

DEVELOPING IN
CASTLEGAR

A GUIDE TO PROCEDURE

Any person being the owner of land or having the written permission of the owner may apply for a Development Variance Permit.

Development Variance Permits may be used to vary the provisions of the Zoning or Subdivision and Development Bylaws, the Sign Bylaw, a Land use Contract, or other bylaws as specified in the Municipal Act. Such a variation may be allowed with respect to siting, design, servicing or environmental features, but cannot vary the use or density of land and a floodplain specification.

All applications are made to the Development Services Department on the prescribed forms. Applications are processed by this Department, with the involvement of other City Departments, Provincial Ministries and outside agencies, as necessary.

If City Council is considering issuing a Development Variance Permit it first must notify the adjacent property owners/tenants in occupation of its intentions. A formal Public Hearing is not held, but submissions to Council are invited.

Development Variance Permits are granted by a resolution of City Council. The approval of the Ministry of Transportation and Highways also may be required in certain instances.

Development Variance Permits are noted on the title of the subject property and are binding on all persons who acquire an interest in the land.

SCHEDULE OF FEES	
Application Fee	\$150.00

For additional information please contact:

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**The following guide is intended to generally illustrate the procedure involved
in a Development Variance Permit application.**

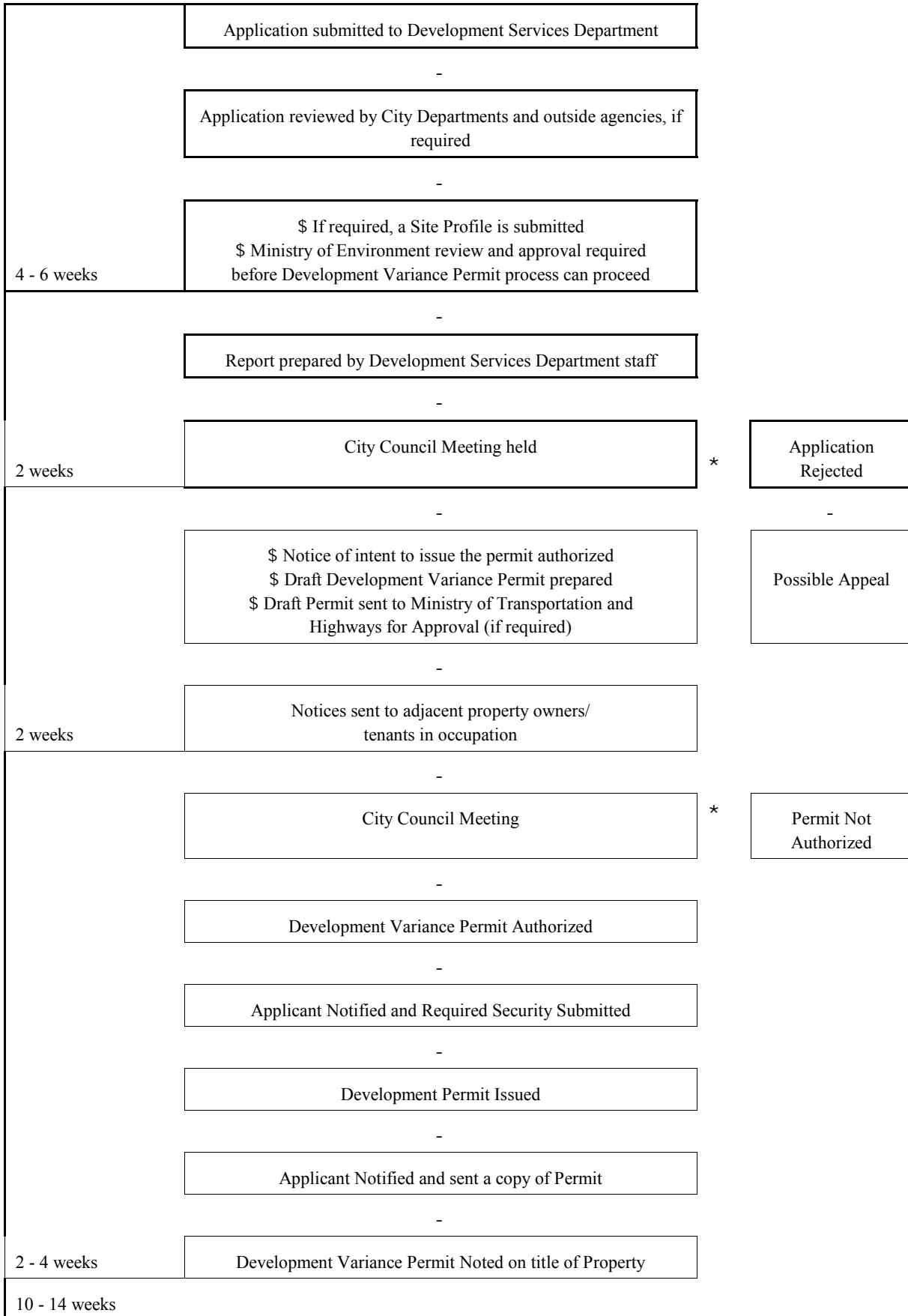
PROCEDURE FOR DEVELOPMENT VARIANCE PERMITS

1. It is recommended that the applicant make preliminary enquiries to the Development Services Department regarding the general feasibility of the proposal prior to submitting an application for a Development Variance Permit.
2. The applicant, being the owner of land or having the written permission of the owner, completes the form ADevelopment Variance Permit Application@ and submits it to the Development Services Department. The application must include the required fees, Certificate of Indefeasible Title, plot plan, project plans and other information as required to support the proposed variance.
3. The application is processed and reviewed by the Development Services Department and circulated for technical review to other City Departments and outside agencies, as necessary.
4. Contaminated Sites legislation which became effective April 1, 1997 requires that **in some cases** a Site Profile must be submitted to the Municipality, assessed by the Ministry of Environment and Ministry approval received before a Development Variance Permit can be approved. City staff will advise whether or not a Site Profile is required. If required, submit the completed Site Profile form, along with a \$50 application fee to the Development Services Department.
5. The Development Services Department prepares a report for City Council providing background information on the application. The applicant may be required to submit additional information for technical review and presentation to City Council.
6. City Council considers the report and either denies the application or authorizes the City Clerk to give notice of its intention to issue a Development Variance Permit.
7. If authorized by Council, the City Clerk notifies property owners/tenants of property located within 60 metres of the subject property of the application for a Development Variance Permit. A draft copy of the Development Variance Permit is made available.
8. The application may be referred to the Advisory Planning Commission (APC) for their recommendation to Council regarding the proposed development. If an APC meeting is to be held the applicant will be given the opportunity to attend and be heard.
9. On the day City Council intends to authorize the issuance of the Development Variance Permit, any person wishing to register an opinion on the Permit may do so by appearing as a delegation or making a written submission to Council. The permit is either authorized or denied.
10. If authorized by Council, the Development Variance Permit is finalized and the applicant is notified. Any securities required are to be submitted. The Development Variance Permit will then be issued by the Mayor and City Clerk on behalf of the City.
11. City staff forwards a Notice of Permit to the Land Title Office for registration on the title of the property.

DEVELOPMENT VARIANCE PERMITS

FLOW CHART

ESTIMATED TIME



NOTES:

NOTE: This pamphlet is prepared for information purposes only and the City of Castlegar disclaims any liability arising from reliance on information contained in this guide. This pamphlet is not a procedures manual pursuant to Section 895 of the Municipal Act.