



# **District of Port Edward Development Permit Procedures Bylaw**



**Bylaw No. 543, 2013**



## THE CORPORATION OF THE DISTRICT OF PORT EDWARD

### Development Permit Procedures Bylaw No. 543, 2013

**WHEREAS** the Council, under the authority of the *Local Government Act* wishes to adopt a Development Permit Procedures Bylaw;

**AND WHEREAS** a local government that has adopted an Official Community Plan Bylaw or a Zoning Bylaw must, by Bylaw, define procedures under which an owner of land may apply for an amendment to the plan or Bylaw or for the issue of a permit, pursuant to section 895 of the *Local Government Act*;

**AND WHEREAS** the District has adopted an Official Community Plan Bylaw that establishes development permit areas, and wishes to define procedures under which an owner of land may apply for a development permit;

**NOW, THEREFORE**, the Council of the District of Port Edward, in an open meeting, lawfully assembled, enacts the following:

#### Citation

- 1.1 This Bylaw may be cited as the “**District of Port Edward Development Permit Procedures Bylaw No. 543, 2013.**”

#### Applicability

- 1.2 This Bylaw shall be applicable to the land, water, buildings and structures within the jurisdiction of the District of Port Edward.

#### Severability

- 1.3 If any provision of this Development Permit Procedures Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Development Permit Procedures Bylaw.

#### Schedule

- 1.4 The following schedule attached hereto form an integral part of this Development Permit Procedures Bylaw:
  - (1) Schedule A – Development Permit Procedures Bylaw Text
  - (2) Schedule B – Application Information



- (3) Schedule C – Application Form
- (4) Schedule D – Posting of Notice
- (5) Schedule E – Statutory Declaration
- (6) Schedule F – Development Permit Form

**READ** a first time by Council this 10<sup>th</sup> day of September, 2013

**READ** a second time by Council this 10<sup>th</sup> day of September, 2013

**READ** a third time by Council this 10<sup>th</sup> day of September, 2013

I hereby certify that the foregoing is a true and correct copy of Development Permit Procedures Bylaw No. 543, 2013 cited as “ **The District of Port Edward Development Permit Procedures Bylaw No. 543, 2013**” as read a third time by the Council for the District of Port Edward on September 10th, 2013.

\_\_\_\_\_  
Ron Bedard, Chief Administrative Officer

**Reconsidered and Adopted** by Council this 9th day of October, 2013

\_\_\_\_\_  
Mayor Dave MacDonald

\_\_\_\_\_  
Ron Bedard, Chief Administrative Officer



# SCHEDULE A

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Schedule B	Application Information
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## **ACKNOWLEDGEMENTS**

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All Development Permits within the District of Port Edward shall comply with the provisions of this Bylaw with respect to the planning, design, and construction of new development within the Development Permit Areas as well as the planning, design and upgrading/ expansion of existing development within Development Permit Areas. The following persons are acknowledged for their contributions to this Bylaw:

### **District Council**

Mayor Dave MacDonald

Councillor Christine MacKenzie

Councillor Dan Franzen

Councillor Knut Bjorndal

Councillor Murray Kristoff

### **District of Port Edward Staff**

Ron Bedard, Chief Administrative Officer

Polly Pereira, Director of Corporate Administrative Services

Lorraine Page, Accounting Clerk

Kaitlyn Salm, Administrative Assistant

### **L&M Engineering and Planning**

David McWalter, P.Eng, Project Manager

Claire Negrin, MCIP, RPP, Community Planner

Ashley Elliott, BPI, Planner

# SCHEDULE A



## Part 1: INTRODUCTION

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### 1.1 Title

1.1.1 This Bylaw may be cited as the “**District of Port Edward Development Permit Procedures Bylaw No. 543**”

### 1.2 Purpose

1.2.1 The purpose of this Bylaw is to set out the procedures for the **Application**, review, and issuance of **Development Permits** within the District of Port Edward. This Bylaw applies to the following **Development Permit Areas** as designated in the *District of Port Edward Official Community Plan Bylaw No. 539, 2013*:

- a) Multi-Family Residential **Development Permit Area**; (RM1, RM2, RM3 Zones only)
- b) Commercial **Development Permit Area**;
- c) Industrial **Development Permit Area**; and,
- d) Highway **Development Permit Area**.

