

Application for a Development Permit

1. APPLICATION

- a) An application shall be completed upon a form provided by the Village which then shall be delivered to the Village together with such additional plans and particulars as may be required. The application is considered as being accepted when all the required information (including fees) has been received.
- b) Each legal parcel shall be considered as a separate application, unless otherwise determined by the Chief Administrative Officer.

2. EXEMPTIONS

For applicable exemptions, please see *Village of Cumberland Official Community Plan Bylaw 990, 2016*, Section 10.0 'Development Permit Areas' or amendments thereto.

3. RE-APPLICATION

An application that has been refused by Council shall not be reconsidered for a period of 12 months immediately following the date of refusal, except when permitted pursuant to the provisions of the *Local Government Act*. A re-application is considered a new application and additional fees apply, as noted in the following section 10.

4. ABANDONED APPLICATIONS

An application that has not yet been which has been inactive for more than six months is deemed to be abandoned and will be closed.

5. NEIGHBOURHOOD PUBLIC MEETING

Council may require that the Applicant hold a Neighbourhood Public Meeting, the cost of which will be borne by the Applicant. If a meeting is required, the meeting shall be held in an accessible venue in the Village of Cumberland. The Applicant is required to prepare a summary of comments and/or concerns from the meeting and submit same to the Village in a timely manner in order that this information may be forwarded to Council.

6. NOTIFICATION

- a) If required by Council, the Applicant shall ensure that the notice of a Neighbourhood Public Meeting is placed in one edition of a local newspaper and mailed or otherwise delivered to adjacent owners and occupiers of all properties within a 75.0 metre (246.0 feet) radius of the lot lines of the land involved under application at least 10 days before the Neighbourhood Public Meeting.
- b) Within 10 days of the application being made, the Applicant shall install a public notice sign advising of the application in a location visible from the road on the subject property. If the property has two road frontages, two signs may be required. The sign shall be in the format approved by the Village. The sign must remain in place until the last act of Council and shall be removed within 10 days of that date.
- c) The Village shall mail or otherwise deliver a notice that Council will consider a Development Permit application to the owners of all properties within a 75.0 metres (246.0 feet) radius of the lot lines of the subject property at least 10 days before the meeting where Council will make a decision on the application.

7. AMENDMENT

After Council has approved a Development Permit for issuance, minor amendments will be accepted provided that the fee as noted in section 10 of this schedule has been paid. Major changes which require significant review by Staff and Council will require a new application and fees.

8. EXTENSION

The Applicant may apply to Council to grant one extension of up to two years. Fees as noted in section 10 of this schedule, apply.

9. APPLICATION REQUIREMENTS

- a) The completed **application form** including the applicable fees and the authorizing signature(s) as required.
- b) A **Surveyors Certificate** prepared by BC Land Surveyor may be required at the request of the Village.
- c) **A Site Plan** which contains the following minimum information about the subject property:
 - i) Location map, including neighbouring land uses;
 - ii) Existing and proposed buildings in relation to legal property boundaries with dimensions and areas;
 - iii) Significant physical features and topographic information, all existing watercourses and wetlands and all Sensitive Ecosystem Information;
 - iv) North arrow and drawing scales;
 - v) Dimensions for all elevations and site plans;
 - vi) Geodetic elevation upon request by the Village;
 - vii) Roads, existing and/or proposed;
 - viii) Residential unit or building layout and/or comprehensive plan, illustrating unit distribution; and
 - ix) Open space.
- d) Where the Development Permit is for form and character, elevation drawings will be required which will be in colour, illustrating the proposed outside of the building and include a list of materials and colours to be used.
- e) Completed 'Site Profile', as per the *Environmental Management Act*, for the subject property or release from the Ministry to proceed.
- f) **Landscape Plans, as required**, must be professionally prepared and conform to the most recent BCSLA\BCLNA Landscape Standard and contain the following minimum information:
 - i) Site organization, including planting beds, and landscape features;
 - ii) All plant material and landscape features at installed sizes, accurate location, and spacing;
 - iii) Plant list using botanical and common names for all recommended plant material and size specification;
 - iv) Location of all utility infrastructure (overhead, underground, light standards, etc.), which may be affected by landscaping.
 - v) A cost estimate of completing any required landscape plan. This estimate shall provide the following detailed (itemized) information:
 - 1) Softscaping such as, but not limited to plants, bed preparation, etc.;
 - 2) Equipment to be installed such as but not limited to irrigation system, playground, etc.,
 - 3) Hardscaping such as but not limited to sidewalks, fencing, etc., and
 - 4) Labour costs required for the total cost of the construction and implementation of the plan.
- g) **Security:** If required, the Applicant shall provide a security by letter of credit or in a form acceptable to the Village for the following purposes:
 - i) Landscaping: If Landscaping is required, this Security is to provide the means by which Council can carry out the landscaping works if the Applicant does not complete the approved Landscape Plan, as follows:
 - 1) The amount shall be 125% of the cost estimate for the approved landscape plan and shall be received before the Permit is issued.

