

THE CORPORATION OF THE CITY OF ROSSLAND

BYLAW #2261

A BYLAW TO ESTABLISH A DESIGN REVIEW PANEL

WHEREAS UNDER section 8(1) of the *Community Charter* (SBC Chapter 26) Council of the City of Rossland has the right to appoint an advisory body to review the design of developments proposed within certain development permit areas of the City and to make recommendations to Council,

NOW THEREFORE the Council of the City of Rossland, in open meeting assembled, ENACTS AS FOLLOWS:

SHORT TITLE

1. (1) This Bylaw may be cited as the “**DESIGN REVIEW PROCESS BYLAW, 2004**”

DESIGN REVIEW PANEL

2. **Membership & Term**

- (1) A Design Review Panel (the “Panel”) is hereby established. The Panel shall consist of seven (7) members nominated and appointed by Council to serve pursuant to the following Schedule:
 - (a) effective November 1, 2004, three members for a term of three years;
 - (b) effective November 1, 2004, two members for a term of two years;
 - (c) effective November 1, 2004, two members for a term of one year.
 - (d) effective November 1, 2005 and in each of the following years, sufficient members to fill the vacancies on the Panel, each for a term of three years, such members being selected from applicants responding to a public advertisement to fill vacancies on the Panel.

3. **Chair**

- (1) At the first meeting in November of each year, the Panel shall elect one person to serve as Panel Chair and one person to serve as Vice Chair for terms of one year. A Panel member may be re-elected to serve a second or subsequent term as Panel Chair or Vice-Chair.

4. **Compensation & Expenses**

- (1) Members of the Panel shall not be entitled to financial compensation for the time served on the Panel.
- (2) Members of the Panel shall be entitled to reimbursement for expenses incurred for training or development approved by Council, at rates established under the City's Personal Expenses Bylaw.

DESIGN REVIEW MANDATE

5. **Development Permit Area Design Guidelines**

- (1) A Development Permit Application for Design Review ("Application") shall be submitted to the Panel for review and recommendation prior to being submitted to Council for consideration for those Applications in Development Permit Areas established under the City's Official Community Plan which have Development Permit Area Design Guidelines ("Development Permit Area Design Guidelines").

6. **Purposes**

- (1) The first purpose of the Panel is to lend assistance to business owners, property owners, developers, planners and builders regarding the interpretation and application of applicable Development Permit Area Design Guidelines.
- (2) The second purpose of the Panel is to review development permit applications and advise Council on the degree to which such applications comply with the applicable Development Permit Area Design Guidelines.
- (3) The third purpose of the Panel is to recommend to Council such amendments to any of the City's Development Permit Area Design Guidelines as the Panel deems would further the intent of the Development Permit Area Design Guidelines.
- (4) The fourth purpose of the Panel is to recommend to Council such amendments to the design review procedure for applications for development permits in Development Permit Areas for which the City has established Development Permit Area Design Guidelines.

PROCEDURES

7. **Meetings**

- (1) The Panel shall comply with requirements under the *Community Charter* and other legislation from time to time regarding open meetings and related issues.
- (2) The Panel Chair shall call such meetings as may be required to fulfill the Panel's mandate under section 6(1 and 2) of this Bylaw.

