City of Richmond

A Guide to Obtaining a Development Permit in Richmond

Development Applications Department
6911 No. 3 Road, Richmond, BC V6Y 2C1

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 Application* 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 *Richmond Zoning Bylaw* to be varied or supplemented to bring a proposal in line with the Development Permit Guidelines in the *Official Community Plan*. **Note:** The *Local Government Act* does not allow *use* or *density* to be varied. If your proposal involves a change in *use* or *density*, a *Rezoning Application* is required. Please refer to the handout entitled *Rezoning: a Guide to Rezoning Property in Richmond*.

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 *Official Community Plan* and *Area Plans* or discuss it with City staff of the Development Applications Department. The last section of this handout lists the Richmond Development Permit Areas and Exemptions. 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 on the City of Richmond's website (richmond.ca).

Preliminary Review

If you believe that a *Development Permit Application* will be required, you should arrange to discuss your proposal with City staff in the Development Applications Department to determine the feasibility, process, timelines, variances and any requirements that may be involved. 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. Staff may also be able to advise you about which documentation may be exempt from the application submission. If appropriate, ask for a *Development Permit Exemption Form*.

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.

A *Development Permit Application* can be complicated and technical. You will require the services of an architect and landscape architect (and other design professionals). 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 Application*.

Richmond

The *Development Permit Application* is available at the Zoning Counter, on the information racks at City Hall and on the City of Richmond's website (richmond.ca). Staff will be pleased to assist you but you must provide all of the following information:

- The property owner's name, address, telephone and facsimile numbers, and e-mail address.
- The address(es) and complete legal description(s) of the property(ies).
- 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 (e.g. Title Search).
- A Topographical Survey prepared by a registered BC Land Surveyor showing all buildings, structures, trees, lot grade elevations, and other information as identified in the City's Bulletin DevApps-01 Survey & Site Plan Guidelines.
- A Certified Arborist's Report.
- Proposed lot grading plan (prepared by a professional engineer).
- 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-sized sets plus one set of reduced (11" x 17") architectural drawings in metric including: site plan, elevations, floor plans, density and lot coverage overlays, building sections, landscape plans and context plan. Models and a perspective or rendering are normally required later for your presentation to the Advisory Design Panel and Development Permit Panel meetings.
- A completed *Site Profile* pertaining to the possible soil contamination of the property from certain types of industrial or commercial purposes or activities.
- The non-refundable application fee.

Additional information or revised plans may also be identified for submission during the review process.

Initial Application Package 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 departments for comment.

In some cases, your application may require review and approval by the Ministry of Transportation and Infrastructure if vehicle access is proposed to a provincially controlled road. Ministry of Environment and Climate Change Strategy review and approval may also be required if the *Site Profile* indicates the site has a history of certain types of industrial and commercial activities as identified in Schedule 2 of the provincial Contaminated Sites Regulation. There may also be other provincial and federal regulations that must be adhered to.

Applicants will be sent a letter acknowledging the receipt of their application within a few weeks of when the application was made.

Development Permit Sign

Once you have submitted a complete *Development Permit Application* package, you will be required to install the *Development Permit Application Sign* on the property to notify other property owners and residents in your area of your plans. Staff will send you information regarding your sign along with a form for you to complete. You must submit a photograph of your sign installed on-site and complete the form. Staff will send you updated sign information re: opportunities for public input as the application progresses. You must then submit a photograph of your updated sign and complete a new form. The sign must be maintained on-site until Council makes a final decision regarding your application. The sign must be removed from the site no later than 14 days after Council's final decision.

City Staff Comments

After the staff member assigned to your *Development Permit Application* and the appropriate City departments have completed their initial review of your application, you will receive a letter(s) identifying all City requirements associated with the development proposal, any City staff comments requiring revisions to plans, and any additional information required by staff to continue to review your application. Revised submissions must address all City staff comments before the application is moved forward for consideration to the Advisory Design Panel and Development Permit Panel meetings.

Advisory Design Panel

As well as being circulated to all of the relevant City departments for review, your application (unless it only involves an ESA or is a relatively minor project) will be reviewed by the Advisory Design Panel (ADP), which is an independent body appointed by City Council. A formal presentation of the development by the architect and landscape architect is required. Staff can advise you of what the requirements and deadlines are for the ADP meeting.

