

CITY OF CASTLEGAR

BYLAW 781

A bylaw to establish development approval procedures to amend the Official Community Plan, Zoning Bylaw and Land Use Contracts or to issue a permit under Part 29 of the *Municipal Act*. WHEREAS the Council shall, under Section 954 (1) of the *Municipal Act*, by bylaw establish procedures to amend an Official Community Plan or Zoning Bylaw to issue a permit;

AND WHEREAS the Council has adopted an Official Community Plan and a Zoning Bylaw;

NOW THEREFORE the Council of the City of Castlegar in open meeting assembled enacts as follows;

Title

1. This bylaw may be cited as the "Development Approvals Procedures Bylaw".

Scope

2. This bylaw shall apply to amendments to the Official Community Plan, Zoning Bylaw and Land Use Contracts and to the issuance of Development Variance Permits, Temporary Commercial or Industrial Permits and Development Permits.

Application

3. (1) Applications for an amendment or a permit shall be made by the registered owners of the land involved or by an authorized agent of the owner.
(2) Applications for amendments or permits shall be made to the City of Castlegar on the applicable form attached hereto as Schedules "A1 to A7".
4. Development Variance Permits, Temporary Commercial/Industrial Permits and Development Permits shall be in the form attached hereto as Schedules "B1 to B3" respectively.

Fee

5. At the time of application for an amendment or a permit the applicant shall pay to the City of Castlegar an application fee in the amount specified in Schedule "C" which is attached hereto and forms part of this bylaw.

Process

6. Every application to amend a bylaw or official community plan or issue a permit shall be processed by the Director of Development Services of the City of Castlegar who shall present a report to the Council for its consideration. The report shall:

- (1) contain a copy of the application;
- (2) contain a copy of the proposed permit and recommendations;
- (3) specify whether or not the approval of the Minister of Transportation and Highways under Section 57 (2) of the Highway Act or Section 979 (1) of the Municipal Act is required;
- (4) state the amount of fee collected;
- (5) state the proposed security to be posted by the permittee if any; and
- (6) additional relevant information.

Amendments - Approval or Refusal

7. The Council may, upon receipt of the report under Section 6 of this bylaw, proceed with an amendment bylaw or reject the application.

Permits - Approval or Refusal

8. The Council may, upon receipt of the report under Section 6 of this bylaw:
 - (1) authorize the issuance of the permit;
 - (2) authorize the issuance of the proposed permit as amended by the Council in its resolution or;
 - (3) refuse to authorize the issuance of the permit.

Refusal - Amendments and Permits

9. Where an amendment bylaw or a permit application has been refused by the Council, the Clerk shall notify the applicant in writing within fifteen days immediately following the date of refusal.

Re-Application

10. A re-application for an amendment or permit that has been refused by the Council shall not be considered within a six month period immediately following the date of refusal.
11. Notwithstanding Section 10 of this Bylaw, under Section 954(3) of the *Municipal Act*, the time limit may be varied in relation to a specific re-application by an affirmative vote of at least 2/3 of the Council members eligible to vote on the re-application.

Notification of Owners/Tenants

12. Where notice of an amendment or permit application to owners and tenants in occupation is required, notices shall be mailed by the Clerk as follows:
- (1) to all owners and tenants in occupation of real property within the area that is subject to the official community plan, zoning or land use contract amendment or permit application;
 - (2) to all owners and tenants in occupation of real property within a radius of 60 metres (197 feet) from the outer limits of the area subject to the bylaw or land use contract amendment or permit application.

Repealed Bylaws

13. City of Castlegar Procedures Bylaw 551 and all amending bylaws are hereby repealed.

Effective Date

14. This bylaw shall come into full force and effect upon final adoption.

READ A FIRST TIME this 18th day of July, 1996.

READ A SECOND TIME this 18th day of July, 1996.

READ A THIRD TIME this 18th day of July, 1996.

RECONSIDERED AND ADOPTED this 13th day of August, 1996.

Mayor

Clerk

CITY OF CASTLEGAR

OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION

APPLICATION NO. R-_____

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION. PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED UNDER THE **FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT** AND WILL BE USED ONLY FOR THE PURPOSE OF PROCESSING YOUR APPLICATION.

This form is to be completed in full and submitted with all requested information to the City of Castlegar, 460 Columbia Avenue, Castlegar, B.C. V1N 1G7 (Phone : 365-7227, Fax: 365-8566)

Registered Owner(s):

Registered Owners' Name(s) _____

Address _____ Postal Code _____

Telephone: Business _____ Home _____ Fax: _____

Applicant:

Applicant's Name: _____

Address _____ Postal Code: _____

Telephone: Business _____ Home _____ Fax: _____

Owner Authorization of Applicant:

As owner(s) of the land described in this application, I/we hereby authorize _____

to act as applicant in regard to this Official Community Plan Amendment Application.

