

# CASTLEGAR

## DEVELOPING IN CASTLEGAR

### A GUIDE TO PROCEDURE

#### OFFICIAL COMMUNITY PLAN AMENDMENT

**“Any person being the owner of land or having the written permission of the owner may apply to amend any component of the Official Community Plan.”**

In order to state the broad objectives and policies respecting the form and character of existing and proposed land use and servicing requirements within the City of Castlegar, City Council has adopted an Official Community Plan.

Amendments to the Official Community Plan must be approved by City Council and require a formal application and a Public Hearing. Typically, an amendment would accompany an application for a Zoning Bylaw or Land Use Contract amendment. Applications for an Official Community Plan Amendment also may be required in order for Council to issue a Temporary Commercial or Industrial Use Permit; be a prerequisite to the issuance of a Development Permit; or be submitted and considered on its own. Applicants are advised to consult the appropriate brochures and procedures where other applications are involved.

All applications for an Official Community Plan amendment are made to the Development Services Department, 460 Columbia Avenue on the prescribed forms. Applications are processed by this Department, with the involvement of other City Departments, Provincial Ministries and outside agencies, as necessary.

#### SCHEDULE OF FEES

Official Community Plan (OCP) only

\$600.00

*plus advertising costs*

For additional information please contact:

THE CITY OF CASTLEGAR

460 Columbia Avenue

Castlegar BC V1N 1G7

Phone: (250) 365-7227

Fax: (250) 365-4810

E-Mail: [devserv@castlegar.ca](mailto:devserv@castlegar.ca)

**The following guide is intended to generally illustrate the procedure involved in an Official Community Plan amendment application. It does not cover the numerous technical details often encountered during the amendment process.**

## PROCEDURE FOR COMMUNITY PLAN AMENDMENTS

1. The applicant makes preliminary enquiries to the Development Services Department regarding a development proposal.

2. If the proposal is inconsistent with the provisions of the Official Community Plan (OCP), the applicant completes the form "Official Community Plan Amendment Application" and submits the required fee and any other necessary material (eg. additional applications and fees; State of Title Certificate for the subject property; project or site plans; authorization of the registered property owners; etc).

**Note:** An application form can be obtained on the Internet at:

[www.castlegar.ca/pdfs/OCPAmendmentApplication.pdf](http://www.castlegar.ca/pdfs/OCPAmendmentApplication.pdf)

3. The Development Services Department processes and reviews the application and submits it 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 an Official Community Plan amendment 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. A report is prepared by the Development Services Department providing background information on the application. The report usually includes a bylaw that amends the current Official Community Plan. The applicant may be required to submit additional information for technical review and presentation to City Council.

6. City Council receives the Development Services Department's report and either denies the application or proceeds to first and second reading of the bylaw which amends the Official Community Plan. If the amending bylaw is given first and second reading, Council will authorize the calling of a Public Hearing.

7. The application will usually 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 you will be given the opportunity to attend and be heard.

8. Where applicable, the bylaw will be referred to the Board of Directors of the Regional District of Central Kootenay for comment.

9. If the proposed development is within 800m of an intersection of a Controlled Access Highway, or if the subject property has a frontage on a Provincial Highway, the application may be sent to the Ministry of Transportation and Highways for their approval.

10. The date, time and place of the Public Hearing is published in the local newspaper and notice is given to the adjacent property owners/tenants in occupation.

