

CITY OF CRANBROOK Development Guide

Your
Step by
Step Guide to
Development in
the City of Cranbrook



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This document is a guide designed to assist people interested in planning and developing within the City of Cranbrook.

How we plan, develop and grow together for Cranbrook's future is outlined in this guide.

This guide makes reference to various City of Cranbrook Bylaws¹, including:

- Official Community Plan Bylaw;
- Zoning Bylaw;
- Subdivision and Development Servicing Bylaw;
- Development Procedures and Delegation Bylaw;
- Development Cost Charge Bylaw;
- Heritage Bylaw;
- Erosion and Sediment Control Bylaw;
- Floodplain Management Bylaw; and
- Sign Bylaw

Other information sources may include the *Local Government Act*, the *Community Charter*, the *Land Title Act* and *Strata Property Act*.

If there is any conflict between the statements in this *Guide* and a City Bylaw, the provisions of the bylaw shall prevail. In all cases where accuracy is essential, it is recommended that you refer to the specific bylaw.

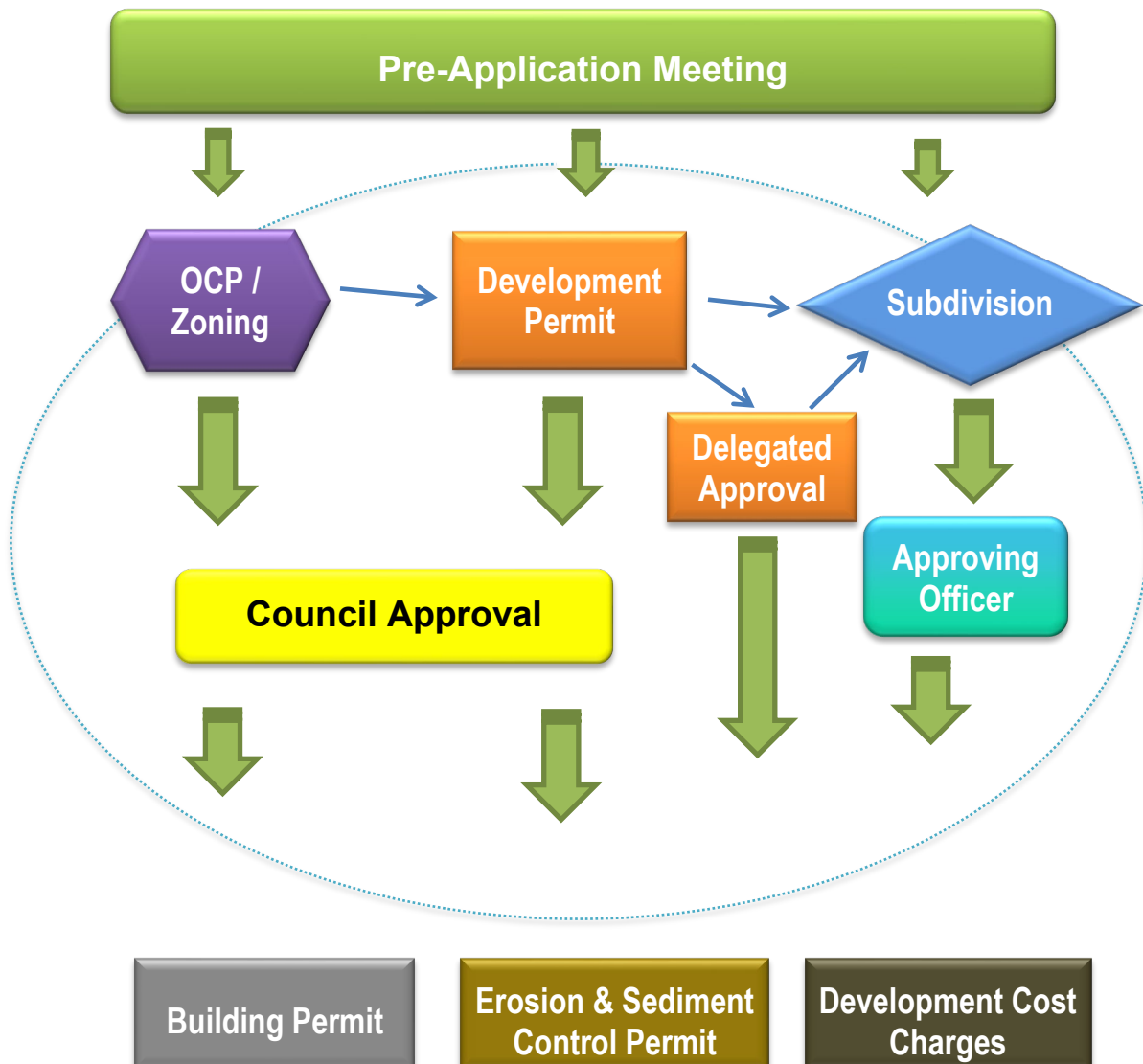
To illustrate possible planning and development process that you may encounter as part of your development, we have created a **Development Proposal Flow Chart**, which can help to: determine what approvals are required; understand the sequence in which approvals must occur; and to track your proposal progress. In addition, this guide contains a number of **Fact Sheets** which provide specific details on the various types of applications you may encounter or will be required to undertake prior to development. Each Fact Sheet is colour coded to coordinate with the Table of Contents for easier identification.

In addition to the **Guide**, the City of Cranbrook website hosts extensive information on all aspects of planning and development. Application forms are located under *eforms* and can be downloaded from the City's website. Paper copies are available, during regular business hours, from 8:30 a.m. - 4:30 p.m. at City Hall, **located at 40 – 10th Avenue South**.

If you have questions regarding the content of this guide or development services, staff are here to help you. Contact us by telephone: 250.426.4211.

¹ Located www.cranbrook.ca / Our City / Meetings & Bylaws / Bylaws

DEVELOPMENT PROPOSAL FLOW CHART



An application will not be processed until all required information and the Application Fee have been received.

If the application is declined, Council and the Director will not consider a re-application within six (6) months of refusal, unless the proposed development has been significantly changed or additional information has been added that was not available at the time of application.

Zoning Official Community Plan (OCP) and Zoning Bylaw Amendments are subject to public review and comment prior to final decision by Council.

If a property is within one or more of the City's Development Permit Areas (DPA), a Development Permit (DP) may be required to undertake development and/or alter the land and structures, including: subdivision, construction and exterior renovations.

OVERVIEW OF DEVELOPMENT PROPOSAL PROCESS

Subdivision

SUBDIVISION

Subdivision is the process of altering property (lot) boundaries. A Subdivision Application is required along with formal approval from the City's Approving Officer and registration of a new subdivision at the Land Titles Office prior to a Building Permit being issued.

ESC

EROSION & SEDIMENT CONTROL PERMIT

All development applications, including subdivision and building permit, or lands zoned commercial, industrial, or institutional shall include a completed ESC Permit Application. No construction shall occur until the City has issued an ESC Permit.

DCC

DEVELOPMENT COST CHARGES

DCC's may be imposed as part of the subdivision approval or building permit for the purpose of providing funding to assist the City in paying the capital cost of construction, sewage, water, drainage, highway facilities and park land associated with the development for which the charge is being imposed. Charges are listed in the City of Cranbrook Development Cost Charge Bylaw No. 3483, 2004, Schedule A.

