

# Development Permit

A guide to obtaining a Development Permit in Richmond



## Development Permits

Under the Local Government Act, a municipality may designate Development Permit Areas in its Official Community Plan for one or more of the following purposes: protection of the natural environment; protection of development from hazardous conditions; protection of farming; revitalization of an area in which a commercial use is permitted; and, establishment of objectives for the form and character of intensive residential, commercial, industrial and multi-family development.

Typically, the Development Permit process will control the form and character of development (exterior design, landscaping, siting, building finishes and possibly colours) and can allow certain regulations in the Zoning Bylaw to be varied or supplemented to bring a proposal in line with the Development Permit Guidelines in the Official Community Plan.

To determine if your proposal is subject to or exempt from a Development Permit and to check the City of Richmond's Development Permit Guidelines, you should refer to the Richmond *Official Community Plan* and Area Plans or discuss it with staff of the Planning and Development Department. The last page of this brochure lists the Richmond Development Permit Requirements. At the same time, you should check the Zoning Bylaw to ensure that your property is properly zoned for the uses and buildings you are proposing.

You may be required to submit a *Rezoning Application* as well as a *Development Permit Application*. Copies of all of these materials are available at the Zoning counter or on the information racks in City Hall and the italicized items are available on the City of Richmond's web site ([www.richmond.ca](http://www.richmond.ca)).

## Preliminary Review

If you believe that a Development Permit will be required, you should arrange to discuss your proposal with Planning and Development staff to determine the feasibility, process, timelines, variances and any requirements that may be involved. The last page of this brochure lists the Exemptions of when a Development Permit is not required in Richmond. You will also be able to determine if you need rezoning approval. Staff can provide you with the Development Permit Guidelines from the *Official Community Plan* and Area Plans, Council policies and previous decisions of Council on similar developments. Staff can also advise you of any public involvement anticipated that may affect your proposal and any special circumstances that may apply. Please take this opportunity to determine which attachments (information, drawings, model, plans and fees) you will need to submit with your application, and which ones you may apply to be exempt from submitting. If appropriate, ask for a *Development Permit Exemption Form*.

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# Development Permit Process

## Development Permit Application

When preparing your application, you should ensure that your plans are consistent with the City’s objectives and Development Permit Guidelines. Generally, the more your proposal conforms to these objectives and guidelines, the less time it takes to process and the greater the chance of it being approved by Council without amendments. Time spent initially determining City requirements is often compensated for later in the process.

Development Permits can be complicated and technical. You will require the services of an architect and landscape architect (or other design professional). Designate one member of the team to coordinate the application process. Submission of high quality plans at the outset will assist in the successful and timely consideration of your Development Permit.

Once your design team has completed the required drawings, you can submit your application to the Zoning counter in City Hall. The *Development Permit Application* is available at the Zoning counter or on the information racks and on the City of Richmond’s web site ([www.richmond.ca](http://www.richmond.ca)). Staff will be pleased to assist you but you must provide all the following information:

- The property owner’s name, address, telephone and facsimile numbers, and e-mail address;
- The address(s) and complete legal description(s) of the property;
- If the applicant is applying on behalf of the property owner(s), a letter of authorization signed by the property owner(s) must be submitted with the application;
- The name, address, telephone and facsimile numbers, and e-mail address of the applicant if not the owner(s);

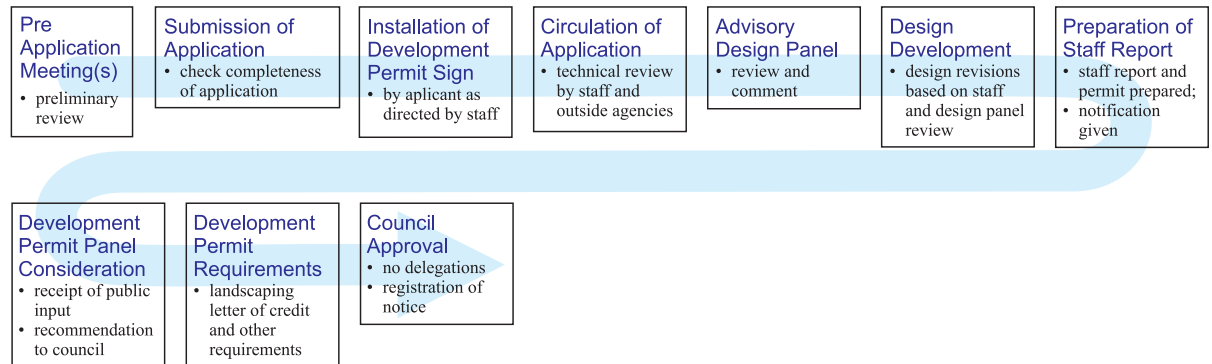
- Proof of ownership or current contract of purchase and sale;
- A letter outlining all aspects of the proposal (design rationale) including a description of the buildings, landscaping, the project’s relationship to surrounding land uses and other design features;
- Eight (8) full size sets plus one (1) set of reduced 11” by 17” architectural drawings in metric including: site plan, floor plans, building sections, landscape plans and context plan. Models and a perspective or rendering are normally required later for your presentation to the Design Panel;
- A completed *Site Profile* pertaining to the possible soil contamination of the property from certain types of industrial or commercial purposes or activities; and
- Non-refundable application fee.