Owners' Signatures: _____

NOTE:

- (1) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as a proof of ownership.
- (2) An Application Fee as set out in Schedule 'C' (applicable section of which is attached) shall be made payable to the City of Castlegar and shall accompany the Application.
- (3) Where the applicant is not the sole registered owner of the land described in this application, the authorization clause, noted above, must be completed and signed by the owner(s).
- (4) A dimensioned Sketch Plan drawn to scale showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing and proposed buildings, structures, uses, access roads, parking, driveways and any screening, landscaping and fences must accompany this application.

I/We _____ hereby apply for:

1. **An amendment to the text of the City of Castlegar Official Community Plan Bylaw, as follows:**

2. **An amendment of the community plan designation of:**

a) Current Legal Description of the Land in Full:

b) Location of the Land (Street Address): _____

c) From Present Designation of the Land: _____

d) To Proposed Designation of the Land: _____

e) Description of the Existing Use/Development of the Land:

f) Description of the Proposed Use/Development of the Land:

3. **Reasons and comments in support of the application (use separate sheet if necessary)**

4. **General Information**

a) Services Currently Existing or Readily Available to the Land (check as applicable)

Currently Services	Readily Existing		Available *	
	YES	NO	YES	NO
Road Access	—	—	—	
Water Supply	—	—	—	
Sewage Disposal	—	—	—	
Hydro	—	—	—	
Telephone	—	—	—	
School Bus Service	—	—	—	

* Readily Available means existing services can be easily extended to the subject property.

b) Proposed Water Supply Method:

- c) Proposed Sewage Disposal Method:
-

- d) Do any buildings currently exist on the land?

Yes ___ No

If yes, please provide a set of scaled drawings including site plans, floor plans, facade (if required), indicating building locations, sizes, heights and other information.

- e) If applicable, please provide plans for the proposed building(s) or addition including site plans, floor plans, facades, indicating location of all buildings, parking layout, facade, size of building and other information that may be required.

5. Neighbouring Tenants

The Municipal Act requires that owners and 'tenants in occupation' of the subject parcel and of neighbouring parcels be notified of the application for community plan amendment. As it is not possible for the City to be aware of the names and mailing addresses of all tenants, the applicant shall supply, at the time of submission of this application, a full list of all tenants of each parcel any part of which lies within 60 metres (197 feet) of any parcel involved in the permit application not currently owned by the applicant.

For most purposes, "tenant" means one who is qualified to maintain an action for trespass, but it can also mean a person who occupies publicly owned land. It is not necessary to supply names of owners of property currently occupied by someone else, this will be done by the City.

Please print the tenants names and their mailing addresses on a separate sheet and attach to this application.

6. Attendance at Advisory Planning Commission Meeting

The Municipal Act entitles applicants' and/or their agents to attend and be heard at a meeting of the Advisory Planning Commission (A.P.C.) if a meeting is to be held. If you or your agent wish to attend this meeting indicate your intentions in the appropriate space below. This will aid the Advisory Planning Commission in making the necessary arrangements to inform you of the date, time and place of the meeting if one is to be held.

Applicant/Agent wishes to attend Advisory Planning Commission meeting. *

YES 9

NO 9

***NOTE:** The applicant/agent may only attend an A.P.C. meeting to be heard on his application and is not entitled to be present for the duration of the meeting or to hear the discussion of the meeting or to hear the discussion of his or another applicant's application.

I/We hereby declare that all statements and information contained in the material submitted in support of this application are to the best of my/our belief true and correct in all respects.

_____ and/or
Applicant's Signature

Owner's Signature

Dated this _____ day of _____, 199____.

CITY OF CASTLEGAR
ZONING AMENDMENT APPLICATION

APPLICATION NO. R-_____

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION. PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED UNDER THE **FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT** AND WILL BE USED ONLY FOR THE PURPOSE OF PROCESSING YOUR APPLICATION.

This form is to be completed in full and submitted with all requested information to the City of Castlegar, 460 Columbia Avenue, Castlegar, B.C. V1N 1G7 (Phone : 365-7227, Fax: 365-8566)

Registered Owner(s):

Registered Owners' Name(s)

Address _____ Postal Code

Telephone: Business _____ Home _____ Fax:

Applicant:

Applicant's Name

Address _____ Postal Code

Telephone: Business _____ Home _____ Fax:

Owner Authorization of Applicant:

As owner(s) of the land described in this application, I/we hereby authorize _____ to act as applicant in regard to this Zoning Amendment Application.

