



Making a difference...together

**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE
MEETING OF TUESDAY, JULY 17, 2012**

SUBJECT **PROPOSED AMENDMENT TO THE EAST SOOKE, OTTER POINT AND SHIRLEY AREA BOARD OF VARIANCE BYLAW NO. 3377 AND THE PORT RENFREW BOARD OF VARIANCE BYLAW NO. 3380 (AMENDMENT BYLAW NO. 3839)**

ISSUE

To consider combining the East Sooke, Otter Point and Shirley Area Board of Variance (BOV) with the Port Renfrew BOV and including the Rural Resource Lands Area.

BACKGROUND

The East Sooke, Otter Point and Shirley Area BOV was established by Bylaw No. 3377 (Appendix 1) as the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040 applies to these areas. The East Sooke, Otter Point and Shirley Area BOV has been active over the years. The Port Renfrew BOV was established by Bylaw No. 3380 (Appendix 2) as the Comprehensive Community Development Plan, Bylaw No. 3109 applies to this community. The Port Renfrew BOV has never been activated and there has been difficulty in obtaining members for the Advisory Planning Commission as well. In addition, the Rural Resource Lands Land Use Bylaw, Bylaw No. 3602 was adopted March 3, 2010 and section 899(1) of the *Local Government Act* states that once a zoning bylaw is adopted a board of variance must be established by bylaw. Further, Section 899(5) states that each board of variance in a regional district is to consist of three persons appointed by the Board.

Staff has prepared Bylaw No. 3839 which repeals Bylaw No. 3377 and 3380 and establishes a new combined BOV for East Sooke, Otter Point, Shirley, Jordan River, Port Renfrew and the Rural Resource Lands (Appendix 3). It is also noted that there is a combined Board of Variance for the Malahat and Willis Point communities within the JDF Electoral Area.

ALTERNATIVES

1. Recommend that the CRD Board adopt the proposed Bylaw No. 3839 which establishes a combined BOV for East Sooke, Otter Point, Shirley, Jordan River, Port Renfrew and the Rural Resource Lands.
2. Recommend that the CRD Board not proceed with the proposed Bylaw No. 3839 which establishes a combined BOV for East Sooke, Otter Point, Shirley, Jordan River, Port Renfrew and the Rural Resource Lands and maintain the current structure.
3. Refer the bylaw back to staff for further information.

INTER-DEPARTMENTAL IMPLICATIONS

The proposed amendment facilitates the consideration of building permit applications for properties deemed legal non-conforming in these areas by providing a BOV to hear development appeals.

LEGISLATIVE IMPLICATION

Pursuant to Section 899 of the *Local Government Act*, once a zoning bylaw is adopted a BOV must be established by bylaw.

PLANNING ANALYSIS

Bylaw No. 3839 proposes that a combined BOV be established for East Sooke, Otter Point, Shirley, Jordan River, Port Renfrew and the Rural Resource Lands. Due to the difficulty in obtaining volunteers in Port Renfrew, a BOV has never been established. Given the very low population in Rural Resource Lands it is unlikely that volunteers will be available for a new BOV. Therefore, a combined BOV would provide service to all areas. Bylaw No. 3839 has been structured so that at least two members must be from the East Sooke, Otter Point, or Shirley, or Jordan River areas.

CONCLUSION

Staff has prepared Bylaw No. 3839 to establish a new combined BOV for East Sooke, Otter Point, Shirley, Jordan River, Port Renfrew and the Rural Resource Lands. This provides an opportunity for land owners within all of these areas to submit an appeal to the BOV to address legal non-conforming uses and structures.

RECOMMENDATION

That the Juan de Fuca Land Use Committee recommends to the CRD Board that:

1. Bylaw No. 3839 “Juan de Fuca Board of Variance Bylaw No. 1, 2012”, be introduced and read a first time, read a second time, read a third time and be adopted.

Original Signed

June Klassen, MCIP
Manager, Local Area Planning

Original Signed

Robert Lapham, MCIP
General Manager, Planning & Protective Services
Concurrence

Original Signed

Kelly Daniels
Chief Administrative Officer
Concurrence

Appendix:

1. Bylaw No. 3377
2. Bylaw No. 3380
3. Proposed Bylaw No. 3839

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3377

.....
**A BYLAW TO ESTABLISH A BOARD OF VARIANCE FOR THAT PART OF
THE JUAN DE FUCA ELECTORAL AREA KNOWN AS
THE EAST SOOKE, OTTER POINT AND SHIRLEY AREA**
.....