- (3) The Panel shall meet for general purposes and to carry out its mandate under section 6 (3 and 4) of this Bylaw at times and dates established at the Panel's discretion.
- (4) Four members attending a Panel meeting shall constitute a quorum. If neither the Chair nor the Vice-Chair is in attendance at any meeting, the Panel members present shall appoint an Acting Chair for the meeting.
- (5) Meetings of the Panel shall be held at City Hall or at another location of the Panel's choosing, provided in the latter case that notice requirements are met.
- (6) The Panel may meet with development permit applicants at their request at the pre-Application stage to discuss the interpretation and application of Development Permit Area Design Guidelines. City staff shall encourage Applicants to meet with the Panel for this purpose and the City shall notify the Panel Chair or Vice-Chair when such a request is made.
- (7) All Applications shall be submitted to the City. On receipt of an Application, the City shall notify the Panel Chair or Vice-Chair to set a meeting time and date.
- (8) A meeting of the Panel to review an Application shall be held not later than 10 days following receipt of the Application by the City.
- (9) The City shall mail to all Panel members and the development permit applicant a Notice of Meeting ("Notice") indicating the date, time and location at which the Panel shall meet to review the Application. The City shall attach a copy of the Application to the Notice. The development permit applicant shall be invited to attend the meeting by way of the Notice to discuss the Application with the Panel.
- (10) If the Panel is unable to schedule a meeting within 10 days of receipt of the Application by the City, or if fewer members than a quorum attend a meeting at which an Application is to be reviewed, the City shall forward the Application to the Consultant designated by Council pursuant to section 8(1) of this Bylaw for review and advice regarding compliance with the applicable Development Permit Area Design Guidelines.

8. **Consultant**

- (1) Subject to the approval of the Chief Administrative Officer or designate, a Development Permit Application for Design Review may be submitted by the Panel for a review and report by a Professional Design Consultant ("Consultant") designated by Council. The report from the Consultant shall be attached to the Report presented by the Panel to Council pursuant to section 9(2) of this Bylaw.

- (2) Where this Bylaw requires or permits an Application to be submitted by the Panel to the Consultant, the City shall submit such Application and such report as the Panel may direct to the Consultant after the Panel has completed its initial review.
- (3) Where an Application has been referred to the Consultant pursuant to this section, the Consultant's report shall be reviewed by the Panel prior to the Panel submitting its Report to Council.

9. Minutes & Reports

- (1) The City shall provide to the Panel a Recording Secretary ("Secretary") who shall record the minutes of the Panel meeting and the Report of the Panel for review and signature by the Panel Chair, Vice-Chair or Acting Chair as the case may require.
- (2) After reviewing an Application or if the Panel wishes to report to Council on other matters, the Panel shall provide a written Design Review Report ("Report") to Council. The Panel shall submit a Report to Council regarding an Application at the next Regular Council Meeting following the Panel meeting held to review the Application.
- (3) Where Council requires clarification about some content of a Report, Council and the Panel shall communicate on this matter by way of a meeting and/or a supplemental Report by the Panel to Council, as the case may require, prior to a final Council decision being made on the Application.

10. Forms

- (1) The Notice shall be in the form prescribed in Schedule "A" attached to and forming part of this Bylaw.
- (2) The Report for Conservation Projects may be in the form shown in Schedule "B" attached to and forming part of this Bylaw or in another form which the Panel may develop.
- (3) The Report for New Construction may be in the form prescribed in Schedule "C" attached to and forming part of this Bylaw or in another form which the Panel may develop.

ENACTMENT

11. General

- (1) If any section, subsection, sentence, clause or phrase of the Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

- (2) Bylaw # 1939 is hereby repealed.
- (3) This Bylaw shall come into full force and effect on the final adoption thereof.

READ A FIRST TIME
READ A SECOND TIME
READ A THIRD TIME
PUBLISHED PURSUANT TO BYLAW #1962
RECONSIDERED AND FINALLY ADOPTED

this 10th day of January, 2005
this 10th day of January, 2005
this 10th day of January, 2005
this 13th day of January, 2005
this 14th day of February, 2005

Mayor

City Clerk

**THE CORPORATION OF THE CITY OF ROSSLAND
BYLAW #2261**

SCHEDULE 'A'

**DESIGN REVIEW PANEL
NOTICE OF MEETING TO REVIEW A DEVELOPMENT PERMIT APPLICATION**

Pursuant to Bylaw #2261, a meeting of the Design Review Panel has been called to consider an Application for a Development Permit:

Date: _____ Time: _____

Location: _____

Applicant: _____

Designer/Planner: _____

Project Address: _____

Legal Description: _____

Applicable DPA: _____

Project Description: _____

Date of Notice Issue

City Clerk

NOTE: Four members constitutes a quorum for a Design Review Panel. If neither the Chair nor the Vice Chair are present at the meeting, the members shall nominate an Acting Chair.