CONCURRENT APPLICATIONS

If your development proposal requires more than one type of application (e.g., OCP/ Rezone, DVP, DPA, ESC Permit), staff are only able to provide comment on preliminary plans and/or review completed applications. However, they are not able to advance a Permit or Subdivision Application until the upper tier approvals have been acquired.

APPLICATION FEES

Information on Fees and Charges for development applications can be obtained from staff and are also located in the Development Procedures and Delegation Bylaw, Schedule A on our website at www.cranbrook.ca / Our City / Meetings and Bylaws / Bylaws.

TIMELINES

As every project is unique, no definite timeline can be provided. Factors that influence the speed of the application processing are: size and complexity of the project, the number of applications in progress, the completeness and quality submission materials, and whether the application is a stand-alone or a concurrent application linked to other types of application processes.

OVERVIEW OF DEVELOPMENT PROPOSAL PROCESS

OTHER CONSIDERATIONS

Every property and/or development proposal may have site specific considerations that require further attention, such as development variance; statutory right of way; covenant; floodplain implications, etc. Staff are here to advise you if such considerations are applicable to your application.

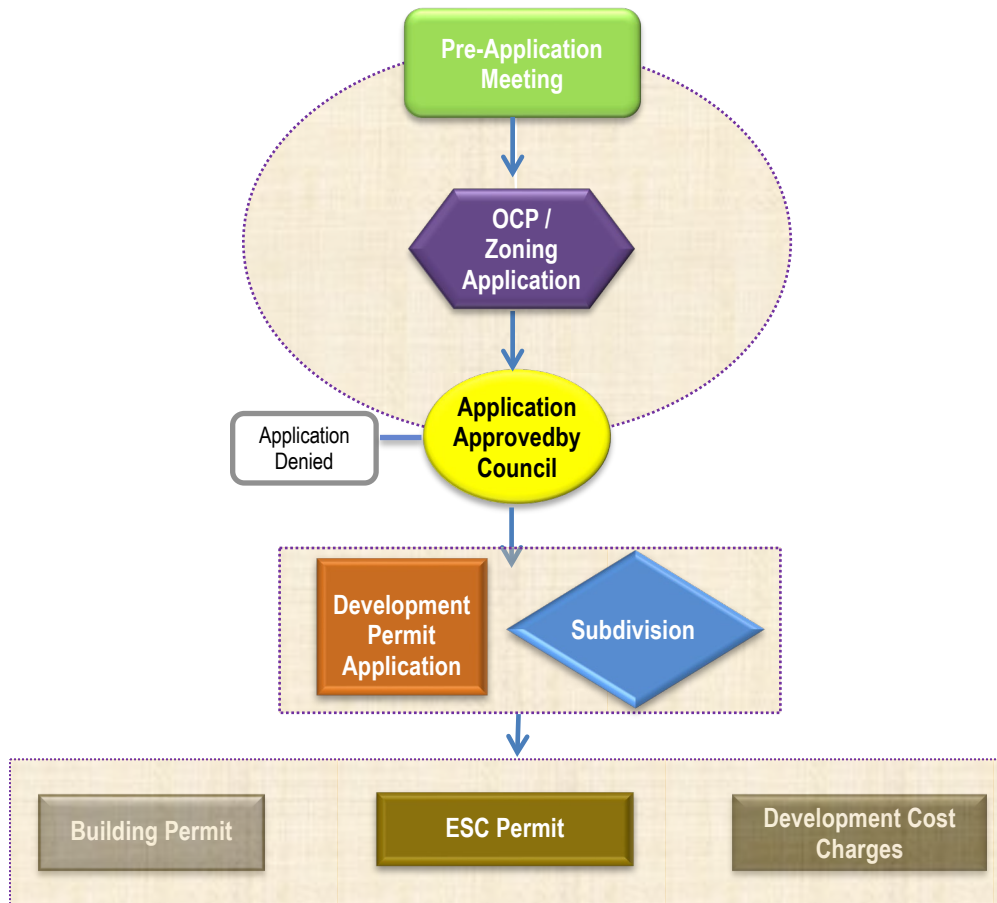
RESOURCES

Before submitting an application, you should familiarize yourself with the relevant policy and regulations found on our website at www.cranbrook.ca:

All Application Forms can be easily accessed by visiting the City's website under "eforms": cranbrook.ca/our-city/eforms

WE'RE HERE TO HELP!

The Planning team is available to assist with your pre-application questions.
Contact us by telephone at **250.426.4211**



WHAT IS AN OFFICAL COMMUNITY PLAN?

An Official Community Plan (OCP)¹ is a Bylaw that expresses the community's vision for the desired future growth and change for the City of Cranbrook.

An OCP is intended to be a 5 to 10 year planning document with some longer term vision that serves as a guide for Council in land use decision-making. The OCP contains the broad objectives, policies, range of uses and a map of the land use designations.

An OCP is developed with input from the community, other government agencies and First Nations before it is adopted by Council.

In British Columbia, the *Local Government Act* defines the statutory provisions for an OCP. It describes the content of OCPs and the process for the OCP Bylaw approval.

¹ Located [www.cranbrook.ca/Our City / Meetings & Bylaws / Bylaws](http://www.cranbrook.ca/Our%20City/Meetings%20&%20Bylaws/Bylaws)

WHAT IS THE DIFFERENCE BETWEEN AN OCP AND ZONING?

An OCP is a policy document; however, it has no regulatory effect. This means if Council wishes to control the use of private land then they must back up the OCP with appropriate regulatory bylaws such as a zoning bylaw.

OUR COMMUNITY PLAN

The current City of Cranbrook Official Community Plan¹ was adopted by Council in 2006 and has undergone a number of major amendments since that time.

OFFICIAL COMMUNITY PLAN AMENDMENTS

From time to time, changes to the OCP are proposed by the City or land owners. Individual property owners may apply to have the text of the OCP changed and/or have the Land Use Designation of their property amended.

Public involvement is part of the application review and decision making process. It may involve public information meetings or open houses, notifications in the newspaper and by mail out and public hearings. OCP amendments may be done apart from, or in conjunction with a rezoning application.

To help you determine if your proposal will require one or more processes and applications, refer to the ***Development Proposal Flow Chart*** and arrange to speak with staff about your project proposal.

ZONING BYLAW AND ZONING AMENDMENT (REZONING)

A Zoning Bylaw¹ is a regulatory Bylaw used to regulate land use. Zoning Bylaws typically contain a variety of zones that contain regulations for: allowable uses on property, setbacks for buildings and structures, minimum lot sizes, parking requirements and many other land use regulations.

Where a proposed land use does not meet the requirements of the zone in which it is located, an owner of a property may apply to Council for a zoning amendment.

The success of a rezoning application depends on several factors in accordance with the objectives and policies of the OCP. In addition, the proposal should be compatible with the use of surrounding properties.

¹ Located www.cranbrook.ca / Our City / Meetings & Bylaws / Bylaws

STEPS TO TAKE PRIOR TO SUBMITTING AN APPLICATION

1. Arrange a Pre-Application meeting with Planning staff.
or
Call the City Planner to discuss your proposal.
2. Review the Official Community Plan and Zoning Bylaw to ensure consistency with the established guidelines.
3. Consult with Engineering staff to determine what municipal services are currently available and what may be required to support the proposal.
4. It is also recommended to contact any adjacent properties and nearby property owners to advise them of your proposal. This may help to identify and resolve issues or concerns that may arise.