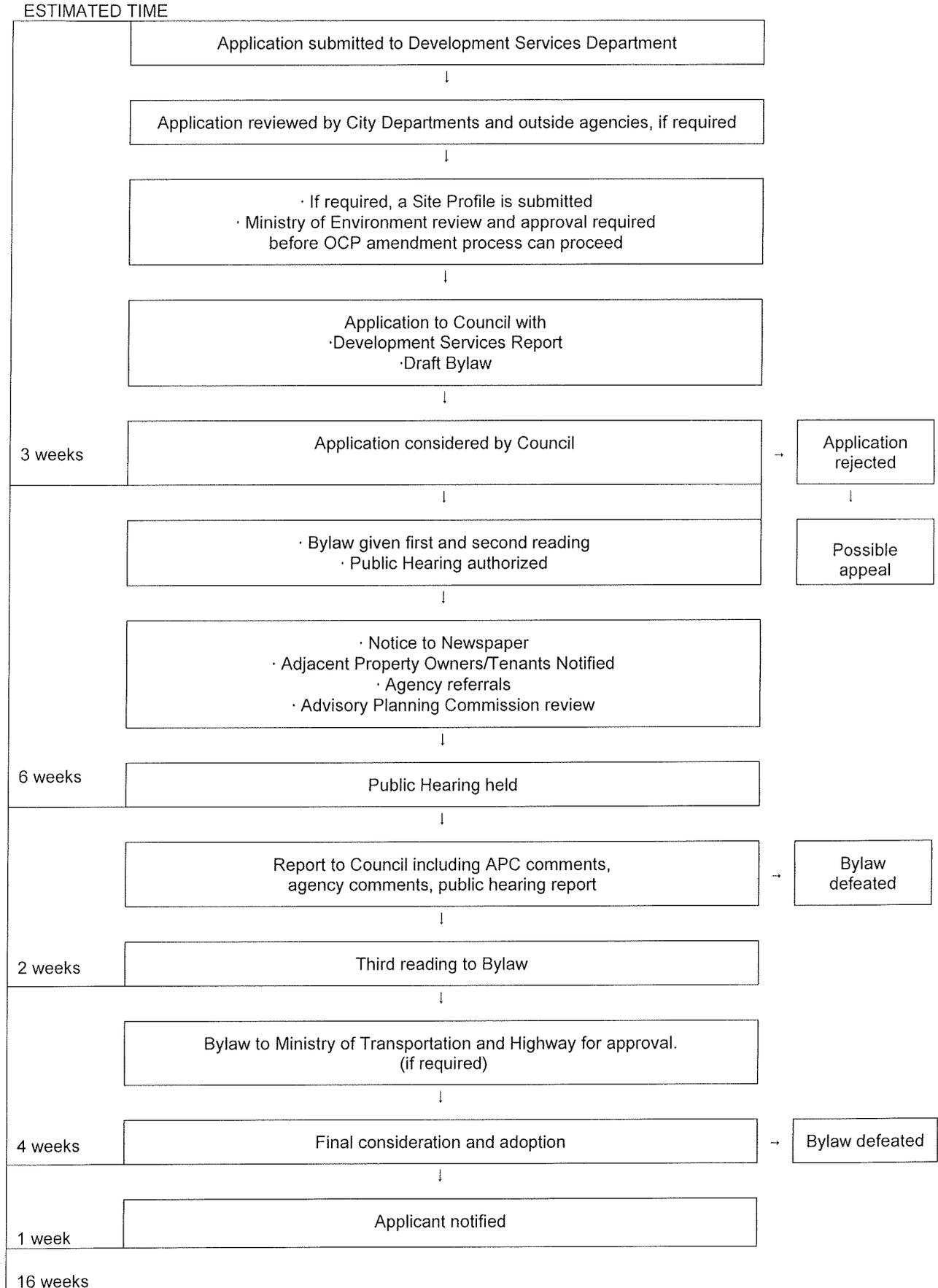
11. Following input from the APC and the other agencies, and after the Public Hearing is held, the bylaw amending the Official Community Plan is either defeated or given third reading.

12. As soon as practical, the Official Community Plan Amendment bylaw is adopted by Council.

13. The applicant is notified. Subject to Section 895(3) of the Municipal Act, a re-application for an amendment that has been refused by the Council shall not be considered within a six month period immediately following the date of refusal.

# OFFICIAL COMMUNITY PLAN AMENDMENTS

## FLOW CHART



## 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 Local Government Act.



# CASTLEGAR

## DEVELOPING IN CASTLEGAR

### A General Guide to Obtaining Municipal Approvals

#### **A Partnership Approach**

The City of Castlegar encourages development... each new development adds to the community and helps make the future happen now. Development brings jobs, people, facilities, well-being and greater community security.

A partnership between you and the municipality can ensure that your development is a positive contribution to Castlegar, as well as a benefit to you. Municipal staff are trained to answer your questions, to tell you what requirements you will be expected to meet and, in general, to help you make an application which will be successful.

#### **So you want to develop...?**

If you are thinking of developing your property, this brochure will explain how to go about it, why certain things must be done, and where you can get more information. It is a general guide only, meant to help you get started "on the right foot" and is not meant to replace Bylaws or other legal documents. It will be of help if you want to:

- subdivide land;
- change how the land is used;
- request relaxation of development standards and requirements;
- and other land development applications.