WHEREAS Section 899 of the *Local Government Act* provides that where a local government has adopted a zoning bylaw, the local government must establish a board of variance;

AND WHEREAS pursuant to Section 900 of the *Local Government Act*, the bylaw establishing a board of variance must set out procedures to be followed by the board of variance;

NOW THEREFORE, the Board of the Capital Regional District, in open meeting assembled, enacts the following:

PART 1 - ESTABLISHMENT

A Board of Variance is hereby established for that part of the Juan de Fuca Electoral Area known as the East Sooke, Otter Point, and Shirley Area as shown on Schedule 1 attached to and forming part of this bylaw.

PART 2 – APPOINTMENT OF BOARD MEMBERS

1. The Board of Variance shall consist of three members appointed by the Board of the Capital Regional District.
2. An appointment to the Board of Variance is for a maximum term of:
 - a) Three (3) years, or
 - b) If no successor has been appointed at the end of the three (3) year period, until the time that a successor is appointed.
3. At the first meeting in each calendar year, the members of the Board of Variance shall elect one of their members as Chair and the Chair may appoint a member of the Board of Variance as Acting Chair to preside in his or her absence.
4. The Board of the Capital Regional District may rescind an appointment to the Board of Variance at any time.

PART 3 - SECRETARY

1. A Secretary shall be provided to the Board of Variance by the Planning and Protective Services Department.
2. The responsibilities of the Secretary are:
 - a) to receive completed notices of appeal;
 - b) to notify the Chair of the Board of Variance upon the receipt of notice of appeal;
 - c) to ensure that proper notification is given in compliance with this bylaw;
 - d) to keep proper records of the Board of Variance proceedings;

- e) to appoint a representative to receive the notices of appeal when circumstances require an appointment; and
- f) to determine whether the appellant seeks a decision of the Board which would be in conflict with a covenant registered pursuant to Section 219 of the *Land Title Act*, a Section 215 covenant registered before the repeal of that section, or a Section 24(a) covenant pursuant to the *Land Registry Act* before the repeal of that Act; a requirement of a permit under Part 26 of the *Local Government Act*, or a matter which is covered in a land use contract.

PART 4 – NOTICE OF APPEAL

1. An appellant shall deliver to the Secretary of the Board of Variance or appointee, a completed Notice of Appeal in the form outlined in the sample of the Notice of Appeal contained in Schedule 2, together with such plans and technical information the appellant or Secretary deems necessary to support the appeal including, but not limited to the following:
 - a) letter stating the grounds of the appeal;
 - b) survey plan certified by a BC Land Surveyor;
 - c) site plan to scale;
 - d) building elevation plans to scale.
2. Prior to the processing of a Board of Variance appeal, the applicant shall pay to the Regional District a non-refundable application fee of Three Hundred Dollars (\$300.00) plus GST.
3. Upon receipt of a Notice of Appeal by the Secretary of the Board of Variance and determination of the hearing date, the Secretary shall, not less than 7 calendar days prior to the date of the hearing, give notice of the hearing by way of registered mail or otherwise to:
 - a) the members of the Board of Variance;
 - b) the appellant;
 - c) the Capital Regional District Juan de Fuca Electoral Area Community Planning and Building Inspection Services Departments;
 - d) the registered owners, as shown in the last revised assessment roll, and all tenants in occupation of the property under appeal and the land within 50 metres of the land that is the subject of the application.
4. The notice of the hearing shall state the date, time, and place of the hearing and shall include a copy of the notice of appeal.

PART 5 - HEARINGS

1. The Chair of the Board of Variance in consultation with the Secretary and all other members of the Board of Variance shall set a date for the hearing of an appeal, which shall be within 45 days of the date of receipt of a written Notice of Appeal.
2. A hearing of the Board of Variance shall be convened by the Chair on the date of hearing and at the time and place set out in the notice of hearing and the Board may adjourn the hearing from time to time, and may reconvene without further published notice if the time, date, and place of reconvening is announced at adjournment.
3. The members of the Board of Variance may view the property under application and the surrounding properties.
4. The Board of Variance shall hear all representations made to the Board.
5. The appellant shall be afforded the first opportunity to present evidence and arguments, and thereafter, evidence and arguments shall be presented in such sequence as the Chair may direct

until all parties to the application have been afforded an opportunity to present their evidence and arguments.

