

Application Requirements:

- Completed application form, signed by the registered owner(s), together with a Project Information form. These forms are available at the Community Planning and Development Department counter, or at www.corp.delta.bc.ca under Municipal Hall → Forms and Applications → Development Forms.
- Application fee (there may be other required fees due later in the process which must be paid by the applicant).
- Written consent from the property owner authorizing an agent, if applicable (*Schedule D*).
- Acknowledgement and Consent Form from owner of drawings.
- Contaminated Site Profile.
- 3 copies of a sketch of the proposed development prepared by a BC Land Surveyor that includes a site plan showing the location of all proposed buildings and parking layouts, building elevations, floor plans, details of all proposed signs, a landscape plan (optional), and setbacks of adjacent buildings, all of which clearly indicate the scope of the requested variances.
- 1 additional copy of plans reduced to 11" x 17".
- A written brief outlining the purpose of the proposal including a description of the property, an outline of the existing and proposed uses, the reasons for the request and any benefits to the community.
- A Certified Arborist's Report is required if there are trees on or adjacent to the subject site that may be affected by the proposed development. The report must include the species and condition of the trees, and the location shown on a site survey plan. If any trees are to be removed, a tree replacement plan will also need to be submitted. **Note:** *The Corporation of Delta has in place a tree protection bylaw – Bylaw No. 6336.*
- Single Family Design Scheme prepared by a design consultant or 1 set of standard building plans and reduced copies to 11"x17" and 8 ½" x 11" (note: must be readable) including all building elevations. Building elevations must be labelled "north", "south", "east" or "west". The site plan must show a north arrow. Refer to Single Family Residential Application Guide for detailed information.
- The owner/developer must submit a Building Inspection report by an independent qualified professional. The purpose of the inspection is to identify any outstanding Zoning Bylaw and Building Code infractions which may need to be corrected following direction from the Building and Inspections Division.

Processing Procedure:

Following the submission of a complete application:

- The Community Planning and Development Department reviews the application and forwards the proposal to other municipal department(s) for comment.
- A report is submitted to Council for consideration upon receipt of all departmental comments and correction of all identified code and bylaw deficiencies identified in the Building Inspection Report.
- The applicant is notified of the Council decision. If favourable, Section 242(3) to (9) of the *Strata Property Act* (attached as Appendix "A") must be satisfied, in addition to any other requirements to complete approval.

- ❑ Upon substantial completion of the *Strata Property Act* requirements, (e.g., all necessary utilities including electrical, gas, water, heating and telephone) may enter the subject lot at a single point identified on the Strata Plan as Common Property or Limited common Property, but shall be separate and independent to each dwelling unit; the applicant must submit to the Community Planning and Development Department the necessary strata plans*, which meet all strata title requirements, and pay the application fee. The applicant will be responsible for securing the approval of the Superintendent of Insurance.

**A full dimensioned plan prepared by a BC Land Surveyor including:*

- 1 original linen
 - 1 mylar
 - 12 paper prints (4 to be returned to the applicant by the Approving Officer)
- ❑ Processing time depends on the physical condition of the building following inspection.

This brochure is meant for general guidance only and is not to be regarded as a right to development approval if the steps indicated are followed. If you have any questions please contact the Community Planning and Development Department at (604) 946-3380 for assistance.

Appendix A

242. Approval for conversion of previously occupied buildings

242. (1) For the purposes of this section, "approving authority" means
- (a) the municipal council of the municipality if the land is located in a municipality,
 - (b) the regional board of the regional district if the land is located in a regional district but not in a municipality and is not Nisga'a Lands,
 - (c) the Nisga'a Village Government if the land is located within Nisga'a Village Lands, or
 - (d) the Nisga'a Lisims Government if the land is Nisga'a Lands other than Nisga'a Village Lands.
- (2) If a person applying to deposit a strata plan wishes to include in the strata plan a previously occupied building, the person must submit the proposed strata plan to the approving authority.
- (3) The approving authority may
- (a) approve the strata plan, or approve the strata plan subject to terms and conditions, or
 - (b) refuse to approve the strata plan, or refuse to approve the strata plan until terms and conditions imposed by the approving authority are met.
- (4) The decision of the approving authority under subsection (3) is final and may not be appealed.
- (5) The approving authority must not approve the strata plan unless the building substantially complies with the following:
- (a) the applicable bylaws of the municipality or regional district;
 - (b) applicable Nisga'a Government laws;
 - (c) the British Columbia Building Code referred to in the Building Regulations of British Columbia.
- (6) In making its decision, the approving authority must consider
- (a) the priority of rental accommodation over privately owned housing in the area,
 - (b) any proposals for the relocation of persons occupying a residential building,
 - (c) the life expectancy of the building,
 - (d) projected major increases in maintenance costs due to the condition of the building, and
 - (e) any other matters that, in its opinion, are relevant.
- (7) If the approving authority approves the strata plan without terms and conditions, an authorized signatory of the approving authority must endorse the plan in accordance with the regulations.
- (8) If the approving authority approves the strata plan subject to terms and conditions, an authorized signatory of the approving authority must endorse the plan in accordance with the regulations once the terms and conditions have been met.
- (9) The endorsement must be dated not more than 180 days before the date the strata plan is tendered for deposit.
- (10) The approving authority may, by resolution, with respect to a specified type of previously occupied building,
- (a) delegate to an approving officer or other person designated in the resolution the exercise of the powers and performance of the duties of the approving authority under this section, and
 - (b) impose limits or conditions on the exercise of the powers and performance of the duties delegated by the resolution.
- (11) This section does not apply to a strata plan that includes a previously occupied building if the person applying to deposit the strata plan is the government or the Crown in right of Canada.