



Doing Business in Golden

A Guide to Municipal Processes for Development in Golden

When you're planning a development, understanding local government requirements to get from start to finish can be challenging. This guide is intended to help you understand the necessary steps involved for land development within the Town of Golden. In turn, this will assist you to better plan for and anticipate community requirements, providing for a more seamless and efficient process on your way to success.

Understanding Local Government

The Town of Golden is an incorporated municipality, governed by an elected Mayor and Council. The Town exercises a range of controls to ensure compliance with provincial statutes and community plans, similar to most municipalities in North America.

Guiding Documents

The Official Community Plan (OCP)

The Town of Golden has an official community plan (OCP) that provides a blueprint for future development. It identifies different types of land uses – residential, commercial, industrial and institutional (schools and parks, for example).

The OCP also identifies needed improvements to the town's infrastructure (water, sewer and roads) as the town continues to develop. It shows which roads are major and which are residential. The roads that will receive more traffic must be developed to a higher standard. The plan also includes maps showing future land uses, development permit areas and temporary use permit areas.

The OCP also contains areas called development permit areas (DPAs.) These are areas of commercial, multi-family residential and industrial development for which town Council reviews plans to ensure that the highest quality of development is achieved.

The town is in the process of updating the OCP to provide developers with design guidelines for their architects and designers to assist them in formulating their proposals.

In some cases, businesses may wish to operate for just a short period of time. Examples include fruit stands and asphalt plants. The OCP identifies areas where temporary commercial and industrial land uses may be located.

The OCP includes maps showing future land uses, future road locations, development permit areas and temporary use permit areas.

The OCP is a fluid document that should and will be modified on an ongoing basis through thoughtful consideration by the community and Town Council, as the town continues its evolution as a multi-faceted community with a reliance on a broad range of economic generators.

The Zoning Bylaw

The Town is divided into different zones based on land use designation – residential, commercial, industrial and institutional. The purpose of the Zoning Bylaw is to provide some level of certainty for residents and business owners about the types of land uses in their neighbourhoods.

The Zoning Bylaw includes regulations for:

- The siting of buildings
- Maximum size of buildings
- Minimum size for lots, created as a result of subdivision
- Parking requirements.

The Zoning Bylaw is a living document that can be amended, either to implement future land uses in keeping with the direction provided in the OCP or in response to a particular situation not contemplated when it was formulated.

The Subdivision and Development Servicing Bylaw

The Town's Subdivision and Development Servicing Bylaw prescribes levels of development servicing that ensure that quality services, including adequate water, sewage disposal, road construction, street lighting, and wiring will be provided.

Development Processes

Site Development

If you are planning to develop a site within the jurisdiction of the town of Golden, you should discuss your proposal with Town staff before you invest a lot of time and money in your project.

Some of the bylaws that you will need to consult include:

- The official community plan
- The Zoning Bylaw and requirements
- The Subdivision and Development Servicing Bylaw
- Sign control bylaws

Most developments will need Council's approval, usually through a development permit. Sometimes, a change to the OCP and Zoning Bylaw will be needed. Here are the steps that you will need to proceed through for approval of your proposal.

Changes to the OCP or Zoning Bylaw

Applying for a change to the OCP or Zoning Bylaw will require significant consideration by Council, as the application usually represents a change in Council policy or direction. The exception is in the instance where Council, through the OCP, has identified a future change in land use, where the Zoning Bylaw amendment will match what is identified in the OCP.

Prospective developers must complete the application form, supplied by the Town. If you are contemplating a specific development, you will need to provide three copies of a site plan, floor plans, building exterior elevations and a landscape plan. Generally, you will need these plans to be prepared by a design professional. The town also requires the developer to include a preliminary concept plan for the entire site, should the immediate plans be for only a portion only of the parcel of land.

If a specific development proposal is not contemplated, you will need to provide reasons in support of your application.

You will also need to provide:

- Approval to file the application from the owner, if the applicant is not the owner
- A site profile, as required under the Contaminated Sites Regulation of the *Environmental Management Act* for all proposals on all land that may have been used for commercial or industrial purposes in the past and required filing fee;
- The appropriate application fee.

The Environmental Protection Division of the Ministry of Environment must sign off on all rezoning applications if there has been a commercial or industrial activity on your site that requires their approval.

The plans will also be referred to the building inspector, town operations manager and the fire chief to identify requirements related to building regulations, servicing and fire codes.

Significant rezoning applicants will also be referred to agencies within the provincial government with an interest in land development for their input.

