



**DISTRICT OF HUDSON'S HOPE
REGULAR COUNCIL MEETING AGENDA**

Council Chambers

Monday, May 12, 2014 at 7:00 PM

1. Call to Order:

2. Notice of New Business:

Mayor's List

Councillors Additions

CAO's Additions

3. Adoption of Agenda by Consensus:

4. Declaration of Conflict of Interest:

5. Adoption of Minutes:

M1 April 28, 2014 Regular Council Meeting

Page 1

M2 May 5, 2014 Special Council Meeting

Page 9

M3 May 7, 2014 Special Council Meeting

Page 12

6. Business Arising Out of the Minutes:

7. Delegations:

D1 Urban Systems: Regulatory Bylaw Review

Page 14

8. Staff Reports:

SR1 Staff Training Policy

Page 208

SR2 BCG MOTI Meeting

Page 210

9. Bylaws:

B1 Annual Financial Plan Bylaw No. 835, 2014

Page 212

B2 Tax Rate Bylaw No. 836, 2014

Page 252

B3 Road Closure Amendment Bylaw No. 837, 2014

Page 253

10. Correspondence:

C1 Correspondence: Rose-Ann Kirkeeng

Page 261

11. Reports by Mayor & Council on Meetings and Liaison Responsibilities

12. Old Business:

13. New Business:

14. Public Inquiries:

15. Adjournment:



REGULAR COUNCIL MEETING
April 28, 2014
7:00 P.M.
MUNICIPAL HALL COUNCIL CHAMBERS

Present: **Council:** **Mayor: Gwen Johansson**
 Councillor: Kelly Miller
 Councillor: Richard Brown
 Councillor: Daniel Bouillon
 Councillor: Dave Heiberg
 Councillor: Nicole Gilliss
 Councillor: Travous Quibell

Staff: **CAO: Tom Matus**
 Administrative Assistant: Megan Tilsner
 Director of Public Works: Mike Carter

Other: 2 in gallery

1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m. with Mayor Gwen Johansson presiding.

2. NOTICE OF NEW BUSINESS:

Mayors List:

NB1 Addition to the Reports by Mayor and Council on Meetings and Liaison Responsibilities.

Councillor Additions:

None

CAO Additions:

None

3. ADOPTION OF AGENDA BY CONSENSUS:

The April 28, 2014 Regular Council meeting agenda was adopted by consensus.

4. DECLARATION OF CONFLICT OF INTEREST:

Councillor Quibell – Lions Club

Councillor Gilliss – Playschool

Councillor Brown – Grad 2015 and Lions Club

5. **ADOPTION OF MINUTES:**

0550-01

M1 **April 14, 2014 Regular Council Meeting Minutes**

RESOLUTION NO. 096

M/S Councillors Gilliss/Miller

THAT:

"The minutes of the April 14, 2014 Council Meeting be adopted as written."

CARRIED

M2 **April 22, 2014 Special Council Meeting Minutes**

RESOLUTION NO. 097

M/S Councillors Miller/Gilliss

THAT:

"The minutes of the April 22, 2014 Special Council Meeting be adopted as amended."

CARRIED

6. **BUSINESS ARISING OUT OF THE MINUTES:**

- Regional District is in the process of developing a new lagoon. Mayor Gwen Johansson asked if industrial waster will be accepted or just raw sewage.
 - o Staff to contact Regional District to keep informed of progress and decisions around dumping.
- Water Meters – Will they be completed this season?
 - o Director of Public Works indicated that this is not likely to happen this year.

7. **DELEGATIONS:**

D1 **Bill Lindsay – Trustee (Zone 3) School District #60**

- Presented Council with information about SD 60's decision to implement charging fees for students who ride the bus. This program will be implemented in the 2014/2015 school year. All questions that come in to Council or the District of Hudson's Hope should be directed to Bill.
- Discussion around what will happen if a student is unable to pay

8. **STAFF REPORTS:**

S1 **Industrial Land Committee**

RESOLUTION NO. 098

M/S Councillors Heiberg/Bouillon

THAT:

"Council appoint Bob Bach to the Industrial Land Committee."

S2 **Public Works Shop**

- Discussion around what size is needed. Consensus with the Public Works crew to have the smaller

- conceptual version.
- Discussion around the location of where the new shop would be.

RESOLUTION NO. 099

M/S Councillors Gilliss/Miller

THAT:

"Staff to obtain an 8000 sq ft and 10 000 sq ft cost efficient design to present to council."

S3

Financial Assistance Grants

a. Bullhead Mountain Curling Club

RESOLUTION NO. 100

M/S Councillors Quibell/Gilliss

THAT:

"The funding request not be approved."

CARRIED

OPPOSED – Councillor Brown

b. Double H. Saddle Club

RESOLUTION NO. 101

M/S Councillors Gilliss/Heiberg

THAT:

"Approval be granted for \$1976.90, plus the tent, tables and T-shirts."

CARRIED

c. Friends of Hudson's Hope Society

RESOLUTION NO. 102

M/S Councillors Gilliss/Bouillon

THAT:

"Approval be granted for a Cash donation of \$4105.53."

CARRIED

OPPOSED – Councillors Quibell and Brown

d. Hudson's Hope Fall Fair

RESOLUTION NO. 103

M/S Councillors /

THAT:

"The requested use at the arena for the Fall Fair; assistance with the set up of picnic tables, tent, and staff support at the arena be approved."

CARRIED

OPPOSED – Councillor Gilliss

e. Hudson's Hope Grad 2015

RESOLUTION NO. 104

M/S Councillors Heiberg/Gilliss

THAT:

"Funding in the amount of \$1000 be budgeted to clean up Pioneer Cemetery."

CARRIED

OPPOSED – Councillor Miller

f. Hudson's Hope Lions Club

RESOLUTION NO. 105

M/S Councillors Heiberg/Bouillon

THAT:

"Approval be granted for \$3900 for the purchase of round tables, linens and 2 folding bay change tables."

CARRIED

OPPOSED – Councillor Miller

g. Hudson's Hope Minor Hockey Association

RESOLUTION NO. 106

M/S Councillors Gilliss/Bouillon

THAT:

"Approval be granted for \$800 to upgrade the bottle shed."

CARRIED

h. Hudson's Hope Playschool

RESOLUTION NO. 107

M/S Councillors Quibell/Brown

THAT:

"Approval be granted for \$800 to purchase and install a sanitizing dishwasher."

CARRIED

OPPOSED – Councillor Miller

i. Hudson's Hope Ski Association

RESOLUTION NO. 108

M/S Councillors Bouillon/Heiberg

THAT:

"Approval be granted for \$8100 for insurance, licences, permits and dues; a family swim pass and family camping pass."

CARRIED

OPPOSED – Councillor Gilliss

j. Hudson's Hope Womens Club

RESOLUTION NO. 109

M/S Councillors Gilliss/Miller

THAT:

"Approval be granted for \$2000 for equipment upgrades to the kitchen."

CARRIED

S4

Financial Assistance Grants

a. Community Hall Society

RESOLUTION NO. 110

M/S Councillors Heiberg/Bouillon

THAT:

"Approval be granted for \$8000 to hire a contractor to install the flooring in the basement, renovate the downstairs bathroom, replace the fascia on the exterior of the building and demolish and rebuild the back deck."

CARRIED

b. Hudson's Hope Historical Society

RESOLUTION NO. 111

M/S Councillors Gilliss/Miller

THAT:

"Approval be granted for \$51,000."

CARRIED

c. Hudson's Hope Public Library Association

RESOLUTION NO. 112

M/S Councillors Quibell/Gilliss

THAT:

"Staff schedule a special meeting for Monday May 5th at 5pm to discuss further."

CARRIED

Staff to schedule a meeting with the Chair of the Library Board to discuss their Financial Assistance Grant prior to the special meeting and present more information to Council at that time.

9. CORRESPONDENCE:

**C1 School District 60 Sponsor Recognition and Awards Reception
FOR INFORMATION**

**C2 Northeast Regional Advisory Council Meeting – May 9, 2014
FOR INFORMATION**

**C3 Referral Package for the July 16, 2014 Proposed PGN Rights Disposition
FOR INFORMATION**

10. REPORTS BY MAYOR & COUNCIL ON MEETINGS AND LIAISONS RESPONSIBILITIES:

CR1 Councillor Brown: North Peace Airport Society

- Update on Airport Society Meeting
- Phase 2 of the Parking Lot expansion project is complete.
-

Staff to find report on resurfacing and redevelopment costs that was done on the Hudson's Hope Airport

11. OLD BUSINESS:

Mayor Johansson: Meeting with Ministry of Transport

- Meeting scheduled for Wednesday April 30th at 3pm. Mayor Johansson, Councillor Brown and Councillor Heiberg to attend.
- Discussion on issues to bring forward:
 - o Debris that is on the Hi-Way
 - o Post office corner
 - o Slumping on Canyon Drive (on the first part of the hill going up)
 - o Canyon Drive stability
 - o Road lines not being painted until August. Possible safety hazard for drivers. Specifically the turn off on the Alaska Hi-Way to come to Hudson's Hope.
 - o Is there a way to keep track of the sloughing on the hills on Canyon Drive.

12. NEW BUSINESS:

NB1 Mayor Johansson: Grubjesic Driveway

- Discussion on the condition of driveway caused by the subsidence of the sewer line in the 90's.

NB2 Mayor Johansson: Requests from Norm Guelly & Richard Lafrenier

- Sewer Extension
 - o Staff to provide the history of the Sewer Extension.
- No Engine Brakes Sign Request for Jamieson Subdivision
 - o Staff to come back with recommendation.
- ATV's on the roads and in ditches
 - o Staff to look into our local Bylaws.

NB3 Mayor Johansson: BC Hydro Gym

- Project has been passed from Darin Thompson to Mike Mant with BC Hydro.
- Project has gone to the legal department to draft a "Request for Expressions of Interest."
- BC Hydro would like to provide support for 3 years, after which time they expect the gym to be self-supporting, do not want to run the gym.
- Request that the District endorse the project.
- Council will wait for the draft document to come back from the BC Hydro Lawyers before making any decisions.

NB4 Mayor Johansson: Canadian Association of Petroleum Producers (CAPP)

- A representative will be in the area during the week of the NCLGA and is interested in sitting down to formally meet with delegates to discuss issues.
- Mayor Johansson will pass contact information to Councillor Gilliss and Councillor Heiberg.

NB5 Mayor Johansson: Ken Chapman, Executive Director of Northern Initiatives for the Edmonton Economic Development Corporation

- In conjunction with CAPP, Ken Chapman will be a guest speaker at the FSJ Chamber of Commerce Luncheon.

RESOLUTION NO. 113

M/S Councillors Gilliss/Heiberg

THAT:

"Funds be allocated for one council member to attend the luncheon."

CARRIED

NB6 Mayor Johansson: Land Use

- Discussion on Jamieson Woods Land use.
- Information will be in the May Bulletin encouraging the public to talk to council about the land use in that area.

NB7 Mayor Johansson: Site C Negotiations

- Negotiations Update
- Rob Botterell and Maegen Giltrow are planning a visit to Hudson's Hope May 15th and 16th.

RESOLUTION NO. 114

M/S Councillors Gilliss/Quibell

THAT:

"Funds be allocated to cater an event for 200 people for an open house with BC Hydro Lawyers and

representatives.”

CARRIED

Abstained – Councillor Bouillon

- NB8 Mayor Johansson: Mayor's Partnership Decision Request**
- Update on Mayor's Partnership
 - Letter has been sent outlining concerns, have not had a response.

- NB9 Councillor Gilliss: Garbage Can**
- Would like to re-open discussion on Garbage Cans

13. PUBLIC INQUIRIES:

14. ADJOURNMENT:

RESOLUTION NO. 115

M/S Councillors Bouillon/Gilliss

THAT:

“The Regular Council Meeting for April 28, 2014 be adjourned”(10:15p.m.)

CARRIED

DIARY

Conventions/Conferences/Holidays

NCLGA AGM & Convention May 7-9, 2014
Premier's BC Natural Gas Forum Jan. 22-23
Co-Op Correspondence Re: Card Lock

Diarized Last Review/Action

10/28/13
10/28/13
11/12/13

Certified Correct:

Clerk / Minute Taker

Chair



HUDSON'S
HOPE
PLAYGROUND OF THE PEACE

SPECIAL COUNCIL MEETING

May 5 2014

5:00 P.M.

MUNICIPAL HALL COUNCIL CHAMBERS

Present: Council: Mayor: Gwen Johansson
Councillor: Kelly Miller
Councillor: Nicole Gilliss
Councillor: Daniel Bouillon
Councillor: Dave Heiberg
Councillor: Travous Quibell

Staff: CAO: Tom Matus
Deputy Clerk: Laurel Grimm
Director of Public Works: Mike Carter
Director of Protective Services: Robert Norton
Deputy Treasurer: Rhonda Eastman

Other: 3 in gallery

1. CALL TO ORDER:

The meeting was called to order at 7:02 p.m. with Mayor Gwen Johansson presiding.

2. ADOPTION OF AGENDA BY CONSENSUS:

The May 5, 2014 Special Council meeting agenda was adopted by consensus.

3. DECLARATION OF CONFLICT OF INTEREST:

NONE

4. STAFF REPORTS:

SR1 Geotechnical Investigations License

6660-20

Information received from reports is of value to the Municipality. Council must treat BC Hydro as any other company would be treated, however; this is a unique situation. Staff to look at what is common practice within the municipality. Council to receive BC hydro as a delegation.

