

BYLAW NUMBER 832

A Bylaw to set out the procedures to amend an Official Community Plan, a Zoning Bylaw, or to issue a Permit under Part 29 of the Municipal Act.

WHEREAS the Council of the Town of Golden has adopted an Official Community Plan and a Zoning Bylaw;

AND WHEREAS the Town Council has designated areas where Temporary Commercial and Industrial Permits and Development Permits may be issued;

AND WHEREAS the Town Council shall, under Section 954(1) of the Municipal Act, by bylaw, establish procedures to amend a plan, bylaw or issue a permit;

NOW THEREFORE, the Council of the Town of Golden, in open meeting assembled,  
HEREBY ENACTS AS FOLLOWS:

1. TITLE

This Bylaw may be cited for all purposes as the "Town of Golden Development Procedures Bylaw Number 832, 1991."

2. SCOPE

This Bylaw applies to the following:

- a) Amendment to:
  - i) an Official Community Plan; and
  - ii) a Zoning bylaw;
- b) Issuance of:
  - i) a development variance permit;
  - ii) a temporary commercial and industrial use permit; and
  - iii) a development permit.

3. APPLICATION

- a) An application for an amendment or a permit may be made by the owner of the land, or by a person authorized by the owner.
- b) An application for an amendment or a permit may be made on the application form attached as Schedule A. No application will be refused solely on the grounds that the applicant did not use the form attached, provided that all the information requested on the application form has been supplied.
- c) Payment of the required application fee is as prescribed by the Town of Golden Fees Bylaw Number 831, 1991.

4. INITIAL REVIEW

Council may conduct an initial review of an application, and consider recommendations of the Administrator, the Building Inspector, or other persons in order to determine whether to refuse the application or to proceed through the approval process. Council may also proceed directly to the process set out in Section 5 below without conducting an initial review.

5. PROCESS

Every application that proceeds beyond the Initial Review will be processed by the Administrator of the Town, or a designated official, who will present a report to the Town Council for consideration. The report should:

- a) Contain a copy of the application;
- b) Contain a copy of the proposed amendment bylaw or proposed permit and recommendations;
- c) Specify whether or not the approval of the Minister of Transportation & Highways under Section 57(2) of the Highway Act or Section 979(1) of the Municipal Act is required;
- d) State the amount of fee collected;

*Section 3 c) of Town of Golden Development Procedures Bylaw No. 832, 1991 repealed by Development Application Act Bylaw Number 1151, 2005*

- e) State the proposed security to be posted by the permittee if any;  
and
- f) Contain any additional relevant information.

6. BYLAW APPROVAL OR REFUSAL

Upon receipt of a report under Section 5 above respecting an application to amend a bylaw, the Council may:

- a) Give the bylaw first reading and follow Council's procedures toward adoption of the amendment bylaw;
- b) Request additional information or minor adjustments to the bylaw;
- c) Table the amendment bylaw;
- d) Reject the application for bylaw amendment and refuse to give the bylaw first reading.

7. PERMIT APPROVAL OR REFUSAL

Upon receipt of a report under Section 5 above respecting an application for a permit, the Council may:

- a) Pass a resolution allowing the issuance of the permit;
- b) Pass a resolution allowing the issuance of the permit as amended by Council;
- c) Request additional information or minor adjustments to the permit;
- d) Table the application;
- e) Refuse the issuance of the permit.

8. NOTIFICATION OF THE APPLICANT

Where Council requires changes to the application for a bylaw amendment or a permit, the Town staff will notify the applicant of the required changes.

9. RECONSIDERATION

Where the applicant has made the required changes to the application, Council will reconsider the application for a bylaw amendment or a permit.

10. PUBLIC NOTICE

- a) For an amendment to the Official Community Plan or the Zoning Bylaw notice shall be given in accordance with Section 957 of the Municipal Act, except in those cases when Section 958 of the Municipal Act applies.
- b) Where Council proposes to pass a resolution to issue a Development Variance Permit, it shall give notice in accordance with Section 980(14) of the Municipal Act.
- c) Where Council proposes to pass a resolution to issue a Temporary Commercial or Industrial Use Permit, it shall give notice in accordance with Section 975(3) of the Municipal Act.
- d) The distance for sending notices under Section 957(3)(a)(iv), Section 958(3)(a)(iv), and Section 980(14)(b)(iv) of the Municipal Act is 60 metres.

11. PROCEDURE AFTER A PUBLIC HEARING

After a public hearing under Section 956 of the Municipal Act, Council has the authority conferred by and shall follow the procedure prescribed by Section 959 of the Municipal Act.