### 1.3 Definitions

1.3.1 Definitions for key words and phrases not contained in legislation or other Bylaws are listed below. In this Bylaw:

TERM	DEFINITION
<b>A</b>	
<b>Application</b>	Means a written request by an <b>Applicant</b> for the issue of a <b>Development Permit</b> in a form and content required by this Bylaw.
<b>Applicant</b>	Means the <b>Owner</b> or a representative of the <b>Owner</b> duly authorized to act on the <b>Owner’s</b> behalf in relation to an <b>Application</b> .
<b>B</b>	
<b>Bylaw Enforcement Officer</b>	Means an officer or employee of the <b>District</b> who has responsibility for inspection and enforcement relating to Bylaw compliance.
<b>C</b>	
<b>Chief Administrative Officer</b>	Means the person appointed as such by the District of Port Edward.
<b>Council</b>	Means the elected officials of the <b>District</b> .

# SCHEDULE A



<b>D</b>	
<b>Development Permit</b>	Within a <b>Development Permit Area</b> , a property <b>Owner</b> must obtain a <b>Development Permit</b> before subdividing land or constructing, adding to, or altering a building or structure. A local government may issue a <b>Development Permit</b> that varies or supplements a <b>Subdivision</b> or <b>Zoning Bylaw</b> .
<b>Development Permit Area</b>	A <b>Development Permit Area</b> (DPA) is a set of development regulations pertaining to a specific area as specified by the <b>Official Community Plan</b>
<b>District</b>	Means the District of Port Edward.
<b>G</b>	
<b>Gross Floor Area (GFA)</b>	Means the total area of all floors in all <b>Buildings</b> and <b>Structures</b> on a <b>Lot</b> , measured to the outside face of their exterior walls, including all areas occupied by internal walls and partitions; <b>Dwelling Units</b> ; all areas giving access thereto such as corridors, hallways, landings, foyers, staircases and stairwells; balconies; porches and verandas all of which are enclosed; elevator shafts; <b>Accessory Buildings</b> (except those used for parking).
<b>L</b>	
<b>Land Title Office</b>	Means the land registry office for the Province of British Columbia.
<b>O</b>	
<b>Official Community Plan</b>	Means the “ <b>District of Port Edward Official Community Plan Bylaw No. 539, 2013</b> ”.
<b>Owner</b>	Means a person listed in the <b>Land Title Office</b> as the <b>Owner</b> of a <b>Parcel</b> .
<b>P</b>	
<b>Parcel</b>	Means any lot, block or other area of land that is the subject of an <b>Application</b> .
<b>Q</b>	
<b>Qualified Professional</b>	Means a professional engineer, geoscientist, architect, biologist, planner or other professional with experience relevant to the applicable matter, as determined by the <b>Chief Administrative Officer</b> .
<b>S</b>	
<b>Security</b>	Means cash, a certified cheque, or a clean, unconditional and irrevocable stand-by letter-of-credit that provides for automatic renewals, drawn in favour of the <b>District</b> on a Canadian chartered bank or other institution acceptable to the <b>Chief Administrative Officer</b> and in the form acceptable to the <b>Chief Administrative Officer</b> .
<b>Z</b>	
<b>Zoning Bylaw</b>	Means “ <b>District of Port Edward Zoning Bylaw No. 540, 2013</b> ”.

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## 1.4 General Provisions

- 1.4.1 Unless otherwise defined herein, all words and phrases in this Bylaw shall have the meaning given to them in the *Local Government Act* and the *Community Charter*.
- 1.4.2 Words in this Bylaw directing or empowering any officer or employee of the ***District*** to do any act or thing, or which otherwise apply to him by name of office, include his successors in such office and his lawful deputy, and any person the ***Council*** may from time to time by Bylaw or resolution designate to act in his place.
- 1.4.3 A reference in this Bylaw to any enactment of British Columbia is a reference to the enactment as amended, revised, consolidated or replaced from time to time, and a reference to any Bylaw of the ***District*** is a reference to the Bylaw as amended, revised, consolidated or replaced from time to time.
- 1.4.4 Headings for each section of this Bylaw are intended to organize the content and are to be used for reference purposes only.
- 1.4.5 Wherever the singular or masculine form of a word is used, it shall also mean the plural or feminine form of the word as the case may be.
- 1.4.6 The provisions of this Bylaw shall apply to the whole territorial area of the ***District***.