SR2

Hudson's Hope Public Library Association

1850-01

RESOLUTION NO. 116

M/S Councillors Miller/Heiberg

THAT:

"Council approve the requested 2014, \$109,984.50 financial assistance grant to the Hudson's Hope Public Library Association."

CARRIED

Explanation of salary increases and scheduled increases over the next few years. Library Association will not be requesting as high an increase next year. Looking to implement a wage scale policy.

5. **BYLAWS:**

B1 Annual Financial Plan Bylaw No. 835, 2014 3900-02
RESOLUTION NO. 117

M/S Councillors Miller/Gilliss

THAT:

"Council give first, second and third readings to the Annual Financial Plan Bylaw No. 835, 2014 as amended."

CARRIED

Discussion:

- Fees and charges bylaw and the water and sewer bylaws will be presented to Council shortly.
- Staff to prepare an update on the Building Canada Fund application.
- \$10,000 budgeted for Tennis backboards
- Report on Flower Pots to be presented at next meeting.
- Report on Municipal Garbage Cans to be presented at next meeting.

B2 Tax Rate Bylaw No. 836, 2014 3900-02
RESOLUTION NO. 118

M/S Councillors Quibell/Heiberg

THAT:

"Council give first, second and third readings to the Tax Rate Bylaw No. 836, 2014."

CARRIED

Discussion:

With the establishment of the new Chart of Accounts Council will better be able to determine costs and deficiencies over the next year with the data to be better utilized for the 2015 Tax Rates.

Staff to advertise in the Bulletin.

6. **NEW BUSINESS:**

NB1 Special Council Meeting May 7, 2014 0530-01
RESOLUTION NO. 119

M/S Councillors Quibell/Bouillon

THAT:

"Council advise Staff to schedule a Special Council Meeting on May 7, 2014 at 6:00 p.m. to receive the 2013 Financial Statements from KPMG."

CARRIED

7.
PI1

PUBLIC INQUIRIES:

0230-20

Amber Norton: Hudson's Hope Public Library Association

Brought forward a question regarding the amount in the budget for the Public Library. It was 20,000.00 more than what they requested and inquired whether they can utilize those funds or not.

The Deputy Treasurer informed Mrs. Norton that the extra funding is allocated to cover all Library expenses incurred by the District not just their operating fund.

Staff to show the items on separate lines.

8.

ADJOURNMENT:

RESOLUTION NO. 120

M/S Councillors Bouillon/Gilliss

THAT:

"The Special Council Meeting for May 5, 2014 be adjourned"(6:55 p.m.)

CARRIED

		<i>Diarized</i>	<i>Last Review/Action</i>
	DIARY		
	Conventions/Conferences/Holidays		
DY1	NCLGA AGM & Convention May 7-9, 2014	10/28/13	
DY2	Premier's BC Natural Gas Forum Jan. 22-23	10/28/13	
DY3	Co-Op Correspondence Re: Card Lock	11/12/13	

Certified Correct:

Deputy Clerk/ Minute Taker

Chair



SPECIAL COUNCIL MEETING

May 7 2014

6:00 P.M.

MUNICIPAL HALL COUNCIL CHAMBERS

Present: Council: **Acting Mayor: Dave Heiberg**
 Councillor: Kelly Miller
 Councillor: Daniel Bouillon
 Councillor: Travous Quibell

Staff: **CAO: Tom Matus**
 Deputy Treasurer: Rhonda Eastman
 Deputy Clerk: Laurel Grimm

Other: 2 in gallery

1. CALL TO ORDER:

The meeting was called to order at 6:00 p.m. with Acting Mayor Dave Heiberg presiding.

2. ADOPTION OF AGENDA BY CONSENSUS:

The May 7, 2014 Special Council meeting agenda was adopted by consensus.

3. DECLARATION OF CONFLICT OF INTEREST:

NONE

4. DELEGATIONS:

D1 2013 Financial Statement Presentation by KPMG

- Colleen Balantyne
 - Thank you to the District.
 - Confirm KPMG's independence from the District.
 - No accounting changes this year.
 - Next year contaminated sites update, KPMG needs to adopt this new accounting practice.
 - December 31, 2015, all municipalities must be on board.
 - Clean audit report.
 - Not a lot of change.
 - Review of consolidated financial statements.
 - Amortization expense is not being budgeted for.
 - General discussion on accounting principles.
 - Review.

RESOLUTION NO. 121

M/S Councillors Bouillon/Miller

THAT:

"the 2013 financial statements be accepted"

CARRIED

5. **PUBLIC INQUIRIES:**
None

6. **ADJOURNMENT:**

RESOLUTION NO. 122

M/S Councillors

THAT:

"The Special Council Meeting for May 5, 2014 be adjourned"(6:55 p.m.)

CARRIED

		<i>Diarized</i>	<i>Last Review/Action</i>
	DIARY		
	<i>Conventions/Conferences/Holidays</i>		
DY1	NCLGA AGM & Convention May 7-9, 2014	10/28/13	
DY2	Premier's BC Natural Gas Forum Jan. 22-23	10/28/13	
DY3	Co-Op Correspondence Re: Card Lock	11/12/13	

Certified Correct:

Deputy Clerk/ Minute Taker

Chair

THE DISTRICT OF HUDSON'S HOPE

REPORT TO: Mayor Johansson and Council
DATE: 07 May 2014
FROM: Laurel Grimm, Deputy Clerk
SUBJECT: Regulatory Bylaws as Presented by Urban Systems

RECOMMENDATION:

FOR INFORMATION AND REVIEW BY COUNCIL

ADMINISTRATOR COMMENTS:

This presentation from Urban Systems is a first review of the product for Council input.

Tom Matus, Administrator

BACKGROUND:

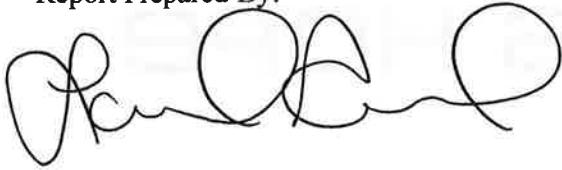
Urban Systems was contracted in June of 2013 to prepare the following Documents:

1. **Development Procedures Guidelines** – A Development Procedures System provides clarity to developers, staff and Council on the appropriate processes that development should follow. It provides consistency in times of staff and Council turnover and ensures that important steps and notifications are not missed even with the routine processing of subdivision applications. We do not have a formal development procedure in place at this time. The estimated cost to complete a Development Procedures System was around \$25,000. The Development Procedures System would include a Development Procedures Bylaw, Application Forms, a Development Procedures Manual and Development Procedures Brochure. The first two components are self-explanatory, the Manual, which is intended mainly for staff use) explains the various steps involved in accessing and processing development applications and the Brochures are plain language documents intended mainly for developers and the general public that summarize the municipality's various requirements and procedures. The brochure helps explain what the applicant needs to do and how the applications will be administered.
2. **Fees and Charges Bylaw** – This bylaw is to ensure that appropriate fees are collected for municipal services. The benefit of a Fees and Charges Bylaw is that only one amendment per year is required to update a whole range of fees and charges rather than requiring that each individual bylaw is amended. Urban Systems provided a quote of \$5,000 to prepare this bylaw.

3. **Water and Sewer Regulation Bylaws** – The Water Bylaw will include both flat and metered rates and will allow Council to establish rates based on actual consumption when Council decides to move to that process. Both these bylaws were in dire need to be updated. We have already had developers requesting a copy of the updated bylaw to move forward with design.

Urban Systems will be present at the meeting to explain the development of these documents and to answer any questions. Should Council feel comfortable moving forward with the bylaws and the development procedures guidelines, they will be presented for first readings at the next regular Council Meeting.

Report Prepared By:

A handwritten signature in black ink, appearing to read 'Laurel Grimm', with a large, stylized initial 'L' and 'G'.

Laurel Grimm, Deputy Clerk



HUDSON'S
HOPE

PLAYGROUND OF THE PEACE

DISTRICT OF HUDSON'S HOPE

DEVELOPMENT PROCEDURES MANUAL

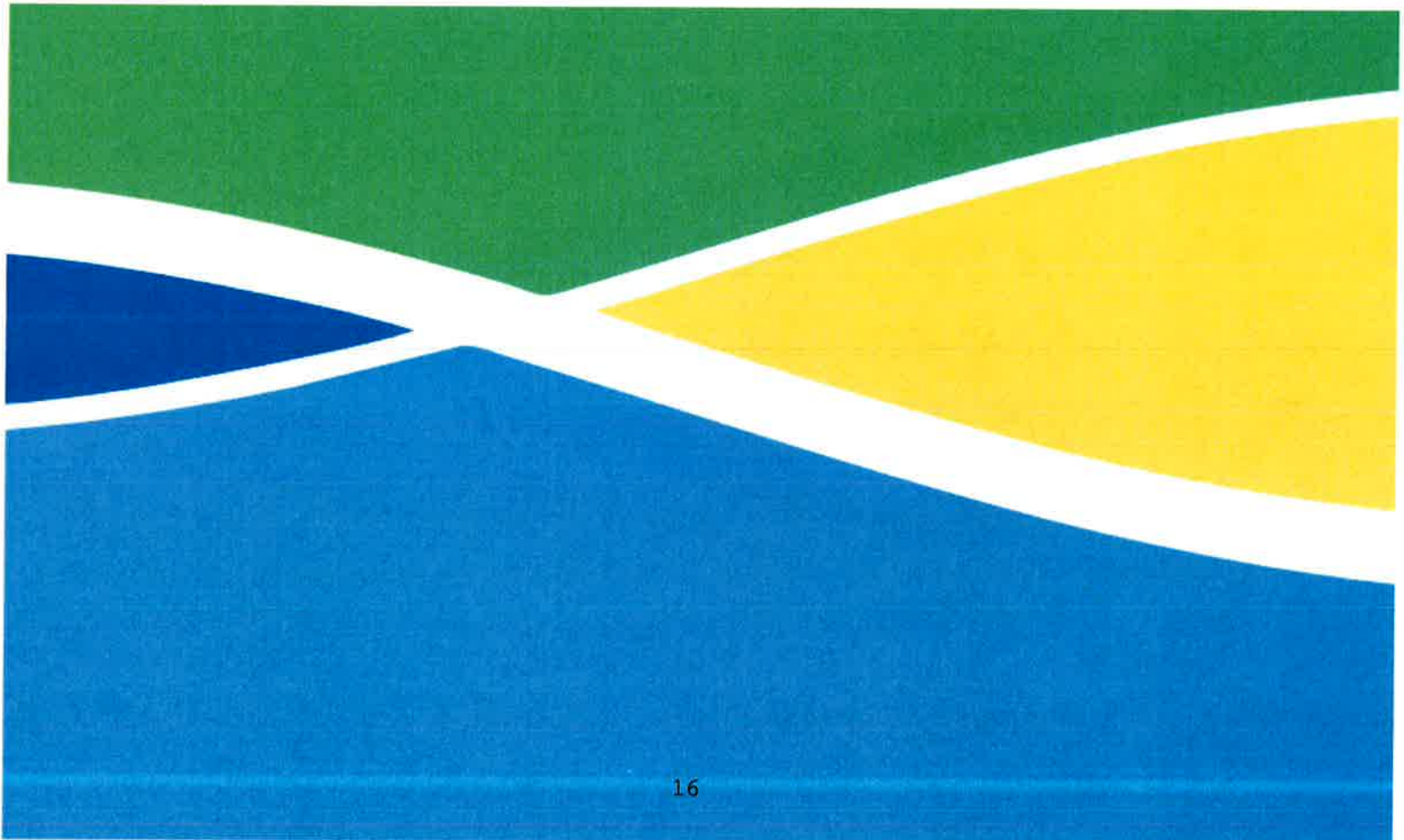


TABLE OF CONTENTS

PART 1:	INTRODUCTION	I
PART 2:	SUBDIVISION	1
PART 3:	OFFICIAL COMMUNITY PLAN AMENDMENTS	1
PART 4:	ZONING BYLAW AMENDMENTS	1
PART 5:	DEVELOPMENT PERMITS	1
PART 6:	BOARD OF VARIANCE	1
PART 7:	DEVELOPMENT VARIANCE PERMITS	1
PART 8:	TEMPORARY USE PERMITS.....	1

Appendix A – Local Government Act



PART 1: INTRODUCTION

Processing development related applications can be complicated and time consuming if the proper procedures are not followed. This manual clarifies and simplifies these procedures by providing a step-by-step description of the necessary tasks for each application. A clearer understanding of these tasks also ensures provincial and District regulations are met.

This manual describes the procedures for the following development related applications:

- Subdivision
- Official Community Plan Amendments
- Zoning Bylaw Amendments
- Development Permits
- Board of Variance
- Development Variance Permits
- Temporary Use Permits

The tasks required to process these application are numbered and contained in separate sections and Appendices of this manual. This format makes it easier to follow the tasks and allows the sections to be removed and reproduced if necessary.

Also included within the manual is:

- A flow chart and checklists which outlines the steps in the application process; and
- A section of text and Appendices which explains the steps outlined in the flow chart.

It is important to note the application is described in its most basic form. Additional tasks may be required.

REMINDER: Part 26 of the *Local Government Act* (LGA) from 2014 can be found in Appendix A. When using this manual you should consult the *Local Government Act* from time to time to ensure the sections referenced in this document remain accurate overtime.