STEPS IN SUBMITTING AN OCP / ZONING APPLICATION

The submission of a complete OCP/Zoning Application² must include at least the following:

1. Completed signed application form that clearly indicates the “property owner” and “the applicant”.
2. If the land is registered to a numbered or named company, the names of the principals of the numbered company need to be supplied. This can be done with a BC Company Summary.
3. If the application is being submitted on behalf of the property owner, a signed Owner Authorization Form², (dated no later than 10-days prior to the application) must be provided. A signed letter from the owner providing authorization may also be acceptable.
4. A copy of the current Certificate of Land Title(s) for the lands involved. The Title cannot be dated more than 10-days prior to the application and must include all copies of Covenants and Caveats registered on Title.

Printed copies of Certificate of Title(s) and documents registered against Title are available through:

- BC Land Title & Survey: www.ltsa.ca/cms/
 - First Registry Services Ltd. www.firstregistry.ca/home.html.
 - Notary Public or a Lawyer.
5. If applicable, other information you may need to provide can include ALR Approvals, Site Profile or Controlled Access Permit.
 6. A letter describing the proposal, existing land use(s), proposed land use and development. Please include rational supporting the proposed development.

² Located www.cranbrook.ca/our-city/eforms

FACT SHEET 1: OCP + ZONING

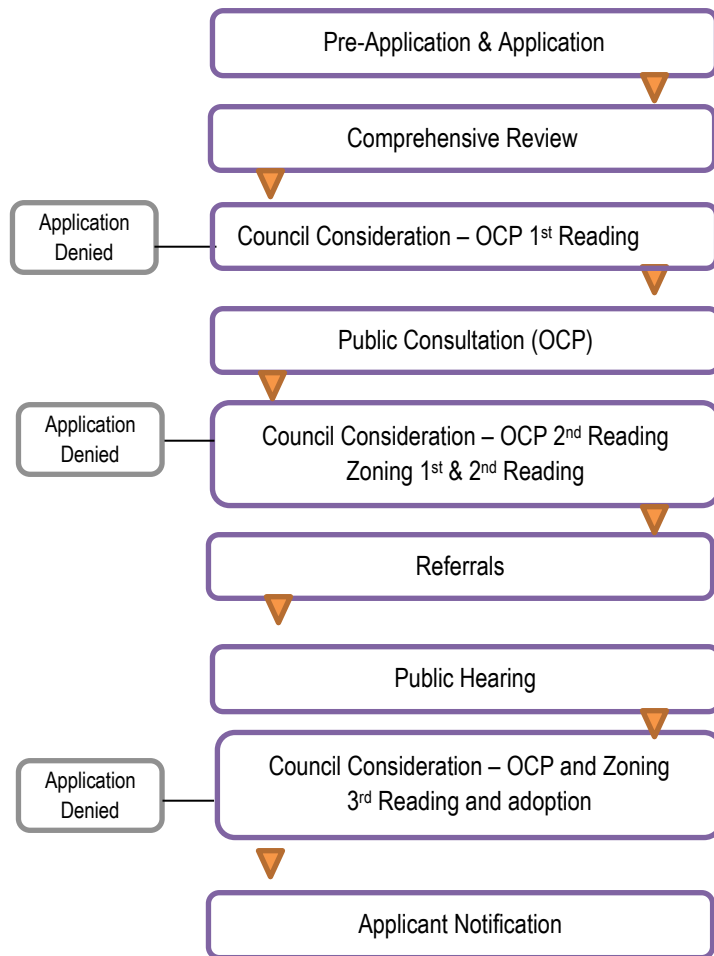
7. Two sets of accurate site development plans showing: the proposed buildings, structures, uses, highway access points, location, number and dimension of off-street parking spaces, location and dimension of Statutory Right of Ways.
8. Other supplemental information that may be required include: site photos and technical documents.
9. Payment of the Application Fee³.

STEPS IN PROCESSING AN APPLICATION

1. Planning staff will undertake a preliminary review of all submitted information to ensure completeness.
2. The application may be referred to the internal Development Review Committee for comment.
3. Staff will prepare a Council Report which will include: a planning analysis, draft OCP and/or Zoning Amendment Bylaw(s) and recommendation(s) for Council's consideration.
4. Council will consider the requested amendment and may direct staff to proceed with Public Consultation. If Council does not proceed with the application, the application may be denied ending the process.
5. Public Consultation invites members with an interest in the proposal to comment and is typically done by the following:
 - Notification is circulated to the owners / occupants of property within 30 meters of the subject property, where applicable, and
 - Public Consultation ad is placed in the local newspaper.
6. A Public Hearing is an opportunity for the public to comment. When the Public Hearing is held, staff on behalf of the applicant will have the opportunity to present the proposal and members of the public may comment. After the Public Hearing is adjourned, Council cannot receive any further representation or new information concerning the bylaw.
7. Council will consider any comments received as part of the consultation process and may:
 - Proceed with third reading of the Amendment Bylaw;
 - Require that the development plans or amended bylaw be revised; and
 - Refuse to proceed with the amendment bylaw, ending the process.
8. After Council has given third reading to the Amendment Bylaw, any outstanding matters must be resolved prior to the bylaw being considered for final adoption.
9. If adopted, the OCP/Zoning amendment process is complete.

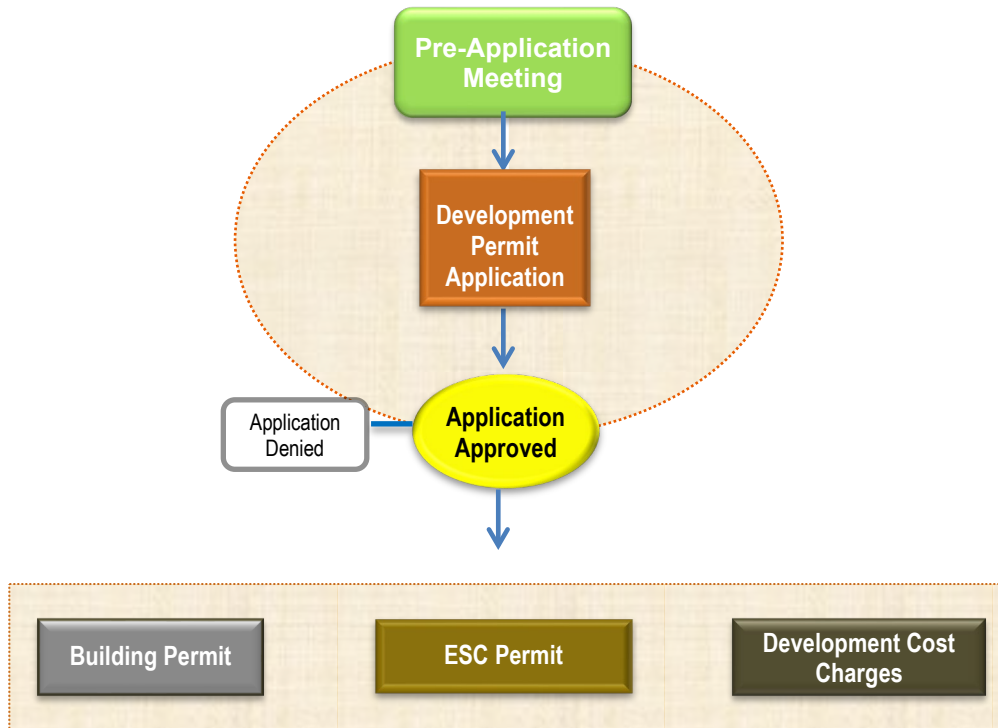
³ Application Fees can be found on Schedule A of the Development Procedures and Delegation Bylaw No. 3873,2016
Located www.cranbrook.ca/our-city/meetings-and-bylaws / Development Procedures and Delegation Bylaw

THE BYLAW AMENDMENT PROCESS:



The above process is based on a complete application with no requirements for further studies or approvals

NOTES:



WHAT IS A DEVELOPMENT PERMIT?

