

DP WITH VARIANCE AND/OR FLOODPLAIN EXEMPTION APPLICATION

I/We, the undersigned, hereby make application to the Capital Regional District regarding consideration of a Development Permit with Variance, Development Permit with Floodplain Exemption or Floodplain Exemption.

APPLICATION

This application is submitted to: *(complete applicable section)*

Request the issuance of a Development Permit with Variance, OR,
 Request the issuance of a Development Permit with Floodplain Exemption, OR,
 Request Floodplain Exemption

Has a Development Permit, Variance Permit or Board of Variance decision been issued on this property?
 Yes No If yes, indicate file number and/or date of Permit: _____

Development Permit Area: *(Circle all applicable)*

Steep Slope | Shoreline | Riparian | Sensitive Ecosystem | Wetlands
 Watercourses | Foreshore | Industrial | Commercial

For Development Permit with Variance: *(complete all sections)*

Vary Setback:
 Current setbacks: Rear: _____ Front: _____ Side: _____ Flanking: _____
 Proposed setbacks: Rear: _____ Front: _____ Side: _____ Flanking: _____

Vary Building Height:
 Proposed building height: _____
 Current structures on land: _____

For Floodplain Exemption Request:
 Floodplain Setback: _____
 Flood Construction Level: _____

Request Other:
 Proposed variance/exemption: _____

OWNER/APPLICANT INFORMATION

Name of Registered Land Owner(s): 1. _____
(If more owners, please list on a separate page) 2. _____

Name of Applicant: _____

Applicant Contact Information:

Mailing Address:

Street: _____ City: _____
 Province: _____ Postal Code: _____
 Email: _____
 Tel (mobile): _____ Tel (home): _____
 Tel (work): _____

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CONDITIONS AND DECLARATIONS

Acknowledgement of Costs:
 I, the applicant and/or owner, hereby acknowledge that any legal costs that may arise as a result of this application will be borne by the applicant and are payable prior to approval of the proposed development permit or development permit with variance, with floodplain exemption or development permit amendment.

I have read and agree with the above paragraph. _____ (initial)

Environmental Management Act:
 I, the applicant and/or owner, represent to the Capital Regional District, knowing that the Capital Regional District relies on this representation and warranty, that the property covered by this application, has never, to the best of my knowledge, having done due and diligent inquiry, been used for any purpose such that a Site Profile is required to be submitted under the British Columbia *Environmental Management Act*, and that the property is not contaminated or polluted in any way that would make it unlawful, unsafe or unsuited for the purpose for which it is intended to be used, including within the meaning of the British Columbia *Environmental Management Act*.

I have read and agree with the above paragraph. _____ (initial)

Waiver and Indemnity:
 I, the applicant and/or owner, assume all risks incidental to or that may arise as a result of this application and agree to save harmless and indemnify the Capital Regional District and its officials, agents, servants and representatives from and against all claims, actions, costs, expenses and demands with respect to death, injury, loss or damage to persons or property arising out of or in connection with this application. I agree to conform to all applicable bylaws. I understand that no warranty is implied for the approval of this application and that this waiver and indemnity is binding on me, my heirs, executors and assigns.

I have read and agree with the above paragraph. _____ (initial)

Authorization for Access:
 I, the applicant and/or owner, hereby grant to the Capital Regional District and its officials, agents, servants and representatives, authorization to enter the land for the purposes of verifying site conditions as they relate to this application.

I have read and agree with the above paragraph. _____ (initial)

Freedom of Information Waiver:
 Personal information contained on this form is collected under the authority of the *Local Government Act* and the Juan de Fuca Electoral Area Development Fees and Procedures Bylaw, Bylaw No. 3885, and is subject to the *Freedom of Information and Protection of Privacy Act*. Enquiries about the collection or use of information on this form can be directed to the Juan de Fuca Community Planning office.

Signature of Registered Owner or Applicant
 (Note: if more than one owner, ALL registered owners must sign)

Date

INFORMATION TO BE SUBMITTED AT THE TIME OF DEVELOPMENT PERMIT APPLICATION

- Completed application form
- Corporate structure and name of principal of company (*if applicable*)
- Written owner's authorization giving applicant permission to act on their behalf (*if applicable*)
- Written authorization from the Strata Corporation or written approval from the Strata owners (*for applications related to Strata property only*)
- Copy of current Title Search (*dated within 30 days*)
- Copies of any easements, covenants and rights-of-way listed on Title Search
- Site Plan to include the following:
 - Civic address and/or legal description
 - Property boundaries and dimensions
 - Location, dimensions & setbacks of existing & proposed buildings, structures & utilities
 - Location of existing and proposed property access/egress
 - Location of steep slopes and/or banks
 - Location and name of any bodies of water or watercourses within or adjacent to property
 - Location of high water mark or top of bank of watercourses and riparian areas or location of SPEA if Riparian Area Assessment has been completed.
 - Mapped location and dimension of variance
 - Existing street and road names
- Survey Certificate to confirm the location of any buildings on the property
- Completed Development Application Signs form (*applicable only to DP with Variance applications*)