Schedule B

- 2) An inspection shall be carried out upon completion of the plan and if compliant, a refund of 75% shall be made.
 - 3) The remaining 25% will be held back for one year at which time the Applicant will request an inspection. If the plantings are to the satisfaction of the Village, the holdback will be returned to the person who paid it. If any of the plants have not survived, they shall be replaced by the Applicant per the approved landscape plan, or failing this, the Village may use the holdback to replace the plants. Any amount of the security not used for the purpose it was intended will be returned to person who paid it.
- ii) **Unsafe Condition:** Where there is the high probability of an unsafe condition occurring due to a consequence of contravention of a condition in the Development Permit, a Security may be required to provide the means by which Council can rectify said unsafe condition, as follows:
- 1) The amount shall be 125% of the cost estimate provided by a registered professional and shall be received before the Permit is issued.
 - 2) An inspection shall be carried out upon completion of the plan by a registered professional and if found compliant, a full refund shall be made to the person who paid it.
 - 3) If the professional's inspection reveals an unsafe condition, the Applicant shall rectify the condition, or failing this, the Village may use the security to rectify the condition. Any amount of the security not used for the purpose it was intended will be returned to person who paid it.
- iii) **Damage to Natural Environment:** Where there is the high probability of damage to the Natural Environment occurring due to a consequence of contravention of a condition in the Development Permit, this Security may be required to provide the means by which Council can rectify said damage, as follows:
- 1) The amount shall be 125% of the cost estimate provided by a registered professional and shall be received before the Permit is issued.
 - 2) An inspection shall be carried out upon completion of the plan by a registered professional and if found compliant, a full refund shall be made to the person who paid it.
 - 3) If the professional's inspection reveals an unsafe condition, the Applicant shall rectify the condition, or failing this, the Village may use the security to rectify the condition. Any amount of the security not used for the purpose it was intended will be returned to person who paid it.
- h) Additional information may be required in accordance with the "Corporation of the Village of Cumberland Development Approval Information Bylaw No. 809, 2005" and all amendments thereto.

10. FEES

Residential, Single Family: \$1,200^{1,2}		All Other: \$2,100^{1,2}	
<u>Plus</u>	<ul style="list-style-type: none"> • \$1 per 1.0metres² gross floor area of commercial or industrial development¹; or • \$25 each residential lot/unit¹ 	to a maximum of \$4,200	
<p>+Plus reimbursement to the Village (at cost) for Peer Review of (such as but not limited to) legal, engineering, environmental, architectural plans, studies, and/or documents. The Applicant will be advised in writing of the amount outstanding and will be provided with an accounting of the costs incurred. Payment of these fees will be a condition that must be met prior to issuing the Permit.</p>			
Amendment	50% of application fee	Extension	50% of application fee
Refund	<ul style="list-style-type: none"> • Less 10% before preliminary review of the application • Less 75% before preparation of the first staff report • No refund after notification to adjacent neighbours 		
Notes:	<ol style="list-style-type: none"> 1. <i>If a concept plan is not available this number will be calculated on the maximum build out allowed in the applicable Zone.</i> 2. <i>Application fees shall include Title searches but do not include other documents such as covenants, ROW's, etc. The cost of retrieving these from LTO shall be borne by the Applicant.</i> 		