6. Presentations to the Board of Variance and the deliberations and decisions of the Board of Variance shall be open to the public.

PART 6 – DECISION

1. The decision of the Board shall be by a majority of those members present and made within 7 days of the hearing.
2. The Secretary of the Board of Variance shall, within 7 days of the decision, send by registered mail, or otherwise, the written decision of the Board of Variance to the appellant, all persons who made representation at the hearing, and the Capital Regional District Juan de Fuca Electoral Area Community Planning and Building Inspection Services Departments.
3. Where the Board of Variance orders that a minor variance be permitted or an exemption from section 911 (5) of the *Local Government Act* be allowed, it may order that, unless the construction of the building, structure or manufactured home is completed within a time set in the order, the permission or exemption terminates and the bylaw or section 911 (5) of the *Local Government Act*, as the case may be, applies.
4. The Secretary shall, within 7 days of the decision, enter that decision in the record maintained at the Regional District office.

PART 7 – REPEAL

Bylaw No. 2784 “East Sooke, Otter Point and Shirley Area Board of Variance Bylaw No. 1, 2000” is hereby repealed.

PART 8 - CITATION

This Bylaw may be cited as Bylaw No. 3377 “East Sooke, Otter Point and Shirley Area Board of Variance Bylaw No. 2, 2006”.

READ A FIRST TIME THIS	day of	2006
READ A SECOND TIME THIS	day of	2006
READ A THIRD TIME THIS	day of	2006
ADOPTED THIS	day of	2006

Chair

Corporate Secretary

SCHEDULE 2 of Bylaw No. 3377

APPEAL TO THE BOARD OF VARIANCE

FEE: Application fee of \$300 plus GST

File No.: _____

Folio No.: _____

IF THE APPLICATION HAS NOT BEEN COMPLETELY FILLED OUT AND MAPS AND OTHER PERTINENT INFORMATION INCLUDED, THE APPLICATION MAY NOT BE PROCESSED.
(Please see attached sample guide.)

I, _____ **TELEPHONE:** _____
(Owner's name - Please Print)

of _____
(Owner's Address, Postal Code)

(Agent's name and address – PLEASE PRINT)

LOT _____ BLOCK _____ SECTION _____ LAND DISTRICT _____ PLAN
NO. _____

STREET ADDRESS OF SUBJECT PROPERTY _____

REQUEST FOR RELAXATION

OF: _____

FROM: _____ TO: _____

REQUEST FOR RELAXATION OF: _____

FROM: _____ TO: _____

NOTE: DIMENSIONS SHALL BE SHOWN FROM THE FURTHEST PROJECTION OF THE INFRACTION TO THE PROPERTY LINE (CLEAR TO THE SKY).

ANTICIPATED DATE OF COMPLETION OF PROJECT: _____

CERTIFICATE OF TITLE SUBMITTED: YES _____ NO _____

SURVEYOR'S CERTIFICATE SUBMITTED: YES _____ NO _____

BUILDING PERMIT APPLIED FOR: YES _____ NO _____

STOP WORK ISSUED: YES _____ NO: _____ DATE: _____

PRESENT LAND USE: _____ HAS CONSTRUCTION STARTED: YES _____ NO _____

ADJACENT LAND USES: North _____ South _____ East _____ West _____

LOT SIZE IN METRES SQUARED _____ HECTARES _____

TOTAL FLOOR AREA OF ALL **RESIDENTIAL** BUILDINGS:

TOTAL FLOOR AREA OF ALL ACCESSORY BUILDINGS: _____

REASONS WHY COMPLIANCE WITH THE BYLAW WOULD CAUSE UNDUE HARDSHIP
(Refer to Sections of the Provincial *Local Government Act* attached).