The *Local Government Act* enables the City to designate Development Permit Areas as part of an Official Community Plan¹.

In the City of Cranbrook, the main categories of Development Permits are:

- **Natural Environment** which include:
 - Joseph Creek Development Permit Area
 - Aquifer Protection Development Permit Area
 - Environmentally Sensitive Develop Permit Area
 - Geothermal Development Permit Area
- **Hazardous Conditions** which include:
 - Steep Slopes Development Permit Area
 - Wildfire Hazard Development Permit Area
- **Commercial Development Permit Area** which include:
 - General Commercial Development Permit Area
 - Highway Corridor Commercial Development Permit Area
 - Downtown Commercial Development Permit Area
 - Neighbourhood Commercial Development Permit Area

¹ Located www.cranbrook.ca / Our City / Meetings & Bylaw / Bylaws

FACT SHEET 2: DEVELOPMENT PERMIT

- *Multi-Family Residential Development Permit Area*
- *Baker Hill Development Permit Area*
- *Industrial Development Permit Area*
- *Airport Lands Development Permit Area*

In areas designated as Development Permit Areas, land shall not be subdivided or developed and no construction shall start unless the property owner first obtains a Development Permit.

STEPS TO TAKE PRIOR TO SUBMITTING AN APPLICATION

1. Arrange a Pre-Application Meeting with Planning staff.
or
2. Call the City Planner to discuss your proposal.
3. Review the Official Community Plan and Zoning Bylaw to ensure consistency with the established guidelines.
4. Consult with Engineering staff to determine what municipal services are currently available and what may be required to support the proposal.

STEPS IN SUBMITTING A DEVELOPMENT PERMIT (DP) APPLICATION

The submission of a DP Application¹ needs to include at least the following:

1. Completed and signed Application Form that clearly indicates the “property owner” and “the applicant”.
2. If the land is registered as a numbered or named company, the names of the principals of the numbered company need to be supplied. This can be done with a BC Company Summary.
3. If the application is being submitted on behalf of the property owner, a signed Owner Authorization Form¹ (dated no later than 10-days prior to application) must be provided, or submit a letter from the owner providing authorization.
4. A copy of a current Certificate of Land Title(s) for the lands involved. The Title cannot be dated more than 10-days prior to the application and must include all copies of Covenants and Caveats registered on Title.

¹ Located www.cranbrook.ca/our-city/eforms

FACT SHEET 2: DEVELOPMENT PERMIT

Printed copies of Certificate of Title(s) and documents registered against Title are available through:

- BC Land Title & Survey: www.ltsa.ca/cms/
 - First Registry Services Ltd. www.firstregistry.ca/home.html.
 - Notary Public or a Lawyer.
6. A letter describing the proposal, existing land uses, proposed use and development, and rational in support of the proposed development. In the case of a form and character development permit application, please include details about the exterior “treatment”.
 7. Two sets of accurate site development plans showing the proposed buildings, structures, uses, highway access points, location, number and dimensions of off-street parking spaces, location and dimensions of Statutory Right of Ways.
 8. Payment of the Application Fee².

In the case of a **Natural Environment Development Permit Application**, (Joseph Creek Development Permit Area; Aquifer Protection Development Permit Area; Environmentally Sensitive Development Permit Area; Geothermal Development Permit Area), plans should show the following:

- Existing buildings, structures, highway access and parking;
- Proposed buildings, structures and uses; and
- Proposed highway access and parking.

In addition, the application shall be accompanied by a site assessment report from a Qualified Professional, with experience in the relevant discipline, addressing the applicable development permit guidelines, as set out in the Section 20, City of Cranbrook Official Community Plan, 3550, 2006¹.

In the case of a **Hazardous Conditions Development Permit Application**, (Steep Slopes Development Permit Area; Wildfire Hazard Development Permit Area) plans must be accompanied by applicable studies, such as: geotechnical report or wildfire assessment report. The reports are to be prepared by a Qualified Professional and address the applicable development permit guidelines, as set out in the Section 20, City of Cranbrook Official Community Plan, 3550, 2006¹.

¹ Located www.cranbrook.ca / Our City / Meetings & Bylaws / Bylaws

²Application Fees can be found on Schedule A of the Development Procedures and Delegation Bylaw No. 3873,2016
Located www.cranbrook.ca / Our City / Meetings & Bylaws / Bylaws / Development Procedures and Delegation Bylaw

FACT SHEET 2: DEVELOPMENT PERMIT

In the case of **Commercial, Multi-Family Residential, Baker Hill, Industrial and Airport Lands Development Permit Application**

(General Commercial Development Permit Area; Highway Corridor Commercial Development Permit Area; Downtown Commercial Development Permit Area; Neighbourhood Commercial Development Permit Area) plans should show the following:

- Existing buildings, structures, highway access and parking;
- Proposed buildings, structures and uses;
- Proposed highway access and parking;
- All elevations;
- Exterior treatment, including a material list and colours;
- Landscaping plan, including a plant list; and
- Other pertinent information.

STEPS IN PROCESSING AN APPLICATION

1. Planning staff will undertake a preliminary review of all submitted information to ensure completeness.
2. Planning staff may refer the application to non-municipal agencies such as the Ministry of Environment, The Ministry of Transportation and Infrastructure and the Interior Health Authority.
3. Planning staff will review the information provided in the application and the compliance of the application with the applicable development permit guidelines.

Tip: *In the preparation of your application, review the applicable development permit guidelines (Section 20, City of Cranbrook Official Community Plan, 3550, 2006¹) to ensure that each of the applicable items have been addressed in the application information.*

