



INFORMATION TO APPLICANTS FOR A DEVELOPMENT OR DEVELOPMENT VARIANCE PERMIT

NOTICE TO APPLICANTS

Development applications will often result in the development being liable for a variety of fees, costs and other charges which may include, but not necessarily be limited to charges for application fees, cost of infrastructure adjoining or impacted by the development, specified area charges and development cost charges.

It is often necessary, prior to a proposal being approved by City Council to address infrastructure, road servicing matters or dedication required for road right-of-way or other municipal requirements considered essential for the application to proceed. Satisfying the requirements for servicing is accomplished by a Servicing Agreement which applicants are required to execute prior to approval for rezoning or prior to issuance of a building permit or registration of a plan of subdivision. Natural environment issues for properties containing natural environment hazardous condition areas such as stream corridor, lakeshore, wetlands, hillside or other natural environment features may be dealt with by notation in the Property Profile.

Before making an application, you are encouraged to discuss your intentions with the Planning & Development Services Department and with the Residents' Association for the area.

Information on all Residents Associations in the City of Kelowna is available on request from the Planning & Development Services Department.

**PLEASE NOTE THAT THE COMPLEXITY OF AN APPLICATION HAS
A DIRECT EFFECT UPON PROCESSING TIME**

**PROCESSING BEGINS ONLY WHEN AN APPLICATION IS
CERTIFIED AS COMPLETE**

INFORMATION TO APPLICANTS FOR A DEVELOPMENT OR DEVELOPMENT VARIANCE PERMIT

Applicants for a Development Permit or Development Variance Permit should be aware that the issuance of a Permit requires that applicants be in strict compliance with regulations of the Zoning Bylaw or Subdivision & Development Servicing Bylaw unless specific variances are authorized by the Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required variances by the applicant or City staff.

1.0 BACKGROUND TO DEVELOPMENT PERMITS

Council is empowered under the Municipal Act to designate Development Permit areas in the Official Community Plan where special conditions prevail. Designated areas may include: natural environment areas; hazardous condition areas; commercial revitalization areas; and commercial, industrial and multi-family developments. Any development proposal for lands within a Development Permit area requires Council approval, prior to obtaining a building permit.

Authorized Development Permits are registered against the title of the land and expire after one year, if the development does not proceed. Extensions may be approved by Council resolution for an additional period of time of up to one year.

Land owners are legally bound by the terms and conditions and schedules of the Development Permit as authorized for issuance by Council. The City is empowered to withhold "occupancy" of a development should it be in non-compliance with the authorized Development Permit.

2.0 BACKGROUND TO DEVELOPMENT VARIANCE PERMITS

Council is empowered, under the Municipal Act, to approve a Development Variance Permit to vary any provision of the Zoning Bylaw except use and density of land or floodplain specifications.

Expiry dates, registration on title of land, and land owners compliance regulations are the same as for a development permit.

3.0 NOTICES TO AFFECTED NEIGHBOURS

- 3.1 Newspaper advertisements are published approximately 10 calendar days in advance of the Public Meeting of Advisory Planning Commission and up to 10 days in advance of a Council Hearing to advise the general public of the nature of the Development Permit application being considered.
- 3.2 A Development Permit application sign(s) is purchased by the proponent and erected and maintained on the subject property for the 10 days prior to the Advisory Planning Commission meeting and until Council has concluded its dealing with the application. Applicants are required to confirm, by affidavit, that the signs are erected in accordance with established City guidelines. Sign Mounting Criteria will be provided at the time an applicant purchases a Development Permit application sign.
- 3.3 Where the application is a Development Variance Permit or where a Development Permit requires a variance of Zoning Bylaw requirements, notices are mailed or delivered to owners/occupants within 30 m of the subject property, approximately two weeks prior to Council consideration at a Regular Meeting of Council.

4.0 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

NOTE: THE FOLLOWING REQUIREMENTS MAY NOT APPLY TO ALL APPLICATIONS. TO CONFIRM, PLEASE CONSULT WITH PLANNING STAFF.

