

How to apply for a Discretionary Use

Why is my project a discretionary use? What does that mean?

Some uses of land in the zoning bylaw can be perfectly acceptable to the municipality as long as they are developed in a way that is sensitive to their impact on neighbours and municipal operations. These kinds of land uses are listed as **discretionary uses** in the bylaw. This means that they **may** be permitted in a certain district if Council decides it makes sense.

What must I do to apply for a discretionary use?

The following information is required for the Planning Department to review a discretionary use application and prepare a useful report for Council:

- 1) Completed discretionary use application form (be specific), including
 - a) The legal description of the property, including a current legal survey, evidence of current legal ownership and authorization from the property owner to make the application;
 - b) A **Letter of Intent**, describing what you are trying to do;
 - c) Addressing all items listed in the attached site plan checklist. Please review the checklist with RM Staff to confirm what portions of the checklist are required for your site plan.
 - d) An application fee of \$360.00.
- 2) A site grading and drainage plan may also be required depending on the complexity of the development proposed. (See **Site Grading and Drainage Plan Checklists** for potential requirements)

What happens once I apply?

- Step 1. Once a complete application is received, the planning department will circulate the application to government agencies and all property owners within 75 meters of the subject property advising of the date and location where the application will be presented to Council for their decision to approve or deny.

- Step 2. Prior to the Council meeting, the Planning and Development Department will prepare a report to Council with a recommendation about your application.
- Step 3. Council will consider the discretionary use application, based on the information you provided in your application, the recommendation from the planner, comments received from adjacent property owners, and any other information from delegations at the meeting of Council. Council can approve a discretionary use with or without development standards or conditions. Council can also deny a discretionary use application.
- Step 4. The applicant has the right to appeal, to the Development Appeals Board, any standards or conditions imposed by Council on a discretionary use approval; however, there is no appeal for a Council's decision to reject a discretionary use application.
- Step 5. If your application is approved by Council, you must apply for a development permit, which requires a detailed site plan and other information as listed in the Development Permit Checklist.