Owners' Signatures: _____

NOTE:

- (1) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as a proof of

- ownership.
- (2) An Application Fee as set out in Schedule 'C' (applicable section of which is attached) shall be made payable to the City of Castlegar and shall accompany the Application.
 - (3) Where the applicant is not the sole registered owner of the land described in this application, the authorization clause, noted above, must be completed and signed by the owner(s).
 - (4) A dimensioned Sketch Plan drawn to scale showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing and proposed buildings, structures, uses, access roads, parking, driveways and any screening, landscaping and fences must accompany this application.

I/We _____ hereby apply for:

1. **An amendment to the text of the City of Castlegar Zoning Bylaw, as follows:**

2. **An amendment of the zoning designation of:**

- a) Current Legal Description of the Land in Full:

- b) Location of the Land (Street Address):

- c) From Present Zoning of the Land:
- d) To Proposed Zoning of the Land:
- e) Description of the Existing Use/Development of the Land:

- f) Description of the Proposed Use/Development of the Land:

3. **Reasons and comments in support of the application (use separate sheet if necessary)**

4. **General Information**

a) **Services Currently Existing or Readily Available to the Land (check as applicable)**

Currently	Readily Existing		Available *	
	YES	NO	YES	NO
Services				
Road Access	—	—	—	
Water Supply	—	—	—	
Sewage Disposal	—	—	—	
Hydro	—	—	—	
Telephone	—	—	—	
School Bus Service	—	—	—	

* Readily Available means existing services can be easily extended to the subject property.

b) **Proposed Water Supply Method:**

c) Proposed Sewage Disposal Method:

d) Do any buildings currently exist on the land?

Yes ___ No

If yes, please provide a set of scaled drawings including site plans, floor plans, facade (if required), indicating building locations, sizes, heights and other information.

e) If applicable, please provide plans for the proposed building(s) or addition including site plans, floor plans, facades, indicating location of all buildings, parking layout, facade, size of building and other information that may be required.

5. **Neighbouring Tenants**

The Municipal Act requires that owners and 'tenants in occupation' of the subject parcel and of neighbouring parcels be notified of the application for zoning amendment. As it is not possible for the City to be aware of the names and mailing addresses of all tenants, the applicant shall supply, at the time of submission of this application, a full list of all tenants of each parcel any part of which lies within 60 metres (197 feet) of any parcel involved in the permit application not currently owned by the applicant.

For most purposes, "tenant" means one who is qualified to maintain an action for trespass, but it can also mean a person who occupies publicly owned land. It is not necessary to supply names of owners of property currently occupied by someone else, this will be done by the City.

Please print the tenants names and their mailing addresses on a separate sheet and attach to this application.

6. **Attendance at Advisory Planning Commission Meeting**

The Municipal Act entitles applicants' and/or their agents to attend and be heard at a meeting of the Advisory Planning Commission (A.P.C.) if a meeting is to be held. If you or your agent wish to attend this meeting indicate your intentions in the appropriate space below. This will aid the Advisory Planning Commission in making the necessary arrangements to inform you of the date, time and place of the meeting if one is to be held.

Applicant/Agent wishes to attend Advisory Planning Commission meeting. *

YES 9

NO 9

***NOTE:** The applicant/agent may only attend an A.P.C. meeting to be heard on his application and is not entitled to be present for the duration of the meeting or to hear the discussion of the meeting or to hear the discussion of his or another applicant's application.

I/We hereby declare that all statements and information contained in the material submitted in support of this application are to the best of my/our belief true and correct in all respects.

_____ and/or
Applicant's Signature

Owner's Signature

Dated this _____ day of _____, 199____.

CITY OF CASTLEGAR
OFFICIAL COMMUNITY PLAN AND
ZONING AMENDMENT APPLICATION

APPLICATION NO. R-_____

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION. PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED UNDER THE **FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT** AND WILL BE USED ONLY FOR THE PURPOSE OF PROCESSING YOUR APPLICATION.

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Registered Owner(s):

Registered Owners' Name(s)

Address _____ Postal Code

Telephone: Business _____ Home _____ Fax:

Applicant:

Applicant's Name

Address _____ Postal Code

Telephone: Business _____ Home _____ Fax:

Owner Authorization of Applicant:

As owner(s) of the land described in this application, I/we hereby authorize _____ to act as applicant in regard to this Official Community Plan and Zoning Amendment Application.

Owners' Signatures: _____

NOTE:

(1) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than

thirty (30) days prior to submission of the application must accompany the application as a proof of ownership.

- (2) An Application Fee as set out in Schedule 'C' (applicable section of which is attached) shall be made payable to the City of Castlegar and shall accompany the Application.
- (3) Where the applicant is not the sole registered owner of the land described in this application, the authorization clause, noted above, must be completed and signed by the owner(s).
- (4) A dimensioned Sketch Plan drawn to scale showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing and proposed buildings, structures, uses, access roads, parking, driveways and any screening, landscaping and fences must accompany this application.