## Part 2: ADMINISTRATION

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### 2.1 Review by the Chief Administrative Officer

- 2.1.1 Upon receipt of a complete **Application** the **Chief Administrative Officer** may review the **Application** and prepare a report containing the following information:
- a) A summary of the **Application**;
  - b) An assessment of the anticipated impact on the community;
  - c) A review of the **Application** with reference to **District** Bylaws and policies;
  - d) Any other matters the **Chief Administrative Officer** considers essential or desirable; and,
  - e) A proposed **Development Permit** substantially in the form attached as **Schedule 'F'**.
- 2.1.2 **Council** delegates to the **Chief Administrative Officer** the powers of **Council** to issue, amend, refuse, impose requirements, set conditions and standards, supplement a Bylaw, and impose conditions for the sequence and timing of construction for **Development Permits** in accordance with the *Local Government Act*, except for **Development Permits** that vary a Bylaw. If an **Application** proposes to vary a Bylaw of the **District**, a resolution must be obtained from **Council** as per Section 2.2.
- 2.1.3 If a resolution of **Council** is required for the issuance of the **Development Permit** because the **Development Permit** proposes a variance to a **District** Bylaw, the **Chief Administrative Officer** may, upon receipt of the **Application**:
- a) Forward the **Application** to **Council** for consideration;
  - b) Prepare and provide notice of **Council's** intent to consider a resolution to approve the **Development Permit** in accordance with this Bylaw;
  - c) If **Council** approves the **Development Permit** and if the **Development Permit** is subject to Section 52 of the *Transportation Act*, refer the **Development Permit** to the Minister responsible for the *Transportation Act* for approval;
  - d) Notify the **Applicant** of **Council's** decision in writing within 30 days immediately following the date of **Council's** consideration and include the minutes which contain the records of **Council's** deliberations and resolution.
  - e) If **Council** issues the **Development Permit**, register notice of the **Development Permit**, including permit amendment or cancellation in the **Land Title Office** in accordance with the *Land Title Act* and *Local Government Act*; and

# SCHEDULE A



- 2.1.4 If a resolution of **Council** is not required for the issuance of the **Development Permit**, the **Chief Administrative Officer** may, upon receipt of the **Application**
- a) Notify the **Applicant** of the **Chief Administrative Officer's** decision in writing within 30 days immediately following the date of the **Chief Administrative Officer's** decision; and,
  - b) Register notice of the **Development Permit**, if issued, including permit amendment or cancellation in the **Land Title Office** in accordance with the **Land Title Act** and **Local Government Act**.
- 2.1.5 For **Applications** that do not require **Council** approval, within 30 days of the **Chief Administrative Officer's** decision to issue, amend, refuse, impose requirements, set conditions and standards, supplement a Bylaw, and impose conditions for the sequence and timing of construction for a **Development Permit**, the **Applicant** may request that **Council** reconsider the decision subject to the following:
- a) The request shall be in writing, and include reasons in support of the reconsideration;
  - b) Upon receipt of a complete written request for **Council's** reconsideration, the **Chief Administrative Officer** shall prepare and forward a report to **Council** attaching the **Application** and setting out the reasons for the decision;
  - c) At a date and time set by **Council** the **Applicant** shall have the opportunity to appear before **Council** and be heard regarding the decision of the **Chief Administrative Officer**; and,
  - d) Following the hearing referred to in Subsection 2.1.5.C, **Council** shall reconsider the decision of the **Chief Administrative Officer** and either uphold the decision or substitute the **Council's** decision for the **Chief Administrative Officer's**.
- 2.1.6 **Council** delegates to the **Chief Administrative Officer** the powers of **Council** to require **Security** as a condition of the issue of a **Development Permit**.
- 2.1.7 The **Chief Administrative Officer** may require that the **Applicant** provide **Security** based on a complete construction cost estimate from a **Qualified Professional** in an amount equal to 120% of the estimated cost to do any one or more of the following:
- a) Satisfy a landscaping condition of the **Development Permit**;
  - b) Correct an unsafe condition which has resulted out of a contravention of a condition set out in the **Development Permit**;
  - c) Correct damage to the environment which has resulted out of a contravention of a condition set out in the **Development Permit**.



