

Application to Amend the Official Community Plan (OCP) and/or the Zoning Bylaw

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. 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 as 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 Section 7 of this schedule.

3. ABANDONED APPLICATIONS

An application which has been inactive for more than six months is deemed to be abandoned and will be closed.

4. NEIGHBOURHOOD PUBLIC MEETING(S)

- a) Applications to amend the OCP and/or Zoning Bylaw require the Applicant to hold a Neighbourhood Public Meeting prior to presentation of the application to Council for first reading. The Neighbourhood Public 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 this summary to the Village in a timely manner so that this information is available for Council.
- b) Council may require additional public consultation, the cost of which will be borne by the Applicant.

5. NOTIFICATION

- a) The Applicant shall ensure that the notice of the Neighbourhood Public Meeting is placed in one edition of a local newspaper and mailed or otherwise delivered to adjacent land 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 acceptable to 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 of Public Hearing or waiving of Public Hearing to the owners and occupiers 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 Public Hearing or consideration by Council if the Public Hearing is to be waived as required by the *Local Government Act*.
- d) The Village shall advertise a Public Hearing or waiving of a Public Hearing as required by the *Local Government Act*.

6. APPLICATION REQUIREMENTS

- a) The completed **application form** including the applicable fees and the authorizing signatures of the Applicant.

Schedule A

- b) A **Surveyors Certificate** prepared by BC Land Surveyor may be required for existing development on the subject property, with dimensions and areas, upon request by the Village.
- c) **Site Plans** which contain 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, and 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) Residential unit or building layout and/or comprehensive plan, illustrating unit distribution;
 - viii) Roads, existing and/or proposed; and
 - ix) Open space.
- d) Completed 'Site Profile', as per the *Environmental Management Act*, for the subject property or release from the Ministry to proceed.
- e) 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.

7. FEES

Amend OCP and/or Zoning Bylaw	
\$4,100^{1,2}	
+	<p>Plus a fee to reimburse the Village (at cost) for Peer Review of (such as but not limited to) legal, engineering, environmental, architectural plans, studies, and/or documents in the amount of:</p> <ul style="list-style-type: none"> • \$500 per lot of proposed or potential residential development¹; and • \$1 per 1.0metre² of Gross Floor Area of proposed/potential commercial/industrial development¹. <p>This fee is to be paid at time of application and will form the application "account". Staff will maintain an accounting of charges to the application, which will be provided to the payee semi-annually and upon completion or termination of the project. Funds remaining in the account after completion or termination of the project will be returned to the payee.</p>
+	<p>Plus additional monies will be required if the Peer Review charges exceed the Peer Review fees paid at application. The payee will be advised in writing that this fee is required and it will be equal to the amount paid at application, unless the CAO determines otherwise. The letter will include an accounting to date. Processing of the application will be suspended until this fee is paid.</p>
+	<p>Plus the Applicant shall bear the costs of advertising any Public Hearing/Waiving a Public Hearing which shall be paid before adoption of the amending bylaw(s).</p>
+	<p>Plus the fee of \$950 for each additional Public Hearing which shall be paid before adoption of the amending bylaw(s).</p>
Refund	<ul style="list-style-type: none"> •Less 10% before preliminary review of the application •Less 50% before preparation of first staff report •Less 75% after second reading but before Public Hearing •No refund after Public Hearing.
<i>Notes:</i>	<p>1. 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.</p> <p>2. If a concept plan is not available this number will be calculated on the maximum build out allowed in the proposed Zoning amendment.</p>

8. 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, and mailing labels if requested.
- c) The Applicant shall:
 - i) install the Public Notice sign within 10 days of having made the application;
 - ii) hold a Neighbourhood Public Meeting in the Village of Cumberland;
 - iii) advertise the Neighbourhood Public Meeting in a local paper, the advertisement to appear 10 days prior to the Neighbourhood Public Meeting;
 - iv) after the Neighbourhood Public Meeting, provide proof of advertising, a summary of comments and/or concerns; and any submissions made at the Meeting.
- d) Staff prepares a report for Council outlining the application and presenting the proposed bylaws, requesting referral to the internal Commission or Committee as applicable.
- e) Staff prepares a report for the internal Commission or Committee as applicable. The Applicant is invited to attend any meeting where his application is being considered.
- f) Staff prepares a report for Council which may include:
 - i) the results of the Neighbourhood Public Meeting;
 - ii) the recommendation(s) from the internal Commission or Committee as applicable;
 - iii) recommendations regarding first and second readings on the proposed bylaw(s);
 - iv) if the application includes an amendment to the Official Community Plan, the list of government agencies that might be affected by the proposal; and
 - v) scheduling of the public hearing, if required.
- g) Council may, upon considering the application, request additional information, give first and/or second readings to the implementing bylaw, or may refer, table, or deny the application.
- h) Staff schedules the public hearing, ensures that the required notification and advertising is carried out, produces an agenda for the Hearing and distribute to Council, and holds the Public Hearing.
- i) Following the Public Hearing(s) (or waiving of same) Council, without further notice, may give the Bylaw(s) third reading or may refer, table, or deny the application.
- j) As required by the *Transportation Act*, referral of a Zoning or Rezoning within 800metres of Highway 19 being the Inland Island Highway shall be made to the Ministry of Transportation and Infrastructure for their approval.
- k) Staff prepares a report for adoption of the bylaw(s). If all conditions of third reading have been met, the bylaw(s) shall be adopted.
- l) The Applicant is notified within 10 days of Council's decision. Where the amending bylaw(s) have been denied by Council, the letter shall contain the reasons for refusal.
- m) The Applicant shall remove the Public Notice sign within 10 days of the date of Council's final decision.

Application to Amend OCP and/or Zoning Bylaw

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

Registered Property Owner	
Company Name: <i>(if applicable)</i> :	
Name:	
Mailing Address:	
Postal Code:	Phone:
Email:	

Applicant if different from Owner	
Company Name: <i>(if applicable)</i> :	
Name:	
Mailing Address:	
Postal Code:	Phone::
Email:	

Development being applied for		
<input type="checkbox"/> OCP Amendment & Rezoning	<input type="checkbox"/> OCP Only	<input type="checkbox"/> Rezoning Only

Purpose of Application

Documents Attached to this Application		
<input type="checkbox"/> Project Summary <input type="checkbox"/> Agency Authorization	<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"/> Artificial Lighting <input type="checkbox"/> Historical, archaeological, or paleontological resources <input type="checkbox"/> Other

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

An Authorization & Appointment of an Agent form is required if the applicant is not the registered property owner.

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