ANY FURTHER WRITTEN DOCUMENTATION MAY BE ATTACHED

PLEASE TURN OVER

INFORMATION IN SUPPORT OF APPEALS

- 1) LEGIBLE PLAN OF THE PROPERTY (SUITABLE FOR PHOTOCOPYING), IN **BLACK INK** SHOWING BUILDING PROFILE, SETBACKS AND AREA TO BE APPEALED MUST BE INCLUDED BEFORE APPLICATION CAN BE PROCESSED. (EXAMPLE ATTACHED)
- 2) A CERTIFICATE OF TITLE (within 30 days of application) AND ANY **COVENANT** REGISTERED AT LAND TITLES OFFICE MUST BE SUBMITTED WITH THE APPLICATION.
- 3) A SURVEYOR'S CERTIFICATE SHOWING LOCATION AND DISTANCE TO PROPERTY LINES OF ALL EXISTING BUILDINGS AND STRUCTURES AND THE PROPOSED LOCATION AND DISTANCE TO PROPERTY LINES OF ANY NEWLY PROPOSED BUILDINGS AND STRUCTURES THAT ARE THE SUBJECT OF THE APPEAL. (Please consult with staff.)
- 4) SITES IN A MOBILE HOME PARK MUST SUBMIT MOBILE HOME PARK OWNER'S PERMISSION TO PROCEED TOGETHER WITH SQUARE FOOTAGE FOR THE MOBILE HOME SPACE, MOBILE HOME AND ADDITIONS; SITE PLAN SHOWING SETBACKS OF THE MOBILE HOME FROM EXISTING MOBILE HOMES AND FROM THE FRONT, REAR AND SIDES OF THE MOBILE HOME SPACE.
- 5) a) IF THE ORDER SETS A TIME WITHIN WHICH THE CONSTRUCTION OF THE BUILDING, STRUCTURE OR MANUFACTURED HOME PARK MUST BE COMPLETED AND THE CONSTRUCTION IS NOT COMPLETED WITHIN THAT TIME, OR
b) IF THAT CONSTRUCTION IS NOT SUBSTANTIALLY STARTED WITHIN 2 YEARS AFTER THE ORDER WAS MADE, OR WITHIN A LONGER OR SHORTER TIME PERIOD ESTABLISHED BY THE ORDER, THE PERMISSION OR EXEMPTION TERMINATES AND THE BYLAW OR SECTION 911 (5), AS THE CASE MAY BE, APPLIES.
- 6) THE BOARD OF VARIANCE JURISDICTION IS OUTLINED UNDER SECTION 901 OF THE *LOCAL GOVERNMENT ACT*. FURTHER REQUIREMENTS UNDER SECTION 911, NON-CONFORMING USES AND SITING; SECTION 910, FLOOD PLAIN ELEVATION; AND SECTION 938, SUBDIVISION SERVICING REQUIREMENTS MAY BE PERTINENT TO YOUR APPLICATION AND CAN BE REVIEWED AT THE ELECTORAL AREA PLANNING SERVICES DEPARTMENT AT 2-6868 WEST COAST ROAD, SOOKE, BC.

OWNER'S SIGNATURE _____ DATE: _____

(and, if required)

AGENT'S SIGNATURE: _____ DATE: _____

PLEASE RETURN TO: ELECTORAL AREA PLANNING SERVICES
2-6868 WEST COAST ROAD
P.O. Box 283
SOOKE, B.C. V0S 1N0

TEL: (250) 642-1500
FAX: (250) 642-5274

Appendix 2: Bylaw No. 3380

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3380

.....
**A BYLAW TO ESTABLISH A BOARD OF VARIANCE FOR THAT PART OF
THE JUAN DE FUCA ELECTORAL AREA KNOWN AS
PORT RENFREW**
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WHEREAS Section 899 of the *Local Government Act* provides that where a local government has adopted a zoning bylaw, the local government must establish a board of variance;

AND WHEREAS pursuant to Section 900 of the *Local Government Act*, the bylaw establishing a board of variance must set out procedures to be followed by the board of variance;

NOW THEREFORE, the Board of the Capital Regional District, in open meeting assembled, enacts the following:

PART 1 - ESTABLISHMENT

A Board of Variance is hereby established for that part of the Juan de Fuca Electoral Area known as the Port Renfrew as shown on Schedule 1 attached to and forming part of this bylaw.

PART 2 – APPOINTMENT OF BOARD MEMBERS

1. The Board of Variance shall consist of three members appointed by the Board of the Capital Regional District.
2. An appointment to the Board of Variance is for a maximum term of:
 - a) Three (3) years, or
 - b) If no successor has been appointed at the end of the three (3) year period, until the time that a successor is appointed.
3. At the first meeting in each calendar year, the members of the Board of Variance shall elect one of their members as Chair and the Chair may appoint a member of the Board of Variance as Acting Chair to preside in his or her absence.
4. The Board of the Capital Regional District may rescind an appointment to the Board of Variance at any time.