PART 2: SUBDIVISION

Table of Contents

Introduction: Subdivision	3
Subdivision Process (Flow-Chart).....	4
Subdivision Pocedures (Detailed Descriptions)	5
Procedures: Class 'A' Subdivision (Detailed Descriptions).....	6
Procedures: Class 'B' Subdivision (Detailed Descriptions).....	8

Appendix 2-A: Application Forms

Appendix 2-B: Conceptual Site Plan Requirements

Appendix 2-C : Site Profile – Decription and Procedures

Appendix 2-D: Subdivision Fees

Introduction: Subdivision

There are two types of subdivisions governed by the *Local Government Act* that are possible within the boundaries of the District of Hudson's Hope:

1. *Land Title Act Subdivisions*
2. *Strata Property Act Subdivisions*

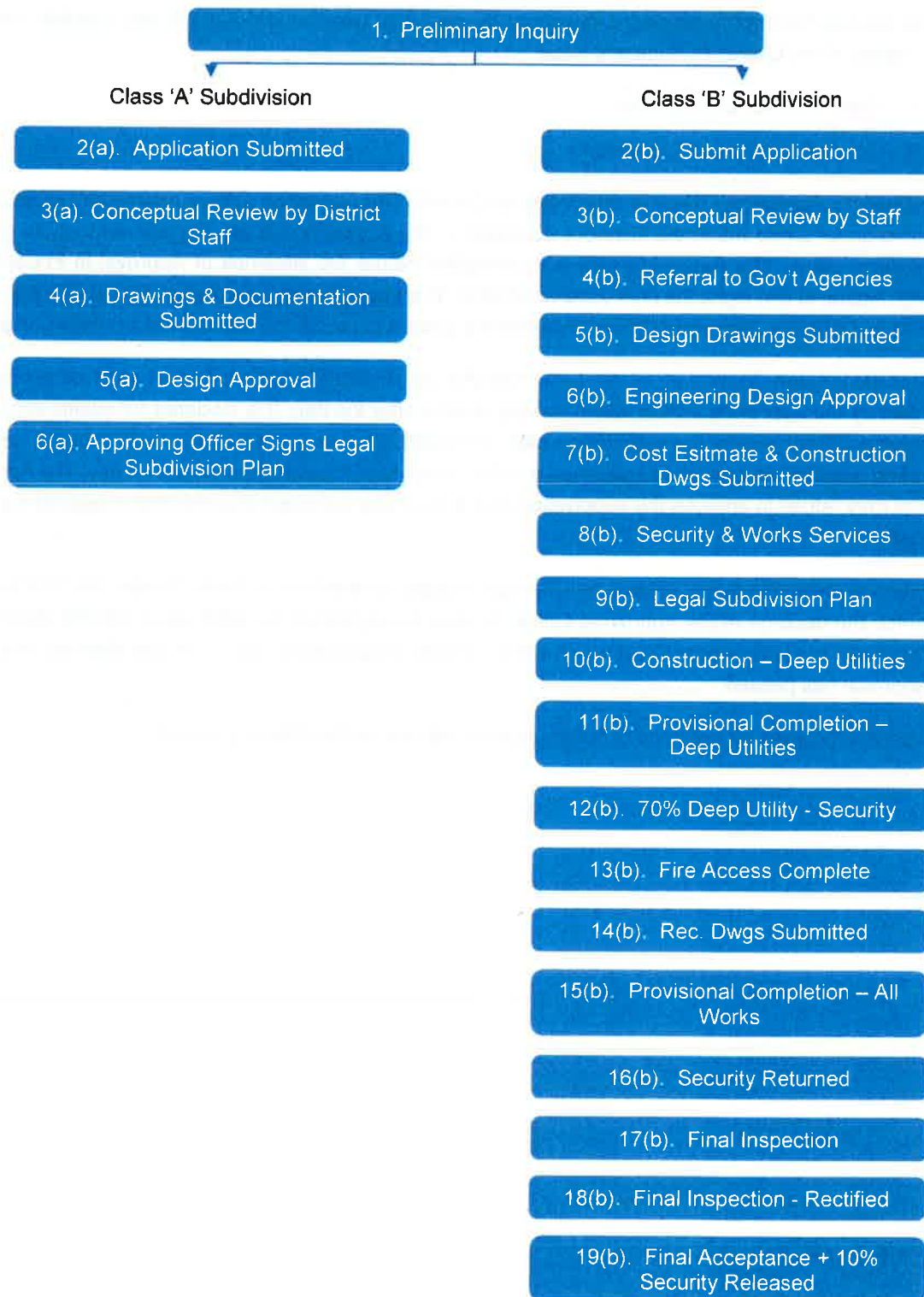
The District's Approving Officer is appointed by Council. The Approving Officer may permit either type of subdivision for lands within the District's boundaries. The Approving Officer has the authority to approve subdivision plans. The Approving Officer is consulted before the issuance of Approval in Principle and Design Approval and signs the final subdivision plan. The *Local Government Act* and *Land Title Act* identify criteria that give the Approving Officer discretionary powers to refuse the approval of a subdivision plan.

In accordance with Section 85 of the *Land Title Act*, an application for subdivision must be approved or rejected by the Approving Officer within two (2) months after the date it is tendered for examination. If the Approving Officer rejects the subdivision plan, the applicant must be notified in writing of the rejection, including a brief statement of the reason(s) and the Approving Officer's requirements, if any. The Approving Officer may refuse to approve the subdivision plan if he or she considers that the plan is against the public interest.

Any person, being the owner of land, has the right to apply for subdivision. Under Section 89 (1) of the *Land Title Act*, the decision of the Approving Officer to deny an application for subdivision may be appealed by the applicant to the Supreme Court within one (1) month of rejection or one (1) month after the time frame for approval has passed.

The general process for approval of subdivisions is outlined on the following pages.

Subdivision Process (Flow-Chart)



Subdivision Procedures (Detailed Descriptions)

Step 1 – Preliminary Inquiry

It is recommended that the Applicant hold preliminary discussions with the Approving Officer or his or her designate to identify the scope and nature of the proposal.

During this initial discussion/meeting, it will be determined whether the proposed development is a Class 'A' Subdivision or a Class 'B' Subdivision (see inset). Class 'A' Subdivisions are eligible for an expedited review process because they are relatively small and only have the potential to create minor impacts to surrounding properties and the community as a whole. The level of effort for each subdivision class will be discussed during the meeting.

The Approving Officer will also determine if the proposal is appropriate according to the requirements of the District of Hudson's Hope *Official Community Plan* (OCP), *Zoning* and *Subdivision and Development Servicing Bylaws*. If the proposal does not conform to land use policies for the area, it will be suggested that the Applicant consider changes to the proposal or pursue other avenues such as an amendment to the *Official Community Plan* and/or *Zoning Bylaws* to accommodate the proposed use.

The Subdivision Application Form can be picked up at this time by the Applicant and must be returned at the time of Conceptual Review, along with any applicable fees.

Subdivision: Class 'A' vs. Class 'B'

Definition of a **Class 'A'** Subdivision:

- A subdivision within zones RU1, R1 or R1a that creates no more than three parcels. All subdivided parcels must be located adjacent to an existing road maintained by the District. For subdivision within the District's Urban Service Boundary (as defined in the District's *Official Community Plan*) the parcels must be adjacent to existing community water and sewer infrastructure. No parcel shall be land-locked after subdivision;

or

- A subdivision within zones RU2 or RU3 that creates no more than three parcels. All subdivided parcels must be located adjacent to an existing road maintained by the District. No parcel shall be land-locked after subdivision.

Definition of a **Class 'B'** Subdivision:

- All subdivisions that do not meet the definition of a Class 'A' Subdivision.



Procedures: Class 'A' Subdivision (Detailed Descriptions)

Step 2(a) – Application Submitted

The applicant must submit the following:

- Complete Application Form (refer to Appendix 2-A);
- Application Fee for Subdivision (refer to Appendix 2-D);
- Certificate of Title (a title search dated no more than 30 days prior to submission of the application for proof of ownership); and.
- Authorization of Owner: written authorization from the registered property owner is required if the applicant is not the registered owner. This allows the applicant to apply on behalf of the owner
- Conceptual Site Plan (refer to Appendix 2-B);
- Site Profile as identified in sections 946.1 and 946.2 of the *Local Government Act* and the *Contaminated Sites Regulation*. The Approving Officer is prohibited by Section 85.1 of the *Land Title Act* from approving a subdivision until a site profile has been received and sent to the appropriate representative of the provincial contaminated sites program or the representative has otherwise indicated that the site contamination issues have been resolved. Exemptions to this requirement are also indicated in Section 85.1 of the *Land Title Act*.

A completed Site Profile (Schedule 1) is not required if:

- None of the activities listed in Schedule 2 of the *Contaminated Sites Regulation* has occurred, (unless the Director of Waste Management or the District requires parts of the profile to be completed for their own records), or
- If a site has been used exclusively for residential use. (refer to Appendix 2-C);

Step 3(a) – Conceptual Review by District Staff

Conceptual review is intended to review the suitability of the proposed subdivision layout and servicing to identify any major concerns that may affect the layout before design is completed. This could include assessing the subdivision's impacts on existing District infrastructure, including but not limited to roads, water, sewer and drainage. Development Permit applications and reports as outlined in the Official Community Plan may also need to be addressed.

If the Approving Officer determines that the proposal is appropriate and Approved in Principle, the Applicant will be notified in writing with a Preliminary Letter of Approval.

Step 4(a) – Drawings & Documentation Submitted

The Approving Officer will require the Applicant to submit drawings for review by the District. The Approving Officer will also require the Applicant to submit:

- Minimum of one (1) copy of the original legal survey plans;
- Two (2) paper copy of the design plans as per the *Subdivision and Development Servicing Bylaw*; one (1) copy will be returned as "Approved" or "For Revision";
- Notice that taxes have been paid;
- Connection fees and charges paid;
- Government agency approvals (if required);
- Water system approval and construction permit from the Northern Health Authority (if required); and
- Utility plans.

The Approving Officer will not review any applications that are considered incomplete, or ones with outstanding planning issues.

Step 5(a) – Design Approval

The Approving Officer will determine whether or not to grant Approval only after the Approving Officer has:

- Reviewed all drawings, sketches and documentation submitted by the Applicant;
- Received a decision from the Director under the Environmental Management Act regarding the site profile;
- Received Northern Health Authority approval of water system, if required.

The Approving Officer will notify the Applicant in writing whether Design Approval has been granted or not.

Step 6(a) – Approving Officer Signs Legal Subdivision Plan

Once the above items are satisfied, the Approving Officer signs the Subdivision Plans. Once the Subdivision Plan is signed. The Subdivision Plans are then returned to the Applicant, who must submit the approved plans to the Land Title Office for registration. At this time, the Applicant may sell lots and begin construction.

Procedures: Class 'B' Subdivision (Detailed Descriptions)

Step 2(b) – Submit Application

The applicant must submit the following:

- Complete Application Form (refer to **Appendix 2-A**);
- Application Fee for Subdivision (refer to **Appendix 2-D**);
- Certificate of Title (a title search dated no more than 30 days prior to submission of the application for proof of ownership); and.
- Authorization of Owner: written authorization from the registered property owner is required if the applicant is not the registered owner. This allows the applicant to apply on behalf of the owner
- Conceptual Site Plan (refer to **Appendix 2-B**);
- Site Profile as identified in sections 946.1 and 946.2 of the *Local Government Act* and the *Contaminated Sites Regulation*. The Approving Officer is prohibited by Section 85.1 of the *Land Title Act* from approving a subdivision until a site profile has been received and sent to the appropriate representative of the provincial contaminated sites program or the representative has otherwise indicated that the site contamination issues have been resolved. Exemptions to this requirement are also indicated in Section 85.1 of the *Land Title Act*.

A completed Site Profile (Schedule 1) is not required if:

- None of the activities listed in Schedule 2 of the *Contaminated Sites Regulation* has occurred, (unless the Director of Waste Management or the District requires parts of the profile to be completed for their own records), or
- If a site has been used exclusively for residential use. (refer to **Appendix 2-C**);

The Approving Officer may also request the following:

- Copies of any previous studies or reports made on the subject property relating to its present condition and suitability for the proposed use/development, e.g. geotechnical reports, site contamination and remediation studies;
- A geotechnical overview, topographic mapping and development servicing and phasing analysis, if the proposed subdivision meets the criteria outlined in the District of Hudson's Hope *Subdivision and Development Servicing Bylaw*; and
- Studies requested or required by other agencies such as Riparian Area Assessment Reports, Traffic Impact Studies etc.

Step 3(b) – Conceptual Review by District Staff

Conceptual review is intended to review the suitability of the proposed subdivision layout and servicing to identify any major concerns that may affect the layout before design is completed. This could include assessing the subdivision's impacts on existing District infrastructure, including but not limited to roads, water, sewer and drainage. At this time, the Approving Officer may require the Applicant to prepare or provide other plans or documents that address traffic impact, servicing feasibility, parks and recreation and transit. Development Permit applications and reports as outlined in the Official Community Plan may also need to be addressed.

If the Approving Officer determines that the proposal is appropriate and Approved in Principle, the Applicant will be notified in writing with a Preliminary Letter of Approval.