Submit your application to the Town a minimum of 2 weeks before the application formally enters the approval process, in order to allow for staff to identify any issues associated with the proposal. A change to the OCP or a change to the Zoning Bylaw is accomplished by changing a bylaw or bylaws of the Town. The process is as follows:

- the proposal and amending bylaw(s) will be considered by the Planning and Development Committee, which consists of all members of Council. The purpose of the committee meeting is to discuss the application before Council considers the application.
- Council will consider the application and if they decide that the application should proceed, Council will give first and second readings of the bylaw to amend the OCP (if required) or Zoning Bylaw,
- the town must advertise the proposed amendment in the newspaper, notify surrounding property owners and tenants, and hold a public hearing to allow others affected by the amendment to express their views;
- public hearing, held as soon as the statutory provisions prescribed under *the Local Government Act* allow for, typically, about three weeks after Council has given first and second readings to amend the OCP (if necessary) and Zoning Bylaw;
- third reading of the amending bylaw(s) following the public hearing (unless Council needs further information, which will trigger the need for another public hearing).
- submission to the Ministry of Transportation for approval of most amending bylaws;
- final adoption of the amending bylaw(s) by Council.

You will be responsible for extensions to the municipal servicing systems required as a result of your development and on-site servicing -water, sewer, phone, cable and hydro hookups, and inspections.

Plan on the approval process to take 3 – 4 months to complete from the time that you have submitted a complete application.

If your planned development is in compliance with existing bylaws, and your land is within a development permit area, then you may make application to the Town for a development permit.

If your planned development does not meet certain bylaw requirements, you will have to apply for a development variance permit (see below).

The Development Variance Permit (DVP)

If your development proposal is not consistent with certain provisions of the Zoning Bylaw, such as required setbacks, you will need a development variance permit issued by Council. Development variance permits are also used to vary provisions of the Sign Control Bylaw and Subdivision and Development Servicing Bylaw.

You will need to provide reasons why your proposal should be approved despite the Town's regulations. You will need to provide three copies of a plan, showing the requested variance.

Submit your application to the Town a minimum of 2 weeks before the application formally enters the approval process, in order to allow for staff to identify any issues associated with the proposal.

Additional requirements will include:

- Approval to file the application from the owner, if the applicant is not the owner
- A site profile, as required under the Contaminated Sites Regulation of the *Environmental Management Act* for all proposals on all land that may have been used for commercial or industrial purposes in the past and required filing fee
- The appropriate development variance permit application fee.

The Environmental Protection Division of the Ministry of Environment must sign off on all development variance permits if there has been a commercial or industrial activity on your site that requires their approval.

The application may also be referred to the building inspector, town operations manager and the fire chief to identify issues related to the requested variance.

Submit your application to the Town a minimum of 2 weeks before the application formally enters the approval process, in order to allow for staff to identify any issues associated with the proposal.

The formal approval process is:

- your application will be presented to Council's Planning and Development Committee (Committee of the Whole;)
- your application is presented to Council, who will consider whether to proceed with the next step, which is to notify surrounding property owners and tenants of the application, or whether to refuse the application at that point;
- Council will consider your application after the notification period and approve or refuse the permit. Conditions may be applied to the permit based on the results of staff's evaluation and recommendations, and Council's consideration of the permit.

Generally a development variance permit application takes 4 - 6 weeks to process.

You must substantially start construction within 2 years of the permit's issuance.

The Development Permit

If your land is in a designated development permit area, you will usually need Council's approval for your project through a development permit approved by Council.

Prospective developers must complete the application form, supplied by the Town, provide three copies of a site plan, floor plans, building exterior elevations and a landscape plan. Generally, you will need these plans to be prepared by a design professional. The town also requires the developer to include a preliminary concept plan for the entire site, should the immediate plans be for only a portion only of the parcel of land. Additional requirements will include:

- Approval to file the application from the owner, if the applicant is not the owner

- A site profile, as required under the Contaminated Sites Regulation of the *Environmental Management Act* for all proposals on all land that may have been used for commercial or industrial purposes in the past and required filing fee
- The appropriate development permit application fee
- A preliminary servicing plan for water and sewer services
- A site drainage plan showing that all drainage will be contained on site
- Screening of all rooftop mechanical equipment
- Signage in compliance with the current sign control bylaw
- A landscape plan in accordance with the landscaping requirements of the Town's Zoning Bylaw
- Cash or a letter of credit in the amount of 100% of the cost of landscaping.

The application will be evaluated in the context of the Town's applicable development permit guidelines. Generally, these relate to design of the building and site design. If the land is in an environmentally sensitive area, the purpose of a development permit is to ensure that the development results in minimum impact on the environment. The plans will also be referred to the building inspector, town operations manager and the fire chief to identify requirements related to building regulations, servicing and fire codes.

The Environmental Protection Division of the Ministry of Environment must sign off on all development permit applications if there has been a commercial or industrial activity on your site that requires their approval.

Submit your application to the Town a minimum of 2 weeks before the application formally enters the approval process. The formal approval process is:

- your application will be presented to Council's Planning and Development Committee (Committee of the Whole;)
- your application is presented to Council, who will approve or refuse the permit. Conditions may be applied to the permit based on the results of staff's evaluation and recommendations, and conditions that Council may apply.

You will be responsible for extensions to the municipal servicing systems required as a result of your development and on-site servicing -water, sewer, phone, cable and hydro hookups, and inspections.

Development cost charges may apply.

You must substantially start construction within 2 years of the permit's issuance.