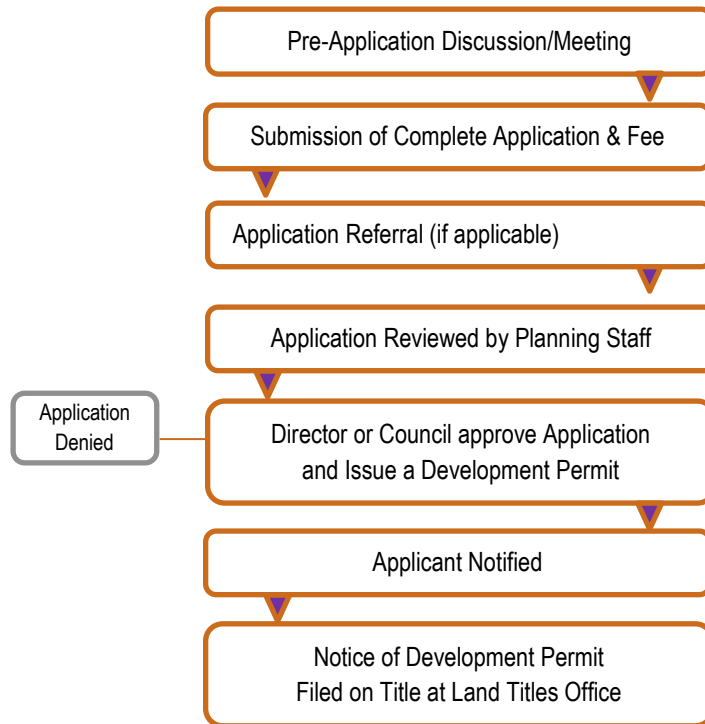
4. “City of Cranbrook Development Procedures and Delegation Bylaw No. 3873, 2016¹” has delegated Development Permit approvals to staff subject to meeting certain conditions. For example, if the Development Permit does not require a variance the application may be approved by the Director. If the Development Permit requires Council’s approval the application will be reviewed and considered at a Regular Meeting of Council.
5. The Development Permit is issued and the applicant will receive a copy. A notice will be filed with the Land Title Office (LTO) that a Development Permit has been issued and the LTO will then make a notation on the title of the property that the site is subject to a Development Permit.

¹ Located www.cranbrook.ca / Our City / Meetings & Bylaws / Bylaws

FACT SHEET 2: DEVELOPMENT PERMIT

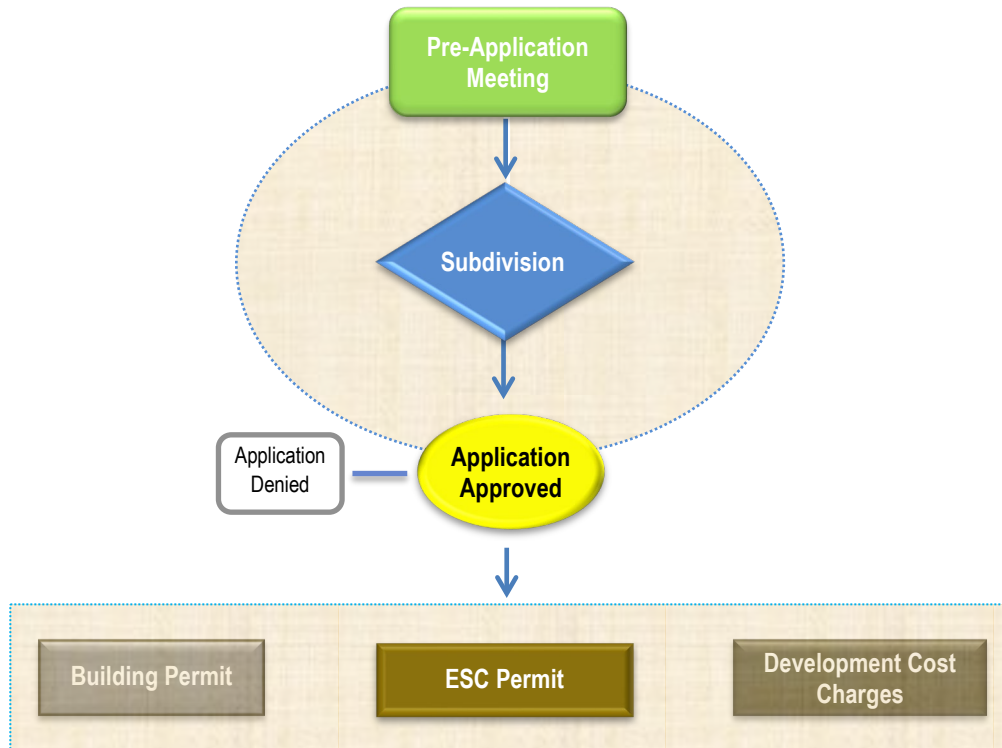
6. If a security deposit has been given to the City to ensure completion of landscaping, the security will be returned upon inspection once the landscaping has been completed in accordance with the Development Permit.

THE DEVELOPMENT PERMIT PROCESS:



The above process is based on a complete application with no requirements for further studies or approvals

NOTES:



WHAT IS SUBDIVISION?

Subdivision is the process of creating new parcels of land or altering existing property (lot) boundaries. The subdivision approval process requires formal approval from the City of Cranbrook's Approving Officer, and registration of a new subdivision with the Land Titles Office (LTO).

The *City of Cranbrook Subdivision and Development Servicing Bylaw*¹ sets further standards and requirements to aid the City in reviewing subdivision applications.

City Council has no jurisdiction over subdivision approvals except for existing building strata conversions.

¹ Located <http://www.cranbrook.ca> Our City / Meetings and Bylaws // Bylaws

WHEN IS A SUBDIVISION APPLICATION REQUIRED?

A subdivision application is required when:

- Creating two or more lots from one or more existing lots;
- Adjusting or realigning an existing property line;
- Consolidation of lots created under different plan numbers;
- Dedicating road allowance;
- Creating a bare land strata development;
- Converting an existing multi-unit building to strata title ownership; and
- Leasing a portion of a parcel for a term longer than 3 years.

Subdivision approval is not usually required from an Approving Officer when consolidating two or more properties into one lot if they were originally created by the same legal plan.

STEPS TO TAKE PRIOR TO SUBMITTING AN APPLICATION

1. Arrange a Pre-Application Meeting with the City's Engineering Staff and/or Approving Officer, who can provide advice on submission requirements and answer questions.

or
2. Call the City's Engineering Staff or Approving Officer to discuss the proposal.
3. Consult the Official Community Plan¹ and Zoning Bylaw¹ to determine consistency with these documents.
4. Check with the City Engineer. All development must provide water, sanitary sewer, storm sewer systems, and other services at the developer's costs. In addition, roads, lanes and sidewalks adjacent to the land being subdivided may be required for proposed subdivisions which must meet the requirements of the Subdivision and Development Servicing Bylaw¹.

THE SUBDIVISION APPLICATION PROCESS

Either the registered property owner or an authorized agent may make the application. The submission of a Subdivision Application needs to include a Subdivision Application Form² and Subdivision Checklist². All information requested in the Subdivision Checklist must be provided at the time of submission to avoid delays in the processing of applications.

1. If the land is registered as a numbered or named company, the names of the principals of the numbered company need to be supplied.

¹ Located [www.cranbrook.ca / Our City / Meetings and Bylaws / Bylaws](http://www.cranbrook.ca/Our%20City/Meetings%20and%20Bylaws/Bylaws)

² Located www.cranbrook.ca/our-city/eforms

FACT SHEET 3: SUBDIVISION

2. If the application is being submitted on behalf of the property owner, a signed Owner Authorization Form² (dated no later than 10-days prior to application) must be provided.
3. A copy of a current Certificate of Land Title(s) for the lands involved. The Title(s) cannot be dated more than 10-days prior to application and must include all copies of Covenants and Caveats registered on Title.

Printed copies of Certificate of Title(s) and documents registered against Title are available through:

- BC Land Title & Survey: www.ltsa.ca/cms/
 - First Registry Services Ltd. www.firstregistry.ca/home.html.
 - Notary Public or a Lawyer.
4. If applicable, submission of other related information such as Agricultural Land Reserve (ALR) approvals, Site Profiles and Controlled Access Permits may be required.

