

Development Permits

A guide to the Development Permit process

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What is a
Development
Permit?

What does a
Development
Permit contain?

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This Guide explains:

- Development Permits
- Individual Development Permit Information Handouts
- Development Permit applications
- The process for reviewing applications
- Commonly asked questions

What is a Development Permit?

Development permits (DP's) do not reconsider the land uses that are allowed on a site. Rather DP's ensure that how a development is constructed responds to a set of guidelines to meet specific objectives.

Development Permits may be required for:

- The form, character and landscaping of multiple family, industrial and commercial development,
- The protection of the natural environment (either aquatic or terrestrial ecosystem),
- Hillside development,
- The protection of construction from wildfire.

The locations of Development Permit (DP) areas are designated within each Official Community Plan (OCP) or, for the Joe Rich area, in the Joe Rich Rural Land Use Bylaw.

The objectives and guidelines to be

considered for each DP area are also stated in the applicable OCP or Joe Rich Rural Land Use Bylaw.

Once a DP is issued, any development or construction on the property must conform to the specific conditions stated in the DP.

In addition to this brochure, each type of DP has an Individual Development Permit Information Handout to help in further understanding processes unique to each DP.

What does a Development Permit contain?

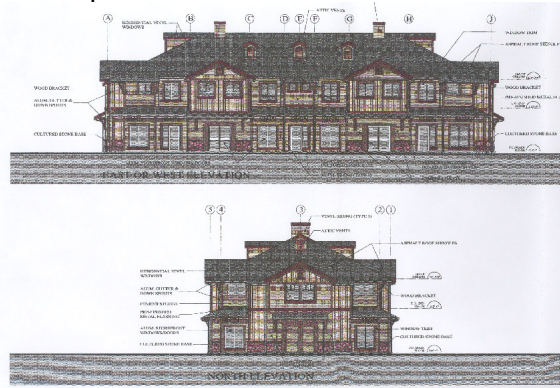
A Development Permit outlines, through text and drawings, the specific conditions that a development must conform to.

For example, a Development Permit may indicate a certain building form, materials and a required landscape plan for a multiple unit housing development. As another example, if the Development Permit is for environmental concerns, it might contain setbacks, restrictions on site disturbance, or replanting requirements.

A development permit application can include requests to change or "vary" a certain regulation (such as those in the Zoning Bylaw or the Subdivision and Development Servicing Bylaw) as it applies to that site.

Where the decision to issue a development permit will be made internally by staff, variances cannot be included and a separate development variance permit application will be required. Please refer to the development variance permit brochure for more information on that process.

Regulations that affect land use (the uses permitted on a property) or density (such as the number of units permitted on a property) **cannot** be varied through a Development Permit.



What if more than one type of Development Permit is required?

There may be occasions when there is more than one development permit area that applies to a particular property. A proposal for a new industrial building for example, may fall within both a DP area for the protection of aquatic habitat as well as one for the form, character, and landscaping of the building.

All the DP's can be applied for on one application form but there are separate fees required for each type of DP. There is a place on the application form to check off each type of DP that applies.

Are there different requirements for each type of DP?

Each type of DP is for a different reason and so each type has different guidelines and evaluation processes. A separate DP Information Handout for each type of DP is available in addition to this brochure.

The Information Handouts for each individual type of DP are available from the Development & Environmental Services Department or the Regional District website. The Information Handouts help in further understanding the processes and requirements unique to each type of DP.

How is an application made?

The Development Services Department has application packages that outline the required information, drawings and fees. It is important to make an appointment with planning staff before submitting a formal application. Staff will be pleased to review requirements and provide information. This will ensure a complete application and prevent any unnecessary delays.

It is important to remember that submitting an application does not guarantee approval.

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When is a Development Permit application required?

Each Official Community Plan (OCP) and the Joe Rich Rural Land Use Bylaw indicate the conditions under which a Development Permit (DP) is required. There are maps in each document as well as text stating the conditions when a DP application is or is not necessary.

Usually a DP application is required prior to obtaining a building permit or prior to subdivision. In some cases, such as streams and riparian areas, a DP is required prior to any site disturbance.

There are some cases where minor changes to a building or a site are permitted without a DP.

There may be previously issued DP's that already deal with the requirements for a certain proposal. All DP's that have been issued are registered on the legal title of the property. It is important to obtain a copy of any previously issued DP's and review them with staff to determine if a further application is required.

What are the application costs?