Step 4(b) – Referral to Government Agencies

At the discretion of the Approving Officer, the application for subdivision may be referred to appropriate agencies whose interests may be affected. These agencies may include but are not limited to:

- Peace River Regional District;
- Ministry of Community, Sport and Cultural Development;
- Ministry of Environment;
- Ministry of Transportation and Infrastructure;
- Ministry of Energy and Mines;
- Ministry of Natural Gas Development;
- Fisheries and Oceans Canada;
- BC Assessment;
- Northern Health Authority;
- School District No. 60 (Peace River North);
- Canada Post;
- Local Utility Companies (e.g. gas, hydro, telephone, cablevision, etc.); and
- Other agencies as appropriate.

Step 5(b) – Design Drawings & Documentation Submitted

The Approving Officer will require the Applicant to submit detailed engineering drawings for review by the District. The Approving Officer will also require the Applicant to submit:

- Minimum of one digital (1) copy of the original legal survey plans and one (1) full size paper copy;

- An electronic copy, in DWG format compatible with the current version of AutoCAD, in addition to a digital hard copy in PDF format, and one (1) paper copy of the design plans as per the *Subdivision and Development Servicing Bylaw*; one (1) pdf copy will be returned as "Approved" or "For Revision";
- Notice that taxes have been paid;
- Connection fees and charges paid;
- Payment or provision of security for off-site works or the completion of off-site works to the District's specifications;
- Park land or cash-in-lieu of parkland, as outlined in Section 941 of the *Local Government Act*;
- Water system approval and construction permit from Northern Health Authority (NHA);
- Utility plans; and
- Initial Class 'B' construction estimate-sealed by a Professional Engineer in the Province of British Columbia.

The Applicant must also provide information regarding various servicing and utility requirements. This can include, but is not limited to:

- Roads – Are changes to the existing road system going to be required as a result of the proposed subdivision?
- Water – Is there sufficient available capacity in the water system? Will extensions or upgrading be required? The District may review the available capacity and the developer may be responsible for costs associated with any reviews or verification.
- Sanitary Sewer – Will the current systems be sufficient? Is an upgrade in capacity going to be necessary? Will a community system extension be required?
- Storm Sewer/Drainage Works – Will the current piped system be sufficient? Is the current overland flow route sufficient? Will upgrading of the system's capacity be necessary?
- Electrical/Street Lighting – availability and layout;
- Telephone/Cablevision – availability and layout; and,
- Natural Gas – availability and layout.

The Applicant must also provide the necessary information to help answer the following questions:

- Floodplain – Is the subject property located in a floodplain?
- Highway – Is the subject property located within 800 metres of a provincial or controlled access highway?



- Public Open Space Areas – Will the Applicant be required to provide parkland or cash-in-lieu of parkland under Section 941 of the *Local Government Act*.
- Other Applicable Bylaws – Are there requirements under other municipal bylaws? (For example, the OCP has policies regarding specific Development Permit areas).
- Other Applicable Legislation – Are there requirements under provincial legislation or regulations, such as the *Local Government Act*, *Land Titles Act*, *Community Charter*, *Riparian Areas Regulation*, etc.?

Prior to issuing construction permits, the Approving Officer will require evidence of insurance as set out in the District's *Subdivision and Development Servicing Bylaw*.

- Confirmation of Professional Assurance by Design Engineer;
- Confirmation of Professional Assurance by Geotechnical Engineer; and,
- Engineering Consultant Liability Insurance Certificate.

Step 6(b) – Engineering Design Approval

The Approving Officer will determine whether or not to grant Engineering Design Approval only after the Approving Officer has:

- Reviewed all design drawings and documentation submitted by the Applicant;
- Received a decision from the Director under the *Environmental Management Act* regarding the site profile (**refer to Appendix 2-C**);
- Received feedback from the various government agencies referred to above; and
- Received NHA approval of water system.

The Approving Officer will notify the Applicant in writing whether Engineering Design Approval has been granted or not.

Step 7(b) – Construction Cost Estimate and Issued for Construction Drawings Submitted

A final construction cost estimate for 100% of offsite and onsite costs must be submitted to the District. This cost estimate must be sealed by a Professional Engineer registered in the province of British Columbia. In addition, Issued for Construction Drawings must also be submitted at this time.

Step 8(b) – Performance Security Submitted AND Works & Services Agreement Executed

Under Section 940 of the *Local Government Act*, execution of a Subdivision Servicing Agreement will require posting of security in the amount specified and satisfactory to the Approving Officer. The Applicant must submit an irrevocable Letter of Credit with an automatic renewal for 125% of offsite and onsite costs or a certified cheque.

Upon receipt of the Letter of Credit, the Approving Officer executes a Subdivision Servicing Agreement.

If the Applicant does not construct and install the works and services by the date specified in the Subdivision Servicing Agreement, the Applicant will be required to forfeit the security.

Step 9(b) – Approving Officer Signs Legal Subdivision Plan

Once the Letter of Credit is received and the Approving Officer executes a Subdivision Servicing Agreement, the Approving Officer also signs the Subdivision Plans. Once the Subdivision Plan is signed, the Applicant is able to sell lots.

The Subdivision Plans are then returned to the Applicant, who must submit the approved plans to the Land Title Office for registration. At this time, the Applicant may begin construction.

Step 10(b) – Construction of Deep Utilities Begins

The Applicant proceeds with construction of deep utilities. During construction, the Applicant's Engineer must conduct inspections. The Approving Officer or designate may also conduct inspections.

Step 11(b) – Provisional Completion of Deep Utilities

Once construction of deep utilities is complete, the Approving Officer may issue foundation permits. In order to have achieved provisional completion of deep utilities, the Applicant must have completed all required pressure tests, undertaken disinfection of the water system, completed tie-ins, conducted air tests on the sanitary and storm sewer systems, flushing out and videoing the sanitary and storm sewer system, etc., as well as inspections, and provided documentation of all to the District. This includes a statutory declaration confirming that all Works and Services completed to date have been paid in full, quality assurance test results and inspection reports.

The Applicant must contact the District for inspection 48 hours prior to walkthrough.

Upon completion of the works, the Applicant, the owner's engineer, the contractor and the Approving Officer or designate must undertake a walkthrough once deep utilities are provisionally complete. The Applicant must also submit to the District a Certificate of Provisional Completion of Deep Utilities issued by the Owner's Professional Engineer that certifies that the works have been constructed generally in accordance with the design specifications as set out in the District's *Subdivision and Development Servicing Bylaw*. If the subdivision is deemed to not be at Provisional Completion and the District must provide additional inspection services in the future, these inspections will be at the Applicant's expense.

Step 12(b) – Release of 70% of Deep Utility Portion of Security

Once the Applicant meets the provisional completion requirements for deep utilities and the works meet the District's satisfaction, the District will release 70% of the deep utility portion of the subdivision security.

Step 13(b) – Fire Access Complete

Prior to the issuance of building permits, the Applicant must ensure that fire access is complete. The Applicant must also obtain fire department approval and sign-off regarding access to specific lots. Once the fire department has signed-off that fire access meets their requirements, the Building Inspector may issue building permits provided all other requirements have been met. This fire access must be maintained by the Applicant until Final Acceptance of all works.

Step 14(b) – Record Drawings Submitted

Record drawings must be delivered in both paper (one full size sealed set) and electronic format(s) to the District. Record drawings shall include all drawings in approved design submission or as requested by the Approving Officer. The Owner shall submit to the District a complete set of electronic drawings of the subdivision in DWG format, in addition to a digital soft copy in Adobe PDF format. The Owner shall also submit one set of operations and maintenance manuals and one set of safety procedures documentation.

Step 15(b) – Provisional Completion of All Works except for Deficiencies

At this point, the applicant must have Provisionally Completed all works, with the exception of minor identified deficiencies. Provisionally Complete means that works are 98% complete and able to be utilized for their intended purpose. If the level of completion and works meet the District's requirements, at this time, building and/or occupancy permits on all lots may be issued.

The Applicant must contact the District for inspection 48 hours prior to walkthrough.

Upon completion of all works, the Applicant, the Owner's Engineer, Contractor and Approving Officer or designate must undertake a walkthrough once all works are provisionally complete. The Applicant must also submit to the District a Certificate of Provisional Completion of Surface Works issued by the Owner's Professional Engineer that certifies that the works have been constructed generally in accordance with the design specifications as set out in the District's *Subdivision and Development Servicing Bylaw*. If the subdivision is deemed to not be at Provisional Completion and the District must provide additional inspection services in the future, these inspections will be at the Applicant's expense.

Step 16(b) – Security Returned

Once provisional completion of all works has been met as required by the District, the District will return all security to the Applicant with the exception of:

1. 10% of the original works security for maintenance (i.e. 10% of the security); and
2. 2x the value of the identified deficiencies.

The security that is still retained for deficiencies will be released upon the completion of the identified deficiencies to the District's satisfaction. The 10% security for maintenance will be retained until Final Acceptance (a minimum of one (1) year).

Step 17(b) – Final Inspection during last 2 weeks of maintenance period

Upon receipt of the Record Drawings and once all deficiencies have been rectified, the District will conduct a Final Inspection of the subdivision. This inspection will occur in the last month of the maintenance period. At this time, the District will identify any remaining deficiencies that need to be rectified prior to release of the remaining security.

Step 18(b) – Deficiencies noted At Provisional Completion and at Final Inspection Rectified

The Applicant must rectify identified deficiencies noted at inspections to the satisfaction of the District as soon as possible.

Step 19(b) – Final Acceptance & Release of 10% Maintenance Security

Upon correction of all deficiencies, the Applicant's Engineer must certify that the works have been constructed generally in accordance with the design specifications. If the District must provide additional inspection services, these inspections will be at the Applicant's expense. Once the Approving Officer is satisfied that the works are constructed as per the submitted drawings and all deficiencies are rectified, the Approving Officer will issue a Certificate of Final Acceptance and will release the remaining 10% maintenance security. At this time, the subdivision is turned over to the District.



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 2
APPENDIX 2-A

Appendix 2-A

Application Form(s)



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 2
APPENDIX 2-A

Insert Application Form(s) Here...



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 2
APPENDIX 2-B

Appendix 2-B

Conceptual Site Plan Requirements



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 2
APPENDIX 2-B

Insert Conceptual Site Plan Requirements Here...



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 2
APPENDIX 2-C

Appendix 2-C

Site Profile – Description & Procedures



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 2
APPENDIX 2-C

Insert Site Profile Description and Procedures Here...



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 2
APPENDIX 2-D

Appendix 2-D

Subdivision Fees

(From the District's Fees & Charges Bylaw)



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 2
APPENDIX 2-D

Insert Schedule 'A' of the (proposed) *Fees & Charges Bylaw* Here...



HUDSON'S
HOPE
PLAYGROUND OF THE PEACE

Development
Procedures
Manual

PART 3
OCP AMENDMENTS

PART 3: OFFICIAL COMMUNITY PLAN (OCP) AMENDMENTS



Table of Contents

Introduction: OCP Amendments	3
OCP Amendment Process (Flow-Chart)	4
OCP Amendment Pocedures (Detailed Descriptions)	5

Appendix 3-A: Application Forms

Appendix 3-B: OCP Amendment Fees

Introduction: OCP Amendments

An Official Community Plan (OCP) is the general statement of the broad planning objectives and policies of the District of Hudson's Hope. The objectives and policies respect the form and character of existing and proposed land use and servicing requirements. The District may accept an application to amend the land use designation of lands, as well as any other provision of the OCP.

An OCP Amendment may be required in conjunction with a Zoning Bylaw Amendment when the use identified in the Zoning Bylaw is inconsistent with the proposed or amended use in the OCP for the same parcel of land.



OCP Amendment Process (Flow-Chart)



OCP Amendment Procedures (Detailed Descriptions)

Step 1 – Preliminary Inquiry

The applicant should hold preliminary discussions with the Approving Officer or his or her designate to identify the scope and nature of the proposal. The Approving Officer or designate will use this opportunity to provide information regarding the requirements of the various bylaws and explain the process.

The Approving Officer should also determine if the proposal is appropriate according to the requirements of the District of Hudson's Hope *Integrated Community Sustainability Plan* (ICSP), *Zoning Bylaw* and *Subdivision and Development Servicing Bylaw*. If the proposal does not conform to land use policies for the area, it will be suggested that the applicant consider changes to the proposal or pursue avenues such as an amendment to the *Zoning Bylaw* to accommodate the proposed use.

Step 2 – Submit Application

The applicant must submit the following:

- Complete Application Form (refer to **Appendix 3-A**);
- Application Fee for the OCP Amendment (refer to **Appendix 3-B**);
- Certificate of Title (a title search dated no more than 30 days prior to submission of the application for proof of ownership);
- Authorization of Owner written authorization from the registered property owner is required if the applicant is not the registered owner. This allows the applicant to apply on behalf of the owner
- Dimensioned Sketch Plan drawn to a minimum scale of 1:1,000 showing the parcel or parcels to be re-designated and the location (dimensioned from property lines) of existing buildings, structures and any natural features on or adjacent to the property;
- Dimensioned Site Development Plan drawn to a minimum scale of 1:1,000 showing proposed buildings, structures, vehicle access, parking layout (with individual parking stalls clearly indicated) and site landscaping;
- Contour Map (plan) drawn to a minimum scale of 1:1,000 with a contour interval of one (1) metre, if warranted by the topographic condition of the property;
- Area Development, Neighbourhood or Detailed Site Area Plans as required in the Official Community Plan; and
- Copies of any Previous Studies or Reports made on the subject property relating to its present condition and suitability for the proposed use/development (e.g. geotechnical reports, site contamination and remediation studies).