APPLICATION REFERRAL:

5. After a preliminary review, the Approving Officer will refer the application to the appropriate internal City departments and external agencies. This may include Planning, Community Services, Building, Engineering, Public Works, Fire and Emergency Services and RCMP. Referrals may also be made to the Ministry of Transportation and Infrastructure, and / or the Provincial Ministry of Environment. When an application is sent to external agencies it can take up six to eight weeks to review.

SUBDIVISION ADVISORY COMMITTEE:

6. The Subdivision Advisory Committee (which includes City staff from Planning, Engineering, Public Works, Fire & Emergency, and Community Services Departments), reviews the Subdivision Application to ensure it meets with City standards. The Committee may refer the Application to the neighbouring property owners for comment if the neighbourhood's established amenities may be negatively impacted by the proposed subdivision

REQUIREMENTS LETTER:

7. The applicant may be sent a letter, if required, to supply further information to assist the Committee in its review. This may include a soils report, proposed lot grading and site servicing plans, a flood proofing study, and / or a transportation impact study.

PRELIMINARY LAYOUT APPROVAL (PLA):

8. Upon receipt of all required information by the Approving Officer, a Preliminary Layout Approval (PLA) with conditions that must be met prior to final approval may be issued.

FACT SHEET 3: SUBDIVISION

The PLA is valid for one year from the date the Approving Officer grants approval. If the conditions cannot be satisfied within one year, an application for an extension may be requested from the Approving Officer, in writing, before the date of expiration. Upon review of the extension application, the Approving Officer may add to or revise the PLA conditions.

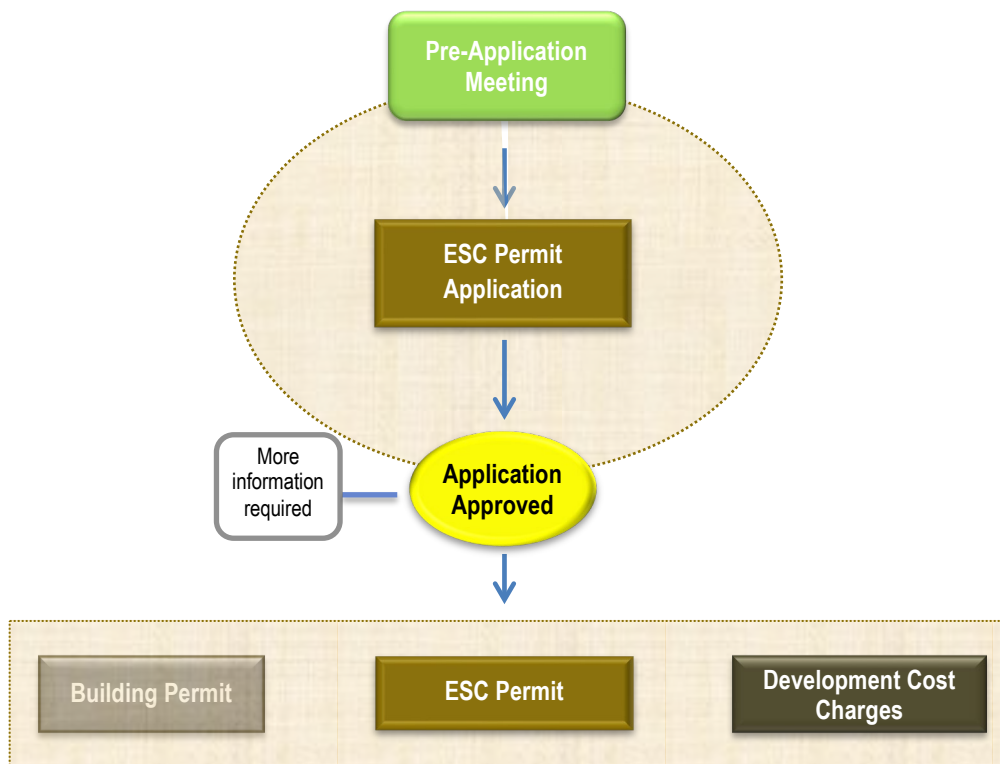
FINAL SUBDIVISION APPROVAL:

9. The Approving Officer will give final approval to the proposed subdivision subject to satisfying all conditions stated in a valid PLA. The final subdivision approval is a formal acceptance of surveyed subdivision plans.

REFUSAL OF SUBDIVISION:

10. Subdivision Applications may be refused under the relevant provisions of the Subdivision and Development Servicing Bylaw¹, the *Local Government Act*, the *Land Titles Act*, the *Strata Property Act*, etc., as the case may be. The Approving Officer will state the reasons for refusing an application

¹ Located www.cranbrook.ca / Our City / Meetings and Bylaws / Bylaws



WHAT IS AN EROSION & SEDIMENT CONTROL PERMIT?

The City of Cranbrook has an Erosion and Sediment Control Bylaw¹ which is intended to protect the environmental well-being of the community, by limiting the amount of sediment and sediment laden water entering the storm system and surrounding water bodies.

WHEN IS AN EROSION & SEDIMENT CONTROL PERMIT APPLICATION REQUIRED?

All development activities, including subdivision and building construction, require an Erosion and Sediment Control (ESC) Permit where land is zoned commercial, industrial or institutional as per the City of Cranbrook Zoning Bylaw.

No construction shall occur until the City has issued an ESC Permit. An ESC application must be submitted to the City and must include an ESC plan prepared by a Qualified Professional.

¹ Located [www.cranbrook.ca / Our City / Meetings & Bylaw / Bylaws](http://www.cranbrook.ca/Our%20City/Meetings%20&%20Bylaw/Bylaws)

FACT SHEET 4: EROSION AND SEDIMENT CONTROL PERMIT

All development activities, including building construction, where land is not zoned commercial, industrial or institutional and where the developable area is less than 2000 m², shall be required to utilize best management practices to control erosion and sediment as set out in Schedule “B” of the Erosion & Sediment Control Bylaw No. 3692, 2010¹. A signed Schedule “B” is required before any development activity is to take place.

STEPS TO TAKE PRIOR TO SUBMITTING AN APPLICATION

1. Arrange a Pre-Application Meeting with the City’s Erosion and Sediment Control (ESC) Coordinator who is part of the Engineering staff.

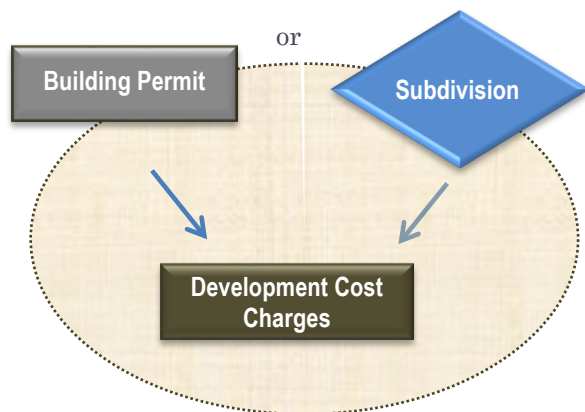
or

2. Call the City’s ESC Coordinator to discuss the proposal and requirements of the application.

SUBMITTING AN EROSION & SEDIMENT CONTROL (ESC) APPLICATION

1. Pre-application meeting or phone call with the ESC Coordinator.
2. Submission of an Erosion and Sediment Control Permit Application, prepared by a Qualified Professional, including the required fees and security deposit. The ESC Application and information on fees is available in the Erosion and Sediment Control No. 3692, 2010¹
3. Application review by the ESC Coordinator.
4. Consultation with the applicant and/or the Qualified Professional for any additional information required.
5. ESC Coordinator issues an ESC Permit.

