

Village of Hazelton

Development Procedures Bylaw

No. 481, 2016





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SCHEDULES

- Schedule "A" Application to Amend Official Community Plan and/or Zoning Bylaw
- Schedule "B" Sign Notice Template
- Schedule "C" Application for Development Permit
- Schedule "D" Application for Development Variance Permit
- Schedule "E" Application for Temporary Use Permit
- Schedule "F" Application for Subdivision
- Schedule "G" Fees



1.0 PREAMBLE

A Bylaw to establish procedures and fees relating to land use regulations application,

WHERE AS Section 460 of the *Local Government Act* requires Council to define procedures under which an owner may apply for an amendment to the Official Community plan or Zoning Bylaw, or for a Permit under Part 14 of the *Local Government Act*,

AND WHEREAS the Council of the Village of Hazelton has adopted an Official Community Plan and Zoning Bylaw.

NOW THEREFORE the Council of the Village of Hazelton in open meeting assembled enacts as follows:

1. Title:

Village of Hazelton Development Procedures Bylaw No. 481, 2016

2. Scope:

This Bylaw applies to the following applications:

- (a) Official Community plan;
- (b) Zoning Bylaw ;
- (c) Permits (Development, Variance, Temporary Use); and
- (d) Subdivision.



2.0 DEFINITIONS

APPLICATION means a written request by an applicant to amend the Official Community Plan, Zoning Bylaw or for the issuance of a Permit.

APPLICANT means the owner or a representative of the owner duly authorized to act on the owner's behalf in relation to an application.

CAO means Chief Administrative Officer.

COUNCIL means the Council of the Village of Hazelton.

LAND TITLE OFFICE means the land registry office for the Province of British Columbia.

OWNER means a person listed in the Land Title Office as the owner of a parcel.

PERMIT means Development Permit, Development Variance Permit and Temporary Use Permit.

PUBLIC CONSULTATION MEETING means a meeting conducted by the Village staff and/or the applicant to provide information about an Application under this bylaw in order to obtain comments from the public prior to a Public Hearing on the Application.

QUALIFIED PROFESSIONAL means a professional engineer, geoscientist, architect, biologist, planner or other professional with experience relevant to the applicable matter, as determined by the Administrator.

SURVEYOR'S CERTIFICATE means a site plan certified by a registered British Columbia Land Surveyor showing the locations of improvements on a parcel in relation to the boundaries of the parcel.

VILLAGE means Village of Hazelton.



3.0 PART 3 GENERAL REQUIREMENTS

<p>3.1 Owner's Consent</p>	<p>No development application shall be accepted except from the owner of the land involved, or from an applicant with written authorization of the owner to act on his/her behalf.</p>
<p>3.2 Application Fees</p>	<p>No application shall be accepted until an application fee has been paid in full as prescribed in Schedule G – Fees.</p>
<p>3.3 Site Profile</p>	<p>Site Profile shall be submitted in accordance with Ministry of Environment Guidance on Contaminated sites http://www.env.gov.bc.ca/epd/remediation/guidance/ to the CEO review, and:</p> <ul style="list-style-type: none"> a) If there are any “YES” answers in the checklist the CAO shall forward the Site Profile to the Director of Waste Management, Land Remediation Section, Ministry of Environment; and b) If all answers are “NO” in the checklist CAO can question the accuracy or proceed with the application process.
<p>3.4 Public Consultation and Referrals</p>	<p>The CAO will implement the consultation requirements of the Local Government Act for a proposed OCP, Bylaw Amendment, or Permits which may include:</p> <ul style="list-style-type: none"> a) Requiring the applicant at his cost to convene an advertised Public Consultation Meeting; and b) Undertaking other possible public consultation methods as needed. <p>Circulating referrals to local, regional and provincial agencies whose interests may be affected.</p>



3.5 Process	Every application for an amendment or permit shall be processed by the CAO or designate, who shall present a report to Council for consideration.
3.6 Re-Application	Subject to Section 460 of the <i>Local Government Act</i> a re-application for an amendment or permit that has been refused by Council shall not be considered within a 6 month period immediately following the date of refusal.
3.7 Other Considerations	Notwithstanding any provisions of this Bylaw: a) No person shall be prevented from submitting, or Council considering, any development application under Part 14 of the <i>Local Government Act</i> ; and b) Nothing shall cause to fetter Council's legislative discretion regarding any development application submitted for their adoption under Part 14 of the <i>Local Government Act</i> .