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2. Prior to the processing of a Board of Variance appeal, the applicant shall pay to the Regional District a non-refundable application fee of Three Hundred Dollars (\$300.00) plus GST.
3. Upon receipt of a Notice of Appeal by the Secretary of the Board of Variance and determination of the hearing date, the Secretary shall, not less than 7 calendar days prior to the date of the hearing, give notice of the hearing by way of registered mail or otherwise to:
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 - b) the appellant;
 - c) the Capital Regional District Juan de Fuca Electoral Area Community Planning and Building Inspection Services Departments;
 - d) the registered owners, as shown in the last revised assessment roll, and all tenants in occupation of the property under appeal and the land within 50 metres of the land that is the subject of the application.
5. The notice of the hearing shall state the date, time, and place of the hearing and shall include a copy of the notice of appeal.

PART 5 - HEARINGS

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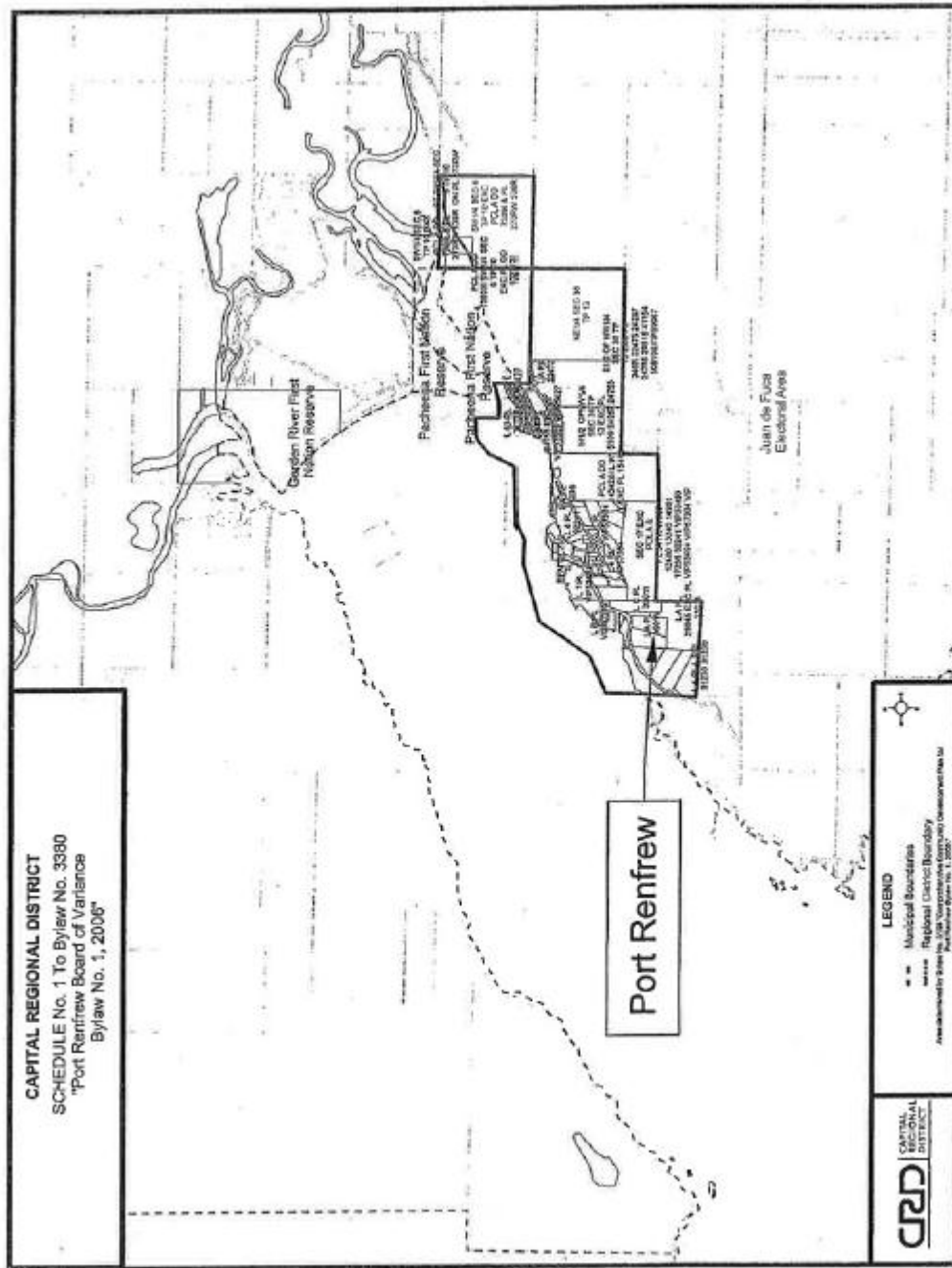
PART 8 - CITATION

This Bylaw may be cited as Bylaw No. 3380 "Port Renfrew Board of Variance Bylaw No. 1, 2006".