¹ Located www.cranbrook.ca / Our City / Meetings & Bylaws / Bylaws



WHAT ARE DEVELOPMENT COST CHARGES (DCC's)?

Development Cost Charges (DCC's) are monies collected, at the time of development, to offset a portion of the capital costs paid by local governments for expanding or upgrading municipal services which happen as a result of new development.

WHAT ARE DEVELOPMENT COST CHARGES COLLECTED FOR?

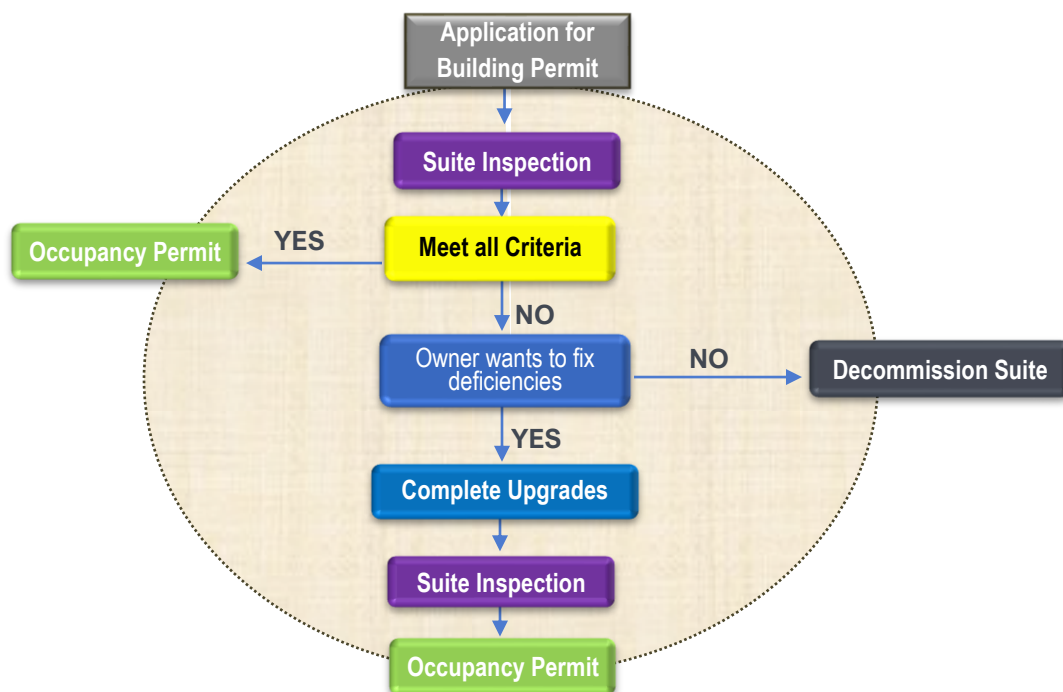
In accordance with the *Local Government Act*, DCC's are collected for the expanding or upgrading of the following municipal services only: roads, water, sewer, drainage and parkland acquisition and improvements.

WHEN DO I HAVE TO PAY DEVELOPMENT COST CHARGES?

Development Cost Chargers are typically paid by applicants when seeking approval for subdivision or at the time of building permit application and is dependent on the specific nature of the project. Please contact the City's Engineering Department to discuss when you may be required to pay DCC's.

HOW ARE DEVELOPMENT COST CHARGES CALCULATED?

In general terms, the DCC's are calculated based on the City's DCC rates for each of the municipal services as identified. The rates are established by a Bylaw which is adopted by Council. For specific DCC rates please contact the Engineering Department.



ARE SECONDARY SUITES PERMITTED?

Yes, Secondary Suites are permitted in specific zones within the City of Cranbrook. The Zoning Bylaw, Building Bylaw and the *BC Building Code* provide the regulations and requirements. City Council approved a Secondary Suites Implementation Policy which guides the implementation process.

WHY SHOULD I LEGALIZE MY SECONDARY SUITE?

Secondary Suites provide affordable housing for many people; however the City wants to ensure they are safe and livable. By legalizing your suite, the City can ensure that at the time of approval the suite met all safety and building requirements. This can also help with a potential future sale, knowing that the suite has been approved by the City. Illegal suites may also have insurance and / or mortgage implications.

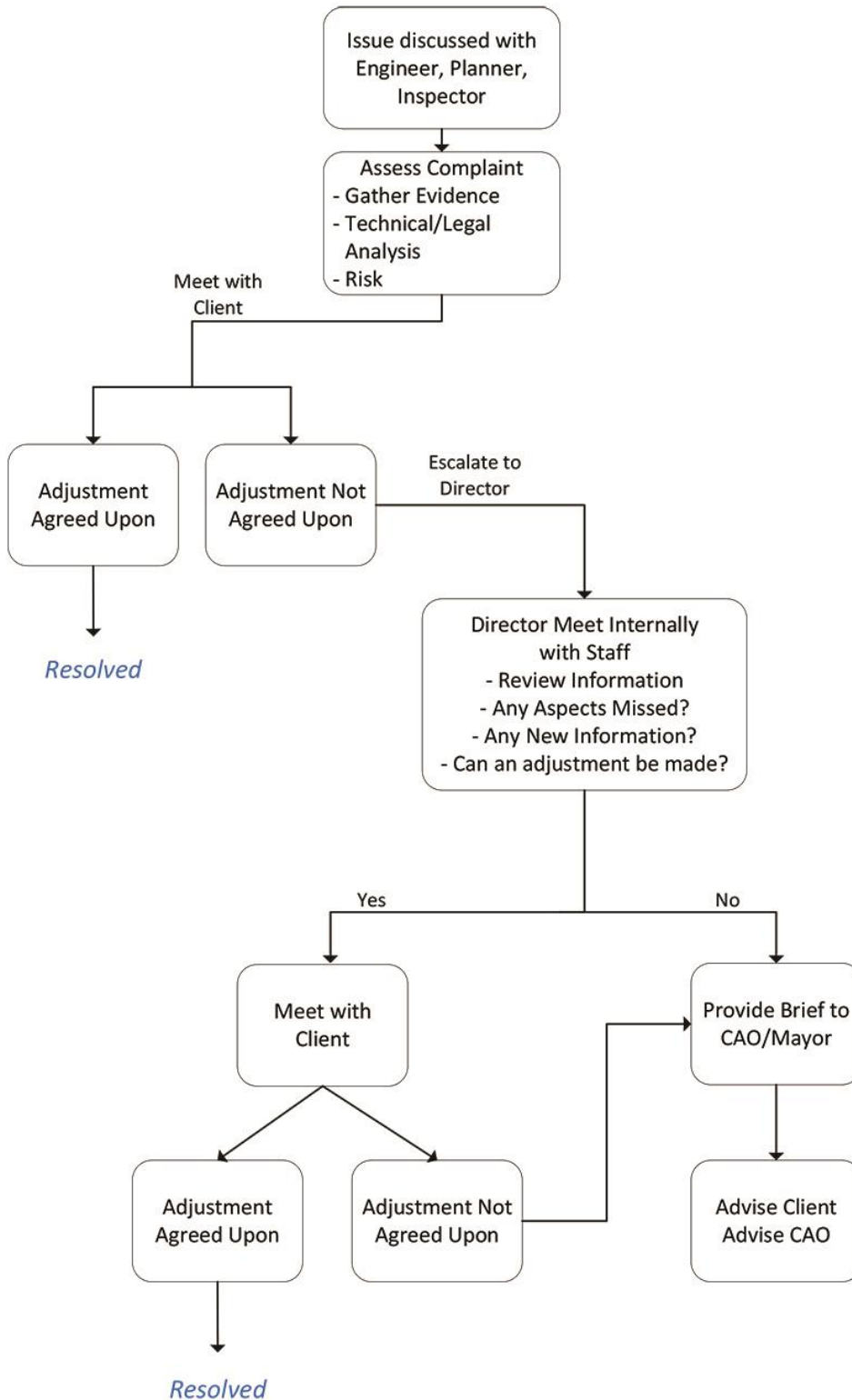
HOW DO I LEGALIZE MY SECONDARY SUITE?