Development permit applications can be processed in approximately 4 weeks.

The Building Permit

The town issues building permits to ensure that building construction assists in providing basic health and safety for homeowners and business owners. The building bylaw states that a building permit is required for any construction, alteration, repair, move or demolition of a building or structure. A building permit is not normally required for routine maintenance and repairs, but is required for any alteration or renovation (structural or non-structural) to a commercial, industrial, and institutional building, except for repair or replacing of walls, floor and ceiling finishes.

Building permits require structural, and mechanical documentation associated with Homeowner Protection Office requirements, and letters of assurance for all construction requiring oversight by an engineer or architect.

Inspections are conducted at the following stages:

- Water and sewer hook-up
- Footing forms
- Foundation forms
- Foundation prior to backfill
- Underground plumbing
- Concrete slab prior to pouring
- Framing and above ground plumbing
- Insulation
- Vapour barrier
- Final inspection.

If you are building or modifying premises for your business, you must check with the Town's planning requirements to ensure that you conform to them. You may also need a building permit if structural renovations requiring moving load-bearing walls are planned. Check with the building inspector.

Subdividing Land

A subdivision is any change in the lot lines of your property. To start the subdivision process, present a plan to the subdivision-approving officer (the planner) showing the lot lines of your property both before and after the subdivision. It must show where the services (water, sewer and roads) are located.

The town's Subdivision and Development Servicing Bylaw prescribes levels of development servicing that ensure that quality services, including adequate water supply, sewage disposal, road construction, and street lighting will be provided.

The approving officer will refer the plan to the building inspector, town operations manager and fire chief. The approving officer will review:

- Whether the proposal meets the OCP, Zoning Bylaw, and Subdivision and Development Servicing Bylaw requirements, particularly for the use of the land, minimum lot size, and whether any buildings on the land meet the siting requirements in the Zoning Bylaw
- Servicing requirements – you will be required to have engineering drawings prepared, service the lots, upgrade services to your lots, if oversizing is required, and upgrade roads if required; you may be required to conduct studies to determine if servicing needs upgrading; upgrades to off-site services may also be required and you will usually be responsible for having that work done as well
- Floodplain management requirements – if the property is located within the floodplain of the Kicking Horse or Columbia Rivers, your development must meet the requirements of the town's Floodplain Management Bylaw (a report from a professional engineer with experience in hydro geological processes may be required and the recommendations of that report carried out)
- Park dedication requirements
- Applicable development cost charges.

Development cost charges

Development cost charges are fees levied on developments that trigger upgrades to the town's infrastructure. Development cost charges are required for water and sewer at this time and different rates in different areas of the town apply, depending on what upgrades are needed. Contact the planner for present rates.

Development cost charges are related to specific projects such as new reservoirs and sewage treatment plant lift stations, which would only be required because of new development.

Sign Permits

All signs in the Town require a permit under the Sign Control Bylaw. Before designing your sign, you should contact the Building Inspector for current specifications related to signs.

Temporary Use Permits

A temporary use permit can be issued by Council for commercial or industrial developments on land that is not zoned for the proposed land use in certain areas of Town. An example would be an asphalt plant that is only going to be needed for a short period of time.

Prospective developers must complete the application form, supplied by the Town, provide three copies of a site plan, floor plans, building exterior elevations and a landscape plan. Generally, you will need these plans to be prepared by a design professional. You will also need approval to file the application from the owner, if the applicant is not the owner

The plans may also be referred to the building inspector, town operations manager and the fire chief to identify requirements related to building regulations, servicing and fire codes.

Submit your application to the Town a minimum of 2 weeks before the application formally enters the approval process. The formal approval process is:

- your application will be presented to Council's Planning and Development Committee (Committee of the Whole;)
- your application is presented to Council, who will consider whether to proceed with the next step, which is to advertise the proposed permit in the newspaper, or whether to refuse the application at that point;
- Council will consider your application after the notification period and approve or refuse the permit. Conditions may be applied to the permit based on the results of staff's evaluation and recommendations, and Council's consideration of the permit.

You will also be responsible for extensions to the municipal servicing systems required as a result of your development, and on-site servicing -water, sewer, phone, cable and hydro hookups, and inspections.

Development cost charges may apply.

Temporary use permits are issued for a maximum of 2 years, but may be extended for a further 2-year period.

Temporary use permit applications can be processed in approximately 4 weeks.

Business Licenses

Everyone who does business in the Town needs a business license. Contact the Building Inspector to pick up an application and to discuss your business proposal before you open your business.

Your business must meet the requirements of applicable Town bylaws, including the Zoning Bylaw, Trade License Bylaw and Building Bylaw. The Fire Department may also inspect your premises.

Taxation

Property values are assessed by BC Assessment Authority each year. You can appeal an assessment in January of that year. The town sets its tax rate in May of each year. Tax notices are mailed to property owners by the Town in mid-May. Taxes are due in July on the first day after Canada Day each year. Businesses and light industry are taxed at about three to four times the rate of residences.