I/We _____ hereby apply for:

1. **An amendment to the text of the City of Castlegar Official Community Plan Bylaw, as follows:**

2. **An amendment to the text of the City of Castlegar Zoning Bylaw, as follows:**

3. **An amendment of the community plan/zoning designation of:**
 - a) Current Legal Description of the Land in Full:

 - b) Location of the Land (Street Address):

- c) From Present Community Plan Designation of the Land:
 - d) To Proposed Community Plan Designation of the Land:
 - e) From Present Zoning of the Land:
 - f) To Proposed Zoning of the Land:
 - g) Description of the Existing Use/Development of the Land:

 - h) Description of the Proposed Use/Development of the Land:
4. **Reasons and comments in support of the application (use separate sheet if necessary)**

5. **General Information**

a) Services Currently Existing or Readily Available to the Land (check as applicable)

Currently	Readily Existing		Available *	
	YES	NO	YES	NO
Services				
Road Access	—	—	—	
Water Supply	—	—	—	
Sewage Disposal	—	—	—	
Hydro	—	—	—	
Telephone	—	—	—	
School Bus Service	—	—	—	

* Readily Available means existing services can be easily extended to the subject property.

b) Proposed Water Supply Method:

c) Proposed Sewage Disposal Method:

d) Do any buildings currently exist on the land?

Yes ___ No

If yes, please provide a set of scaled drawings including site plans, floor plans, facade (if required), indicating building locations, sizes, heights and other information.

e) If applicable, please provide plans for the proposed building(s) or addition including site plans, floor plans, facades, indicating location of all buildings, parking layout, facade, size of building and other information that may be required.

6. **Neighbouring Tenants**

The Municipal Act requires that owners and 'tenants in occupation' of the subject parcel and of neighbouring parcels be notified of the application for community plan and zoning amendment. As it is not possible for the City to be aware of the names and mailing addresses of all tenants, the applicant shall supply, at the time of submission of this application, a full list of all tenants of each parcel any part of which lies within 60 metres (197 feet) of any parcel involved in the permit application not currently owned by the applicant.

For most purposes, "tenant" means one who is qualified to maintain an action for trespass, but it can also mean a person who occupies publicly owned land. It is not necessary to supply names of owners of property currently occupied by someone else, this will be done by the City.

Please print the tenants names and their mailing addresses on a separate sheet and attach to this application.

7. **Attendance at Advisory Planning Commission Meeting**

The Municipal Act entitles applicants' and/or their agents to attend and be heard at a meeting of the Advisory Planning Commission (A.P.C.) if a meeting is to be held. If you or your agent wish to attend this meeting indicate your intentions in the appropriate space below. This will aid the Advisory Planning Commission in making the necessary arrangements to inform you of the date, time and place of the meeting if one is to be held.

Applicant/Agent wishes to attend Advisory Planning Commission meeting. *

YES 9

NO 9

***NOTE:** The applicant/agent may only attend an A.P.C. meeting to be heard on his application and is not entitled to be present for the duration of the meeting or to hear the discussion of the meeting or to hear the discussion of his or another applicant's application.

I/We hereby declare that all statements and information contained in the material submitted in support of this application are to the best of my/our belief true and correct in all respects.

_____ and/or
Applicant's Signature

Owner's Signature

Dated this _____ day of _____, 199 ____.

CITY OF CASTLEGAR
LAND USE CONTRACT AMENDMENT APPLICATION

APPLICATION NO. LUCA-_____

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION. PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED UNDER THE **FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT** AND WILL BE USED ONLY FOR THE PURPOSE OF PROCESSING YOUR APPLICATION.

This form is to be completed in full and submitted with all requested information to the City of Castlegar, 460 Columbia Avenue, Castlegar, B.C. V1N 1G7 (Phone : 365-7227, Fax: 365-8566)

Registered Owner(s):

Registered Owners' Name(s)

Address _____ Postal Code

Telephone: Business _____ Home _____ Fax:

Applicant:

Applicant's Name

Address _____ Postal Code

Telephone: Business _____ Home _____ Fax:

Owner Authorization of Applicant:

As owner(s) of the land described in this application, I/we hereby authorize _____ to act as applicant in regard to this Land Use Contract Amendment Application.

Owners' Signatures: _____

NOTE:

- (1) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as a proof of ownership.

- (2) An Application Fee as set out in Schedule 'C' (applicable section of which is attached) shall be made payable to the City of Castlegar and shall accompany the Application.
- (3) Where the applicant is not the sole registered owner of the land described in this application, the authorization clause, noted above, must be completed and signed by the owner(s).
- (4) A dimensioned Sketch Plan drawn to scale showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing and proposed buildings, structures, uses, access roads, parking, driveways and any screening, landscaping and fences must accompany this application.