4.0 OFFICIAL COMMUNITY PLAN AND ZONING BYLAW AMENDMENT

4.1 Application	Shall be submitted in accordance with Schedule "A".
4.2 Report to Council	<p>Upon receipt of a complete application the CAO may review the application and prepare a report that contains:</p> <ul style="list-style-type: none"> a) A summary of the application; b) An assessment of the anticipated impact of the activity or development on the community; c) A review of the application with reference to Village Bylaws and policies; and d) Any other matters the CAO considers essential or desirable.
4.3 Sign Notice	The CAO shall examine the application for completeness before instructing the applicant to install a sign in accordance with Schedule "B" which is attached and forms part of this Bylaw, and at the applicant's cost.
4.4 Referrals	Referrals shall be in accordance of Section 3.4.
4.5 Council Considerations	<p>Council shall consider the application and may decide as applicable:</p> <ul style="list-style-type: none"> a) Approve or deny an application for a Bylaw amendment; b) Forward the amending bylaw to a Public Hearing; c) Adopt the amending bylaw; d) Reject the amending bylaw; or e) Defer or otherwise deal with the application.
4.6 Notice General	Council shall not adopt an OCP or Zoning Bylaw amendment until it has held a duly advertised Public Hearing as required in the <i>Local Government Act</i> , including serving individual notices.



4.7 Notice for Public Hearing	<p>A Notice of Public Hearing shall be the responsibility of the CAO or his delegate and includes:</p> <ul style="list-style-type: none">a) Individual notices shall be mailed or otherwise delivered to the owners on the assessment role as at the date of the application and to the tenants within a distance of 100 m (330 ft) of any property line of the property subject of the bylaw amendment. The notification area may be expanded by Council when developmental proposals are deemed to have a significant impact.b) The advertisement shall be published in two consecutive issues of a local newspaper in accordance with Section 466 of the <i>Local Government Act</i>.c) Notice of Public Hearing shall be posted on the Village notice board.
4.8 Public Hearing	<p>The Order of Business at the Public Hearing shall be as follows:</p> <ul style="list-style-type: none">a) The Chair of the Public Hearing shall read a statement setting out its purpose and rules of conduct;b) The applicant shall be given the opportunity to be heard;c) A copy of all pertinent correspondence received prior to the Public Hearing shall be available for public viewing;d) Any correspondence received during the Public Hearing must be read into the minutes by the presenter, or by the Chair;e) Any other persons wishing to speak to the Bylaw shall be heard;f) Only members of Council may put questions to any person who has been heard;g) No person, after being heard, may make a reply or rebuttal or further submission without permission of the Chair; andh) The Chair will call three times for further submissions, and if none are heard will close the Public Hearing.



5.0 PERMITS

<p>5.1 Application</p>	<p>Shall be in accordance with:</p> <ul style="list-style-type: none"> a) Schedule “C” for Development Permit; b) Schedule “D” for Development Variance Permit; and c) Schedule “E” for Temporary Use Permit.
<p>5.2 Report to Council</p>	<p>Upon receipt of a complete application the CAO may review the application and prepare a report that contains:</p> <ul style="list-style-type: none"> a) A summary of the application; b) An assessment of the anticipated impact of the activity or development on the community; c) A review of the application with reference to City Bylaws and policies; and d) Any other matters the CAO considers essential or desirable.
<p>5.3 Council Considerations</p>	<p>The Council may, upon receipt of the report from CAO:</p> <ul style="list-style-type: none"> a) Authorize or refuse public notification; b) Authorize or refuse the issuance of the permit; and c) Authorize the issuance of the permit as amended by a Council resolution.
<p>5.4 Notice</p>	<p>Where Council proposes to approve an Application for a Development Permit, no notification is required.</p> <p>Prior to final consideration of an Application for a Development Variance Permit, by Council, staff shall deliver notification as follows:</p> <ul style="list-style-type: none"> a) All owners and tenants of the land that is subject to the proposed Permit; and b) All owners and tenants of lands any portion of which is within 50 meters of the land that is subject to the proposed Permit.



