

## VILLAGE OF RADIUM HOT SPRINGS

### DEVELOPMENT PERMIT GUIDE

#### **A. What is a Development Permit?**

Development Permits (DP) are issued by the Village to control certain types of developments that occur within specified areas designated in the Official Community Plan (OCP). Development Permit guidelines include façade requirements and are in addition to normal zoning, servicing, building and fire code regulations. A Development Permit for a proposed project is approved and issued once your project meets with all the applicable guidelines of the Development Permit Area, including the normal zoning, servicing, building and fire code regulations. Once approved, you still need to apply for a Building Permit before you can build, or for subdivision approval, as the case may be.

#### **B. When is a Development Permit Required?**

Development Permits are required in areas designated in the OCP and generally follow:

- protection of the natural environment (i.e., marsh and wetlands).
- protection of development from hazardous conditions (i.e., steep slopes).
- revitalization of an area in which commercial uses exist.
- establishment of guidelines for the form and character of commercial, industrial or multifamily buildings.

**The specific circumstances requiring a development permit are detailed in Provincial legislation but generally include the subdivision of land, any construction of, addition to or alteration of a building or structure, and the alteration of land.**

Applications, which intend to vary the use or density of an applicable zone, cannot be approved by Development Permit. In these situations, you should consider an alternate process, which may include:

- Zoning Bylaw amendments.
- Official Community Plan Bylaw amendments.

#### **C. The Development Permit Application Process:**

There are several basic steps to the Development Permit application process:

##### **1. Preliminary inquiry by applicant:**

Your proposal should be well researched before submitting a formal application for a Development Permit. You should be aware of the Official Community Plan designation of your property, the applicable zoning classification, the zoning restrictions placed on that classification, and any other plans, policies or bylaws (i.e. the Subdivision Servicing Bylaw) that may apply.

You may wish to hold a preliminary discussion with Planning Staff to assist you in reviewing the requirements for a Development Permit, and to confirm the feasibility of your proposal. You should be aware, however, that Staff will not undertake a thorough technical review until an application and fee is received. This technical review may identify additional information required to complete and or support the application. You should also confirm the appropriate application fees and submission requirements for your permit.

##### **2. Submitting an application:**

An application for a Development Permit can be submitted to the Village on the application form provided, and must be accompanied by the required fee, currently set at: \_\_\_\_\_. In addition to this fee, you will be responsible for the costs incurred by the Village in reviewing the

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application. These costs may include professional third party evaluation by, but not necessarily limited to, engineers, the façade review committee, geotechnical engineers, architects, and landscape architects. The minimum additional information required, to satisfy the basic application requirements, is detailed on the Development Permit application form itself.

#### **3. Application review by staff:**

Planning Staff will undertake a technical review of your application and contact you concerning additional information that may be required. This technical review assesses your application according to the criteria set out in the Development Permit Areas of the OCP and includes an evaluation based on the Zoning and Subdivision Servicing standards of the municipality. Staff may, at their discretion, forward the application for third party professional review, which will be at your cost. You should review the “Design Review Procedures” if your proposal includes a new building or an addition to, or alteration of, an existing building.

Once Staff are satisfied that the requirements of the municipality are being met by the proposed development, a draft Development Permit will be prepared for submission to Council. You will have an opportunity to review this draft Development Permit. An explanatory memo may accompany the submission to Council from staff, which may include a recommendation as to whether or not the permit should be approved.

#### **4. Council consideration and approval:**

Once Council has reviewed the draft Development Permit and any staff recommendations, they may proceed as follows:

- Consider your application, and if acceptable, approve the Development Permit, with or without amendment(s), or;
- Consider your application, and if unacceptable, deny the application or table it pending receipt of additional information.

#### **5. Final approval and execution of the Development Permit:**

If your Development Permit has received preliminary approval by Council resolution, you will then be required to endorse the permit thereby acknowledging the conditions contained therein. Administration will then approve and issue the permit. Once approved, the permit becomes binding on existing and future owners of the property.

A record of the Development Permit is sent to the Nelson Land Titles Office for registration in order to advise that the land is subject to a Development Permit.

Please be advised that a Development Permit is not a Building Permit nor is it a subdivision approval. After your Development Permit has been executed, you will still need to apply for a Building Permit before you begin construction, or for subdivision approval, as the case may be.

#### **Further Information:**

This brochure is meant to act as a general guide only. It is not an exhaustive explanation of the process, or of the requirements of the municipality that may be imposed upon a potential development. Applicants whose proposal might require a façade review should review the “Design Review Procedures”. While Staff make every effort to advise applicants with respect to these requirements, the onus falls on the applicant to become knowledgeable concerning the requirements of the municipality.