#### **Why are Approvals Needed?**

Everyone wanting to develop land in Castlegar, or to change the use of land, must obtain approval from the City of Castlegar. Municipalities across British Columbia are given the authority to plan for their future, and to ensure that all developments are compatible and consistent with the relevant plans and with certain standards designed to protect the overall well-being of the community.

#### ***This Guide deals with:***

- ***Why approvals are needed;***
- ***The general system of procedures;***
- ***Where to obtain additional information.***

#### **Doing Your Part**

To do your part in this partnership, you should first:

- read our brochures relating to your development;
- see if your ideas are acceptable, as far as the Official Community Plan and Zoning Bylaw are concerned, or
- consider modifying your ideas so your proposed development fits with community policies;
- find out what costs you will be expected to bear and the time required to get your proposal approved;
- consult with municipal staff early.

Once you have decided to proceed, you should submit an application. Please remember that the more information you can provide when you submit your application, the faster it will be dealt with by staff. Following these general procedures will help you get your proposal dealt with as quickly as possible.

*This guide is meant for guidance only and should not be construed by anyone as a right to a development approval if the steps indicated are followed.*

*Development requirements are set out in the Official Community Plan, the Zoning Bylaw, Subdivision and Development Bylaw, and other public documents. These bylaws were adopted by Council, after public hearings, and govern how Castlegar should develop in the future. Copies of these bylaws can be obtained or viewed at City Hall or on the Internet at*

<http://www.castlegar.ca/bylaws.php>

*Municipal staff will assist you in understanding the bylaws and the process of implementation.*

## General Procedures to Follow

### 1. Before you start, check the following:

- The zoning of your property

The Zoning Bylaw outlines the basic rules for development on your property, such as uses allowed, maximum height of buildings, maximum number of dwelling units, limits on amount of floor area, building setbacks, parking, etc.

- Official Community Plan (OCP) designation

The OCP outlines the range of uses intended for your area in the future. This plan should be checked especially when the use you want is not allowed within the present zoning regulations for your property. If that is the case then an OCP amendment is required. The OCP also outlines areas which require Development Permit approval.

- Services

All developments must be provided with sufficient services for sewage and storm water disposal, water, and roads at the developer's cost. Check what services are currently available and how much additional servicing your development may need.

### 2. Prepare your proposal

Depending on the magnitude of your development proposal, you may or may not need a consultant to prepare your proposal.

### 3. Make your application

The Development Services Department staff will assist you in filling out an application form. Enclose at least three (3) copies of your drawings. Submit your application fee with the accompanying documents.

### 4. Follow through on your application

How to follow through on your application depends on the type of application you are making and the procedure for that application. Read the appropriate brochure to determine the particular procedure for your type of application. Municipal staff will advise you of the process and timing required to accommodate your development.

## 8 Steps to Success

In order to reduce the time it requires to get your proposed development approved, we suggest you follow these 8 steps:

1. Consult with staff prior to submitting an application.
2. Submit a complete application with accurate information and the applicable application fee.
3. Familiarize yourself with the review process involved with your particular application.
4. Make a note of the "average processing time" for your type of application, and expect that it may take at least that long for yours to be processed.
5. Keep a record of approvals, correspondence and decisions from meetings so you know the status of your application and if there are further items which you must provide.

6. It does not hurt for you to follow up with outside agencies on the status of your application. Check with the Development Services Department for the contact person in the outside agency, the file number, and when the referral was made.
7. Remember that, in most cases, (except subdivision approval) your application will be considered by City Council, and they will decide whether to give it approval or not. Staff will do all they can to help process your application, but we can only advise you and Council. Council has the responsibility to make the decision.
8. Be patient...all applications are dealt with on a "first come/first served" basis and there will be applications ahead of yours. City Council is very receptive to holding special meetings in order to expedite applications.

**For further information contact:**

The City of Castlegar  
 Development Services Department  
 460 Columbia Avenue  
 Castlegar BC V1N 1G7  
 Phone: (250) 365-7227 Fax: (250) 365-4810  
 email: [devserv@castlegar.ca](mailto:devserv@castlegar.ca)