

THE VILLAGE OF PEMBERTON

BYLAW NO. 601, 2007

A bylaw to amend the Village of Pemberton Development Procedures
Bylaw No. 388, 1996

WHEREAS the Council of the Village of Pemberton has, under Section 895(1) of the *Local Government Act*, by bylaw established procedures to amend an official community plan, a zoning bylaw or issue a permit;

AND WHEREAS Council of the Village of Pemberton now deems it advisable to amend the said Bylaw to revise fees payable in respect of such applications;

AND WHEREAS, pursuant to Section 154 of the Community Charter, the Council of the Village of Pemberton wishes to delegate certain of its powers to consider applications for a development permit to the Director of Development Services;

NOW THEREFORE Municipal Council of the Corporation of the Village of Pemberton in open meeting assembled enacts as follows:

1. This Bylaw may be cited for all purposes as "The Village of Pemberton Land Use Procedures Amendment Bylaw No. 601, 2007."
2. The following sections are added to Bylaw No. 388, 1996 as sections 14 and 15;
 14. (a) Despite the process provisions set out earlier herein, Council herein delegates its powers under Section 920 of the *Local Government Act*, R.S.B.C. 1996 c 323 to the Director of Development Services, in respect of minor development permit applications.
 - (b) For the purposes of this bylaw, a minor development permit application shall include:
 - (i) additions to existing buildings where the size

- of the addition is equal to or less than 20 square meters;
- (ii) full compliance to the Village of Pemberton zoning bylaw;
- (iii) amendments to existing permits;
- (iv) upgrading of facades to existing buildings;
- (v) applications involving a new duplex and multi-family development up to a maximum size of a fourplex; and
- (vi) construction of fences, roadways or trails in environmental protection areas.

15. The owner of any property that is subject to the decision of the Director of Development Services pursuant to Section 14 above is entitled to have Municipal Council reconsider a decision of the Director of Development Services on the following terms:

- a) within 30 days of the Director of Development Services's decision the applicant shall submit a letter to Council through the office of the Clerk requesting that the decision of the Director of Development Services be reconsidered by Council;
- b) the Director of Development Services shall submit a report to Council attaching the applicant's development permit application and setting out the Director of Development Services's reasons for denying the application;
- c) at a date and time set by Council, the applicant shall have the opportunity to appear before Council and be heard regarding the Director of Development Services's decision;
- d) following the applicant's opportunity to be heard, Council will reconsider the application and either uphold the Director of Development Services's decision to deny

the application or approve the application.”

3. Schedule “A” to Bylaw No. 388, 1986 shall be amended by repealing and replacing same with Schedule “A” attached hereto.
4. Schedule “B” to Bylaw No. 388, 1986 shall be amended by repealing and replacing same with Schedule “B” attached hereto.

READ A FIRST TIME THIS 3rd day of April, 2007.

READ A SECOND TIME THIS 3rd day of April, 2007.

READ A THIRD TIME THIS 3rd day of April, 2007.

RECONSIDERED, FINALLY PASSED AND ADOPTED this 17th day of April, 2007.

Mayor

Administrator

SCHEDULE "A"

Bylaw No. 601, 2007 **Zoning Bylaw and Official Community Plan Amendment Fees**

Every application made to the Village of Pemberton requesting the amendment of a Zoning Bylaw and/or Official Community Plan Bylaw shall be accompanied by a non refundable fee at the following rates:

- 1) *RESIDENTIAL* - Single
 - a) Official Community Plan
Minimum of \$750.00 for the first one (1) to ten (10) lots or dwelling units created; and \$200.00 per each additional lot or dwelling unit in excess of the first ten (10) lots or dwelling units proposed to be created;
 - b) Zoning Bylaw No. 466, 2001
Minimum of \$750.00 for the first one (1) to ten (10) lots or dwelling units created; and \$200.00 per additional lot or dwelling unit in excess of the first ten (10) lots or dwelling units proposed to be created;
 - c) Zoning Bylaw and Official Community Plan
Minimum of \$1000.00 for the first one (1) to ten (10) lots or dwelling units created; and \$200.00 per additional lot or dwelling unit in excess of the first ten (10) lots or dwelling units proposed to be created;