An application for a Building Permit must be completed and submitted with supporting documents to the Building Division. A pre inspection will be scheduled and the Building Inspector will advise of any deficiencies that must be addressed before an Occupancy Permit can be issued.

IS THERE A DEADLINE TO LEGALIZE MY SECONDARY SUITE?

City Council has approved a 2 year amnesty period which Secondary Suite owners can legalize an existing Secondary Suite or build a new suite without paying the prescribed Building Permit fees and utility fees. After the 2 year amnesty period, owners will be required to pay the associated fees and may be subject to penalty and possible decommissioning of an illegal Secondary Suite.

FACT SHEET 7: ISSUE RESOLUTION PROCESS



FACT SHEET 7: ISSUE RESOLUTION PROCESS

These procedures set out the steps to resolve concerns and/or differences between City of Cranbrook staff and residents, property owners, business owners, and developers on a variety of issues around a specific project.

Those issues can include, but are not limited to:

- Building Code requirements
- Contractual, Bylaw, and Legislative Requirements
- Development Permits
- Development Variance Permits
- PLA's
- Subdivision Agreements
- Building Permits
- Technical Standards
- Applications for Zoning and OCP Bylaw Amendments

Clients are to first work with the line staff assigned to the issue. If the issue cannot be resolved within one week, provided the required information has been received, and staff and client have been available to meet, then the issue is to be moved along to the next level within the department. Ultimately, if it cannot be resolved there, it is to be elevated to the director of the department. The director may contact staff and the client for additional input, will review the request independently, and provide a final departmental decision. The director will then advise the CAO and the Mayor of the nature of the discussions and the outcome.

If members of Council are contacted by the client, they are to redirect the client to follow this process within the department to resolve (as shown in flowchart).

City staff will work in a manner to ensure building or development projects are able to move ahead as quickly as possible, while also ensuring that building codes, public safety, bylaw related issues, contractual requirements and technical standards are met and adhered to.

OTHER CONSIDERATIONS

There may be a number of other items that affect the processing of your application or approvals for your development. The following is a list of the most common items for consideration that may affect development approvals. Please note that this is not intended to be a complete list nor provide detailed descriptions of items, however, they are some of the more common ones encountered.

Variations – Board of Variance and Development Variance Permits are tools used by local governments to vary certain provisions of bylaws when they cannot be met. However, the *Local Government Act* specifically restricts a local government from varying use, density and floodplain regulations. If you think your proposal may require a variance you should contact the Engineering Department to discuss your proposal.

Restrictive Covenants - Restrictive Covenants are agreements between two parties, typically a land owner and a government agency that is registered on the Title of a property. Covenants can be used to restrict use and development on land and outline areas on a parcel where development may or may not occur. Restrictive Covenants are legally binding and remain with the affected properties.

To determine if your property is encumbered by a Restrictive Covenant you will need to check the Certificate of Land Title for your property and consult with your legal counsel to determine the nature of the covenant.

Statutory Rights-of-Way & Easements - Statutory Rights-of-Way and Easements are legal agreements registered on the Title of the property. They can be used for a variety of reasons including outlining areas of land for Federal, Provincial, Municipal or utility infrastructure. Often the agreements contain specific details with respect to access, use and development with the areas encumbered by the right-of-way or easement.

To determine if your property is encumbered by a right-of-way or easement you will need to check the Certificate of Land Title of your property and consult with your legal counsel to determine the nature of the agreements.

Floodplain Bylaw – The City of Cranbrook has a Floodplain Management Bylaw No. 3612, 2008¹ which establishes specific regulations for development within the floodplain. Contact the Engineering or Development Services Department for details of the bylaw.

Ministry of Environment Site Profile – Site Profile forms are required to be submitted with certain types of Rezoning, OCP, Development Permits and Development Variance Permits. Contact the Development Services Department for details on the requirements.

¹ Located www.cranbrook.ca / Our City / Meetings & Bylaws / Bylaws

APPENDIX 1 - TABLE OF FEES

[Schedule A Development Procedures and Delegation Bylaw No. 3873, 2016]

OFFICIAL COMMUNITY PLAN AMENDMENT	\$1,200
<ul style="list-style-type: none"> Refund for application cancelled prior to Public Hearing only 	\$600
ZONING BYLAW AMENDMENT	\$1,200
<ul style="list-style-type: none"> Refund for application cancelled prior to Public Hearing only 	\$600
COMBINED OFFICAL COMMUNITY PLAN AND ZONING BYLAW AMENDMENT	\$1,600
<ul style="list-style-type: none"> Refund for application cancelled prior to Public Hearing only 	\$800
DEVELOPMENT VARIANCE PERMIT	\$400
DEVELOPMENT PERMITS:	
<ul style="list-style-type: none"> Commercial / Multi-Family / Industrial 	\$600
<ul style="list-style-type: none"> Commercial Façade Improvement 	\$300
<ul style="list-style-type: none"> Natural Environment / Hazardous Conditions 	\$300
<ul style="list-style-type: none"> Baker Hill Development Area <ul style="list-style-type: none"> New Single Family Dwelling or Duplex and addition to an Existing Residential Dwelling 	\$100
<ul style="list-style-type: none"> <ul style="list-style-type: none"> Accessory Building 	\$50
DEVELOPMENT PERMIT AMENDMENT	\$100
STRATA CONVERSIONS OF EXISTING BUILDINGS	
<i>(Application procedures defined under City of Cranbrook Subdivision and Development Servicing Bylaw No. 3633, 2008)</i>	
<ul style="list-style-type: none"> Four (4) Units or Less 	\$100 Plus \$25 per Unit
<ul style="list-style-type: none"> More than Four (4) Units 	\$300 Plus \$25 per Unit

BOARD OF VARIANCE	\$300
<i>(Application procedures defined under City of Cranbrook Board of Variance Bylaw No. 3653, 2009)</i>	
HOUSING AGREEMENT	
• Accessory Dwelling Unit	\$250
HERITAGE ALTERATION PERMIT	\$300
LIQUOR LICENSES	
• Liquor Primary or Food Primary	\$400 plus \$550 for advertising <i>if required</i>
• Applications other than Liquor or Food Primary	\$150
CANNABIS RETAIL LICENSE	\$500