READ A FIRST TIME THIS	day of	2006
A READ A SECOND TIME THIS	day of	2006
READ A THIRD TIME THIS	day of	2006
ADOPTED THIS	day of	2006

Chair

Corporate Secretary



SCHEDULE 2 OF BYLAW NO. 3380

APPEAL TO THE BOARD OF VARIANCE

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Folio No.: _____

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CAPITAL REGIONAL DISTRICT

BYLAW NO. 3839

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**A BYLAW TO ESTABLISH A BOARD OF VARIANCE FOR
PART OF THE JUAN DE FUCA ELECTORAL AREA**
.....

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 - b) If no successor has been appointed at the end of the three (3) year period, until the time that a successor is appointed.
3. At the first meeting in each calendar year, the members of the Board of Variance shall elect one of their members as Chair and the Chair may appoint a member of the Board of Variance as Acting Chair to preside in his or her absence.
4. The Board of the Capital Regional District may rescind an appointment to the Board of Variance at any time.
5. A quorum for a hearing is two members.

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2. A hearing of the Board of Variance shall be convened by the Chair on the date of hearing and at the time and place set out in the notice of hearing and the Board may adjourn the hearing from time to time, and may reconvene without further published notice if the time, date, and place of reconvening is announced at adjournment.
3. The members of the Board of Variance may view the property under application and the surrounding properties.
4. The Board of Variance shall hear all representations made to the Board.

5. The appellant shall be afforded the first opportunity to present evidence and arguments, and thereafter, evidence and arguments shall be presented in such sequence as the Chair may direct until all parties to the application have been afforded an opportunity to present their evidence and arguments.
6. Presentations to the Board of Variance and the deliberations and decisions of the Board of Variance shall be open to the public.

PART 6 – DECISION

1. The decision of the Board shall be by a majority of those members present and made within 7 days of the hearing.
2. The Secretary of the Board of Variance shall, within 7 days of the decision, send by registered mail, or otherwise, the written decision of the Board of Variance to the appellant, all persons who made representation at the hearing, and the Capital Regional District Juan de Fuca Electoral Area Community Planning and Building Inspection Services Departments.
3. Where the Board of Variance orders that a minor variance be permitted or an exemption from section 911 (5) of the *Local Government Act* be allowed, it may order that, unless the construction of the building, structure or manufactured home is completed within a time set in the order, the permission or exemption terminates and the bylaw or section 911 (5) of the *Local Government Act*, as the case may be, applies.
4. The Secretary shall, within 7 days of the decision, enter that decision in the record maintained at the Regional District office.

PART 7 – REPEAL

Bylaw No. 3377 “East Sooke, Otter Point and Shirley Area Board of Variance Bylaw No. 2, 2006” and Bylaw No. 3380 “Port Renfrew Board of Variance Bylaw No. 1, 2006” are hereby repealed.