I/We _____ hereby apply for:

1. **An amendment to the text of the Land Use Contract No. _____, as follows:**

2. **The following information is to be provided:**

- a) Current Legal Description of the Land in Full:
- b) Location of the Land (Street Address):
- c) Present Zoning of the Land:
- d) Description of the Existing Use/Development of the Land:

e) Description of the Proposed Use/Development of the Land:

3. **Reasons and comments in support of the application (use separate sheet if necessary)**

4. **General Information**

a) Services Currently Existing or Readily Available to the Land (check as applicable)

Currently	Readily Existing		Available *	
	YES	NO	YES	NO
Services				
Road Access	—	—	—	
Water Supply	—	—	—	
Sewage Disposal	—	—	—	
Hydro	—	—	—	
Telephone	—	—	—	
School Bus Service	—	—	—	

* Readily Available means existing services can be easily extended to the subject property.

b) Proposed Water Supply Method:

c) Proposed Sewage Disposal Method:

d) Do any buildings currently exist on the land?

Yes ___ No

If yes, please provide a set of scaled drawings including site plans, floor plans, facade (if required), indicating building locations, sizes, heights and other information.

e) If applicable, please provide plans for the proposed building(s) or addition including site plans, floor plans, facades, indicating location of all buildings, parking layout, facade, size of building and other information that may be required.

5. **Neighbouring Tenants**

The Municipal Act requires that owners and 'tenants in occupation' of the subject parcel and of neighbouring parcels be notified of the application for Land Use Contract amendment. As it is not possible for the City to be aware of the names and mailing addresses of all tenants, the applicant shall supply, at the time of submission of this application, a full list of all tenants of each parcel any part of which lies within 60 metres (197 feet) of any parcel involved in the permit application not currently owned by the applicant.

For most purposes, "tenant" means one who is qualified to maintain an action for trespass, but it can also mean a person who occupies publicly owned land. It is not necessary to supply names of owners of property currently occupied by someone else, this will be done by the City.

Please print the tenants names and their mailing addresses on a separate sheet and attach to this application.

6. **Attendance at Advisory Planning Commission Meeting**

The Municipal Act entitles applicants' and/or their agents to attend and be heard at a meeting of the Advisory Planning Commission (A.P.C.) if a meeting is to be held. If you or your agent wish to attend this meeting indicate your intentions in the appropriate space below. This will aid the Advisory Planning Commission in making the necessary arrangements to inform you of the date, time and place of the meeting if one is to be held.

Applicant/Agent wishes to attend Advisory Planning Commission meeting. *

YES 9

NO 9

***NOTE:** The applicant/agent may only attend an A.P.C. meeting to be heard on his application and is not entitled to be present for the duration of the meeting or to hear the discussion of the meeting or to hear the discussion of his or another applicant's application.

I/We hereby declare that all statements and information contained in the material submitted in support of this application are to the best of my/our belief true and correct in all respects.

_____ and/or
Applicant's Signature

Owner's Signature

Dated this _____ day of _____, 199_____.

CITY OF CASTLEGAR
DEVELOPMENT VARIANCE PERMIT APPLICATION

APPLICATION NO. DV-_____

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION. PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED UNDER THE **FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT** AND WILL BE USED ONLY FOR THE PURPOSE OF PROCESSING YOUR APPLICATION.

This form is to be completed in full and submitted with all requested information to the City of Castlegar, 460 Columbia Avenue, Castlegar, B.C. V1N 1G7 (Phone : 365-7227, Fax: 365-8566)

Registered Owner(s):

Registered Owners' Name(s)

Address _____ Postal Code

Telephone: Business _____ Home _____ Fax:

Applicant:

Applicant's Name

Address _____ Postal Code

Telephone: Business _____ Home _____ Fax:

Owner Authorization of Applicant:

As owner(s) of the land described in this application, I/we hereby authorize _____ to act as applicant in regard to this Development Variance Permit Application.

Owners' Signatures:

NOTE:

- (1) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as a proof of ownership.
- (2) An Application Fee as set out in Schedule 'C' (applicable section of which is attached) shall be made payable to the City of Castlegar and shall accompany the Application.
- (3) Where the applicant is not the sole registered owner of the land described in this application, the authorization clause, noted above, must be completed and signed by the owner(s).
- (4) A dimensioned Sketch Plan drawn to scale showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing and proposed buildings, structures, uses, access roads, parking, driveways and any screening, landscaping and fences must accompany this application.

I/We _____ hereby apply for a variance of Section _____ of the City of Castlegar _____ Bylaw # _____, as follows:

The following information is to be provided:

1. Current Legal Description of the Land in Full:
2. Location of the Land (Street Address):
3. Present Zoning of the Land:
4. Description of the Existing Use/Development of the Land:

5. Description of the Proposed Use/Development of the Land:
-

6. Do any buildings currently exist on the land?

Yes ___ No

If yes, please provide a set of scaled drawings including site plans, floor plans, facade (if required), indicating building locations, sizes, heights and other information.