- 2.1.8 The **Chief Administrative Officer** may require that the **Applicant** provide **Security**, in a form approved by the **Chief Administrative Officer**, and in an amount stated in the **Development Permit**.

## 2.2 Council Consideration

- 2.2.1 If a resolution of **Council** is required for the issuance of the **Development Permit**, **Council** shall, upon receiving the **Application**, as well as the **Chief Administrative Officer's** report and proposed **Development Permit**, consider the **Application** and consider the proposed **Development Permit** in accordance with this Bylaw.
- 2.2.2 Following consideration of the **Application** and the proposed **Development Permit** pursuant to Section 2.2.1, **Council** may do one or more of the following:
- a) Issue, amend, renew or refuse the **Development Permit**;
  - b) Establish an expiration date and require undertakings;
  - c) Impose requirements, set conditions and standards;
  - d) Impose conditions for the sequence and timing of construction;
  - e) Require **Security**; or,
  - f) Defer the **Application** until additional required information has been provided.

## 2.3 Notice of Council's Consideration

- 2.3.1 The **Chief Administrative Officer** shall give notice of **Council's** consideration of a resolution to issue a **Development Permit** which varies a Bylaw under the **Local Government Act**, as if the **Development Permit** were a development variance permit.
- 2.3.2 The Distance for mailing or delivery of notices as referred to in Section. 921 and Section 922 of the **Local Government Act** is 30 metres.



## Part 3: DEVELOPMENT PERMIT

### 3.1 Application Requirements

- 3.1.1 An **Applicant** who applies for the issue of a **Development Permit** shall seek approval from **Council** or the **Chief Administrative Officer** in accordance with the *Local Government Act* and Part 2 of this Bylaw.
- 3.1.2 An **Applicant** who applies for the issue of a **Development Permit** shall complete an **Application** consistent with **Schedules “B” and “C”** of this Bylaw and submit it to the **Chief Administrative Officer**.
- 3.1.3 **Application** fees in accordance with **Table 1: Development Permit Application Fees** are payable to the **District** at the time of **Application** submission. Review of the **Application** shall not proceed until the applicable fees have been paid in full.
- 3.1.4 An **Applicant** who applies for the issue of a **Development Permit** shall pay the applicable **Application** fees in accordance with **Table 1: Development Permit Application Fees** at the time of **Application** submission. Review of the **Application** shall not proceed until the applicable fees have been paid in full.

**Table 1: Development Permit Application Fees**

<b>Development Permit Area</b>	<b>Fee</b>
Multi-Family Residential	\$250 + \$20/100sq.m <b>GFA</b> (max \$1800)
Commercial	\$500 + \$20/100sq.m <b>GFA</b> (max \$1800)
Industrial	\$750 + \$20/100sq.m <b>GFA</b> (max \$1800)
Highway	\$500 + \$20/100sq.m <b>GFA</b> (max \$1800)
Façade Improvement Only	\$250

- 3.1.5 If a **Council** resolution is required under section 2.2.2 of this Bylaw, an additional Notification Fee of \$400.00 is required.
- 3.1.6 The **Applicant** must provide the following information, at the **Applicant's** expense, to the **Chief Administrative Officer** at the time of **Application** submission, except to the extent that the **Chief Administrative Officer** determines that the provision of the information is not required to assist the **Council** or the **Chief Administrative Officer** in their consideration of the **Application**:
- a) Name, address and signature of the **Owner**;



- b) Name, address and signature of the **Applicant**, if different from the **Owner**;
- c) Legal description of the **Parcel**;
- d) Civic address of the **Parcel**;
- e) Legal title search for the **Parcel** dated no more than 60 days from the date of **Application** submission;
- f) Copy of all relevant charges registered on the legal title of the **Parcel**;
- g) Legal Plan;
- h) Site profile in accordance with the *Environmental Management Act*;
- i) Documents and plans which describe and justify the proposal;
- j) Documents and plans that demonstrate compliance with the applicable **Development Permit Area** guidelines, including all information listed in, and in the format specified in **Schedule 'B'** of this Bylaw;

### 3.2 Development Permit Form

- 3.2.1 A **Development Permit** shall be substantially in the form attached to this Bylaw as **Schedule 'F'**.