PART 8 - CITATION

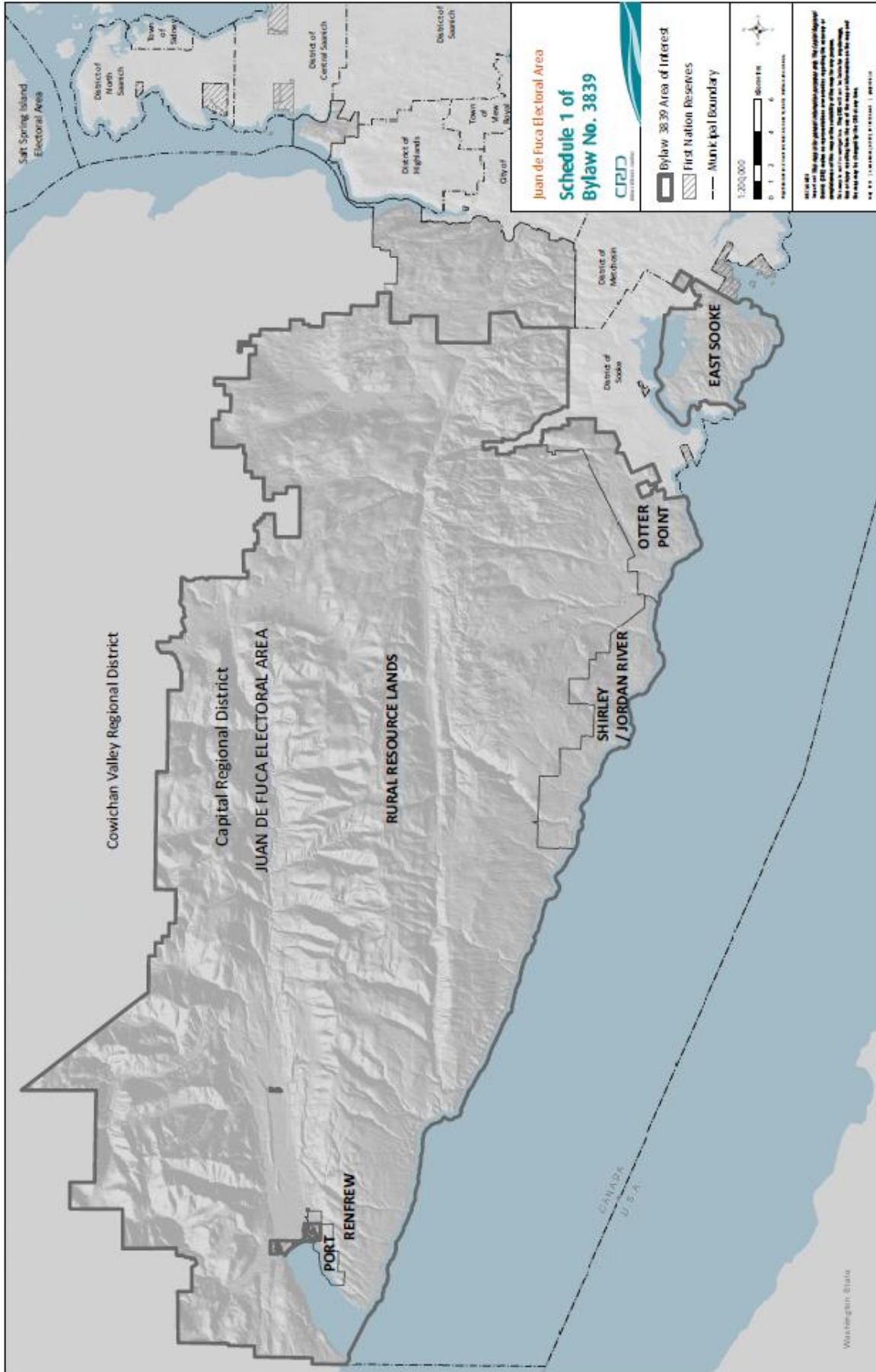
This Bylaw may be cited as Bylaw No. 3839 “Juan de Fuca Board of Variance Bylaw No. 1, 2012”.

READ A FIRST TIME THIS	day of	2012
READ A SECOND TIME THIS	day of	2012
READ A THIRD TIME THIS	day of	2012
ADOPTED THIS	day of	2012

Chair

Corporate Officer

Schedule 1



SCHEDULE 2 of Bylaw No. 3839

APPEAL TO THE BOARD OF VARIANCE

FEE: Application fee of \$300 plus GST

File No.: _____

Folio No.: _____

IF THE APPLICATION HAS NOT BEEN COMPLETELY FILLED OUT AND MAPS AND OTHER PERTINENT INFORMATION INCLUDED, THE APPLICATION MAY NOT BE PROCESSED.
(Please see attached sample guide.)

I, _____ **TELEPHONE:** _____
(Owner's name - Please Print)

of _____
(Owner's Address, Postal Code)

(Agent's name and address – PLEASE PRINT)

LOT _____ BLOCK _____ SECTION _____ LAND DISTRICT _____ PLAN
NO. _____

STREET ADDRESS OF SUBJECT PROPERTY _____

REQUEST FOR RELAXATION

OF: _____

FROM: _____ TO: _____

REQUEST FOR RELAXATION OF: _____

FROM: _____ TO: _____

NOTE: DIMENSIONS SHALL BE SHOWN FROM THE FURTHEST PROJECTION OF THE INFRACTION TO THE PROPERTY LINE (CLEAR TO THE SKY).