7. If applicable, please provide plans for the proposed building(s) or addition including site plans, floor plans, facades, indicating location of all buildings, parking layout, facade, size of building and other information that may be required.

8. **Reasons and comments in support of the application (use separate sheet if necessary)**

9. **Neighbouring Tenants**

The Municipal Act requires that owners and 'tenants in occupation' of the subject parcel and of neighbouring parcels be notified of the application for a development variance permit. As it is not possible for the City to be aware of the names and mailing addresses of all tenants, the applicant shall supply, at the time of submission of this application, a full list of all tenants of each parcel any part of which lies within 60 metres (197 feet) of any parcel involved in the permit application not currently owned by the applicant.

For most purposes, "tenant" means one who is qualified to maintain an action for trespass, but it can also mean a person who occupies publicly owned land. It is not necessary to supply names of owners of property currently occupied by someone else, this will be done by the City.

Please print the tenants names and their mailing addresses on a separate sheet and attach to this application.

CITY OF CASTLEGAR

TEMPORARY COMMERCIAL/INDUSTRIAL USE PERMIT APPLICATION

APPLICATION NO. TP-_____

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION. PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED UNDER THE **FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT** AND WILL BE USED ONLY FOR THE PURPOSE OF PROCESSING YOUR APPLICATION.

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Registered Owner(s):

Registered Owners' Name(s)

Address _____ Postal Code

Telephone: Business _____ Home _____ Fax:

Applicant:

Applicant's Name

Address _____ Postal Code

Telephone: Business _____ Home _____ Fax:

Owner Authorization of Applicant:

As owner(s) of the land described in this application, I/we hereby authorize _____ to act as applicant in regard to this Temporary Commercial/Industrial Use permit Application.

Owners' Signatures: _____

NOTE:

- (1) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as a proof of ownership.
- (2) An Application Fee as set out in Schedule 'C' (applicable section of which is attached) shall be made payable to the City of Castlegar and shall accompany the Application.
- (3) Where the applicant is not the sole registered owner of the land described in this application, the authorization clause, noted above, must be completed and signed by the owner(s).
- (4) A dimensioned Sketch Plan drawn to scale showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing and proposed buildings, structures, uses, access roads, parking, driveways and any screening, landscaping and fences must accompany this application.

I/We _____ hereby make application under the provisions of the Municipal Act to the City of Castlegar for a Temporary Permit to undertake the following temporary commercial or industrial use (provide **full** description of proposed use/development):

Duration of Permit requested:

(Note: Maximum allowable is two years)

The following information is to be provided:

1. Current Legal Description of the Land in Full:

2. Location of the Land (Street Address):

3. Present Zoning of the Land:

4. Description of the Existing Use/Development of the Land:

5. Do any buildings currently exist on the land?

Yes ___ No

If yes, please provide a set of scaled drawings including site plans, floor plans, facade (if required), indicating building locations, sizes, heights and other information.

6. If applicable, please provide plans for the proposed building(s) or addition including site plans, floor plans, facades, indicating location of all buildings, parking layout, facade, size of building and other information that may be required.
7. **Reasons and comments in support of the application (use separate sheet if necessary)**

8. **Neighbouring Tenants**

The Municipal Act requires that owners and 'tenants in occupation' of the subject parcel and of neighbouring parcels be notified of the application for a temporary commercial/industrial use permit. As it is not possible for the City to be aware of the names and mailing addresses of all tenants, the applicant shall supply, at the time of submission of this application, a full list of all tenants of each parcel any part of which lies within 60 metres (197 feet) of any parcel involved in the permit application not currently owned by the applicant.

For most purposes, "tenant" means one who is qualified to maintain an action for trespass, but it can also mean a person who occupies publicly owned land. It is not necessary to supply names of owners of property currently occupied by someone else, this will be done by the City.

Please print the tenants names and their mailing addresses on a separate sheet and attach to this application.

9. **Attendance at Advisory Planning Commission Meeting**

The Municipal Act entitles applicants' and/or their agents to attend and be heard at a meeting of the Advisory Planning Commission (A.P.C.) if a meeting is to be held. If you or your agent wish to attend this meeting indicate your intentions in the appropriate space below. This will aid the Advisory Planning Commission in making the necessary arrangements to inform you of the date, time and place of the meeting if one is to be held.

Applicant/Agent wishes to attend Advisory Planning Commission meeting. *

YES 9 NO 9

***NOTE:** The applicant/agent may only attend an A.P.C. meeting to be heard on his application and is not entitled to be present for the duration of the meeting or to hear the discussion of the meeting or to hear the discussion of his or another applicant's application.