### 3.3 Development Permit Amendments

- 3.3.1 Minor changes in the development may be approved by the **Chief Administrative Officer** and do not require a new **Development Permit Application**, only where the changes do not violate the **Development Permit Area** guidelines in accordance with which the **Development Permit** was originally issued.



## Part 4: OFFENCE AND PENALTY

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### 4.1 Offence

- 4.1.1 No person shall use, alter land, or construct, add to or alter a building or other structure in a manner that is contrary to the terms of a **Development Permit** issued by **Council** or the **Chief Administrative Officer**.

### 4.2 Penalty

- 4.2.1 Any person contravening or committing any breach of or committing any offence against any provision of this Bylaw or who suffers or permits any act or thing to be done in contravention of or in violation of any of the provisions of this Bylaw or refuses, omits, or neglects to fulfill, observe, carry out or perform any duty, obligation, matter or thing whatsoever by the Bylaw prescribed or imposed or required to be done is liable, on summary conviction, to a fine not less than \$2,000 and not exceeding \$10,000.00, or a term of imprisonment not exceeding three months, or both, and the cost of prosecution.
- 4.2.2 Each day during which any violation, contravention or breach continues shall be deemed to be a separate offence.



**District of Port Edward  
Development Permit Procedure  
Bylaw No.543, 2013**

**Schedule 'B'  
Application Information**



# District of Port Edward

## SCHEDULE B APPLICATION INFORMATION

### 1.1 Document, Map, Plan and Drawing Submission Format

- 1.1.1 If required by the **Chief Administrative Officer**, a **Qualified Professional** shall certify all documentation including drawings, reports, security estimates, technical letters and other documentation submitted to the **Chief Administrative Officer** for the purposes of reviewing the **Application**. Three originally certified copies of the documents prepared by the **Qualified Professional** shall be submitted to the **Chief Administrative Officer**. Alternatively, the **Chief Administrative Officer** may accept fewer certified copies (hardcopy) if the documents are certified and submitted in a digital format acceptable to the **Chief Administrative Officer**.
- 1.1.2 The **Chief Administrative Officer** may review all documents and design drawings to verify general compliance with the requirements but will not necessarily check the adequacy or accuracy of the **Qualified Professional's** design. Any errors or omission will be the sole responsibility of the **Qualified Professional** who has certified the documents and design drawings.
- 1.1.3 Upon notification that the documents and design drawings are acceptable to the **Chief Administrative Officer**, the **Applicant** will be asked to submit three (3) originally certified copies of the documents and design drawings prepared by the **Qualified Professional**. One (1) set of drawings will be stamped "Exhibit" by the **Chief Administrative Officer** and forwarded to the **Applicant** with the issued **Development Permit**.
- 1.1.4 Digital format design drawings shall be submitted in accordance with the standards prescribed in the **District of Port Edward Subdivision and Development Servicing Bylaw No. 544**.
- 1.1.5 Maps, Plans and drawings shall be prepared in a metric representative fraction scale (ex. 1:200, 1:500 or 1:1000) and include a graphic scale.

### 1.2 Document, Map, Plan and Drawing Submission Content

- 1.2.1 The documents, maps, plans and drawings as required as part of an application shall include details of the existing site conditions and improvements, as well as details of the proposed activity or development.
- 1.2.2 If required by the **Chief Administrative Officer**, the documents, maps, plans and drawings shall include the following information:









**District of Port Edward  
Development Permit Procedures  
Bylaw No.543, 2013**

**Schedule 'C'  
Application Form**



# District of Port Edward

## SCHEDULE C DEVELOPMENT PERMIT APPLICATION FORM

Date of Application: \_\_\_\_\_

File Number: \_\_\_\_\_

Date Complete Application Received: \_\_\_\_\_

Fee Collected: \_\_\_\_\_

### Application Fee (available payment options: cash, cheque or debit)

Façade improvement only

\$250

Multi-Family Residential Development Permit

\$250 +  \$20/100 m<sup>2</sup> GFA (max \$1,800)