	<p>Prior to final consideration of an Application for a Temporary Use Permit by Council, staff shall deliver notification as follows:</p> <ul style="list-style-type: none"> a) All owners and tenants of the land that is subject to the proposed Permit; and b) All owners and tenants of lands any portion of which is within 50 meters of the land that is subject to the proposed Permit.
<p>5.5 Referrals</p>	<p>Referrals shall be in Accordance with Section 3.4.</p>
<p>5.6 Public Comments</p>	<p>Prior to final consideration of an Application for a Development Variance Permit or Temporary Use Permit and only after notification has been carried out, all persons who believe their interests are affected by the proposed Permit shall be afforded reasonable opportunity to be heard in an open meeting of Council and to present oral and/or written submissions respecting matters relating to the Permit.</p> <p>Council may receive and consider presentations and give final consideration and approval, approval with conditions or rejection of a Development Variance Permit or Temporary Use Permit at the same meeting.</p>
<p>5.7 Permit</p>	<p>Council Resolution is necessary for the CAO to issue a Development Permit, Development Variance Permit or Temporary Use Permit.</p>



6.0 SUBDIVISION

<p>6.1 Application</p>	<p>Shall be in accordance with Schedule “F”.</p>
<p>6.2 Review</p>	<p>The Approving Officer will review the application to determine compliance to The Village of Hazelton plans and bylaws.</p> <p>The Approving Officer may investigate technical aspects by referring the application to the Village staff.</p>
<p>6.3 Referrals</p>	<p>The Approving Officer will refer the application to the local, regional, and provincial agencies as they may be affected.</p>
<p>6.4 Preliminary Approval</p>	<p>The Approving Officer may reject or issue Preliminary Layout Approval.</p> <p>If the application is deemed acceptable, the Approving Officer will issue a Preliminary Layout Approval outlining the conditions that must be met prior to the Final Subdivision Approval.</p>
<p>6.5 Design Approval</p>	<p>The applicant will supply detailed engineering drawings for all services for review and approval by the Approving Officer.</p>
<p>6.6 Legal Survey Plans</p>	<p>The applicant will supply survey plans prepared by a British Columbia Land Surveyor.</p>
<p>6.7 Final Approval</p>	<p>All services are required to be installed at the owner’s expense prior to a final subdivision approval.</p> <p>The Approving Officer may approve the subdivision plan prior to construction and installation of all required services subject to the owner of the lands being subdivided enters into a subdivision servicing agreement.</p>



	<p>Final Subdivision Approval is granted once all legal and technical are addressed and the Approving Officer signs the subdivision plans.</p>
6.8 Registration	<p>After the plans and related documents have been signed by the Approving Officer, they must be registered at the Land Title Office.</p> <p>The applicant is responsible for registration and all associated costs.</p>



7.0 CITATION AND READINGS

7.1 Citation

This Bylaw may be cited for all purposes as the "Development Procedures Bylaw No. 481, 2016".

READ A FIRST TIME THIS 17th DAY OF MAY, 2016.

READ A SECOND TIME THIS 17th DAY OF MAY, 2016.

READ A THIRD TIME THIS 17th DAY OF MAY, 2016.

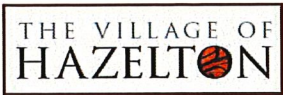
FINALLY CONSIDERED AND ADOPTED THIS 14th DAY OF JUNE, 2016.



Mayor



Chief Administrative Officer



Box 40, 4310 Field Street T: 250-842-5991 | Fx: 250-842-5152
 Hazelton, BC V0J 1Y0 E: info@hazelton.ca

SCHEDULE A

APPLICATION TO AMEND OFFICIAL COMMUNITY PLAN AND/OR ZONING BYLAW

APPLICATION TYPE

- Official Community Plan Amendment
- Zoning Bylaw Amendment
- Joint Official Community Plan and Zoning Bylaw Amendment

OFFICE USE ONLY:

Date Received: _____ Application/File No.: _____

APPLICANT:

Name: _____
 Address: _____
 Phone: _____
 Email: _____

REGISTERED OWNER(S):

Name: _____
 Mailing Address: _____
 Phone: _____
 Email: _____

SUBJECT PROPERTY INFORMATION:

Civic Address: _____
 Legal Description: _____
 Current OCP Designation/Zoning: _____
 Current Use: _____

PROPOSAL DESCRIPTION:

Proposed OCP Designation: _____ Proposal Zoning: _____

Describe Proposal Amendment(s):

ATTACH ADDITIONAL INFORMATION. LETTER OF INTENT IS ENCOURAGED.

REQUIRED SUBMISSIONS:

- Application Fee
- Certificate of Title
- Owner's Authorization
- Site Profile - in accordance with Environmental Management Act or Contaminated Sites Regulation

AUTHORIZATION:

As applicant or approved agent I hereby make application in accordance with the Village of Hazelton Bylaws and declare that the statements in this application are true and correct.

I understand that this application is a public document including personal information and it is open for inspection by the public and may be reproduced and distributed to the public as part of report(s) to Council or for purpose of public hearing.

Name / Signature: _____ Date: _____

This application is made with my full knowledge and consent.

