



Bylaw Amendment

Information Package



Planning Department
Regional District of Central Kootenay
Box 590, 202 Lakeside Drive , Nelson, BC V1L 5R4
Phone: 250.352.1536 | **Toll Free:** 1.800.268.7325 (BC)
Email: plandept@rdck.bc.ca
rdck.ca/BylawAmendment

What is a Bylaw amendment?

Bylaw amendments are amendments to a land use bylaw. There are two types of amendments: Official Community Plan (OCP) amendments and Zoning Bylaw amendments

What is an OCP amendment?

OCP amendments are sought when you want to change your property's land use designation

When do I need an OCP amendment?

An OCP amendment is required when a development proposal or use does not align with the goals, objectives or policies of a land use designation



What is a Zoning Bylaw amendment?

A zoning bylaw amendment is the way you change your property's zoning. It is commonly called "rezoning"

When do I need a Zoning Bylaw amendment?

A Zoning Bylaw amendment is required when you have a development proposal that does not meet the **use** or **density** requirements of a zone

For other changes, such as to setbacks or gross floor area of structures, you may be able to apply for a Development Variance Permit (DVP) rather than a rezoning

What happens if I need an OCP and a Zoning Bylaw amendment?

You can apply for them together in one application, at the same time, for a reduced fee.

Who can apply for a Bylaw amendment ?

Property owners or their authorized agent

How Long Does the Process Take?

We do our best to ensure applications are dealt with promptly. Approvals typically takes six months



How Much Does the Application Cost?

- OCP amendments cost \$1600
- Zoning Bylaw amendments cost \$1600
- Joint OCP and Zoning Bylaw amendments cost \$1800
- In addition to the application fee, there are associated costs for advertising and for public hearings

What documents do I need to apply?

- Application Form
- Certificate of title
- Non-financial charges registered on title
- Application Fee
- Site Disclosure Statement or Site Disclosure Form
- Site Plan
- Landscape Plan
- Proposal Summary
- Agent Authorization (if applicable)

How do I get a Bylaw amendment?

1. Pre-Application Check in

We encourage you to check in with us before you apply. We can discuss your proposal's feasibility and review application requirements

2. Submit Application

Complete and submit the bylaw amendment application. Include required documents, plans and fees. Drop off your application in person or email it to plandept@rdck.bc.ca

3. Review and Referrals

We review the application and ensure all documents are included. Then then we refer it to other groups for their feedback such as:

- Your area's Advisory Planning and Heritage Commission (APHC)
- Other RDCK departments
- Other agencies and parties like Interior Health, Provincial Ministries, adjacent Municipalities and First Nations
- Neighboring property owners

4. Notice of Development Sign

Staff will direct you to put a sign on your property that meets certain specifications to notify the community of the proposed bylaw amendment

5. Report

Staff will present a technical report of your Bylaw amendment to the Rural Affaris Committee (RAC) for consideration. RAC makes a recommendation to the Board. If the Board decides to proceed with the application, they may give it first/second readings

6. Public Hearing

A public hearing will be held following the second reading of the amendment by the Board

The hearing allows for the public to submit comments concerning the application. The timing of readings and

the public hearing depends on the complexity of the proposal

7. Decision

Following the public hearing, your application is considered by the Board. Once it has been given a third reading, they may proceed, table or deny the application



Helpful Links

www.rdck.ca/landusebylaws

www.rdck.ca/webmap

www.rdck.ca/planningproceduresbylaw

www.rdck.ca/developmentapplication

Contact Information

Phone: (250)352-1536

Toll Free: 1-800-268-7325 (BC)

Email: plandept@rdck.bc.ca

Website: rdck.ca

Address: Planning Department

Regional District of Central Kootenay

Box 590, 202 Lakeside Drive

Nelson BC V1L 5R4

This information package reflects the background and process when this document was created. It may be subject to changes at any time. For details of all regulations, and to determine whether the process has changed, please consult the relevant Bylaws, the Local Government Act and the Planning Department.



Bylaw Amendment Application

It is recommended that the applicant consult Planning Services staff before submitting an application. A pre-application meeting may be scheduled by providing the Planning Department with a detailed proposal summary and a concept plan of the proposed development.