Some of the typical costs associated with a Development Permit application are:

- An application fee. Please refer to the “Application Fee Schedule”.
- Any documents/plans necessary to complete application requirements. This may include legal surveys, site plans, building plans, landscape plans, or drawings.
- In some cases a report by a professional may be required.
- Any documents/plans deemed necessary to make a decision by either Development Services Department or the Regional Board.
- Any legal fees associated with the application.

In addition a DP may contain a requirement for funds to be provided as security to the Regional District. The funds are to ensure the completion of any landscaping or re-vegetation required by the DP. Those funds are returned when the landscaping is completed to the satisfaction of the Development & Environmental Services Department.

Planning Staff can provide information regarding the specific requirements for a particular application.

What is the DP application process?

The Local Government Act regulates the process for an application. A summary of the process is outlined in this brochure. Included in the process are evaluations by staff, affected government agencies, and relevant advisory groups.

Neighbouring property owners are also notified of the application, giving them an opportunity to provide comments.

Granting the Development Permit is the decision of either Development & Environmental Services Department Manager or the Regional Board (depending upon the type of application).

The DP Process

Discuss the proposal with Planning Staff at the Development & Environmental Services Department
Staff can provide applications/information

Preliminary Design Discussion
Discuss initial ideas and drawings with staff in order to better understand the requirements and expectations, and discuss the Development Permit design guidelines.

Submit a complete application
Staff reviews the application for complete information, and identifies the necessary referrals and processes specific for the type of DP being applied for.

Public notification
The applicant is required to place a notification sign(s) on the property. The Regional District sends notification to neighbouring property owners. Comments from the public are invited.

Application Reviewed
Staff, relevant agencies and advisory group(s) are asked to provide comments on the proposal. Planning Staff then prepares a report to the Regional Board or Manager of Development & Environmental Services for their consideration.

Consideration of the DP application by either the Regional Board or Manager of Development & Environmental Services
At this point, either the Regional Board or the Director of Dev. Services (depending upon the type of DP application) may:

- Approve the DP
- Not approve the DP
- Defer a decision pending more information or clarification

If approved, the Development Permit is officially granted
The Development Permit will contain certain requirements and specifications that the development must meet. The applicant is notified and the Regional District registers the DP on the title of the affected property.

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What are the application costs?

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Development Permit Process Flowchart

How long does the application process take?

Regional District Staff does their best to ensure that applications are dealt with in a timely manner. Most Development Permit applications take approximately 6 to 8 weeks to proceed through the evaluation and approval process.

Additional information may be requested. The application may not be able to proceed before that information is provided. An applicant can considerably reduce any delays by supplying prompt replies with complete information.

In some DP applications, Planning Staff may be able to issue the Development Permit. In this case, the time frame is considerably shorter as Regional Board approval is not required.

What advisory groups does the Regional District have?

The Regional District has three (3) advisory groups, which provide comments on the various applications/referrals. These comments are considered in any decision made by the Regional Board.

Members of an advisory group are appointed by the Regional Board based on their background of civic activity, interest or expertise.

Applications may be referred to one or more of the following advisory groups:

- Agricultural Advisory Committee
- Advisory Planning Commission
 - Central Okanagan East
 - Central Okanagan West
- Environmental Advisory Committee

Applicants are informed when their application is being reviewed by an advisory group. Applicants have the right to speak and be heard at these meetings.

What is the role of the Ministry of Transportation & Infrastructure?

Ministry of Transportation & Infrastructure (MoT) is responsible for all public roads within the Regional District (except on First Nation land or the incorporated areas of Peachland, Kelowna, and Lake Country).

This means that MoT has an important role in DP applications and meeting their requirements is important. The Ministry can be contacted at:

Ministry of Transportation & Infrastructure
#300 – 1358 St. Paul Street
Kelowna, B.C. V1Y 2E1
Phone (250) 712-3660.

or

Ministry of Transportation & Infrastructure
4791 – 23rd Street
Vernon, BC V1T 4K9,
Phone (250) 503-3664

(Vernon MoT is responsible for properties in the general vicinity of Caesars Landing and north up to and including Westshore Estates)

For more information...

For more information, please contact staff in the Development & Environmental Services Department at (250) 469-6227. We will be pleased to help you and answer any questions that you might have.

This brochure is to be used in conjunction with our other informational brochures and as an aid in discussions with staff. It is general in nature, and is not a legal document. Any contradiction, dispute or difference between the contents of this brochure and applicable 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 Plans, Zoning Bylaw, Subdivision and Development Bylaw and other formal Regional District documents if you are unsure of any procedure or requirement. Staff will be pleased to be of assistance.

This brochure does not apply to incorporated areas within the Regional District of Central Okanagan such as Peachland, Kelowna, or Lake Country, nor does it apply to First Nation land.

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