In the event the application creates a need for an amendment to the Zoning Bylaw, the applicant must submit an additional fee for the Zoning Amendment Application (refer to **Appendix 3-B**).

Step 3 – Technical Review by District Staff

The Approving Officer conducts a technical review and assesses the application. The assessment should be conducted with respect to the objectives and policies of the Official Community Plan (OCP) and the Integrated Community Sustainability Plan (ICSP).

In addition, the Bylaw amending the OCP must be examined in conjunction with the District's most recent capital expenditure program and any waste management plan or economic strategy plan that is applicable to ensure consistency between these plans under section 882 of the *Local Government Act*.

Step 4 – Prepare Draft Amendment Bylaw & Submit Report to Council

District Staff review the application and prepare a draft amendment Bylaw and report to Council based on the technical review. Prior to this step, the applicant may be required to submit additional information for technical review.

The Approving Officer introduces the draft amendment Bylaw and application to Council for First Reading.

Step 5 – First Reading

Council gives the amendment Bylaw First Reading. At First Reading, Council may, by simple majority, proceed with Second Reading of the amendment Bylaw and application or reject the amendment Bylaw and application at this stage.

If denied, the applicant may not re-apply for an amendment to the OCP until six (6) months after the date of refusal. In accordance with section 895 of the *Local Government Act* (R.S.B.C. 1996, c. 323), the time limit for any re-application may be varied by an affirmative vote of at least 2/3 of the local government members eligible to vote on the re-application.

Step 6 – Second Reading

Council gives Second Reading to the Bylaw and either approves or rejects the amendment. This may occur at the same meeting as First Reading.

If the bylaw is defeated, the applicant may not re-apply for an amendment to the OCP until six (6) months after the date of refusal. In accordance with section 895 of the *Local Government Act*, the time limit for any re-application may be varied by an affirmative vote of at least 2/3 of the local government members eligible to vote on the re-application.

Step 7 – Referral to Government Agencies

Depending on the complexity of the amending Bylaw and application, the following agencies may be considered for referral by the Approving Officer or designate:

- Peace River Regional District;



- Ministry of Community, Sport and Cultural Development
- Ministry of Environment;
- Ministry of Transportation and Infrastructure;
- Ministry of Energy and Mines;
- Department of Fisheries and Oceans;
- British Columbia Assessment Authority;
- Northern Health Authority;
- School District #60 (Peace River North); and
- Utility Companies (e.g. gas, hydro, cablevision).

In addition, the Approving Officer may seek input from the District's planning consultants.

Step 8 – On-site Notification (Signs Installed)

The District of Hudson's Hope requires that the applicant or developer post a Development Proposal Notice (sign) on the lands that are the subject of the application.

The sign shall be posted in accordance with the following:

- A sign shall not interfere with pedestrian or vehicular traffic, or obstruct visibility from the streets or driveways so as to create a hazard. The sign is to be centrally located on the subject site parcel like adjacent to the public street the property abuts;
- The map area will be white with map details in black. The map will show adjoining roads, land involved and a north arrow. Land involved shall be shaded in red with red subject arrow, large enough to identify the subject property;
- The applicant is required to submit a written statement on the intent and purpose of the re-designation as it will appear on the sign;
- The applicant shall install all signs within seven (7) days after Second Reading of the OCP Amendment and shall remain in place continuously until the Public Hearing is held.
- Following installation, the applicant is responsible to contact the District planning and engineering staff so that an inspection can be made to confirm the sign is suitably located on the subject property for visibility by the public. The applicant accepts all responsibility for installation and maintenance of the sign and there shall be no liability on the part of the District for failure of the sign, or the supporting structure, or any injury to any person, or property resulting therefrom.
- All signs shall remain in place continuously until the Public Hearing is held, and must be removed within seven (7) days after the Public Hearing.

- Failure to post the sign shall result in the postponement of the Public Hearing and any costs incurred by the District for public notification as a result of such postponement shall be the responsibility of the applicant.

The District has a number of pre-printed signs available on a “first come, first served” basis. The applicant is responsible to pick up the sign from the District of Hudson’s Hope during normal business hours and provide all materials necessary for installation in a sound, sturdy manner, capable of withstanding wind and weather. If an applicant wishes to use one of these signs then her or she must pay a refundable deposit of \$400 to the District.

If a Zoning Bylaw Amendment Application is concurrent with an Official Community Plan Amendment Application, a sign is only required for the Zoning Bylaw Amendment Application.

Step 9 – Notification of Public Hearing

Under section 892 of the *Local Government Act*, Council must give notice of the public hearing. The notice must state the following:

- The time and date of the hearing;
- The place of the hearing;
- In general terms, the purpose of the Bylaw;
- The land or lands that are the subject of the Bylaw;
- The place where and the times and dates when copies of the Bylaw may be inspected; and
- A sketch of the land or lands that are the subject of the Bylaw.

The notice must be published in at least 2 consecutive issues of the local newspaper, the last publication to appear not less than 3 and not more than 10 days before the public hearing.

If the amendment alters use or density, the District must also mail or hand-deliver notices at least 10 days before the public hearing to property owners and/or tenants within a 100 metre radius of the subject lands, unless the amendment applies to 10 or more parcels owned by 10 or more persons.

If the Second Reading is given, under section 890 of the *Local Government Act*, a public hearing is called. All persons who believe that their interest in property is affected by the proposed Bylaw must be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the Bylaw that is the subject of the hearing. Under section 890 (2) of the *Local Government Act*, the public hearing must be held after first reading of the bylaw and before third reading.

Step 10 – Public Hearing

The Public Hearing is held. Eligible parties are given an opportunity to speak before Council or submit written submissions. All persons who believe that their interest in property is affected by the proposed Bylaw

must be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the Bylaw that is the subject of the hearing. Once this occurs, Council must officially adjourn the meeting before convening Council to address the application. Council may convene on the same day of the Hearing.

Step 11 – Third Reading

When Council chooses to reconvene, it may either defeat or give the Amendment Bylaw Third Reading. Once returned to Council, the Bylaw may be reconsidered and adopted. Council may adopt the Bylaw at the same meeting at which the Bylaw received Third Reading as per section 890 (9) of the *Local Government Act*.

Step 12 – Bylaw Adopted

Following the Third Reading of the Amendment Bylaw, Council reconsiders and adopts the Bylaw. This could occur at the same meeting at which the Bylaw received Third Reading.

Step 13 – Applicant Notified/Amendment Recorded

The applicant is notified of Council's decision and the OCP Amendment is recorded.



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 3
APPENDIX 3-A

Appendix 3-A

Application Form(s)



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 3
APPENDIX 3-A

Insert Application Form(s) Here...



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 3
APPENDIX 3-B

Appendix 3-B
OCP Amendment Fees
(From the District's Fees & Charges Bylaw)



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 3
APPENDIX 3-B

Insert Schedule 'A' of the (proposed) *Fees & Charges Bylaw* Here...



HUDSON'S
HOPE
PLAYGROUND OF THE PEACE

Development
Procedures
Manual

PART 4
ZONING
AMENDMENTS

PART 4: ZONING AMENDMENTS



Table of Contents

Introduction: Zoning Amendments	3
Zoning Amendment Process (Flow-Chart).....	4
Zoning Amendment Procedures (Detailed Descriptions).....	5

Appendix 4-A: Application Form(s)

Appendix 4-B: Site Profile – Description and Procedures

Appendix 4-C: Zoning Amendment Fees



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

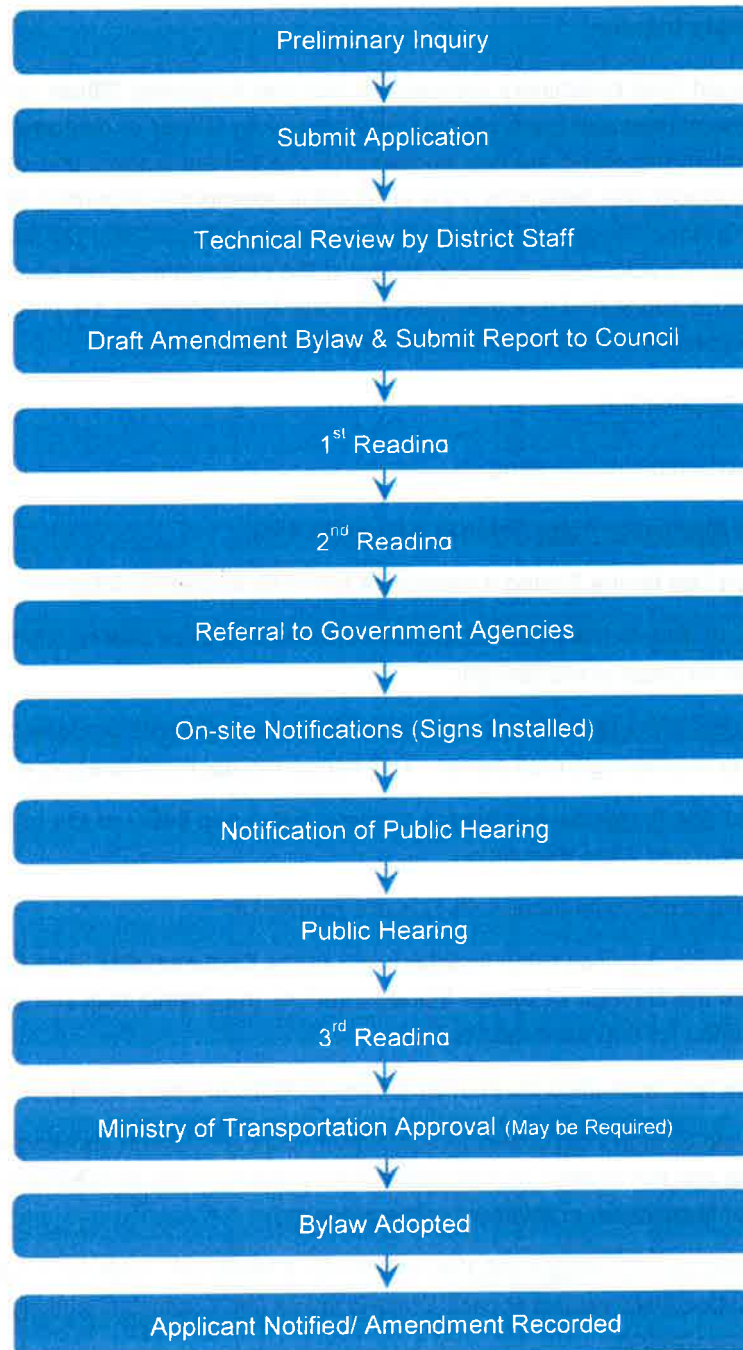
PART 4
**ZONING
AMENDMENTS**

Introduction: Zoning Amendments

A Zoning Bylaw governs the use, density and siting of land, buildings and structures by establishing zones and corresponding regulations. The District of Hudson's Hope (District) may amend the provisions of the Zoning Bylaw when applications for variances are considered inappropriate. Zoning amendments are required for any proposed changes to use or density. An amendment to the Zoning Bylaw may affect the Official Community Plan, which may consequently require an amendment. The general process for an amendment to the Zoning Bylaw is outlined below.



Zoning Amendment Process (Flow-Chart)



Zoning Amendment Procedures (Detailed Descriptions)

Step 1 – Preliminary Inquiry

The applicant should hold preliminary discussions with the Approving Officer or his or her designate to identify the scope and nature of the proposal. The Approving Officer or delegate will use this opportunity to provide information regarding the requirements of the various bylaws and explain the process. The Approving Officer should also determine if the proposal is appropriate according to the requirements of the District of Hudson's Hope *Integrated Community Sustainability Plan* (ICSP), *Official Community Plan* (OCP) and *Subdivision and Development Servicing Bylaw*. If the proposal does not conform to land use policies for the area, it will be suggested that the applicant consider changes to the proposal or pursue avenues such as an amendment to the OCP to accommodate the proposed use.

Step 2 – Submit Application

The applicant must submit the following:

- Complete Application Form (refer to **Appendix 4-A**);
- Application Fee for the Zoning Amendment (refer to **Appendix 4-C**);
- Certificate of Title (a title search dated no more than 30 days prior to submission of the application for proof of ownership);
- Authorization of Owner written authorization from the registered property owner is required if the applicant is not the registered owner. This allows the applicant to apply on behalf of the owner
- Completed Site Profile as identified in sections 946.1 and 946.2 of the *Local Government Act* and the Contaminated Sites Regulation.

A completed Site Profile (Schedule 1) is not required if:

- None of the activities listed in Schedule 2 of the Contaminated Sites Regulation has occurred, (unless the Director of Waste Management or the District requires parts of the profile to be completed for their own records), or
- If a site has been used exclusively for residential use (refer to **Appendix 4-B**).
- Dimensioned Sketch Plan drawn to a minimum scale of 1:1,000 showing the parcel or parcels to be rezoned and the location (dimensioned from property lines) of existing buildings, structures and any natural features on or adjacent to the property;
- Dimensioned Site Development Plan drawn to a minimum scale of 1:1,000 showing proposed buildings, structures, vehicle access, parking layout (with individual parking stalls clearly indicated) and site landscaping;
- Contour Map (plan) drawn to a minimum scale of 1:1,000 with a contour interval of one (1) metre, if warranted by the topographic condition of the property;

- Copies of any Previous Studies or reports made on the subject property relating to its present condition and suitability for the proposed use/development, e.g. geotechnical reports, site contamination and remediation studies; and

In the event the application creates a need for an amendment to the Official Community Plan (OCP), the applicant must submit an additional fee for the OCP Amendment Application (**refer to Appendix 4-C**).