Registered Owner
 Name / Signature: _____ Date: _____



OCP AND REZONING AMENDMENT SIGN

SPECIFICATIONS

1. Red background (Warm Red) with white Helvetica Medium lettering.

2. Site map will have white background with red lines.

The map will show the project location, adjoining roads and properties, address, and north arrow.

NOTE: DRAWING IS NOT TO SCALE.

100 mm LETTERING

NAME OF APPLICANT

50mm LETTERING

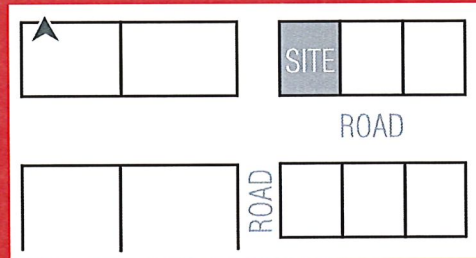
OUTLINE DESCRIPTION OF PROJECT

50mm LETTERING

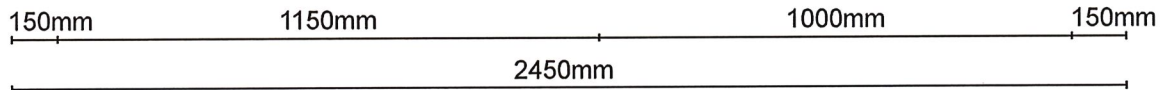
REZONING APPLICATION

has applied to the Village of Hazelton for permission to _____

FURTHER INFORMATION



MAY BE OBTAINED AT
THE VILLAGE OF HAZELTON OFFICE
BOX 40, 4310 FIELD STREET 250-842-5991
FILE NO. _____



37.5mm LETTERING



Box 40, 4310 Field Street T: 250-842-5991 | Fx: 250-842-5152
 Hazelton, BC V0J 1Y0 E: info@hazelton.ca

SCHEDULE C

APPLICATION FOR DEVELOPMENT PERMIT

APPLICATION TYPE

Development Permit

OFFICE USE ONLY:

Date Received: _____ Application/File No.: _____

APPLICANT:

Name: _____
 Address: _____
 Phone: _____
 Email: _____

REGISTERED OWNER(S):

Name: _____
 Mailing Address: _____
 Phone: _____
 Email: _____

SUBJECT PROPERTY INFORMATION:

Civic Address: _____
 Legal Description: _____
 Current OCP Designation/Zoning: _____
 Current Use: _____

PROPOSAL DESCRIPTION:

Proposed OCP Designation: _____ Proposal Zoning: _____

Describe proposed development and attach site plan and building elevations:

ATTACH ADDITIONAL INFORMATION. LETTER OF INTENT IS ENCOURAGED.

REQUIRED SUBMISSIONS:

- | | |
|---|--|
| <input type="checkbox"/> Application Fee | <input type="checkbox"/> Owner's Authorization |
| <input type="checkbox"/> Certificate of Title | <input type="checkbox"/> Site Profile - in accordance with Environmental Management Act or Contaminated Sites Regulation |

AUTHORIZATION:

As applicant or approved agent I hereby make application in accordance with the Village of Hazelton Bylaws and declare that the statements in this application are true and correct.

I understand that this application is a public document including personal information and it is open for inspection by the public and may be reproduced and distributed to the public as part of report(s) to Council or for purpose of public hearing.

Name / Signature: _____ Date: _____

This application is made with my full knowledge and consent.

Registered Owner
 Name / Signature: _____ Date: _____



Box 40, 4310 Field Street T: 250-842-5991 | Fx: 250-842-5152
 Hazelton, BC V0J 1Y0 E: info@hazelton.ca

SCHEDULE D

APPLICATION FOR DEVELOPMENT VARIANCE PERMIT

APPLICATION TYPE

Development Variance Permit

OFFICE USE ONLY:

Date Received: _____ Application/File No.: _____

APPLICANT:

Name: _____
 Address: _____
 Phone: _____
 Email: _____

REGISTERED OWNER(S):

Name: _____
 Mailing Address: _____
 Phone: _____
 Email: _____

SUBJECT PROPERTY INFORMATION:

Civic Address: _____
 Legal Description: _____
 Current Zoning: _____
 Current Use: _____

PROPOSAL DESCRIPTION:

Proposed variance: _____

Describe proposed variance:

ATTACH ADDITIONAL INFORMATION. LETTER OF INTENT IS ENCOURAGED.