ITEMS TO BE SUBMITTED

- 4.1 Letter of authorization from owner if agent appointed to deal with application.
- 4.2 Legal description and copy of State of Title.** [Copy of Certificate of Title should include copies of any easements and covenants (this information is available from B.C. Land Title's Office), and shall be 3 months current].
- 4.3 Address of subject property.
- 4.4 Architect/Designer/Consultant/Phone and Fax Numbers.
- 4.5 Site Plan at minimum 1:200 showing maximum building footprint and ground levels (existing and finished), adjoining streets and north arrow and including all of the following information:
 - (a) Lot Area in m².
 - (b) Lot Coverage (%).
 - (c) Gross Floor Area* in m².
 - (d) Floor Area Ratio*.
 - (e) Setbacks/Yard* Dimensions in m.
 - (f) Private open space* (m²).
 - (g) Numbered parking and loading spaces, access, layout and dimensions, screening, curbing and surface treatment.
 - (h) Off-site information as may be relevant to the design; e.g. boulevard trees, adjacent building locations and parks, sidewalks, street furnishings, or overhead utilities.
 - (i) All site refuse and recycling bins, with minimum 2.0 m high opaque perimeter screen with landscaping. Siting, size and number of containers to be provided must be confirmed as meeting requirement of waste hauler.
- 4.6 All elevations to minimum 1:100 scale including all of the following information:
 - (a) Site grade information to clearly describe the proposed development and landscaping to include:
 - (i) existing geodetic grade of the site including existing grade at each site boundary;
 - (ii) existing or proposed finished geodetic grade of adjoining public right-of-way (lane/street);

(iii) existing and proposed geodetic grade at the building wall of each building proposed to be developed and at each boundary of the site and for each adjoining property measured at ± 1 m from the common property line; and

(iv) sections through building referencing geodetic information noted in (i), (ii) and (iii).

(b) Height* in m of Building (from existing and proposed average grade*).

(c) Number of Storeys*.

(d) Exterior treatment on all elevations identifying materials and colours with colour chips on three 8½" x 11" boards.

(e) Street elevations at minimum 1:200 and photos of proposal in relation to flanking building(s).

(f) Sign details.

4.7 Floor Plan(s) indicating uses of all spaces of existing and proposed buildings.

4.8 Landscape Plan(s) shall include all of the following information:

(a) All the plans are to be drawn in metric.

(b) Clearly delineate the form of the landscape by defining the extent of lawns, planted areas, fencing, and hard surfaces (Hard and Soft Landscaping).

(c) Show the location and general description of species and growth status of existing trees (or treed areas) proposed for retention.

(d) Show the location and specify the species, planting sizes, and quantities of proposed trees.

(e) Show the location of all building overhangs.

(f) Show the extent of planting areas for shrubs and ground covers and provide a preliminary list of the proposed species and sizes.

(g) Show the location, size, and general elements included in the site amenity areas, such as play area, seating areas, or other proposed activity areas.

(h) Define the materials of various hard surfaces, i.e. broom finish concrete, exposed aggregate concrete; precast concrete unit pavers; asphalt.

(i) Provide preliminary grading information sufficient to ascertain the location of grade changes that require special treatment by planting or provision of retaining elements.

(j) Indicate erosion control measures proposed.

(k) Provide information regarding neighbourhood and site context; impact on views, scale, relationship to adjacent development, compatibility, and contribution to area character. This information to supplement Section 4.6(a)(i)(ii)(iii).

NOTE: No approval will be given for any landscape plan which includes host trees and shrubs such as apple, pear, crab-apple, fruiting, Quince trees or flowering quince (japonica) shrubs.

- (l) Provide confirmation that street tree planting to municipal guidelines (if in place) will be provided.
- (m) Provide confirmation as to whether irrigation system will be required.
- (n) Provide Plan sections, elevations where deemed appropriate to show the overall intention of the landscape design.
- (o) Confirmation that the plant material and general construction standards will be to the minimum standards outlined in the B.C. Landscape Standards published by the BCNTA and the BCSLA.

Provide a Preliminary Cost Estimate for bonding requirements covering the following soft and hard landscape costs normally expected to be in the landscape contract and excluding elements that would normally be part of the general Contract and covered by other bond amounts:

- Soft landscape material and installation:
for lawns, planted areas, trees, topsoil, and mulches
- Hard landscape material and installation:
for wood planters, trellis, arbours, benches, etc., play areas and equipment, perimeter fencing.