Step 3 – Technical Review by District Staff

The Approving Officer conducts a technical review, assessing the application with respect to:

- Official Community Plan (OCP) and Intergrated Community Sustainability Plan (ICSP);
- Land Use (the appropriateness of the use);
- Setbacks, including setbacks from watercourses;
- Road Access;
- Parking;
- Water Supply;
- Sewage Disposal;
- Storm Sewers and Stormwater Management;
- Fire Flows and Hydrant Location and Spacing;
- Contaminated Sites;
- Hydro;
- Telephone;
- Natural Gas;
- Cable Television;
- Health and Safety;
- Height;
- Landscaping; and
- Other appropriate community planning considerations.

In addition, the Approving Officer or designate may seek input from the District's planning consultants.

The review may reveal that further or more detailed information is required from the applicant. Under section 920.1 (1) of the *Local Government Act*, the Approving Officer may require the applicant to submit additional information regarding the impact of the proposed development on the following:

- Transportation patterns including traffic flow;
- Local infrastructure;
- Public facilities including schools and parks;
- Community services; and
- The natural environment of the area affected.

Step 4 – Prepare Draft Amendment Bylaw & Submit Report to Council

District Staff review the application and prepare a draft amendment Bylaw and report to Council based on the technical review. Prior to this step, the applicant may be required to submit additional information for technical review.

The Approving Officer introduces the draft amendment Bylaw and application to Council for First Reading.

Step 5 – First Reading

Council gives the amendment Bylaw First Reading. At First Reading, Council may, by simple majority, proceed with Second Reading of the amendment Bylaw and application or reject the amendment Bylaw and application at this stage.

If the bylaw is defeated, the applicant may not re-apply for an amendment to the Zoning Bylaw until six (6) months after the date of refusal. In accordance with section 895 of the *Local Government Act*, the time limit for any re-application may be varied by an affirmative vote of at least 2/3 of the local government members eligible to vote on the re-application.

Step 6 – Second Reading

Council gives Second Reading to the Bylaw and either approves or rejects the amendment. This may occur at the same meeting as First Reading.

If the bylaw is defeated, the applicant may not re-apply for an amendment to the OCP until six (6) months after the date of refusal. In accordance with section 895 of the *Local Government Act*, the time limit for any re-application may be varied by an affirmative vote of at least 2/3 of the local government members eligible to vote on the re-application.

Step 7 – Referral to Government Agencies

The following agencies may be considered for referral by the Approving Officer or designate:

- Peace River Regional District;
- District of Hudson's Hope Fire Department;
- Ministry of Community, Sport and Cultural Development;

- Ministry of Environment;
- Ministry of Transportation and Infrastructure (In particular, any rezoning application within 800 m of Highway 29 needs to be referred to the Ministry of Transportation, as they need to approve any rezoning within 800 m of a controlled access highway).
- Ministry of Energy and Mines;
- Department of Fisheries and Oceans;
- British Columbia Assessment Authority
- Northern Health Authority;
- School District No. 60 (Peace River North); and
- Utility Companies (e.g. gas, hydro, cablevision).

Step 8 – On-Site Notification (Signs Installed)

The District of Hudson's Hope requires that the applicant or developer post a Development Proposal Notice (sign) on the lands that are the subject of the application.

The sign shall be posted in accordance with the following:

- A sign shall not interfere with pedestrian or vehicular traffic, or obstruct visibility from the streets or driveways so as to create a hazard. The sign is to be centrally located on the subject site parcel like adjacent to the public street the property abuts;
- The map area will be white with map details in black. The map will show adjoining roads, land involved and a north arrow. Land involved shall be shaded in red with red subject arrow, large enough to identify the subject property;
- The applicant is required to submit a written statement on the intent and purpose of the re-designation as it will appear on the sign;
- The applicant shall install all signs within seven (7) days after Second Reading of the Zoning Bylaw Amendment and shall remain in place continuously until the Public Hearing is held.
- Following installation, the applicant is responsible to contact the District planning and engineering staff so that an inspection can be made to confirm the sign is suitably located on the subject property for visibility by the public. The applicant accepts all responsibility for installation and maintenance of the sign and there shall be no liability on the part of the District for failure of the sign, or the supporting structure, or any injury to any person, or property resulting therefrom.
- All signs shall remain in place continuously until the Public Hearing is held, and must be removed within seven (7) days after the Public Hearing.

- Failure to post the sign shall result in the postponement of the Public Hearing and any costs incurred by the District for public notification as a result of such postponement shall be the responsibility of the applicant.

The District has a number of pre-printed signs on a "first come, first served" basis. The applicant is responsible to pick up the sign from the District of Hudson's Hope during normal business hours and provide all materials necessary for installation in a sound, sturdy manner, capable of withstanding wind and weather. If an applicant wishes to use one of these signs then her or she must pay a refundable deposit of \$400 to the District.

If the Zoning Bylaw Amendment Application is concurrent with an Official Community Plan Amendment Application, a sign is only required for the Zoning Bylaw Amendment Application.

Step 9 – Notification of Public Hearing

Under section 892 of the *Local Government Act*, Council must give notice of the public hearing. Under section 890 (2) of the *Local Government Act*, the public hearing must be held after first reading of the bylaw and before third reading.

The notification of public hearing must state the following:

- The time and date of the hearing;
- The place of the hearing;
- In general terms, the purpose of the Bylaw;
- The land or lands that are the subject of the Bylaw;
- The place where and the times and dates when copies of the Bylaw may be inspected; and
- A sketch of the land or lands that are the subject of the Bylaw.

The notice must be published in at least 2 consecutive issues of the local newspaper, the last publication to appear not less than 3 and not more than 10 days before the public hearing.

If the amendment alters use or density, Council must also mail or hand-deliver notices at least 10 days before the public hearing to property owners within a 100 metre radius of the subject lands, unless the amendment applies to 10 or more parcels owned by 10 or more persons.

Step 10 – Public Hearing

The Public Hearing is held. Eligible parties are given an opportunity to speak before Council or submit written submissions. All persons who believe that their interest in property is affected by the proposed Bylaw must be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the Bylaw that is the subject of the hearing. Once this occurs, Council must officially adjourn



the meeting before convening Council to address the application. Council may convene on the same day of the Hearing.

As per section 890 (4) of the *Local Government Act* the District may waive the holding of a public hearing on a proposed bylaw if the Official Community Plan is in effect for the area that is subject to a proposed zoning bylaw, and the proposed bylaw is consistent with the Plan.

Step 11 – Third Reading

When Council chooses to reconvene, it may either defeat or give the amendment Bylaw Third Reading. Once returned to Council, the Bylaw may be reconsidered and adopted. Council may adopt the Bylaw at the same meeting at which the Bylaw received Third Reading.

Step 12 – Ministry of Transportation Approval (MAY BE REQUIRED)

Under section 52 of the *Transportation Act* and section 924 of the *Local Government Act*, where the amendment applies to land or improvements within a radius of 800 metres of the intersection of a “controlled access highway” and any other street, road, lane or highway, the bylaw, before its adoption, requires the approval of the Ministry of Transportation. In general, any rezoning of land within 800 metres of Highway 29 should be referred to the Ministry of Transportation.

Step 13 – Bylaw Adopted

Following Third Reading of the Amendment Bylaw and approval by the Ministry of Transportation, Council reconsiders and adopts the Bylaw. This could occur at the same meeting at which the Bylaw received Third Reading if Ministry of Transportation approval is not required.

Step 14 – Applicant Notified/Amendment Recorded

The applicant is notified of Council’s decision and the zoning amendment is recorded.



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 4
APPENDIX 4-A

Appendix 4-A

Application Form(s)



Insert Application Form(s) Here...



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 4
APPENDIX 4-B

Appendix 4-B

Site Profile – Description & Procedures



Insert Site Profile Description and Procedures Here...



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 4
APPENDIX 4-C

Appendix 4-C
Zoning Amendment Fees
(From the District's Fees & Charges Bylaw)



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 4
APPENDIX 4-C

Insert Schedule 'A' of the (proposed) *Fees & Charges Bylaw* Here...



PART 5: DEVELOPMENT PERMITS

Table of Contents

Introduction: Development Permits	3
Development Permit Process (Flow-Chart)	4
Development Permit Procedures (Detailed Descriptions)	5

Appendix 5-A: Application Form(s)

Appendix 5-B: Development Permit(s)

Appendix 5-C: Site Profile – Description and Procedures

Appendix 5-D: Development Permit Fees

Introduction: Development Permits

In areas where the District of Hudson's Hope has designated a Development Permit Area, a Development Permit, under Section 920 of the *Local Government Act* (R.S.B.C. 1996, c.323), is required prior to subdivision of land, construction, alteration or addition to a structure located on land within a designated Development Permit Area.

Under section 919.1 (1) and (2) of the *Local Government Act*, the District of Hudson's Hope (District) can designate a Development Permit Area for one or more of the following:

- Protection of the natural environment, its ecosystems and biological diversity;
- Protection of development from hazardous conditions;
- Protection of farming;
- Revitalization of an area in which a commercial use is permitted;
- Establishment of objectives for the form and character of intensive residential development;
- Establishment of objectives for the form and character of commercial, industrial or multi-family residential development.
- In relation to an area in a resort region, establishment of objectives for the form and character of development in the resort region;
- Establishment of objectives to promote energy conservation;
- Establishment of objectives to promote water conservation; or,
- Establishment of objectives to promote the reduction of greenhouse gas emissions.

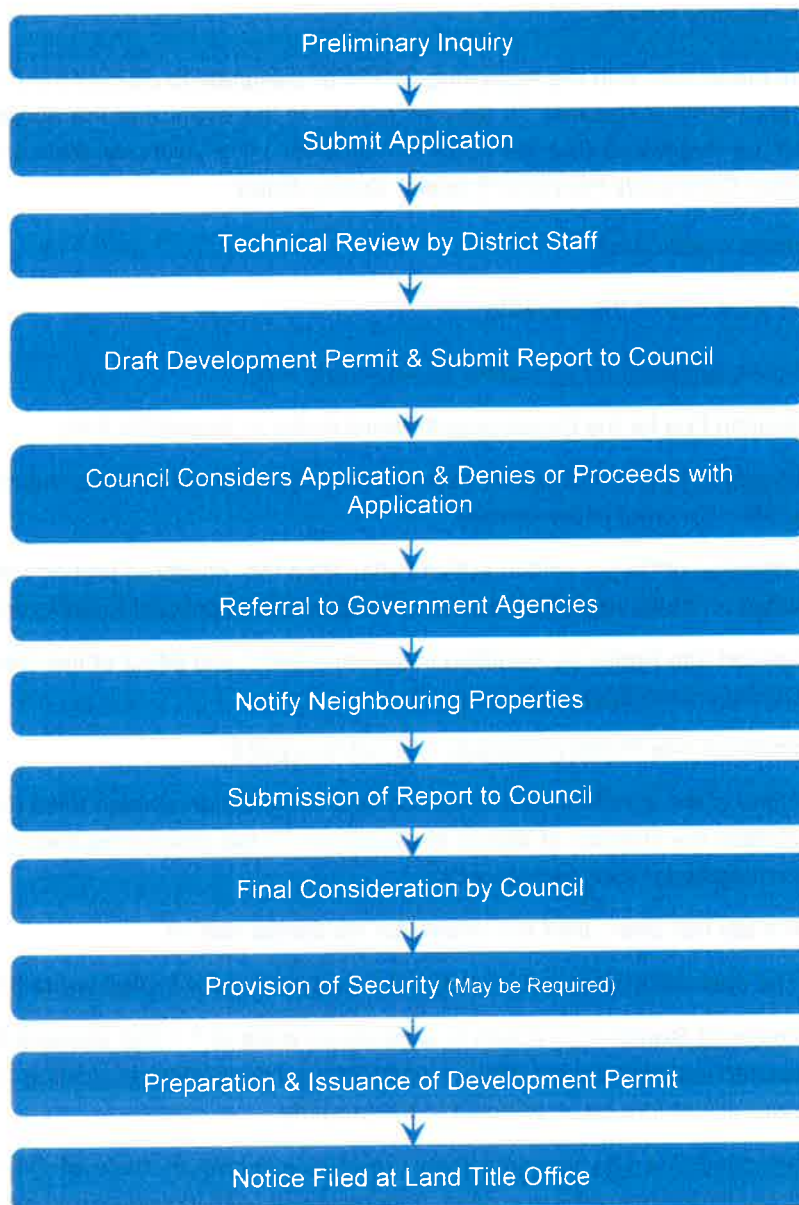
Before requiring or accepting an application under this category, the District must first determine if the subject property is within a Development Permit Area.

The District of Hudson's Hope cannot accept applications which intend to vary the use or density permitted in the applicable Bylaw, under Section 920 (4) of the *Local Government Act*. An exception to this is set out in Section 920 (5) of the *Local Government Act* where the conditions or requirements may vary use or density, but only as they relate to health, safety or the protection of property from damage. Also, under Section 920 (6) a development permit must not vary a floodplain specification.