REQUIRED SUBMISSIONS:

- | | |
|---|--|
| <input type="checkbox"/> Application Fee | <input type="checkbox"/> Owner's Authorization |
| <input type="checkbox"/> Certificate of Title | <input type="checkbox"/> Survey Certificate |

AUTHORIZATION:

As applicant or approved agent I hereby make application in accordance with the Village of Hazelton Bylaws and declare that the statements in this application are true and correct.

I understand that this application is a public document including personal information and it is open for inspection by the public and may be reproduced and distributed to the public as part of report(s) to Council or for purpose of public hearing.

Name / Signature: _____ Date: _____

This application is made with my full knowledge and consent.

Registered Owner
 Name / Signature: _____ Date: _____



APPLICATION FOR TEMPORARY USE PERMIT

APPLICATION TYPE

Temporary Use Permit

OFFICE USE ONLY:

Date Received: _____ Application/File No.: _____

APPLICANT:

Name: _____
Address: _____
Phone: _____
Email: _____

REGISTERED OWNER(S):

Name: _____
Mailing Address: _____
Phone: _____
Email: _____

SUBJECT PROPERTY INFORMATION:

Civic Address: _____
Legal Description: _____
Current Zoning: _____
Current Use: _____

PROPOSAL DESCRIPTION:

Proposed Use: _____
Describe proposed temporary use:

ATTACH ADDITIONAL INFORMATION. LETTER OF INTENT IS ENCOURAGED.

REQUIRED SUBMISSIONS:

- Application Fee
- Certificate of Title
- Owner's Authorization
- Survey Certificate

AUTHORIZATION:

As applicant or approved agent I hereby make application in accordance with the Village of Hazelton Bylaws and declare that the statements in this application are true and correct.

I understand that this application is a public document including personal information and it is open for inspection by the public and may be reproduced and distributed to the public as part of report(s) to Council or for purpose of public hearing.

Name / Signature: _____ Date: _____

This application is made with my full knowledge and consent.

Registered Owner
Name / Signature: _____ Date: _____



Box 40, 4310 Field Street T: 250-842-5991 | Fx: 250-842-5152
 Hazelton, BC V0J 1Y0 E: info@hazelton.ca

SCHEDULE F

APPLICATION FOR SUBDIVISION

APPLICATION TYPE

Subdivision

OFFICE USE ONLY:

Date Received: _____ Application/File No.: _____

APPLICANT:

Name: _____
 Address: _____
 Phone: _____
 Email: _____

REGISTERED OWNER(S):

Name: _____
 Mailing Address: _____
 Phone: _____
 Email: _____

SUBJECT PROPERTY INFORMATION:

Civic Address: _____
 Legal Description: _____
 Current Zoning: _____
 Current Use: _____

PROPOSAL DESCRIPTION:

Proposed Subdivision: _____
 Proposed use of lots/units created: _____
 Proposed number of lots/units: _____
 Describe proposed subdivision:

ATTACH ADDITIONAL INFORMATION. LETTER OF INTENT IS ENCOURAGED.

REQUIRED SUBMISSIONS:

- | | |
|---|---|
| <input type="checkbox"/> Fee — First Lot: _____ | <input type="checkbox"/> Site Plan |
| — Each Additional Lot: _____ | <input type="checkbox"/> Site Profile |
| <input type="checkbox"/> Certificate of Title | <input type="checkbox"/> Site Profile in accordance with Environmental Management Act or Contaminated Sites Regulations |
| <input type="checkbox"/> Owner's Authorization | |

AUTHORIZATION:

As applicant or approved agent I hereby make application in accordance with the Village of Hazelton Bylaws and declare that the statements in this application are true and correct.

I understand that this application is a public document including personal information and it is open for inspection by the public and may be reproduced and distributed to the public as part of report(s) to Council or for purpose of public hearing.

Name / Signature: _____ Date: _____

This application is made with my full knowledge and consent.

Registered Owner
 Name / Signature: _____ Date: _____



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 Hazelton, BC V0J 1Y0 E: info@hazelton.ca

SCHEDULE G

APPLICATION FEES FOR AMENDMENTS AND PERMITS

FEES

Amendment to Official Community Plan.....	\$ 1,000.00
Amendment to Zoning Bylaw.....	\$ 1,000.00
Amendment to Official Community Plan and Zoning Bylaw	\$ 1,200.00
Development Permit.....	\$ 250.00
Development Variance Permit.....	\$ 350.00
Temporary Use Permit.....	\$ 350.00
Subdivision:	
(a) First two lots	\$ 500.00
(b) Each additional lot thereafter.....	\$ 100.00