APPLICATION FEES TO BE SUBMITTED AT THE TIME OF APPLICATION

- As per Bylaw No. 3885, Juan de Fuca Development Fees and Procedures Bylaw, Schedule B (*payable for cash, cheque or debit card*):
 - Application for development permit with variance: \$1,000
 - Plus \$250 for each additional parcel included to a maximum total fee of \$1,750
 - Applications for development permit with floodplain exemption: \$750
 - Plus \$250 for each additional parcel included to a maximum total fee of \$1,500
 - Applications for floodplain exemption: \$550
 - Plus \$250 for each additional parcel created or included to a maximum total fee of \$1,300
 - Legal document review deposit: \$500*
- *Where no legal document review is required, the \$500 deposit will be refunded.

ADDITIONAL INFORMATION THAT MAY BE REQUIRED

- Geotechnical Professional Report
- Riparian Area Assessment
- Archaeological Study
- Proposed subdivision plan drawing to scale
- Landscape Plan
- Building design drawings to include: Building elevations, building height and floor area
- Other reports or information as required

The applicant should be aware that pursuant to Section 56 of the *Community Charter*, the Building Inspector may require a geotechnical report and registration of a covenant as part of the Building Permit process.

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Owner's Authorization Form

All property owners registered on the Certificate of Title must provide written approval to allow the APPLICANT to act on their behalf.

_____, is hereby authorized to act as my agent for the
(Name of agent)
purpose of _____

(You may list all application types associated with your project)

Subject Property: _____

PID (Parcel Identifier-nine digit number): _____

Legal Description: Lot _____ Block _____ Section _____ Plan _____ Except _____

REGISTERED OWNER 1

Name of Registered Owner: _____
Signature of Registered Owner: _____
Date: _____ Email: _____

REGISTERED OWNER 2

Name of Registered Owner: _____
Signature of Registered Owner: _____
Date: _____ Email: _____

REGISTERED OWNER 3

Name of Registered Owner: _____
Signature of Registered Owner: _____
Date: _____ Email: _____

REGISTERED OWNER 4

Name of Registered Owner: _____
Signature of Registered Owner: _____
Date: _____ Email: _____

Receipt of Development Application Signs

The posting of development application signs is required for OCP or land use bylaw amendments, and, applications for a development permit that includes a variance, a development variance permit or a temporary use permit.

I, _____ have received _____ sign(s) giving notice
(print name)
of this application and provided a deposit of \$ _____, a \$50 deposit per sign, which may be refundable as per Bylaw No. 3885, *Juan de Fuca Development Fees and Procedures Bylaw*, Schedule B.

The sign(s) will be posted at the following street address: _____.

Legal Description: Lot _____ Block _____ Section _____ Plan _____ Except _____

Signature of Applicant _____ Date

Telephone _____ Email

Posting Sign Requirements

The applicant must erect sign(s), provided by Community Planning, for each parcel of land which is subject to the application and post according to the following:

1. signs are to be erected within ten (10) days of submitting a complete application;
2. the applicant must ensure that the sign can be viewed from each public road frontage abutting their property and is unobstructed to viewing by the public.
3. multiple signs are required for subject properties with multiple road frontage and for subject properties that are not contiguous to each other.
4. the sign must be no higher than two (2) metres from the bottom of the sign above the grade of the road and not further back from the road right-of-way than three (3) metres.
5. the sign(s) must stay up until after the application is withdrawn or after the application decision by the Board.
6. a photograph must be submitted to Community Planning confirming the sign has been erected.
7. if the sign is not posted in accordance with this bylaw, consideration of the application by the CRD will be postponed. Any costs associated with the postponement will be borne by the applicant.
8. non-compliance with this section due to the removal, destruction or alteration of a sign by unknown persons, vandalism or natural occurrence shall not affect the validity of the bylaw that is the subject of the application.
9. if the applicant does not return the sign(s) within thirty (30) days after the application is withdrawn or after the application decision by the Board, the sign deposit will be forfeited.

Date Issued: _____

Date Returned: _____

Refund: \$ _____

Receipt No. _____

Signature of Official