

Application for Development Variance Permit



**Community Services
Department
Planning Section**
Regional District of Central
Okanagan
1450 K.L.O. Road,
Kelowna, B.C. V1W 3Z4
Phone: (250) 469-6227
Fax: (250) 762-7011
www.rdco.com

<u>Office Use Only</u>	
File No. _____	
Appl Fee(s) _____	
Electoral Area _____	
Date Received _____	
Receipt No. _____	

All Sections of this application form **must be filled** in for all applications. The application must be complete including information for all development permit areas that may affect the property. Incomplete applications will be returned.

It is strongly recommended that the applicant meet with staff to review development variance guidelines and application requirements prior to producing drawings and reports in order to ensure understanding of the guidelines, ensure appropriate information is included, and avoid unnecessary delays.

Incomplete applications will be returned. All information listed in the application must be provided (and must be clear) in order for the application to be accepted by the Community Services Department.

If a variance is granted it applies only to the specific regulations and the specific variance as stated in the development variance permit. All proposals must meet all requirements and bylaws of the Regional District including the regulations contained in the applicable bylaws and legislation such as but not limited to the Regional District Zoning Bylaw, the Regional District Subdivision and Development Bylaw, the BC Building Code, or the Regional District Joe Rich Rural Land Use Bylaw. A development variance permit cannot be considered where use or density would be affected.

There may be charges and costs unrelated to this application that are assessed at the time of building permit or subdivision such as development cost charges, sewage utility latecomer fees, legal fees, surveyor fees, etc.

Section 1 Owner Information (and Agent if applicable)

Development Application Primary Contact:		Registered Owner(s) of the Property:	
Full Legal Name:		Full Legal Name:	
Corporate Owner: (if applicable)		Corporate Owner: (if applicable)	
Mailing Address:		Mailing Address:	
City:	Postal Code:	City:	Postal Code:
Phone:	Mobile:	Phone:	Mobile:
Email:		Email:	

Office Use Only: Application for change(s) to: <input type="checkbox"/> Joe Rich RLUB <input type="checkbox"/> Zoning Bylaw #871 <input type="checkbox"/> Sub. Dev. Bylaw <input type="checkbox"/> Other (Specify) _____
--

Section 2 Description of Property

Lot _____ Plan _____ Block _____ District Lot _____ Section _____ Township _____

Street Address _____

Zone from Zoning Bylaw #871 (or in the case of Joe Rich the RLUB designation) _____

Official Community Plan designation _____

Current Land Use (brief description) _____

Proposed Land Use (brief description) _____

Current method of sewage disposal: Community Sewer Septic Tank Other

Current method of water supply: Community Water Well Other

Land is in the Agricultural Land Reserve: Yes No

Has the land been used for any commercial purposes or activities described in schedule 2 of the Contaminated Sites Regulation? Yes No

If yes, a Site Disclosure Statement (SDS) is required. Please visit the BC Provincial website for more information: <https://submit.digital.gov.bc.ca/app/form/submit?f=32a95812-f9db-4fd2-99eb-7e362b0253b1>

Section 3 Variances to a Regional District Bylaw

All bylaws and regulations of the Regional District must be adhered to unless a specific variance to a regulation is requested in the application, and subsequently approved and included in the development permit.

List all requested variances to the regulations in bylaws of the Regional District. Clearly state each specific item, for example: "Zoning Bylaw #871 – A reduction of regulation 10.1.8 minimum rear setback in the R-3A zone from 9.0 metres to 7.5 metres." Each variance should also be marked on the applicable drawings. A variance cannot be considered where use or density would be affected. (Attach additional pages, if necessary)

Provide a written rationale for each variance to a bylaw that is being requested. The written rationale should indicate the reasons for the variance(s) being requested and why current regulations cannot be accommodated. (Attach additional pages, if necessary)

Section 4 Required Information

Please check off the boxes indicating these required items have been included in this application. All items listed must be submitted with the application.

- Completed application form**
- Application Fee(s)** Refer to the fee schedule or planning staff for more information.
- Proof of ownership of the property** – A current title search no more than 90 days old (available from the BC Registrar of Land Titles) is required.
- Copies of existing covenants, right of ways, easements previously issued development permits, and any encumbrances registered on the title.**
- Site Disclosure Statement (if required)**
- Site Plan** (clear and to scale) showing property lines, existing and proposed buildings, parking and roadways, and significant features relevant to consideration of the proposed variance.
- Plans and/or drawings illustrating the variance** (Must accompany all applications). The variance should be indicated on the appropriate type of plan such as a site plan, elevation drawings of buildings, or sections in order to clearly illustrate the request. For example, an elevation drawing can show proposed buildings, site topography, and how a requested height variance appears on that property.
- Agent authorization** – This is required only where the owner has decided that another person is to act on the owner’s behalf for the purposes of being the primary contact and providing direction for the application. All owners on title must sign authorization (See Section 7).

Section 5 Applicant Confirmation & Signatures

As applicant or approved agent, I confirm that I have read all relevant Regional District of Central Okanagan bylaws and policies and that this application is in conformance (unless a bylaw amendment forms part of this application). I have attached to this application the required plans and specifications of the proposed development in accordance with the application checklist.

I accept responsibility for processing delays caused by incorrect or insufficient submission materials. I understand that this application form is a public document and that any and all information contained in it, including personal information as that term is defined in the Freedom of Information and Protection of Privacy Act of B.C., is open for inspection by the public and may be reproduced and distributed to the public as part of a report(s) to the Regional Board.

I understand that I am responsible for obtaining development authorizations and permissions from affected Provincial and Federal agencies, Telus, FortisBC, and Shaw Cable and for providing the File Manager with copies of responses from these utilities.

I hereby grant Regional District staff full right of access to the subject property, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, except Statutory Holidays, while this application is in effect.

I hereby authorize the agent (or the primary contact acting as agent as indicated in Section 1 of this application) to act on my behalf (and all other owners listed on title of the subject property) as an agent for all purposes of this application. *(All owners listed on title must provide consent.)*

Owner (signature) (print name) Date: _____

Owner (signature) (print name) Date: _____

Owner (signature) (print name) Date: _____

Owner (signature) (print name) Date: _____

(If the owner is a registered company the signature must be from a person with authority under the company to submit this application along with their title under the company)

Agent (if applicable) (signature) Date: _____

Important information

- Information contained on this form is collected in accordance with the Local Government Act of BC and is subject to the Freedom of Information and Privacy Act of BC. All submitted items will not be returned to the applicant.
- This application does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial, or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.
- Application guides for [Development Variance Permits](#) that further describe the steps and process that will be followed in processing the application can be found at the above link.

Notice: Requirement for Additional Professional Report(s)

After the application is submitted and reviewed, the Director of Community Services or the Regional Board may require an applicant provide additional reports prepared by professionals in order to ensure a complete understanding of the proposal, its extent, and impacts. Different types, locations, and sizes of proposals may require different types of reports. The types of reports that may be requested can be found in the Development Application Procedures Bylaw.

Personal information collection notice

Pursuant to Section 26 of the Freedom of Information and protection of Privacy Act, your personal information is collected for a Development Variance Application. If you have any questions about the collection, access, use or disclosure of your personal information please contact: Privacy Office, Regional District of Central Okanagan, 1450 KLO Road, Kelowna, BC V1W 3Z4 at foi.privacy@rdco.com or call 250-469-6224.