## Initial Staff Review And Circulation

Your application and all attachments will be reviewed for completeness. An incomplete application will be returned to you if it does not provide all of the required information. Complete applications will be assigned to a staff member and circulated to the appropriate City divisions for comment.

In some cases, your application may require review by the Ministry of Transportation. The Ministry of Water, Land and Air Protection approval may also be required if the *Site Profile* indicates there may be contaminated soils on the property. Other regulatory agencies such as the Fraser River Estuary Management Program and Department of Fisheries and Oceans may also be involved if it is adjacent to either arms of the Fraser River.

Applicants will be sent a letter acknowledging the receipt of their application and advising them of any preliminary staff comments within a few weeks of when the application was made (e.g. if additional information is required or if some aspect of the application is unacceptable). Additional information or revised plans can be received during the review process.



## Development Permit Sign

Once you have submitted a complete *Development Permit Application* and accompanying material, you will be required to install the *Development Permit Application Sign Information* on the property to notify other property owners and residents in your area of your plans. Staff will mail information regarding your sign to you with a letter confirming that your application has been received. You must submit a photograph of your sign in place (forms will be provided) and maintain the sign on-site until Council makes a final decision regarding your application.

## Advisory Design Panel

As well as being circulated to all the relevant City divisions, your application (unless it only involves an ESA or is a relatively minor project) will be reviewed by the Advisory Design Panel, which is an independent body appointed by Council. A formal presentation of the development by the architect and landscape architect is required. Comments and recommendations of the Advisory Design Panel are incorporated into the staff report that is submitted to the Development Permit Panel. Staff can advise you of what the requirements and deadlines are for the Advisory Design Panel and will contact you if your architect needs to make revisions to the drawings as a result of the Panel meeting.

## City Comment Letter

During or after the aforesaid review process, the staff member assigned your Development Permit will provide you with a letter outlining all of the staff or departmental comments and a copy of the Design Panel minutes. It will be your responsibility to positively respond to any suggested changes and to revise your plans as required. Your response will determine when the application will be considered by the Development Permit Panel and what the staff recommendation will be.

## Development Permit Panel

When the Development Permit plans are complete (i.e. the Design Panel recommendations and staff comments have been positively responded to and the necessary approval of any outside agencies has been received), Development Applications staff will prepare a report with a recommendation to the Development Permit Panel. The Panel is made up of three senior City staff and normally meets every second Wednesday at 3:30 p.m. in the City Council Chambers.

The staff report and agenda for the Development Permit Panel meeting have to be completed three weeks prior to the Wednesday meeting to allow the City Clerk's Office to give 10 days notice to adjacent property owners and tenants. At the Development Permit Panel meeting, the applicant, staff and any affected residents are heard. The Panel does not deal with land use (zoning) issues and, in normal circumstances, is the only body that will hear delegations on a Development Permit application.

The Panel will submit a recommendation to Council or refer the Development Permit back to the applicant for revisions.

## Council Meeting

The Development Applications staff will place the Development Permit on the appropriate Council agenda when the applicant has submitted any required letters of credit, contributions such as Public Art and revised final plans. Council will consider the report of the Development Permit Panel at its regular meeting and may select one of the following options:

- Adopt the recommendations of the Development Permit Panel;
- Refer the application back to the Development Permit Panel for further consideration;
- Refer the application to a Public Hearing; or
- Defer a decision to a later meeting.

Council can not hear any delegations on a Development Permit unless it refers the application to a Public Hearing.

## Final Approval

If Council decides to issue the Development Permit, it will be executed by the Mayor and Clerk and noted on the title of the property in the Land Title Office. The Permit will remain on title and will be binding on all subsequent owners. Council can make minor amendments to the Permit through the *General Compliance* procedure, which involves a staff report to the Development Permit Panel and a recommendation from the Panel to Council.

