

How and where to apply:

Complete an OCP and Zoning Bylaw amendment application. These are available from the RDEK offices at:

- **19 - 24 Avenue South Cranbrook, BC**
- **1164 Windermere Loop Road Invermere, BC**

The application form is also available online at www.rdek.bc.ca.

Include the following:

1. Non-refundable fee payable to the Regional District of East Kootenay.

| <u>Type of Application:</u> | <u>Fee</u> |
|---|------------|
| OCP, Zoning Bylaw or Land Use Bylaw (One Bylaw) | \$2000 |
| OCP & Zoning Bylaw (Two Bylaws) | \$2250 |
| New Land Use Designation (Zoning Bylaw) | \$500 |

In addition to the above application fees, when an application is required to go before additional public hearing(s) the following fees apply:

| <u>Advertising Requirement</u> | <u>Fee</u> |
|--|------------|
| Additional advertising or notification required | \$1500 |
| Additional advertising or notification <u>not</u> required | \$250 |

2. A detailed sketch of your property showing all buildings, wells, septic systems, access, and physical features.
3. A Title Search Print dated no more than 30 days before you file your application. These are available from the Land Title Office at www.ltsa.ca. If requested, a Title Search can be obtained by the RDEK for a document fee of \$17.50.
4. In some cases, a completed Site Disclosure Statement is required. See Section 5 of the Application Form for more information.
5. An explanation of your proposal, information about the parcel(s) under application and any other information in support of your application, such as photographs.

We recommend that you discuss your proposals with Development Services staff. An appointment to meet with staff is recommended.

Cranbrook Office hours: 8:30 am to 4:30 pm Monday through Friday, excluding holidays
Phone: 250-489-2791
Toll Free: 1-888-478-7335

What happens to your application:**Your application will be reviewed:**

RDEK staff will review your application to make sure it meets requirements of RDEK plans, policies, Official Community Plan guidelines and bylaws. You may be requested to submit additional information in support of your application to ensure that all requirements are met.

A bylaw and staff report will be prepared:

RDEK staff will prepare an amending bylaw to reflect the requested change for the zoning bylaw and/or Official Community Plan. A staff report outlining the proposal and technical information pertaining to the bylaw will be prepared.

Your application and the amending bylaw will be sent to:

- The Advisory Planning Commission (APC). A group of residents in your area appointed by the RDEK Board to make recommendations on land use matters.
- The appropriate referral agencies, which may include Provincial government ministries, adjacent municipalities, Interior Health Authority, First Nations, or local School District for technical input on your proposal.

Your application and the amending bylaw will be considered by the RDEK Board:

The RDEK Board will examine your application, the amending bylaw, and comments and recommendations made by staff, referral agencies and the APC. If the Board needs more information or if there are major concerns about your proposal, your application may be deferred or refused.

If the Board has enough information to consider your application, these are the steps that will be followed:

1. At the Board meeting, the amending bylaw will be considered for first and second readings. If second reading is given to the bylaw a public hearing date will be set.
2. If the bylaw advances, RDEK staff will mail notices to property owners within 100 metres of the subject property to advise them of your proposal and the public hearing. The public hearing will also be advertised in the local newspaper.
3. The public hearing will be held. At the public hearing, anyone who believes that they may be affected by your development is allowed to speak. Letters will also be accepted from anyone who wishes to comment on your proposal. Submissions cannot be accepted after the public hearing.
4. At its next meeting, the Board will again consider your application and the comments made at the public hearing. The Board will either give third reading to the bylaw or it will be refused. If third reading is given, the Board may then adopt the bylaw. However, if the property is within 800 m of a controlled access highway adoption of the bylaw must be deferred until the bylaw is approved by the Ministry of Transportation and Transit (MOTT).
5. If the bylaw is approved by the MOTT, it will be considered a final time by the Board. The Board will either adopt the bylaw or it will be refused.

If the bylaw is adopted:

You may apply for subdivision or if a subdivision is not required, you may apply for your building permit or proceed with the new permitted use(s).

If the bylaw is refused:

At any point in the process, the Board may refuse your application by voting not to proceed with the amending bylaw. If your application is refused, you may reapply to the RDEK for the same proposal after six months has passed. You may apply for a different proposal at any time if the Board has refused your application. You may also make a request for reconsideration of the application provided the request is based on new relevant information not available prior to the Board's decision. Reconsideration applications must be accompanied by the appropriate fee and application form and be received in writing no more than 30 days after the date of decision.

Questions:

Call Development Services at **250-489-2791** or toll free at **1-888-478-7335**.