I/We hereby declare that all statements and information contained in the material submitted in support of this application are to the best of my/our belief true and correct in all respects.

_____ and/or
Applicant's Signature Owner's Signature

Dated this _____ day of _____, 199_____.

CITY OF CASTLEGAR
DEVELOPMENT PERMIT APPLICATION

APPLICATION NO. DP-_____

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION. PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED UNDER THE **FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT** AND WILL BE USED ONLY FOR THE PURPOSE OF PROCESSING YOUR APPLICATION.

This form is to be completed in full and submitted with all requested information to the City of Castlegar, 460 Columbia Avenue, Castlegar, B.C. V1N 1G7 (Phone : 365-7227, Fax: 365-8566)

Registered Owner(s):

Registered Owners' Name(s)

Address _____ Postal Code

Telephone: Business _____ Home _____ Fax:

Applicant:

Applicant's Name

Address _____ Postal Code

Telephone: Business _____ Home _____ Fax:

Owner Authorization of Applicant:

As owner(s) of the land described in this application, I/we hereby authorize _____ to act as applicant in regard to this Development Permit Application.

Owners' Signatures: _____

NOTE:

- (1) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as a proof of ownership.

- (2) An Application Fee as set out in Schedule 'C' (applicable section of which is attached) shall be made payable to the City of Castlegar and shall accompany the Application.
- (3) Where the applicant is not the sole registered owner of the land described in this application, the authorization clause, noted above, must be completed and signed by the owner(s).
- (4) A dimensioned Sketch Plan drawn to scale showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing and proposed buildings, structures, uses, access roads, parking, driveways and any screening, landscaping and fences must accompany this application.

I/We _____ hereby make application under the provisions of the Municipal Act to the City of Castlegar for a Development Permit to undertake the following development (provide **full** description of proposed use/development):

The following information is to be provided:

1. Current Legal Description of the Land in Full:
2. Location of the Land (Street Address):
3. Present Zoning of the Land:
4. Description of the Existing Use/Development of the Land:

5. Do any buildings currently exist on the land? Yes ___ No

If yes, please provide a set of scaled drawings including site plans, floor plans, facade (if required), indicating building locations, sizes, heights and other information.

6. If applicable, please provide plans for the proposed building(s) or addition including site plans, floor plans, facades, indicating location of all buildings, parking layout, facade, size of building and other information that may be required.

7. **The property is within a Development Permit area:**

Yes _____ No _____

8. **Reasons and comments in support of the application (use separate sheet if necessary)**

9. **Attendance at Advisory Planning Commission Meeting**

The Municipal Act entitles applicants' and/or their agents to attend and be heard at a meeting of the Advisory Planning Commission (A.P.C.) if a meeting is to be held. If you or your agent wish to attend this meeting indicate your intentions in the appropriate space below. This will aid the Advisory Planning Commission in making the necessary arrangements to inform you of the date, time and place of the meeting if one is to be held.

Applicant/Agent wishes to attend Advisory Planning Commission meeting. *

YES 9 NO 9

***NOTE:** The applicant/agent may only attend an A.P.C. meeting to be heard on his application and is not entitled to be present for the duration of the meeting or to hear the discussion of the meeting or to hear the discussion of his or another applicant's application.

I/We hereby declare that all statements and information contained in the material submitted in support of this application are to the best of my/our belief true and correct in all respects.

_____ and/or
Applicant's Signature Owner's Signature

Dated this _____ day of _____, 199_____.

CITY OF CASTLEGAR
DEVELOPMENT VARIANCE PERMIT
PERMIT NO.

AUTHORIZATION is hereby given to:

Name:

Address:

City:

TO UNDERTAKE development on _____
(legal description of property)

at a variance with the provisions of City of Castlegar

Bylaw _____, as follows:

Approval of this permit by Resolution _____ of the Council of the City of Castlegar was given
on the _____ day of _____, 199__.

This permit is issued on the _____ day of _____, 199__.

Except as specifically provided above, this permit in no way relieves the owner or occupier of the
responsibility of adhering to all other legislation of responsible authorities which may apply to the
land.

Mayor

Clerk

CITY OF CASTLEGAR
TEMPORARY COMMERCIAL/INDUSTRIAL PERMIT
PERMIT NO.

AUTHORIZATION is hereby given to:

Name:

Address:

City:

TO UNDERTAKE a temporary commercial/industrial use on _____
(legal description)

In addition to uses permitted in the _____ zone, land, buildings, and structures shall be used for the following temporary commercial/industrial purposes only:

This permit is subject to the following condition(s):

- 1) The temporary use shall be undertaken in strict adherence to section _____ through _____ of the City of Castlegar Zoning Bylaw 553 and any other applicable section of that or other City of Castlegar bylaws.
- 2) Other: _____

Approval of this permit by Resolution _____ of the Council of the City of Castlegar was given on the _____ day of _____, 19__.