In the event that the applicant proposes changes in use or density, the District should advise the applicant to explore other avenues. These can include amendments to the District of Hudson's Hope Zoning Bylaw or Official Community Plan. In the event that the proposed application for development requires an application for rezoning and/or an Official Community Plan (OCP) Amendment, the Development Permit Application may occur simultaneously.



Development Permit Process (Flow-Chart)



Development Permit Procedures (Detailed Descriptions)

Step 1 – Preliminary Inquiry

The applicant meets with the Approving Officer or designate to discuss the proposal and confirm that a Development Permit is required for their proposal. In the event that the application varies the use or density, it will be suggested that the applicant consider other avenues such as an amendment to the District's *Official Community Plan (OCP)* and/or *Zoning Bylaw*.

Step 2 – Submit Application

The applicant must submit the following:

- Complete Application Form (refer to **Appendix 5-A**);
- Application Fee for the Development Permit (refer to **Appendix 5-D**);
- Certificate of Title (a title search dated no more than 30 days prior to submission of the application for proof of ownership);
- Authorization of Owner written authorization from the registered property owner is required if the applicant is not the registered owner. This allows the applicant to apply on behalf of the owner
- Completed Site Profile as identified in sections 946.1 and 946.2 of the *Local Government Act* and the *Contaminated Sites Regulation*.

A completed Site Profile (Schedule 1) is not required if:

- None of the activities listed in Schedule 2 of the *Contaminated Sites Regulation* has occurred, (unless the Director of Waste Management or the District requires parts of the profile to be completed for their own records);
- If a site has been used exclusively for residential use; or,
- The application does not involve soil excavation (refer to **Appendix 5-C**).
- Dimensioned Sketch Plan drawn to a minimum scale of 1:1,000 showing the parcel or parcels to be rezoned and the location (dimensioned from property lines) of existing buildings, structures and any natural features on or adjacent to the property;
- Dimensioned Site Development Plan drawn to a minimum scale of 1:1,000 showing proposed buildings, structures, vehicle access, parking layout (with individual parking stalls clearly indicated) and site landscaping;
- Contour Map (plan) drawn to a minimum scale of 1:1,000 with a contour interval of one (1) metre, if warranted by the topographic condition of the property;
- Convenants/Rights-of-Way/Easements (where applicable);

- Description or illustration of how the development will be incorporated into the streetscape (if applicable);
- Dimensioned Site Development Plan showing proposed buildings, structures, vehicle access, parking layout, etc;
- Slope report by certified geoscientist registered with APEGBC (where applicable);
- Information required in relation to the Development Permit Area Guidelines of the Official Community Plan; and,
- Copies of any Previous Studies or reports made on the subject property relating to its present condition and suitability for the proposed use/development, e.g. geotechnical reports, site contamination and remediation studies; and,

Step 3 – Technical Review by District Staff

The Development Permit Application is reviewed according to the criteria set out in the Development Permit Section of the District of Hudson's Hope Official Community Plan.

This review must address the appropriateness of the application with respect to the Development Permit Area guidelines established for the parcel within the District of Hudson's Hope Official Community Plan.

The review may reveal that further or more detailed information is required from the applicant. Under section 920.1 (1) of the *Local Government Act*, the District may require the applicant to submit additional information regarding the impact of the proposed development on such matters as:

- Transportation patterns including traffic flow;
- Local infrastructure;
- Public facilities including schools and parks;
- Community services; and
- The natural environment of the area affected.

In addition, the Approving Officer may seek input from the District's planning consultants.

Step 4 – Prepare Draft Development Permit & Submit Report to Council

The Approving Officer or delegate prepares a first draft of the Development Permit and submits it along with a technical report, application form, and a recommendation to Council.

Step 5 – Council Considers Application & Denies or Proceeds with Application

After Council reviews the information submitted, it has two (2) options:

- Authorize notification of Council's approval in principle and proceed with the technical review; or
- Deny the application.

Council will notify the applicant as to whether the application will proceed or if the application is denied. If denied, the applicant may not re-apply for a Development Permit until six (6) months after the date of refusal. In accordance with section 895 of the *Local Government Act*, the time limit for any re-application may be varied by an affirmative vote of at least 2/3 of the local government members eligible to vote on the re-application.

Step 6 – Referral to Government Agencies

At the discretion of the Approving Officer, the Development Permit application may be referred to appropriate agencies whose interests may be affected. These agencies may include but are not be limited to:

- Peace River Regional District;
- Ministry of Community, Sport and Cultural Development;
- Ministry of Environment;
- Ministry of Transportation;
- Ministry of Energy and Mines;
- Department of Fisheries and Oceans;
- British Columbia Assessment Authority;
- Northern Health Authority;
- School District No. 60 (Peace River North); and
- Utility Companies (e.g. gas, hydro, cablevision).

Under section 924 of the *Local Government Act*, approval of the Ministry of Transportation is required if the application is for a commercial or industrial development over 4,500m² gross floor area within 800 metres of a controlled access highway

Step 7 – Notify Neighbouring Properties

The District notifies all owners and tenants in occupation of land that is the subject of the application as well as owners and tenants within a 100 metre radius of the subject property. The notice must state the subject matter of the application and the time and place where the application will be heard.

Step 8 – Submission of Report to Council

The Approving Officer submits a technical report, application form, draft permit and a recommendation to Council.

Council may decide that a public meeting may be beneficial to gain input with respect to the proposed permit. Such a meeting is neither mandatory nor required by the *Local Government Act*.

Step 9 – Final Consideration by Council

The Council of the District of Hudson's Hope will consider the proposed Development Permit application in light of the input received. Council then has four (4) options:

- By resolution, issue the Development Permit;
- By resolution, issue the Development Permit as amended;
- Request additional information before a resolution is passed; or
- Deny the application for a Development Permit.

If denied, the applicant may not re-apply for a Development Permit until six (6) months after the date of refusal. In accordance with section 895 of the *Local Government Act*, the time limit for any re-application may be varied by an affirmative vote of at least 2/3 of the local government members eligible to vote on the re-application.

Step 10 – Provision of Security (MAY BE REQUIRED)

Under section 925 (1) of the *Local Government Act*, Council may require that the Development Permit applicant provide security through any of the following forms acceptable to the District of Hudson's Hope:

- An irrevocable letter of credit
- Or the deposit of securities in a form satisfactory to the District (i.e. cash or certified cheque).

Council may, under section 921 (12) of the *Local Government Act*, establish the amount of security to guarantee the performance of the permit. If Council decides to exercise its option to require security, the amount must be clearly identified in the Development Permit.

Under section 925 (2.1), if the applicant does not satisfy the conditions of the Development Permit, the District may undertake, at the expense of the holder of the permit, the works, construction or other activities required to:

- Satisfy the landscaping condition;
- Correct the unsafe condition; or
- Correct the damage to the environment.

The security supplied to the District of Hudson's Hope may be used to pay for the cost of these works, with any excess to be returned to the holder of the Permit.



As outlined in section 926 of the *Local Government Act*, if the holder of a Development Permit does not substantially start any construction with respect to the project for which the Permit was issued within two (2) years of the date of issue, the Permit lapses.

Step 11 – Preparation and Issuance of Development Permit

If the application is approved by Council resolution, the Approving Officer or designate prepares the final Development Permit and prepares a record of the Development Permit for District files.

The Approving Officer or his or her designate then issues the permit and notifies the applicant in writing.

Step 12 – Notice Filed at Land Title Office

Under section 927 (1) of the *Local Government Act*, when the District issues a Development Permit, it must file notice with the New Westminster Land Title Office that the land described in the notice is subject to the Development Permit. On filing, the registrar will make a note of the filing against the title to the land affected.

The District of Hudson's Hope may also send a copy of the Development Permit to other government agencies whose interest may be affected.

If the Development Permit is amended or cancelled, under section 927(3) of the *Local Government Act*, the District of Hudson's Hope must file notice with the New Westminster Land Title Office. On filing, the registrar will make note of the filing against the title to the land affected.



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 5
APPENDIX 5-A

Appendix 5-A

Application Form(s)



**Development
Procedures
Manual**

PART 5
APPENDIX 5-A

Insert Application Form(s) Here...



Appendix 5-B

Development Permit(s)



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 5
APPENDIX 5-B

Insert Development Permit(s) Here...



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 5
APPENDIX 5-C

Appendix 5-C

Site Profile – Description & Procedures



Insert Site Profile Description and Procedures Here...



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 5
APPENDIX 5-D

Appendix 5-D

Development Permit Fees

(From the District's Fees & Charges Bylaw)



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 5
APPENDIX 5-D

Insert Schedule 'A' of the (proposed) *Fees & Charges Bylaw* Here...



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 6
**BOARD OF
VARIANCE**

PART 6: BOARD OF VARIANCE



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

**PART 6
BOARD OF
VARIANCE**

Table of Contents

Introduction: Board Of Variance.....	3
Board Of Variance Process (Flow-Chart)	4
Board Of Variance Procedures (Detailed Descriptions)	5
Appendix 6-A: Application Form(s)	1
Appendix 6-B: Board of Variance Fees.....	1

Introduction: Board of Variance

The Board's Authority

Where a local government has adopted a Zoning Bylaw, it must, by Bylaw, establish a Board of Variance. Section 901 of the *Local Government Act*, (R.S.B.C. 1996, c. 323) provides the Board of Variance with the authority to consider applications from individuals who allege that compliance with any of the following would cause the person hardship:

- A Bylaw respecting the siting, dimensions or size of a building or structure, or the siting of a manufactured home in a manufactured home park;
- A Bylaw respecting the protection of trees;
- The prohibition of a structural alteration or addition to a non-conforming use; and
- Subdivision servicing requirements under section 938 (1) (c) of the *Local Government Act* in an area zoned for agricultural or industrial use.

Hardship may be defined as a grievous circumstance that results from aspects of the site (e.g. a steep slope that makes a portion of the parcel unsuitable for development), as opposed to hardships generated by the owner.

An individual may also apply to the Board of Variance under section 911 (8) of the *Local Government Act* if the person alleges that the building inspector is in error in determining the extent of damage preventing reconstruction as a non-conforming use.

Minor Variances

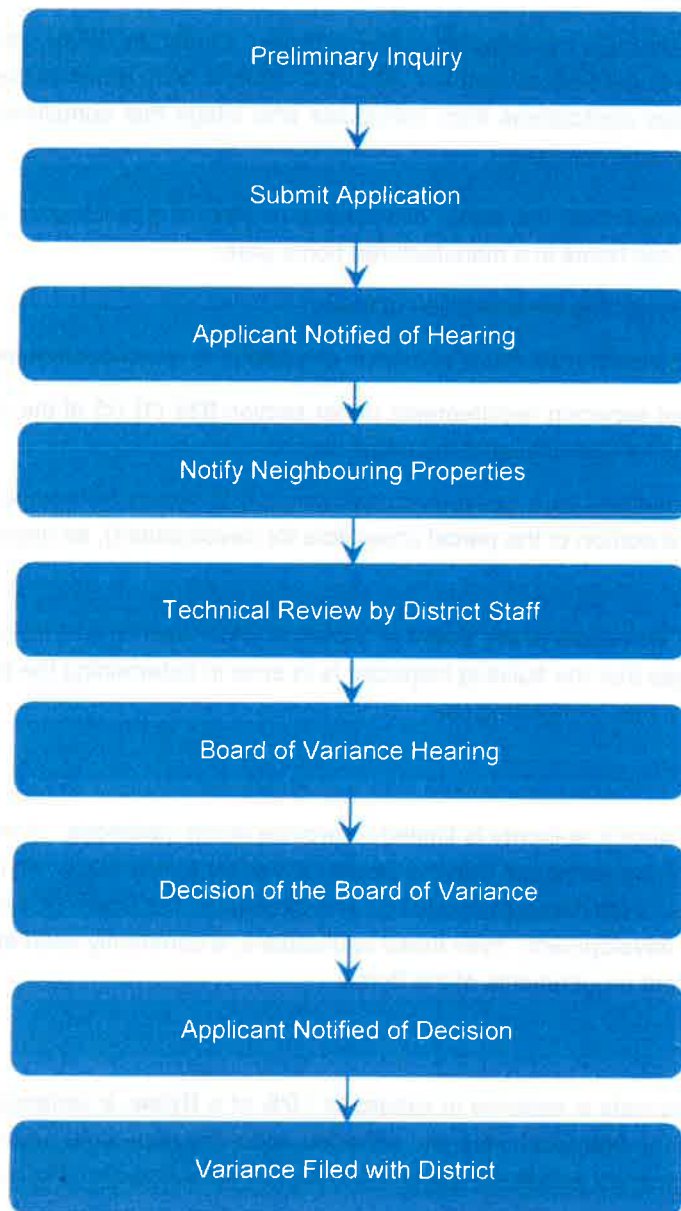
The Board of Variance's authority is limited to provide minor variances. A minor variance is a term that limits the scope of the variances that the Board of Variance may allow. Bylaw requirements cannot be varied significantly. With respect to buildings and structures, the Board of Variance has the jurisdiction to deal with existing development. With these applications, a commonly used approach is to limit variances to 10% of the current requirements of the Bylaw.

Other Options

If the applicant requests a variance in excess of 10% of a Bylaw, a variance for new development, or a variance affecting the permitted uses and densities under the applicable bylaw, then the Approving Officer or his or her delegate will advise the applicant to pursue other options. These alternative options include:

- Development Variance Permits;
- Official Community Plan Amendments; and
- Zoning Bylaw Amendments.