- 2) *RESIDENTIAL* - Multi
 - a) Official Community Plan
Minimum of \$750.00 for the first one (1) to ten (10) units created and \$200.00 per each additional group of five (5) units created or portion thereof;
 - b) Zoning Bylaw No. 466, 2001
Minimum of \$750.00 for the first one (1) to ten (10) units created and \$200.00 per each additional group of five (5) units created or portion thereof;
 - c) Zoning Bylaw and Official Community Plan
Minimum of \$1,000.00 for the first one (1) to ten (10) units created and \$200.00 per each additional group of five (5) units created or portion thereof;

3) *COMMERCIAL* (and all other Zones)

- a) Official Community Plan
Minimum of \$750.00 for the first acre plus \$750.00 per each additional acre or portion thereof;
- b) Zoning Bylaw No. 466, 2001
Minimum of \$750.00 for the first acre plus \$750.00 per each additional acre or portion thereof;
- c) Zoning Bylaw and Official Community Plan
Minimum of \$1,000.00 for the first acre plus \$750.00 per each additional acre or portion thereof;

4) *COMBINATION OF ZONES*

For combination of zones noted in section a) and b) and c) above, the fee shall be the sum of the non refundable fee;

- 5) A deposit of \$2,500 will be required at the time of application, and will be returned based on the applicable minimum fees, or as outlined in section 7 of Schedule A of this bylaw, pending approval, non-approval or, discontinuation of the application;
- 6) A Public Hearing costs and advertising fee of \$1000, refundable upon request if the Municipal Council declines to advance the application to Public Hearing. Should an application require more than one session; and require new advertising, payment of \$600 shall be required for each additional session for Public Hearing scheduled.
- 7) The non-refundable fees set out above under each subheading are a minimum fee and the fee payable shall be the greater of the fee calculated pursuant to that formula in each case or on a cost recovery approach based on actual Village of Pemberton staff and/or consultant costs required to process the application. Staff costs will be based on an hourly rate of \$100 per hour for senior staff, \$75 for technical staff and \$45 per hour for clerical staff.

SCHEDULE "B"

Bylaw No. 601, 2007 Development Permit Application Fees

- 1) Every application made to the Village of Pemberton for a *Development Permit* shall be accompanied by a non refundable fee at the following rates:
 - a) *RESIDENTIAL – Multi*
Minimum of \$750.00 for the first one (1) to ten (10) units created and \$200.00 per each additional group of five (5) units created or portion thereof;
 - b) *COMMERCIAL* (and all other Zones)
Minimum of \$750.00 for the first acre plus \$750.00 per each additional acre or portion thereof;
 - c) *COMBINATION OF ZONES*
For combination of zones noted in section a) and b) and c) above, the fee shall be the sum of the non refundable fee;
 - d) *MINOR DEVELOPMENT PERMIT*
A cost of \$750
 - e) *INDUSTRIAL*
A cost of \$1,500

- 2) Every application made to the Village of Pemberton for a *Development Variance Permit* shall be accompanied by a non refundable fee at the following rates:
 - a) *RESIDENTIAL - Single*
Minimum of \$750.00 for the first one (1) to ten (10) lots or dwelling units created; and \$200.00 per additional lot or dwelling unit in excess of the first ten (10) lots or dwelling units proposed to be created;
 - b) *RESIDENTIAL - Multi*
Minimum of \$750.00 for the first one (1) to ten (10) units created and \$200.00 per each additional group of five (5) units created or portion thereof;
 - c) *COMMERCIAL* (and all other zones)
Minimum of \$750.00 for the first acre plus \$500.00 per each additional acre or portion thereof;
 - d) *COMBINATION OF ZONES*
For combination of zones noted in section a) and b) and c) above, the fee shall be the sum of the non refundable fee;