11. TYPICAL PROCESS

- a) A complete application and fees are received by Staff. Processing will not commence until all the application requirements are met.
- b) Staff will provide the design of the required public notice sign to the Applicant, mapping of the area required for notification of the Neighbourhood Public Meeting (if required), and mailing labels if requested.
- c) The Applicant shall install the Public Notice sign within 10 days of having made the application.
- d) Staff prepares a report for Council outlining the application and requesting referral to the internal Commissions or Committees as applicable.
- e) Council upon considering the application may request: additional information, and/or that the Applicant provide a Neighbourhood Public Meeting, they may issue the application, table, or deny the application.
- f) If required, the Applicant shall:
 - i) schedule the Neighbourhood Public Meeting in a Cumberland venue;
 - ii) advertise in a local paper, the advertisement to appear 10 days prior to the Neighbourhood Public Meeting;
 - iii) after the Neighbourhood Public Meeting, provide proof of advertising, a summary of comments and/or concerns; and any submissions made at the Meeting.
- g) If referred to an internal Commission or Committee by Council, Staff prepares a report for said Commission or Committee. The Applicant is invited to attend any meeting where their application is being considered.
- h) Staff sends out notification to adjacent neighbours at least 10 days prior to the meeting where Council will be making a decision on the application.
- i) The internal Commissions and/or Committees as referred by Council meet and makes recommendations to Council.
- j) Staff prepares report for Council outlining the application, including comments from the Neighbourhood Public Meeting (if held), recommendations from the internal Commission or Committees, and any public submissions received.

- k) Council, upon considering the application, may request additional information, issue the application, or may refer, table, or deny the application.
- l) The Applicant is advised of the Council's decision within 10 days.
- m) Where Council has issued the Development Permit, it is then prepared in the form of the form of Schedule B-1. When the conditions of the permit have been met the Development Permit is then issued by the Corporate Officer; and *Notice of Development Permit* is sent to Land Title Office for registration on the title of the subject property.
- n) Where an application for a Development Permit has been refused by Council, the Applicant shall be advised of the reasons for refusal.
- o) The Applicant shall remove the Public Notice sign within 10 days of Council making its decision.

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- j) Staff prepares report for Council outlining the application, including comments from the Neighbourhood Public Meeting (if held), recommendations from the internal Commission or Committees, and any public submissions received.
- k) Council, upon considering the application, may request additional information, issue the application, or may refer, table, or deny the application.
- l) The Applicant is advised of the Council's decision within 10 days.
- m) Where Council has granted the permit, it is then prepared in the form of Schedule C-1. When the conditions of the Permit have been met (i.e., security, plans) it is then issued by the Corporate Officer; and *Notice of Heritage Alteration Permit* is sent to Land Title Office for registration on the title of the subject property.

Schedule B

- n) Where a permit has been refused by Council, the Applicant shall be advised of the reasons for refusal.
- o) The Applicant shall remove the Public Notice sign within 10 days of Council making its decision.

Application for Development Permit

Application Information & Description of Property Affected	
Civic Address:	
Legal Description as shown on the Certificate of Title:	
PID:	Folio:

Registered Property Owner		
Company Name (if applicable):		
Name:		
Mailing Address:		Postal Code:
Phone:	Fax:	Cell:
Email:		

Applicant if different from Owner <i>(Owner signature required as Agent)</i>		
Company Name (if applicable):		
Contact Name:		
Mailing Address:		Postal Code:
Phone:	Fax:	Cell:
Email:		

Development being applied for	
<input type="checkbox"/> DPA#1 Environmental Protection <input type="checkbox"/> DPA#2 Groundwater Protection <input type="checkbox"/> DPA#3 Farmland Protection <input type="checkbox"/> DPA#4 Wildfire Urban Interface <input type="checkbox"/> DPA#5 Industrial	<input type="checkbox"/> DPA#6 Residential Infill <input type="checkbox"/> DPA#7 Residential Multi-family <input type="checkbox"/> DPA#9 Commercial <input type="checkbox"/> DPA#10 Intensive Residential – Carlisle Lane <input type="checkbox"/> DPA#11 Interchange Lands

Purpose of Application

Plans and Reports Attached to this application		
<input type="checkbox"/> Project Summary <input type="checkbox"/> Agent Authorization <input type="checkbox"/> Riparian Area Assessment Report	<input type="checkbox"/> Transportation Study <input type="checkbox"/> Hydrology Study <input type="checkbox"/> Environmental Study <input type="checkbox"/> Fire Protection <input type="checkbox"/> Municipal Infrastructure <input type="checkbox"/> School Facilities	<input type="checkbox"/> Parks <input type="checkbox"/> Forestry <input type="checkbox"/> Historical, archaeological, or paleontological resources <input type="checkbox"/> Artificial Lighting

Signature of Owner/Authorized Agent	
Owner/Applicant	Date of Application

Authorization & Appointment of an Agent

I, _____ being the registered owner of property legally described as:

Civic Address: _____

Legal Description: _____

PID: _____ Folio: _____

hereby give authorization for _____

to act as my agent in the matter of _____

It is understood that until the Corporation of the Village of Cumberland is advised otherwise, the Village shall deal **exclusively** with the above-noted person with respect to the matter noted above.

Date	Signature of Owner