The Development Permit will lapse if construction does not substantially commence within 2 years of the Development Permit issuance date. After this time period, you must submit a new application and repeat the Development Permit process.

## Timing

Specific time limits for processing a Development Permit application are difficult to provide as the time required varies depending on the type, size and complexity of the requirements, the number of applications in progress, and the ability of the applicant to provide information when required. Simple applications may take only a few months, while more complex applications may take much longer to finalize. Approvals from outside government agencies also tend to extend the process. If you are submitting a *Development Permit Application* in addition to a *Rezoning Application*, the same process applies; however, Council cannot approve and issue the Development Permit until the rezoning has been given final adoption.

Generally speaking, applicants may save time by first discussing the proposal with Planning and Development staff, employing architects and landscape architects (or other design professional) familiar with

the Development Permit process, and providing in a timely manner all the information required by the City throughout the process. Experience also indicates that the more information an applicant can initially provide in support of the application, the faster it can be processed. Similarly, processing time, confusion and uncertainty may be minimized if the applicant assigns one person of the consulting team with the specific responsibility of coordinating the Development Permit process.

## Richmond Development Permit Areas

Through the Richmond *Official Community Plan*, Council has designated the following as Development Permit Areas:

- All multiple-family sites throughout the City;
- All commercial sites throughout the City;
- All industrial sites in the City Centre Planning Area and industrial sites which abut No. 3 Road;
- Those industrial sites adjoining or within 30 m (98.4 ft.) to another site which is zoned or designated residential, community institutional, public and open space, school, or park use;
- Environmentally Sensitive Areas (ESAs);
- All marinas;
- All mixed use (where residential and non-residential uses are combined on a site) developments throughout the City; and
- All sites adjoining or within 30 m (98.4 ft.) to the edge of the Agricultural Land Reserve.

The Richmond *Official Community Plan* has a number of general guidelines for all Development Permits and specific Guidelines for Multiple-Family, Commercial, Industrial, Environmentally Sensitive Areas, Heritage and Marina developments. The City's Area Plans may contain further Development Permit Areas and Guidelines. For example, the City Centre Area Plan designates recreational areas as Development Permit Areas.

## Exemptions

Proposals that are in Development Permit Areas (other than ESAs) but exempt from obtaining a Development Permit include:

- Renovations to interiors of buildings, except for interior renovations to a Neighbourhood Public Houses, unless the interior renovations cost less than \$5,000;

- Exterior renovations that cost less than \$50,000 except for:
  - Exterior renovations to a Neighbourhood Public House, unless the exterior renovations cost less than \$5,000;
  - Exterior renovations in "Steveston Village". Within the area identified as "Steveston Village" in the Steveston Area Plan, all exterior renovations require a Development Permit;
- New buildings or additions of 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) or less; and
- New ancillary buildings or building additions in rear or interior side yards that conform to the respective minimum setback requirements and do not exceed a height of 12 m (39.4 ft.) nor contain more than three storeys.

For Development Permits in an ESA, the following exemptions apply:

- Renovations to interiors;
- Exterior renovations which do not impact upon, or extend into, the designated ESA;
- Maintenance activities on existing structures which can be reasonably shown to not result in damage to trees, shrubs, or fish habitat;
- New construction on sites with designated ESAs which will not result in damage to the sensitive features within the ESA, e.g. trees, shrubs, wetlands, marshes or fish habitat;
- Regular and emergency City maintenance activities for drainage control and dyke maintenance in a manner which respects the intent of the ESA designation; and
- Construction and maintenance activities carried out by, or on behalf of, the City and designed to enhance the coexistence of natural habitats and public trails.

*This brochure is intended to be used in conjunction with our other informational brochures and helpful handouts such as: [Advisory Design Panel](#); [Tree Survey Guidelines Bulletin](#); [Vegetation Survey Guidelines Bulletin](#); [Landscaping Inspection Bulletin](#); [Protection of Existing Trees During Construction Bulletin](#); [Criteria for the Protection of Environmentally Sensitive Areas](#); [Development Permit Application Sign Information](#); [The Percent for Public Art Policy](#); [Steveston Village Development Permit](#); etc.*

*It is not a legal document. Any contradiction, dispute or difference between the contents of this brochure and applicable City bylaws, plans, policies or guidelines will be resolved by reference to the bylaws or other official documents.*

*You should always refer to the official copies of the Official Community Plan, Zoning Bylaw and other formal municipal documents if you are unsure of any procedure or requirements.*