This permit is issued on the _____ day of _____, 19__.

This permit expires on the _____ day of _____, 19__.

Except as specifically provided above, this permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation of responsible authorities which may apply to the land.

Mayor

Clerk

CITY OF CASTLEGAR

DEVELOPMENT PERMIT

PERMIT NO.

To: (Permittee)

Address:

1. This Development Permit is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Permit applies to and only to those lands within the Municipality described below, and any and all buildings, structures and other development thereon:

Lot:

Block:

District Lot:

Plan:

(referred to as the "Land")

3. This Permit has the effect of authorizing:
 - (a) an application for approval to subdivide the Land, subject to the requirements of the Municipal Act and the Land Title Act; or
 - (b) the issue of a building permit for the construction of, addition to or alteration of (strike

out where not applicable) a building or structure on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws, except as varied by this Permit, and

subject to the conditions, requirements and standards imposed and agreed to in section 6 of this Permit.

4. With respect to the Land:

(a) The _____ Bylaw No. _____ of the City of Castlegar is hereby varied as follows:

5. This Permit shall not have the effect of varying the use or density of the Land specified in Zoning Bylaw No. 553, (except where they relate to health, safety or protection of property from damage under section 945(4)(b) of the Municipal Act), nor a flood plain specification under section 969(2) of the Municipal Act.

6. The Permittee, as a condition of the issuance of this Permit, agrees to:

7. This Permit is issued on the condition that the Permittee has provided to the Municipality security in the form of an irrevocable Letter of Credit to guarantee the performance of the conditions in section 6 of this Permit respecting landscaping and/or to correct any unsafe condition which may result from a contravention of the condition in this Permit. The Letter of Credit shall be for the period of _____ and shall be in the amount of \$_____.

8. Should the Permittee fail to satisfy the conditions referred to in sections 7 and 6 of this Permit, the Municipality may undertake and complete the works required to satisfy the landscaping condition(s) or carry out any construction required to correct the unsafe condition(s), at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.

9. Should the amount of the security required be under the sum of Two Thousand Dollars, then the Permittee may, in lieu of a Letter of Credit, deposit with the Treasurer of the Municipality the sum of the security in cash and in that event any interest earned on the security provided above shall accrue to the Permittee and be paid to him immediately on return of the security or in the event of default become part of the amount of the security forfeited.
10. Should there be no default as herein provided, or where a Permit lapses, the Municipality shall return any security provided to the Permittee together with any interest earned thereon.
11. Notice of this Permit shall be filed in the Land Title Office at Nelson, B.C. under section 980(8) of the Municipal Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
12. The Permittee agrees that the sequence and timing of the construction described in this Permit shall take place as follows, subject to section 13 of this Permit:
13. If the Permittee does not commence the construction permitted by this Permit within _____ of the date of this Permit, this Permit shall lapse.
14. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached hereto which shall form a part hereof.
15. This Permit prevails over the provisions of the Bylaw in the event of conflict.
16. This Permit is not a Building Permit.

Approval of this permit by Resolution _____ of the Council of the City of Castlegar was given on
the _____ day of _____, 19_____.

This permit is issued on the _____ day of _____, 19_____.

Except as specifically provided above, this permit in no way relieves the owner
or occupier of the responsibility of adhering to all other legislation of responsible authorities which
may apply to the land.

Mayor

Clerk

**DEVELOPMENT APPROVALS
 APPLICATION FEES AND APPLICABLE REFUNDS**

APPLICATION TYPE	APPLICATION FEE
Development Permit	\$400.00
Development Permit (facade only)	\$20.00
Development Variance Permit	\$400.00
Land Use Contract Amendment (only)	\$500.00
Land Use Contract Amendment with OCP Amendment	\$600.00
Official Community Plan Amendment (only)	\$600.00 plus advertising costs
Temporary Use Permit	\$500.00
Zoning Bylaw Amendment (only)	\$600.00 plus advertising costs
Zoning Bylaw Amendment with OCP Amendment	\$815.00 plus advertising costs

Refunds:

1. No refund shall be granted for application fees received for development permits, development variance permits or temporary commercial/industrial use permits.
2. One Hundred (\$100.00) Dollars of the application fee for a zoning bylaw amendment, land use contract amendment and/or official community plan amendment shall be withheld by the City if the application is withdrawn or declined by City Council prior to Council passing a resolution that a Public Hearing be held on the application.
3. No refund shall be granted for a zoning bylaw amendment, land use contract amendment or official community plan amendment application after the City Council has authorized by resolution that a Public Hearing be held regarding the application.