Board of Variance Process (Flow-Chart)



Board of Variance Procedures (Detailed Descriptions)

Step 1 – Preliminary Inquiry

The applicant makes a preliminary inquiry to the Approving Officer or his or her delegate regarding the proposed application. Only applications that are appropriate to the Board of Variance jurisdiction will be accepted. In the event that the application is not appropriate, the applicant will be advised of other avenues to consider.

Step 2 – Submit Application

The applicant must submit the following:

- Complete Application Form (refer to Appendix 6-A);
- Application Fee for Board of Variance (refer to Appendix 6-A);
- Certificate of Title (a title search dated no more than 30 days prior to submission of the application for proof of ownership); and
- Authorization of Owner written authorization from the registered property owner which allows the applicant to apply on behalf of the owner, if the applicant is not the registered property owner.
- Dimensioned Sketch Plan showing the location of existing buildings, structures and uses;
- Dimensioned Site Development Plan indicating the proposed use, future buildings or structures and highway access points;
- Front and Side Elevation Drawings to a minimum scale of 1:50;
- Contour Map (plan) drawn to specified scale; and
- Other relevant technical information.

Step 3 – Applicant Notified of Hearing

The Approving Officer, or designate, sets the time and date of the Board of Variance Hearing in consultation with the Chairperson of the Board. The applicant is notified of the time, date and place of the Hearing. If invited to make a presentation, the applicant shall be informed in writing.

Step 4 – Notify Neighbouring Properties

Where the applicant alleges hardship under section 901 (1) of the *Local Government Act*, the Board of Variance must notify all owners and tenants in occupation of land that are the subject of the application, as well as adjacent owners and tenants within 100 metres of the subject property. The notice must state the subject matter of the application and the time and place where the application will be heard.

Step 5 – Technical Review by District Staff

The Approving Officer, delegate or the Building Inspector reviews the application and submits a report and recommendation to the Board of Variance.

Step 6 – Board of Variance Hearing

At the Board of Variance meeting, the Board must hear any person who wishes to speak to the application. Board meetings are open to the public.

Step 7 – Decision of the Board of Variance

The Board of Variance has three (3) options available once the application is considered:

- Approving the application;
- Denying the application; or
- Tabling the application **pending further information.**

The reasons for the decision shall be recorded in the minutes of the meeting.

Step 8 – Applicant Notified of Decision

The Board of Variance must notify the applicant in writing and issue the variance if it is approved.

REMINDER: The decision of the Board of Variance is final except that the decision may be appealed to the Supreme Court if it respects a determination of the Building Inspector under section 902 of the *Local Government Act*.

Step 9 – Variance Filed with District

The Board of Variance shall maintain a record of all its decisions, and shall ensure that the record is available for public inspection during normal business hours under section 900 (4) of the *Local Government Act*.



Appendix 6-A
Application Form(s)



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEARL

**Development
Procedures
Manual**

PART 6
APPENDIX 6-A

Insert Application Form(s) Here...



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 6
APPENDIX 6-B

Appendix 6-B

Board of Variance Fees

(From the District's Fees & Charges Bylaw)



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 6
APPENDIX 6-B

Insert Schedule 'A' of the (proposed) *Fees & Charges Bylaw* Here...



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 7
DEV. VARIANCE
PERMITS

PART 7: DEVELOPMENT VARIANCE PERMITS



Table of Contents

Introduction: Development Variance Permits.....	3
Development Variance Permit Process (Flow-Chart)	4
Development Variance Permit Procedures (Detailed Descriptions)	5

Appendix 7-A: Application Form(s)

Appendix 7-B: Development Variance Permit(s)

Appendix 7-C: Site Profile – Description and Procedures

Appendix 7-D: Development Variance Permit Fees



Introduction: Development Variance Permits

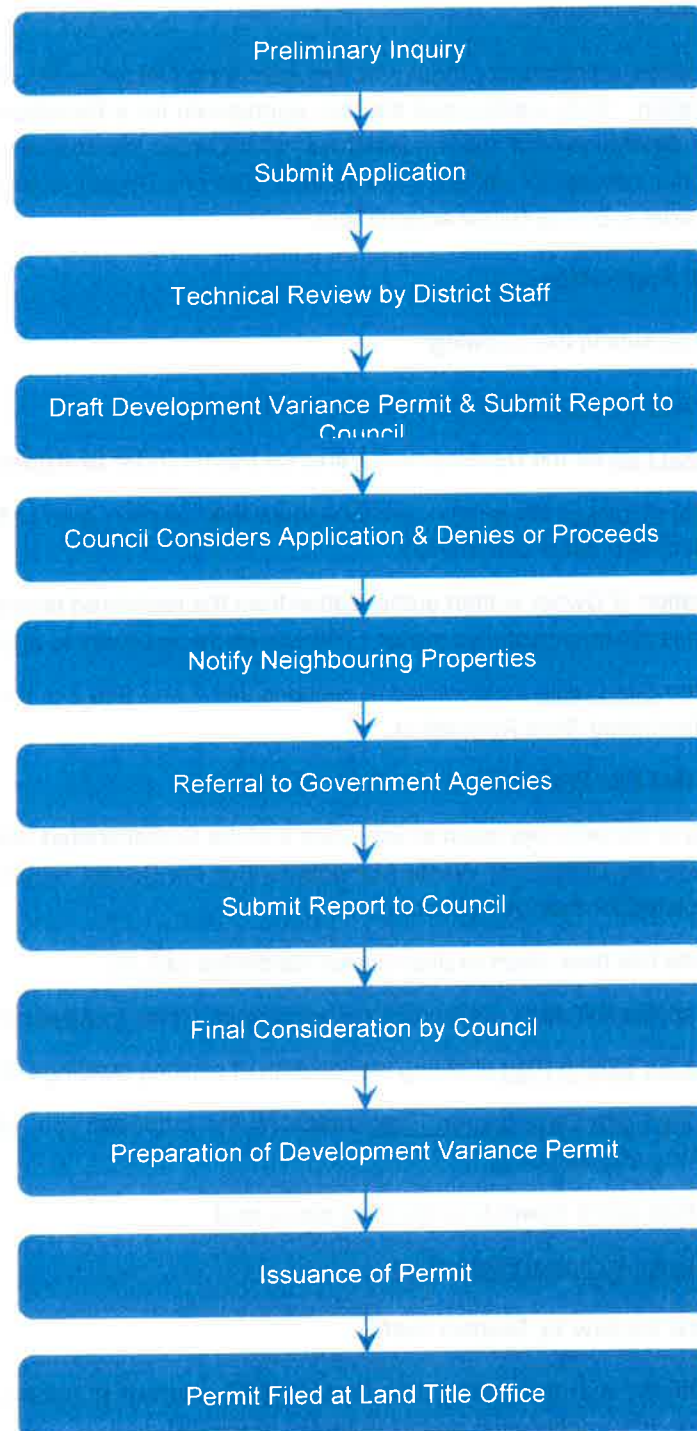
A Development Variance Permit, under Section 922 of the *Local Government Act* (R.S.B.C. 1996, c.323), is a permit issued by Council that varies the provisions of a number of District of Hudson's Hope (District) Bylaws, including provisions pertaining to:

- Zoning (e.g. setback and height restrictions);
- Parking (e.g. number of spaces required);
- Signs (e.g. dimensions, placement);
- Subdivision and development servicing (e.g. services required, pipe sizes);
- Other provisions of Division 7, 8 or 11 of Part 26 of the *Local Government Act*, (R.S.B.C. 1996, c. 323).
- Section 8 (3) (g) of the *Community Charter* in relation to trailer courts, manufactured home parks and camping grounds.

The Approving Officer should not accept applications that intend to vary the use or density specified in District Bylaws. If the applicant seeks to vary use or density, it should be suggested that the applicant consider other avenues such as an amendment to the Official Community Plan and/or Zoning Bylaws.



Development Variance Permit Process (Flow-Chart)





Development Variance Permit Procedures (Detailed Descriptions)

Step 1 – Preliminary Inquiry

The applicant makes a preliminary inquiry to the Approving Officer or his or her delegate regarding the proposed application. Only applications that are appropriate for a Development Variance Permit will be accepted. If it is determined that the request does not fall under the normal parameters of a development variance permit (i.e. request for variance is less than 10% of a Bylaw), a suggestion may be made to the applicant to consider a Zoning Bylaw amendment.

Step 2 – Submit Application

The applicant must submit the following:

- Complete Application Form (refer to **Appendix 7-A**);
- Application Fee for the Development Variance Permit (refer to **Appendix 7-D**);
- Certificate of Title (a title search dated no more than 30 days prior to submission of the application for proof of ownership);
- Authorization of Owner written authorization from the registered property owner is required if the applicant is not the registered owner. This allows the applicant to apply on behalf of the owner
- Completed Site Profile as identified in sections 946.1 and 946.2 of the *Local Government Act* and the Contaminated Sites Regulation.

A completed Site Profile (Schedule 1) is not required if:

- None of the activities listed in Schedule 2 of the Contaminated Sites Regulation has occurred, (unless the Director of Waste Management or the District requires parts of the profile to be completed for their own records);
- If a site has been used exclusively for residential use; or,
- The application does not involve soil excavation (refer to **Appendix 7-C**).
- Dimensioned Sketch Plan showing the location of existing buildings, structures and uses;
- Dimensioned Site Development Plan indicating the proposed use, future buildings or structures and highway access points;
- Contour Map (plan) drawn to a specified scale; and
- Other relevant technical information.

Step 3 – Technical Review by District Staff

The Approving Officer, with the appropriate District Staff, conduct a technical review. The review will consider the nature of the application and its potential impact on:

- Health and safety;
- Visual appearance;
- Site rehabilitation plans;
- Linkages to parks and trails; Good planning and engineering practices; and
- Other items that may be relevant to the application.

In addition, the Approving Officer may seek input from the District's planning consultants.

The review may reveal that further information is required from the applicant. If so, the application may be held until the required information is obtained.

Step 4 – Prepare Draft Development Variance Permit & Submit Report to Council

The Approving Officer or delegate prepares a first draft of the Development Variance Permit and submits it along with a technical report, application form, and a recommendation to Council.

Step 5 – Council Considers Application & Denies or Proceeds with Application

After Council reviews the information submitted, there are two (2) options:

- Authorize notification of Council's approval in principle and proceed with the technical review; or
- Deny the application.

If denied, the applicant may not re-apply for a Development Variance Permit until six (6) months after the date of refusal. In accordance with section 895 of the *Local Government Act*, the time limit for any re-application may be varied by an affirmative vote of at least 2/3 of the local government members eligible to vote on the application.

Step 6 – Notify Neighbouring Properties

The District notifies all owners and tenants in occupation of land that is the subject of the application, as well as owners and tenants within a 100 metre radius of the subject property. The notice must state the subject matter of the application and the time and place where the application will be heard.

Step 7 – Referral to Government Agencies

The application may also be forwarded to other agencies as necessary, including:

- Peace River Regional District;
- Ministry of Community, Sport and Cultural Development;
- Ministry of Environment;

- Ministry of Transportation;
- Ministry of Energy and Mines;
- Department of Fisheries and Oceans;
- British Columbia Assessment Authority;
- Northern Health Authority;
- School District #60 (Peace River North); and
- Utility Companies (e.g. gas, hydro, cablevision).

Under section 924 of the *Local Government Act*, approval of the Ministry of Transportation is required if the application is for a commercial or industrial development over 4,500 m² gross floor area within 800 metres of a controlled access highway.

Step 8 – Submit Report to Council

The Approving Officer or designate submits the technical report, application form, draft permit and a recommendation to Council.

Step 9 – Final Consideration by Council

Council receives the report from the Approving Officer or designate. Council will consider the application in light of the information received. Council then has four (4) options:

1. By resolution, issue the Development Variance Permit;
2. By resolution, issue the Development Variance Permit as amended;
3. Table consideration of the application so additional information can be provided; or
4. Deny the application.

If denied, the applicant may not re-apply for a Development Variance Permit until six (6) months after the date of refusal. In accordance with section 895 of the *Local Government Act*, the time limit for any re-application may be varied by an affirmative vote of at least 2/3 of the local government members eligible to vote on the application.

Step 10 – Preparation of Development Variance Permit

If the application is approved by Council resolution, the Approving Officer or designate issues the permit and prepares a record of the permit for District files.

Step 11 – Issuance of Permit

The Approving Officer or designate then issues the permit and notifies the applicant in writing of the decision.



As outlined in section 926 of the *Local Government Act*, if the holder of a Development Variance Permit does not substantially start any construction with respect to the project for which the Permit was issued within two (2) years of the date of issue, the Permit lapses.

Step 12 – Permit Filed at Land Title Office

Under section 927 (1) of the *Local Government Act*, when the District issues a Development Variance Permit, it must file notice with the New Westminster Land Title Office that the land described in the notice is subject to the Permit. On filing, the registrar will make a note of the filing against the title to the land affected.

If the Development Variance Permit is amended or cancelled, under section 927 (3) of the *Local Government Act*, the District of Hudson's Hope must file notice with the New Westminster Land Title Office. On filing, the registrar will make note of the filing against the title to the land affected.



**HUDSON'S
HOPE**
PLAYGROUND OF THE PEACE

**Development
Procedures
Manual**

PART 7
APPENDIX 7-A

Appendix 7-A

Application Form(s)