- 3) A deposit of \$2,500 will be required at the time of application, and will be returned based on the applicable minimum fees, or as outlined in section 5 of Schedule B of this bylaw, pending approval, non-approval, or discontinuation of the application;
- 4) Notification fee of \$600, which shall be refundable upon request if the Municipal Council declines to advance the application. Should an application require more than one session, payment of \$300 shall be required for each additional session scheduled.
- 5) The non-refundable fees set out above under each subheading are a minimum fee and the fee payable shall be the greater of the fee calculated pursuant to that formula in each case or on a cost recovery approach based on actual Village of Pemberton staff and/or consultant costs required to process the application. Staff costs will be based on an hourly rate of \$100 per hour for senior staff, \$75 for technical staff, and \$45 per hour for clerical staff.

SCHEDULE "A-1"

APPLICATION FOR OFFICIAL COMMUNITY PLAN AMENDMENT

I/We hereby apply for an amendment to the text of the Official Community Plan Bylaw No. 435, 1999, to change the Land Use Designation of the property described as (legal description):

Lot: _____, Plan: _____, DL: _____, LLD.;;
and located at: (street address or general location)

from (current designation) _____ to (proposed designation) _____.

The required application fee of \$ _____ and completed Official Community Plan amendment Schedule A-2 are hereby attached.

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT!

Registered owner's signature

Date

Where the applicant is NOT the REGISTERED OWNER, the application must be signed by the REGISTERED OWNERS designated AGENT and proof thereof must be registered in the office of the Village of Pemberton.

FOR OFFICE USE ONLY:	Date received: _____
Application/File No.: _____	
Application Fee received \$ _____	Receipt No.: _____
_____ Signature of Official	

SCHEDULE "A-2"

Official Community Plan Amendment Information Form

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION.

This form is to be completed in full and submitted with all requested information, Official Community Plan Amendment Application, Application Fee and Certificate of State of Title or of Indefeasible title for the subject property.

1. **APPLICANT/CONTACT AND REGISTERED OWNER**

a) Applicants/Contact name: _____
Please note: The name noted above will be considered to be the **main contact person** on all issues related to the application.

Mailing Address: _____

Street Address: _____

Email Address: _____

Telephone No.: _____
Business Fax Cell

b) Registered Owner's Name: _____

Address: _____

Mailing Address: _____

Street Address: _____

Email Address: _____

Telephone No.: _____
Business Fax Cell

c) A copy of the State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as a proof of ownership.

2. **APPLICATION FEE**

An Application Fee as set out in Schedule A shall be made payable to the Village of Pemberton and shall accompany the application.

3. **TEXT AMENDMENT**

(a) Proposed Text amendment: _____

(b) Section to be amended: _____

4. **PROPERTY TO BE REDESIGNATED**

(a) Legal Description: Lot: _____, Plan: _____, DL: _____, LLD.

(b) Civic Address: _____

(c) Property Size: _____

(e) Present Designation: _____

(f) Proposed Designation: _____

(g) Existing Use/Development: _____

(g) Proposed Use/Development _____

(h) Existing Services or Readily Available Services ()

SERVICES	EXISTING		READILY AVAILABLE	
	Yes	No	Yes	No
Road Access	—	—	—	—
Water Supply	—	—	—	—
Sewage Disposal	—	—	—	—
Storm Drainage	—	—	—	—

(i) Commencement Date of Project: _____

5. **APPLICATION SUPPORT**

Comments in support of application:

6. **ATTACHMENTS** (Four sets of plans to be provided)

At the time of providing application and information forms to the applicant, the Director of Development shall indicate which of the following attachments are required or not required for this application. The Director of Development Services may require more information.