OCP & Zoning Bylaw Amendment *Application*

SECTION 1 – APPLICANT INFORMATION

| | |
|-------------------------------|------------------------------|
| Registered Owner(s): _____ | Agent: _____ |
| Address: _____ | Address: _____ |
| Phone: _____ Email: _____ | Phone: _____ Email: _____ |

SECTION 2 – DECLARATION AND AUTHORIZATION

I / we declare that the information in this application is, to the best of my / our knowledge, true and correct.

Signature of Applicant(s): _____ Date: _____

If the application is submitted by an Agent, the owner(s) must sign the following statement or provide separate written authorization:

I / we consent to this application filed by the person or company whose name appears as the agent above.

Signature of Owner(s): _____ Date: _____

Personal Information requested on this form is collected under the authority of section 26 of the Freedom of Information and Protection of Privacy Act (FOIPPA) and will be used by the RDEK for the purpose of processing the application. Disclosure of personal information by the RDEK is subject to the requirements of FOIPPA. For questions about the collection, use or disclosure of your personal information in the RDEK, contact the Corporate Officer of the RDEK at 19 – 24th Ave S., Cranbrook BC, V1C 3H8 or 250-489-2791.

SECTION 3 – LAND UNDER APPLICATION

Legal description of all land proposed for development:

Lot _____ Block _____ Plan _____ District Lot _____

Extended legal description: _____

Street Address: _____ Parcel Identifier Number (PID): _____

Size of property: _____ Zoning Designation: _____

SECTION 4 – PURPOSE OF APPLICATION [check appropriate box(es)]

Amend Zoning or Land Use designation from _____ to _____

Amend text of Zoning or Land Use Bylaw as follows: _____

Amend Official Community Plan designation from _____ to _____

Amend text of Official Community Plan as follows: _____

SECTION 5 – DEVELOPMENT & LAND USE INFORMATION

▪ Describe the existing use of the land: _____

▪ Describe the proposed development and use of the land: _____

Attach a map or sketch showing:

- North arrow & scale
- Lot lines with dimensions
- Physical features (creeks, ponds, hills, gullies, etc.)
- All buildings & structures (existing & proposed)
- Access (roads, driveways)
- Well or water intake
- Septic tank & field
- Proposed lot lines if subdivision is proposed
- Photographs (*optional*)

SECTION 5 – continued

- **Describe water source and sewer method [*√ check appropriate box(s)*]:**

Present source of potable water:

- None
- Well
depth _____ flow rate _____
- Water Licence No. _____
Source _____
- Community Water System
Name _____

Proposed source of potable water:

- Well(s)
- Water Licence No. _____
Source _____
- Community Water System
Name _____

Present sewage disposal system:

- None
- Septic tank & field
- Community Sewer System
Name _____

Proposed sewage disposal system:

- Septic tank & field
- Community Sewer System
Name _____

- **Describe the use of surrounding land and buildings:**

North: _____

South: _____

East: _____

West: _____

- **Does your property have a history of a specified industrial and commercial use as shown on Schedule 2 of the Contaminated Site Regulation?**

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/375_96_04

- No
- Yes, Completed Site Disclosure Statement included.

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/375_96_02

More information about this requirement (including 'How to complete a Site Disclosure Statement') can be found on the Ministry of Environment's Site Remediation website here:

<https://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-identification>

SECTION 6 – AGRICULTURAL LAND RESERVE INFORMATION [check appropriate box(s)]

- No part of this property is in the Agricultural Land Reserve
- Part or all of the property is in the Agricultural Land Reserve
- Provincial Agricultural Land Commission approval is not required
- Provincial Agricultural Land Commission approval has been granted and a copy of the approval is attached

SECTION 7 – OTHER APPROVALS INFORMATION [check appropriate box]

- No part of this property is subject to approved permits from the Ministry of Energy, Mines and Low Carbon Innovation including, but not limited to, placer mines, pits, quarries, mineral exploration, construction or operation; **OR**
- Part or all of this property is subject to approved permits from the Ministry of Energy, Mines and Low Carbon Innovation including, but not limited to, placer mines, pits, quarries, mineral exploration, construction or operation.

SECTION 8 – ENSURE THE FOLLOWING ARE ENCLOSED WITH YOUR APPLICATION:

- Completed Site Profile Form, if required, as described in Section 5
- Application fee payable to the Regional District of East Kootenay
- A Title Search Print dated no more than 30 days before you file your application. These are available from the Land Title Office at www.ltsa.ca; **OR**
- Consent for the RDEK to conduct a Land Title Search on your behalf for a fee of \$17.50.