ANTICIPATED DATE OF COMPLETION OF PROJECT: _____

CERTIFICATE OF TITLE SUBMITTED: YES _____ NO _____

SURVEYOR'S CERTIFICATE SUBMITTED: YES _____ NO _____

BUILDING PERMIT APPLIED FOR: YES _____ NO _____

STOP WORK ISSUED: YES _____ NO: _____ DATE: _____

PRESENT LAND USE: _____ HAS CONSTRUCTION STARTED: YES _____ NO _____

ADJACENT LAND USES: North _____ South _____ East _____ West _____

LOT SIZE IN METRES SQUARED _____ HECTARES _____

TOTAL FLOOR AREA OF ALL **RESIDENTIAL** BUILDINGS:

TOTAL FLOOR AREA OF ALL ACCESSORY BUILDINGS: _____

REASONS WHY COMPLIANCE WITH THE BYLAW WOULD CAUSE UNDUE HARDSHIP
(Refer to Sections of the Provincial *Local Government Act* attached).

ANY FURTHER WRITTEN DOCUMENTATION MAY BE ATTACHED

PLEASE TURN OVER

INFORMATION IN SUPPORT OF APPEALS

- 1) LEGIBLE PLAN OF THE PROPERTY (SUITABLE FOR PHOTOCOPYING), IN **BLACK INK** SHOWING BUILDING PROFILE, SETBACKS AND AREA TO BE APPEALED MUST BE INCLUDED BEFORE APPLICATION CAN BE PROCESSED. (EXAMPLE ATTACHED)
- 2) A CERTIFICATE OF TITLE (within 30 days of application) AND ANY **COVENANT** REGISTERED AT LAND TITLES OFFICE MUST BE SUBMITTED WITH THE APPLICATION.
- 3) A SURVEYOR'S CERTIFICATE SHOWING LOCATION AND DISTANCE TO PROPERTY LINES OF ALL EXISTING BUILDINGS AND STRUCTURES AND THE PROPOSED LOCATION AND DISTANCE TO PROPERTY LINES OF ANY NEWLY PROPOSED BUILDINGS AND STRUCTURES THAT ARE THE SUBJECT OF THE APPEAL. (Please consult with staff.)
- 4) SITES IN A MOBILE HOME PARK MUST SUBMIT MOBILE HOME PARK OWNER'S PERMISSION TO PROCEED TOGETHER WITH SQUARE FOOTAGE FOR THE MOBILE HOME SPACE, MOBILE HOME AND ADDITIONS; SITE PLAN SHOWING SETBACKS OF THE MOBILE HOME FROM EXISTING MOBILE HOMES AND FROM THE FRONT, REAR AND SIDES OF THE MOBILE HOME SPACE.
- 9) a) IF THE ORDER SETS A TIME WITHIN WHICH THE CONSTRUCTION OF THE BUILDING, STRUCTURE OR MANUFACTURED HOME PARK MUST BE COMPLETED AND THE CONSTRUCTION IS NOT COMPLETED WITHIN THAT TIME, OR
b) IF THAT CONSTRUCTION IS NOT SUBSTANTIALLY STARTED WITHIN 2 YEARS AFTER THE ORDER WAS MADE, OR WITHIN A LONGER OR SHORTER TIME PERIOD ESTABLISHED BY THE ORDER, THE PERMISSION OR EXEMPTION TERMINATES AND THE BYLAW OR SECTION 911 (5), AS THE CASE MAY BE, APPLIES.
- 10) THE BOARD OF VARIANCE JURISDICTION IS OUTLINED UNDER SECTION 901 OF THE *LOCAL GOVERNMENT ACT*. FURTHER REQUIREMENTS UNDER SECTION 911, NON-CONFORMING USES AND SITING; SECTION 910, FLOOD PLAIN ELEVATION; AND SECTION 938, SUBDIVISION SERVICING REQUIREMENTS MAY BE PERTINENT TO YOUR APPLICATION AND CAN BE REVIEWED AT THE ELECTORAL AREA PLANNING SERVICES DEPARTMENT AT 2-6868 WEST COAST ROAD, SOOKE, BC.

OWNER'S SIGNATURE _____ DATE: _____

(and, if required)

AGENT'S SIGNATURE: _____ DATE: _____

DATE RECEIVED BY JDF PLANNING: _____

PLEASE RETURN TO: ELECTORAL AREA PLANNING SERVICES
2-6868 WEST COAST ROAD
P.O. Box 283
SOOKE, BC V0S 1N0

TEL: (250) 642-1500
FAX: (250) 642-5274