Upon receiving favourable consideration by the ADP, the staff member assigned to your *Development Permit Application* will provide you with a copy of the ADP meeting minutes as well as a letter outlining any required revisions to the drawings as a result of the ADP meeting. It is your responsibility to positively respond to any suggested changes and to revise your plans as required. Once an acceptable set of revised plans is received (i.e. the Advisory Design Panel recommendations and staff comments have been positively responded to and the necessary approval of any external agencies has been received), staff will prepare a report with a recommendation to the Development Permit Panel. Comments and recommendations of the ADP are incorporated into the staff report that is submitted to the Development Permit Panel.

Development Permit Panel

The Development Permit Panel is made up of three senior City staff and normally meets in the City Council Chambers at 3:30pm on the Wednesday following a City Council Meeting unless otherwise indicated.

The application sign must be updated with the details of the meeting, as provided by staff, 14 days prior to the meeting. The staff report and agenda for the Development Permit Panel meeting have to be completed three weeks prior to the meeting to allow the City Clerk's Office to give ten (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 staff for revisions.

Council Meeting

The Development Permit will be added to the appropriate Council meeting agenda when the applicant has completed the various requirements (i.e. letters of credit, contributions, etc.) and the revised final plans if applicable. Council will consider the report of the Development Permit Panel at one of its regular meetings 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 cannot hear any delegations on a Development Permit unless it refers the application to a Public Hearing.

Final Approval

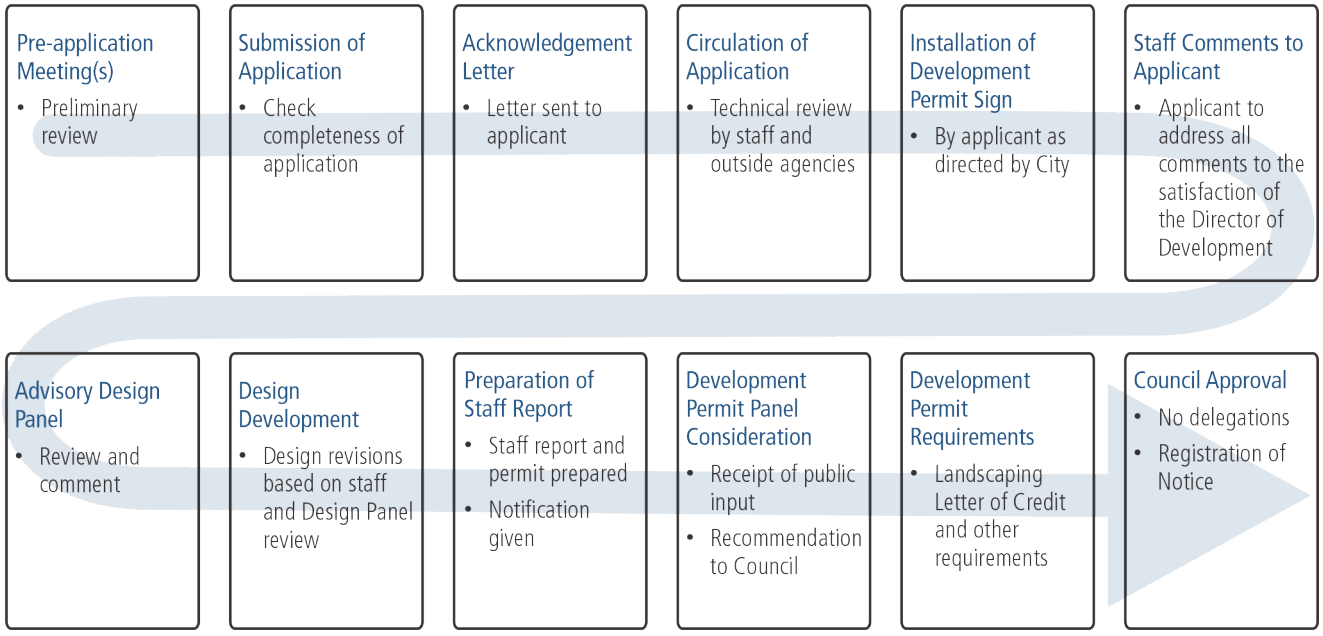
If Council decides to issue the Development Permit, it will be executed by the Mayor and City Clerk and noted on the title of the property in the Land Title Office. The Permit will remain on title and will be binding on all subsequent owners. Council can make minor amendments to the Permit through the 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 two (2) years of the Development Permit issuance date. After this time period, you must submit a new application and repeat the Development Permit application 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 application and its requirements, the number of applications in progress, and the ability of the applicant to provide information when required. 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 Development Applications Department staff, employing architects and landscape architects (and other design professionals) familiar with the *Development Permit Application* process, and providing in a timely manner all of 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 Application* process.