- 4.9 Roof plans showing treatment of all exposed surfaces, including vents, chimneys and elevator housing.
- 4.10 Zoning check list (proposal data vs. zone standards) on site plan, noting all bylaw variances (sample zoning check list attached).
- 4.11 If applicable, rationale letter to Council requesting bylaw variances.
- 4.12 Number of required Plan Sets:
 - (a) One set of drawings reduced to 8½" x 11".
 - (b) Six sets of drawings reduced to 11" x 17".
 - (c) Ten sets of full size drawings.
 - (d) One coloured set of full size landscape plans and elevation drawings.
- 4.13 Photos of all existing elevations.
- 4.14 Three (3) sets of colour boards clearly showing proposed materials and colours.
- 4.15 Information required as noted in the Property Profile.
- 4.16 An environmental review by a registered biologist (or person with similar qualifications) and/or a comprehensive geotechnical report by a professional engineer competent in the field of hydro-geotechnical engineering.
- 4.17 Confirmation by written approval from the Ministry of Environment, Lands and Parks for authorized horizontal setback distance from a natural boundary of a creek or lake including Ministry approval on any mitigation measures required to alleviate environmentally hazardous conditions. Province of British Columbia forms are available on request from the Planning & Development Services Department. This information is in addition to any requirements of the City of Kelowna.
- 4.18 Any other information which may be deemed relevant to the particular proposal.

4.19 A Site Profile is required whenever an application is made for:

- (a) Rezoning
- (b) Development Permit
- (c) Development Variance Permit

and the site has had an activity occur for commercial gain that is listed in the Contaminated Sites Regulations Schedule 2. A copy of the site profile is required to be completed as part of the application submission (available at Planning & Development Services Department).

A COLOURED PERSPECTIVE OR RENDERING IS RECOMMENDED FOR CONSIDERATION BY ADVISORY PLANNING COMMISSION AND PRESENTATION TO COUNCIL.

WILL THE PRESENTATION INCLUDE A DISPLAY BOARD/PHOTO/MODEL? YES NO

NOTE (1): A landscape plan working drawing is required to be submitted with the building permit application. The detailed plan shall be in compliance with the conceptual landscape plan (Schedule C) approved as part of the Development Permit approval.

* Definition of technical terms are provided in the Zoning Bylaw.

PLEASE NOTE THAT ALL PLANS OR DOCUMENTS MUST BE FOLDED TO LETTER SIZE.

5.0 CHECK LIST TO CONFIRM COMPLIANCE WITH ZONING

NOTE: THIS IS A SAMPLE GUIDE. PLEASE CONFIRM THAT ALL BYLAW PROVISIONS FOR ALL STRUCTURES ON THE LOT HAVE BEEN ADDRESSED.

Applicant: _____ File No.: _____

Address: _____

Lot: _____ Block: _____ Plan: _____ Sec.: _____ Twp.: _____ District: _____

Development Permit Area: _____

Existing Zoning: _____

Existing Legal Use: _____ Conforming: _____ Non-Conforming: _____

Grades: Existing Average _____ Finish Average _____

Number of Buildings: _____ Type: _____

CRITERIA	PROPOSED	ZONE STANDARDS	COMMENTS	DONE
Site Area (m ²)		min.		
Area of Bldg. at Grade				
Area of Pavement, Accessory Bldgs., etc.				
Site Coverage (%)		max.		
Total Floor Area (m ²)		max.		
Net Floor Area m ²				
F.A.R. (Density)		max.		
Height (m)/Storeys (#)		max.		
Setbacks (m)				
- Front		min.		
- Rear		min.		
- () Side		min.		
- () Side		min.		
Parking Stall (No.)		min.		
Required/Unit		min.		
Min. Dwelling Area (m ²)		min.		
Open Air Space (%)		min.		
Loading Space		min.		
Usable Private Open Space (m ²)		min.		
Daylighting Setback (m)		min.		
Sign				
(Other)				

Plans Dated: _____ Checked By: _____ Date: _____