**THE CORPORATION OF THE CITY OF ROSSLAND
BYLAW #2261**

SCHEDULE 'B'

DESIGN REVIEW REPORT FOR CONSERVATION PROJECTS

Applicant: _____ Application # _____

Project Address: _____

Project Description: _____

Date of Review: _____

The Design Review Panel has evaluated the Application for Development Permit for compliance with the Design Guidelines for the subject Development Permit Area and finds the following:

MATERIALS	Complies			ADDITIONS	Complies		
Repair	Yes	No	N/A	Design	Yes	No	N/A
Replacement	Yes	No	N/A	Location	Yes	No	N/A
WINDOWS				SITE PLANNING			
Repair	Yes	No	N/A	Fences	Yes	No	N/A
Replacement	Yes	No	N/A	Retaining Walls	Yes	No	N/A
				Landscaping	Yes	No	N/A
DOORS				Lighting	Yes	No	N/A
Repair	Yes	No	N/A	Mechanical	Yes	No	N/A
Replacement	Yes	No	N/A	Parking	Yes	No	N/A
PORCHES, CANOPIES AND AWNINGS				COLOUR			
Repair	Yes	No	N/A	Scheme	Yes	No	N/A
Reconstruction	Yes	No	N/A				
New	Yes	No	N/A				
ARCHITECTURAL DETAILS				SIGNS			
Repair	Yes	No	N/A	Sign Type	Yes	No	N/A
Replacement	Yes	No	N/A	Sign Material	Yes	No	N/A
				Sign Content	Yes	No	N/A
				Sign Lighting	Yes	No	N/A
ROOFS							
Dormers	Yes	No	N/A				
Roof Form	Yes	No	N/A				
Materials	Yes	No	N/A				

OVERALL PROJECT COMPLIES Yes No (with exceptions listed on the reverse).

The application was/was not submitted to the City's Design Review Consultant.

Comments regarding application:

Chair/Vice-Chair/Acting Chair

**THE CORPORATION OF THE CITY OF ROSSLAND
BYLAW #2261**

SCHEDULE 'C'

DESIGN REVIEW REPORT FOR NEW CONSTRUCTION PROJECTS

Applicant: _____ Application # _____

Project Address: _____

Project Description: _____

Date of Review: _____

The Design Review Panel has evaluated the Application for Development Permit for compliance with the Design Guidelines for the subject Development Permit Area and finds the following:

SITE DESIGN	Complies			SITE PLANNING	Complies		
Views	Yes	No	N/A	Fences	Yes	No	N/A
Street Patterns	Yes	No	N/A	Retaining Walls	Yes	No	N/A
Building Alignment	Yes	No	N/A	Landscaping	Yes	No	N/A
Building Orientation	Yes	No	N/A	Lighting	Yes	No	N/A
				Mechanical	Yes	No	N/A
				Parking	Yes	No	N/A

BUILDING SCALE				COLOUR			
Massing	Yes	No	N/A	Scheme	Yes	No	N/A
Scale	Yes	No	N/A				
Width	Yes	No	N/A				
Solid-to-Void-Ratio	Yes	No	N/A				

BUILDING FORM				SIGN			
Building Form	Yes	No	N/A	Sign Type	Yes	No	N/A
Roof Form	Yes	No	N/A	Sign Material	Yes	No	N/A
Facade Proportions	Yes	No	N/A	Sign Content	Yes	No	N/A
Rhythm & Spacing	Yes	No	N/A	Sign Lighting	Yes	No	N/A
Details	Yes	No	N/A				
Character	Yes	No	N/A				
Materials	Yes	No	N/A				
Windows	Yes	No	N/A				
Display Windows	Yes	No	N/A				
Upper Windows	Yes	No	N/A				