Richmond Development Permit Areas

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

- intensive residential areas where granny flats and coach houses are permitted (e.g. Edgemere neighbourhood);
- intensive residential areas where duplexes and triplexes are permitted along arterial roads within the Arterial Road Land Use Policy area;

- all multiple family sites throughout the City;
- all commercial sites throughout the City;
- all mixed-use developments (where residential and non-residential uses are combined on a site) throughout the City;
- all industrial sites in the City Centre Area Plan (CCAP);
- those industrial sites adjoining or within 30 m (98.4 ft.) to another site which is zoned or designated for residential, community institutional, park, school, conservation area, or mixed use;
- Environmentally Sensitive Areas (ESAs) as identified in the OCP;
- all marinas;
- all sites adjoining or within 30 m (98.4 ft.) to the edge of the Agricultural Land Reserve (ALR).

Richmond's *Official Community Plan* has a number of general and land use-specific design guidelines for all *Development Permit Applications*. The City's *Area Plans* and *Sub-Area Plans* may contain further Development Permit Areas and design guidelines. For example, the *City Centre Area Plan* designates recreational areas as Development Permit Areas; and the *Steveston Area Plan* designates the Steveston Waterfront Neighbourhood as a Development Permit Area.

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 House, which are only exempt if the interior renovations cost less than $5,000);
- exterior renovations that cost less than $75,000, except for:
  - exterior renovations to a Neighbourhood Public House, which are only exempt if the exterior renovations cost less than $5,000;
  - exterior renovations in a Development Permit Area in the *Steveston Area Plan* (outside of the area identified as the "Steveston Village" node), which are only exempt if the exterior renovations cost less than $50,000;
  - exterior renovations in the "Steveston Village" node in the *Steveston Area Plan*, all of which require a Development Permit. **Note:** Additional heritage requirements and permits exist for exterior renovations within the area identified as the *Steveston Village Conversation Area* in the *Steveston Area Plan*. It is recommended that if your proposal is located within this area, you should discuss your proposal with the City's Heritage Planner in the Policy Planning Department at City Hall.
- new buildings or building additions of 100 m^2 (1,076.4 ft^2) or less;
- 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 (3) storeys.

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

- renovations to interiors;
- exterior renovations and construction activities which do not impact upon, or extend into, the designated ESA (e.g. within the existing footprint of buildings or paved areas);
- 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 diking (environmental best practices will be followed);

- 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;
- where an ESA covenant satisfactory to and in favour of the City has already been registered for the protection of an ESA;
- streamside enhancement and fish and wildlife habitat restoration works (e.g. planting riparian species, removing invasive species) that have obtained the required senior government approvals;
- the removal of trees (via permit) deemed hazardous by a Certified Arborist that threaten the immediate safety of life and buildings;
- subdivision and development operations (which include but are not limited to demolition/clearing, fill placement, crossing replacement upgrade and building) on City-owned lands which are within 30 m (98.4 ft.) landward of the high water mark and within 5 m (16.4 ft.) and 15 m (49.2 ft.) of the Riparian Management Area (e.g. West Dike). Such operations will be subject to the Riparian Management Area (RMA) protection requirements (see Bulletin Info-23);
- activities (e.g. construction of fences) on privately-owned lands along the West Dike which are within 30 m (98.4 ft.) landward of the high water mark and within 5 m (16.4 ft.) and 15 m (49.2 ft.) of the Riparian Management Area. Such operations will be subject to the RMA protection requirements (see Bulletin Info-23);
- City parks which are below the high water mark and extend seaward 30 m (98.4 ft.);
- First Nation-owned lands (e.g. currently on Sea Island) near the Metro Vancouver Iona Sewage Treatment Plant and if more occur, they too are to be exempt; and
- certain agricultural activities (subject to the satisfaction of City Council or designated City staff).

This handout 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; Public Art Policy; Steveston Village Development Permit; Rezoning; Subdivision; etc.

This handout is not a legal document. Any contradiction, dispute or difference between the contents of this handout 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.