12. REFUSAL

Where an application under this Bylaw has been refused by the Town Council the Town staff shall notify the applicant and give reasons for the refusal.

13. RE-APPLICATION

Subject to Section 954(3) of the Municipal Act, re-application for an amendment or permit that has been refused by the Town Council will not be considered within a 6 month period immediately following the date of refusal. In accordance with the Municipal Act, the time limit for any re-application may be varied by an affirmative vote of at least 2/3 of the Town Council members eligible to vote on the re-application

14. REPEAL

The Town of Golden Re-Zoning and Development Permit Administration Bylaw Number 807, 1990 is hereby repealed in its entirety.

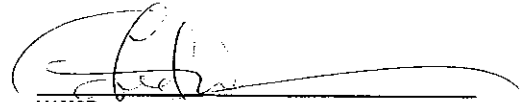
READ A FIRST TIME, this 7th day of October, 1991.

READ A SECOND TIME, this 7th day of October, 1991.

READ A THIRD TIME, this 7th day of October, 1991.

RECONSIDERED AND ADOPTED, this

21st day of October, 1991.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK

Certified to be a true and correct copy  
of Bylaw Number 832, cited as "Development  
Procedures Bylaw Number 832, 1991."

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

\_\_\_\_\_  
CLERK

SCHEDULE A  
APPLICATION FORM

For Office Use Only:

File # \_\_\_\_\_ Bylaw # \_\_\_\_\_  
Rec'd: \_\_\_\_\_ Fee Pd: \_\_\_\_\_  
ReZone From \_\_\_\_\_ To \_\_\_\_\_  
Change From \_\_\_\_\_ To \_\_\_\_\_  
Amendment To \_\_\_\_\_

I/We hereby apply for: (check where applicable)

- \_\_\_\_\_ an amendment to the text of Official Community Plan Bylaw Number 645, 1984 and/or change in Official Community Plan Land Use Designation.
- \_\_\_\_\_ an amendment to the text of Zoning Bylaw Number 646, 1984 and/or rezoning of property.
- \_\_\_\_\_ a Development Permit
- \_\_\_\_\_ a Development Variance Permit
- \_\_\_\_\_ a Temporary Commercial or Industrial Use Permit.

Respecting proposed development on the property described as (legal description):

\_\_\_\_\_

and located at (street address or general location) \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_  
Current Designation/Zone Proposed Designation/Zone

Required application fee of \$ \_\_\_\_\_ and the completed Information Form are attached.

\_\_\_\_\_ Date

\_\_\_\_\_ Applicant's Signature

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT

\_\_\_\_\_ Date

\_\_\_\_\_ Registered Owner's Signature

Where the Applicant is NOT the REGISTERED OWNER, the Application must be signed by the REGISTERED OWNER or his SOLICITOR.

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FOR OFFICE USE ONLY

APPLICATION FEE \$ \_\_\_\_\_ RECEIVED.

\_\_\_\_\_ Signature of Official

\_\_\_\_\_ Date

WHAT PARTS OF THE INFORMATION FORM SHOULD I FILL OUT?

You can use the following Information Form for several types of bylaw amendment and permit applications. You do not need to fill out all the information for every type of application.

The following is a list of what parts of the form you can leave out in each situation:

1. Amendment to the text of the Official Community Plan or change in the Official Community Plan Land Use Designation

DO NOT FILL OUT: 4(10) OR 4(11)

2. Amendment to the text of the Zoning Bylaw or rezoning of property

DO NOT FILL OUT: 4(10) OR 4(11)

3. Development Permit

DO NOT FILL OUT: 3, 4(5), 4(12), 4(13), 4(14), OR 4(15)

4. Development Variance Permit

DO NOT FILL OUT: 3, 4(5), 4(10), 4(12), 4(13), 4(14), OR 4(15)

5. Temporary Commercial or Industrial Use Permit

DO NOT FILL OUT: 3, 4(5), 4(10), 4(11), 4(12), 4(13), 4(14), OR 4(15)

INFORMATION FORM

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION.

This form is to be completed and submitted with all requested information, Application form (the first page), Application Fee, and Certificate of State of Title or of Indefeasible Title for the subject property.

Applicant and Registered Owner

1. (1) Applicant's Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_  
Telephone: Business \_\_\_\_\_ Home \_\_\_\_\_
- (2) Registered Owners' Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_  
Telephone: Business \_\_\_\_\_ Home \_\_\_\_\_
- (3) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as a proof of ownership.

Applicant Fee

2. An Application Fee as set out in Fees Bylaw Number 831, 1991 shall be made payable to the Town of Golden and shall accompany this application.

