**12. SEVERABILITY**

If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any court or competent jurisdiction, the decision shall not affect the validity of the remaining portion of this bylaw.

Read a first, second, and third time this 10<sup>th</sup> day of March, 2025.

Adopted this 24<sup>th</sup> day of March, 2025.

*Original Signed by Victor Smith*  
**Mayor**

*Original Signed by Donna Bellingham*  
**Director of Corporate Services**