Commercial Development Permit

\$500 +  \$20/100 m<sup>2</sup> GFA (max \$1,800)

Industrial Development Permit

\$750 +  \$20/100 m<sup>2</sup> GFA (max \$1,800)

Highway Development Permit

\$500 +  \$20/100 m<sup>2</sup> GFA (max \$1,800)

Notification Fee (required only if there is a Variance)

\$400

### Applicant Information (Owner or Agent as applicable)

Applicant's Name: \_\_\_\_\_

Corporation (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Telephone: Business: \_\_\_\_\_ Home: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### Property Information

Civic Address: \_\_\_\_\_

Parcel Identifier(s): \_\_\_\_\_

Legal Description(s): \_\_\_\_\_

Existing Zoning: \_\_\_\_\_

Existing OCP: \_\_\_\_\_

Gross Floor Area of Proposed Building: \_\_\_\_\_

Description of Proposed Development (attach maps, plans and documents in support of application where applicable) 3 sets of metric scale plans required: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Current Title Search: \_\_\_\_\_ Site Profile: \_\_\_\_\_ Appointment of Agent (if applicable): \_\_\_\_\_



**DECLARATION**

**TO: THE DISTRICT OF PORT EDWARD**

I/WE, \_\_\_\_\_  
(Applicant)

**DO HEREBY** declare that I/we have read the attached documents, information and drawings and that they are true and correct to the best of my knowledge and belief. Further, I/we do hereby agree to submit further documents, information and drawings to assist in the consideration of the application, as determined by the District of Port Edward. Further, this statement is made with the knowledge that misrepresentation or failure to disclose, or failure to submit the appropriate application fee, may be deemed sufficient cause for the rejection by the District of Port Edward of any application. Further, I am aware that later discovery of an omission or misrepresentation made in the attached statements, documents, information and drawings may be grounds for a determination of ineligibility or revocation of any future permit or approval that may be granted;

**AND I/WE HEREBY** acknowledge that if the District of Port Edward grants a permit or approval, it will be granted only to the person(s) named in the application, or to the private corporation containing the principal shareholders and executive officers named in the application, or to the public corporation or society containing the executive officers named in the application;

**AND I/we** understand that the personal information on this form is collected under the authority of the *Community Charter, Local Government Act* and the District of Port Edward's Bylaws for the purpose of processing this application and for administration and enforcement.

**AND I/WE HEREBY** acknowledge that this application and all documents, information and drawings submitted with the application become part of the District of Port Edward's records and are subject to the *Freedom of Information and Protection of Privacy Act*, and this application and associated documentation may become a public record and be published in **Council's** public Agenda.

**FURTHER, I/WE HEREBY** voluntarily submit this declaration with full knowledge of the above.

\_\_\_\_\_  
**Applicant Signature**

\_\_\_\_\_  
**Date Signed**



**District of Port Edward  
Development Permit Procedures  
Bylaw No.543, 2013**

**Schedule 'D'  
Posting of Notice**



# District of Port Edward

## SCHEDULE D POSTING OF NOTICE

### 1.1 General

1.1.1 The posting of notice is required when a variance is sought as part of a **Development Permit**. The **Applicant** shall, at the **Applicant's** expense, post the notice in accordance with this **Schedule 'D'**.

### 1.2 Size and Material

1.2.1 The notice shall be a minimum of 1.8 metres X 1.2 metres in dimension.

1.2.2 The notice shall be constructed of plywood or other durable material.

### 1.3 Content

1.3.1 The notice shall be in English and state the following, as applicable to the **Application**:

- a) Time and date of the hearing;
- b) Place of the hearing;
- c) In general terms, the purpose of the variance;
- d) Legal description of the **Parcel**;
- e) The **Applicant's** name, address, and phone number; and,
- f) The **District's** address and phone number.

1.3.2 The notice shall have

- a) A white background; and,
- b) Dark blue block capital lettering that is not less than 6 cm in height.

### 1.4 Number

1.4.1 One notice is required for each 150 metres of **Highway** frontage, or portion thereof, provided that no more than 3 notices are required for any one **Parcel**.

### 1.5 Location

1.5.1 The notice shall be located within 3 metres of the **Parcel** property line, in a conspicuous location facing and clearly visible from the abutting **Highway**.