OWNER(S) INFORMATION	
Name:	Name:
Mailing Address:	Mailing Address:
Phone:	Phone:
Email:	Email:

**If there are additional owners registered on title, please attach their information on a separate sheet*

AGENT INFORMATION (IF APPLICABLE)
Name:
Mailing Address:
Phone:
Email:

NOTICE OF COLLECTION OF PERSONAL INFORMATION
The personal information on this form is being collected in accordance with Section 26 of the <i>Freedom of Information and Protection of Privacy Act (FIPPA)</i> and will be collected, used or disclosed only in a manner consistent with the administration of the management of development of the Regional District of Central Kootenay. If you have any questions about the collection, use or disclosure of this information, please contact the Regional District of Central Kootenay Privacy Officer at 250-352-6665 (toll free 1-800-268-7325), foi@rdck.bc.ca , or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4.

APPLICATION INFORMATION		
Civic Address:		Electoral Area:
Legal Description:		Parcel Identifier (PID):
Current Zoning:	Proposed Zoning:	
Current Official Community Plan (OCP) Designation:	Proposed OCP Designation:	
Are there any restrictive covenants registered on the subject property:	No	Yes
<ul style="list-style-type: none"> If yes, please ensure copies are submitted with application package 		
Are there any registered easements or right-of-ways over the subject property:	No	Yes
<ul style="list-style-type: none"> If yes, please ensure copies are submitted with application package 		
Is the property in the Agricultural Land Reserve:	No	Yes
Is there a watercourse on/adjacent to the property:	No	Yes
If yes, Watercourse name:		

AGENT AUTHORIZATION (IF APPLICABLE)	
As owner(s) of the land described in this application, I/we hereby authorize: _____ to act as agent in regard to this land development application.	
Owner Signature:	Date:
Print Owner Name:	
Owner Signature:	Date:
Print Owner Name:	

**If there are additional owners registered on title, please attach their authorization on a separate sheet*

REQUIRED DOCUMENTATION	
Certificate of Title	A copy of the property(s) Title, issued not more than 30 days prior to the application date. Copies of titles can be obtained by our Office, the Land Title Office, a notary, lawyer, or search company. If a title is not submitted, the RDCK will obtain a copy for a fee of \$17.
Copy of Non-Financial Charges on Title (if applicable)	A copy of all non-financial charges (covenants, easements, right-of-ways, etc.) registered on the subject property(s) title. Copies of these documents can be obtained by our Office, the Land Title Office, a notary, lawyer, or search company. If the documents are not submitted, the RDCK will obtain a copy for an additional fee of the cost of the documents.
Application Fee	An application fee as set out in Schedule 'A' of the <i>RDCK Planning Procedures and Fees Bylaw</i> . The fees are as follows: <ul style="list-style-type: none"> • \$1600 + advertising costs for Official Community Plan, Zoning or Comprehensive Land Use Bylaw • \$1800 + advertising costs for joint Official Community Plan and Zoning
Site Disclosure Statement or Site Disclosure Form	Review <u>Schedule 2</u> of the <i>Environmental Management Act</i> to determine whether a Site Disclosure Statement is required, or if the Site Disclosure Form is sufficient.
Site Plan	Drawn to scale and shall include the following (if applicable): <ul style="list-style-type: none"> • North arrow and scale • Dimensions and boundaries of property lines, right of way, covenant areas and easements • Location and dimensions of existing and proposed structures and setbacks to property lines, right of ways, covenants and easements • Location of existing access roads, driveways, parking spaces, pathways, screening and fencing • Natural and finished grades of site, at buildings and retaining walls • Location of any physical or topographic constraints (ie: watercourses, slopes, hazard areas, etc.) on or adjacent to the property • Location of all existing and proposed water lines, wells, septic fields, sanitary sewer and storm drainage on or adjacent to the property
Subdivision Plan	Rezoning applications submitted to facilitate the subdivision of land should include the proposed subdivision plan, including dimensions, lot areas and any proposed easements, covenant and right of ways.
Proposal Summary	The summary must include the existing bylaw, current zoning and OCP designation, proposed zoning and OCP designation, what the new zoning will allow you to do, and the rationale behind the change, including the effects, positive or negative, to surrounding properties.

**Additional material or more detailed information may be requested by the Regional District upon review of an application.*

DECLARATION

I, the undersigned, hereby certify that the information provided with respect to this application is full and complete and is, to the best of my knowledge, a true statement of the facts related to this application.

Signature of Owner or Authorized Agent

Date

Print Name of Owner or Authorized Agent