Text Amendment

3. Describe the Proposed Text Amendment \_\_\_\_\_  
\_\_\_\_\_

Subject Property and Development

4. (1) Legal Description in Full \_\_\_\_\_  
\_\_\_\_\_
- (2) Location (street address of property, general description or map)  
\_\_\_\_\_
- (3) Size of Property (Area, number of parcels) \_\_\_\_\_
- (4) Present Zone/Official Community Plan Designation \_\_\_\_\_  
\_\_\_\_\_
- (5) Proposed Zone/Official Community Plan Designation \_\_\_\_\_  
\_\_\_\_\_
- (6) Present Development Permit Area Designation in the Official Community Plan  
\_\_\_\_\_
- (7) Description of the Existing Use/Development \_\_\_\_\_  
\_\_\_\_\_
- (8) Description of Existing Use/Development on Surrounding Lots  
\_\_\_\_\_
- (9) Description of the Proposed Use/Development (use separate sheet if necessary)

(10) Description of Features of the Proposed Development to satisfy Development Permit Area Guidelines and Conditions set out in the Official Community Plan (copy of relevant section(s) of the Official Community Plan to be provided by Town Staff.)

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(11) Proposed Variation and/or Supplementation to Existing Regulation (if relevant)

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(12) Services Currently Existing or Readily Available to the Property (check applicable area)

Services	Currently Existing		Readily Available*	
	YES	NO	YES	No
Road Access	_____	_____	_____	_____
Water Supply	_____	_____	_____	_____
Sewage Disposal	_____	_____	_____	_____
Hydro	_____	_____	_____	_____
Telephone	_____	_____	_____	_____
Cable TV	_____	_____	_____	_____

\* Readily Available means existing services can be easily extended to the subject property line.

(13) Proposed Water Supply Method \_\_\_\_\_

(14) Proposed Sewage Disposal Method \_\_\_\_\_

(15) Approximate Commencement Date of Proposed Project \_\_\_\_\_

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Reasons in Support of Application

5. Reasons and comments in support of the application (use separate sheet if necessary)

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Attachments

6. At the time of providing the Application and Information Forms to the applicant, the Town Administrator or designated official will indicate which of the following attachments are required or not required for this Application. The Town Administrator or designated official may require additional information.

(1) A dimensioned Sketch Plan drawn to a scale of \_\_\_ to \_\_\_ showing the parcel(s) or part of the parcel(s) to be rezoned or redesignated and the location of existing buildings, structures and uses.

REQUIRED: Yes \_\_\_\_\_ No \_\_\_\_\_

(2) Photographs of the subject property showing existing buildings, structures and uses.

REQUIRED: Yes \_\_\_\_\_ No \_\_\_\_\_

(3) A dimensioned Site Development Plan drawn to a scale of \_\_\_ to \_\_\_ showing the proposed use, buildings and structures, highway access, etc.

REQUIRED: Yes \_\_\_\_\_ No \_\_\_\_\_

(4) A Contour Map (Plan) drawn to a scale of \_\_\_ to \_\_\_ with contour interval of \_\_\_\_\_, if warranted by the topographic condition of the subject site.

REQUIRED: Yes \_\_\_\_\_ No \_\_\_\_\_

(5) A dimensioned Sketch Plan drawn to a scale of \_\_\_ to \_\_\_ of the proposed subdivision, where subdivision is contemplated.

REQUIRED: Yes \_\_\_\_\_ No \_\_\_\_\_

(6) A dimensioned Site Plan and a dimensioned sketch or perspective rendering sufficient to illustrate elevations and exterior finish (required if the proposal involves an industrial, commercial, or multiple family development.)

REQUIRED: Yes \_\_\_\_\_ No \_\_\_\_\_

(7) A dimensioned Site Development Plan drawn to a scale of \_\_\_ to \_\_\_ showing the proposed approach to servicing the site, including water, sanitary sewer, drainage, road access, streets adjacent to subject property, on-street parking, etc.

REQUIRED: Yes \_\_\_\_\_ No \_\_\_\_\_

(8) A dimensioned landscaping and screening plan drawn to a scale of \_\_\_ to \_\_\_ showing proposed landscaping and screening features.

REQUIRED: Yes \_\_\_\_\_ No \_\_\_\_\_

(10) A conceptual elevation or perspective drawing of a typical structure or group of structures to illustrate building form and character of the proposed development.

REQUIRED: Yes \_\_\_\_\_ No \_\_\_\_\_

(11) Technical information or reports and other information required to assist in the preparation of the Permit, listed below:

Specific Reports:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

General:  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Signature

FOR OFFICE USE ONLY

Forms duly completed, received.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Officer