- 1.5.2 The notice shall be located so as not to interfere with pedestrian or vehicular traffic flow, or obstruct visibility from a **Highway**, lane, walkway or driveway.
- 1.5.3 If the placement of the notice on the **Parcel** that is the subject of the **Application** is not feasible then the notice may be posted on an abutting **Highway**, subject to approval from the **Chief Administrative Officer**.

## 1.6 Installation

- 1.6.1 The notice must be installed in a safe, sturdy manner capable of withstanding wind and weather.
- 1.6.2 The notice must be installed by the applicant at least ten (10) days before the **Council** date, and must remain in place until the conclusion of the hearing before **Council**.

## 1.7 Removal

- 1.7.1 The **Applicant** must remove the notice within 3 days of the conclusion of any related hearing.

## 1.8 Statutory Declaration Required

- 1.8.1 The **Applicant** must provide the **Chief Administrative Officer** with a statutory declaration, in a format as outlined in **Schedule 'D'**, that indicates all notices have been posted as required by this Bylaw.

## 1.9 Sample Sign Layout

Bylaw No. \_\_\_\_\_

Purpose:

Amendment:

Legal Description:

From:

To:

Applicant:

tel. \_\_\_\_\_

Public Hearing:

For further information please contact the:

District of Port Edward

PO Box 1100, 770 Pacific Ave, Port Edward, V0V 1G0

Phone: (250) 628-3667



**District of Port Edward  
Subdivision and Development Servicing  
Bylaw No.544, 2013**

**Schedule 'E'  
Statutory Declaration**



# District of Port Edward

## SCHEDULE E STATUTORY DECLARATION

I \_\_\_\_\_ of \_\_\_\_\_  
(Print Name in Full) (Address)

hereby certify that I did post \_\_\_ Development Notice(s) for Application Bylaw No. \_\_\_\_\_ in accordance with District of Port Edward Development Permit Procedures Bylaw No. 543, 2013 on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Sworn before me at Port Edward in British Columbia, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
Commissioner for obtaining  
affidavits for British Columbia



**District of Port Edward  
Development Permit Procedures  
Bylaw No.543, 2013**

**Schedule 'F'  
Development Permit Form**



# District of Port Edward

## SCHEDULE F

### DEVELOPMENT PERMIT FORM

DEVELOPMENT PERMIT NO. \_\_\_\_\_

1. This Development Permit is issued to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

2. This Development Permit applies to:

Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

3. Development Permit Area: \_\_\_\_\_

4. This Development Permit imposes conditions and standards as follows:

a. The development must be completed in compliance with the plans attached as Exhibit "A" on file at Municipal Hall.

5. This Development Permit imposes conditions respecting the sequence and timing of construction as follows:

6. This Development Permit is issued subject to compliance with all of the Bylaws of the District of Port Edward applicable thereto, except as specifically varied or supplemented by this Development Permit.

7. This Development Permit varies Section \_\_\_\_\_ of \_\_\_\_\_ as follows:

8. This Development Permit supplements Section \_\_\_\_\_ of \_\_\_\_\_ as follows:



9. As a condition of the issuance of this Development Permit, the District has required that the applicant for the Development Permit provide security in the amount of \$\_\_\_\_\_ in the form of \_\_\_\_\_, to guarantee the performance of the terms of the Development Permit.
10. If a Building Permit for the development permitted by this Development Permit has not been issued and construction has not substantially commenced within two years after the date of this Development Permit's issuance, this Development Permit shall lapse.
11. Minor changes in the development, that do not violate the development permit guidelines in accordance with which the Development Permit was originally issued, may be approved by the Chief Administrative Officer or his/her designate.

**12. This Development Permit is not a Building Permit.**

13. Additional Signatures (if required)

Authorizing resolution passed by Mayor and Council on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Approved by the Minister of Transportation and Infrastructure pursuant to S. 52 of the *Transportation Act* on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Authorization date: \_\_\_\_\_

Authorizing Signature: \_\_\_\_\_

14. Development Permit Authorization

This Development Permit No. \_\_\_\_\_ is hereby issued on this \_\_ day of \_\_, 2013.

\_\_\_\_\_  
Chief Administrative Officer