SCHEDULE "A-3"

APPLICATION FOR ZONING AMENDMENT

I/We hereby apply for an amendment to the text of the Zoning Bylaw No. 466, 2001 to change the Land Use Designation of the property described as (legal description):

Lot: _____, Plan: _____, DL: _____, LLD.; and located at: (street address or general location)

from (current designation)_____ to (proposed designation) _____.

The required application fee of \$_____ and completed Rezoning Information Form Schedule A-4 are hereby are attached.

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT!

Registered owner's signature

Date

Where the applicant is NOT the REGISTERED OWNER, the application must be signed by the REGISTERED OWNERS designated AGENT and proof thereof must be registered in the office of the Village of Pemberton.

FOR OFFICE USE ONLY:

Date received: _____

Application/File No.: _____

Application Fee received \$ _____

Receipt No.: _____

Signature of Official

3. **TEXT AMENDMENT**

(a) Proposed Text Amendment:

(b) Section to be amended: _____

4. **PROPERTY TO BE REDESIGNATED**

(a) Legal Description: Lot: _____, Plan: _____, DL: _____, LLD.

(b) Civic Address: _____

(c) Property Size: _____

(d) Present Designation: _____

(e) Proposed Designation: _____

(f) Existing Use/Development: _____

(g) Proposed Use/Development _____

(h) Existing Services or Readily Available Services ()

SERVICES	EXISTING		READILY AVAILABLE	
	Yes	No	Yes	No
Road Access	—	—	—	—
Water Supply	—	—	—	—
Sewage Disposal	—	—	—	—
Storm Drainage	—	—	—	—

(i) Proposed Water Supply Method: _____

(j) Proposed Sewage Disposal Method: _____

(k) Proposed Storm Run-off Method: _____

(k) Commencement Date of Project: _____

5. **APPLICATION SUPPORT**

Comments in support of application:

6. **ATTACHMENTS** (Four sets of plans to be provided)

At the time of providing application and information forms to the applicant, the Director of Development Services shall indicate which of the following attachments are required or not required for this application. The Director of Development Services may require more information.

- (a) Architectural Drawing of the exterior of the building (elevations drawings) to a scale of _____ to _____ showing the parcel(s) or part of the parcel(s) to be rezoning and the location of the existing buildings, structures and uses.

REQUIRED: Yes _ **No** _

- (b) A dimensional Site Development Plan drawn to a scale of _____ to _____ showing the proposed use, buildings and structures including front, rear, and side elevations, highway access, etc.

REQUIRED: Yes _ **No** _

- (c) A Lot Grading Plan drawn to a scale of _____ to _____ if warranted by the topographic condition (of the subject site).

REQUIRED: Yes _ **No** _

- (d) A dimensional Sketch Plan drawn to a scale of _____ to _____ of the proposed subdivision, where subdivision (small or large) is contemplated.

REQUIRED: Yes _ **No** _

- (e) A dimensional Landscape Plan drawn to a scale of _____ to _____ showing the type and quality of landscaping materials.

REQUIRED: Yes _ **No** _

Applicants Signature _____

Date _____

FOR OFFICE USE ONLY

Forms duly completed and received

Officials Signature _____

Date _____

SCHEDULE "A-5"

APPLICATION FOR OFFICIAL COMMUNITY PLAN AND ZONING AMENDMENT

This application is for (Please check one box only):

Official Community Plan & Zoning Amendment

I/We hereby apply for an amendment to the text of the Official Community Plan Bylaw No. 455, 1999, and Zoning Bylaw No. 466, 2001 to change the Land Use Designation of the property described as (legal description):

Temporary Use Permit

I/We hereby apply for a Temporary Use Permit to the Land Use Designation of the property described as (legal description):

Lot: _____, Plan: _____, DL: _____, LLD.; and located at: (street address or general location)

from (current designation/zone) _____ to (proposed designation/zone)_____.

The required application fee of \$_____ and completed joint Official Community Plan and Zoning Application Amendment Schedule A-5 are hereby attached.

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT

Registered owner's signature

Date

Where the applicant is NOT the REGISTERED OWNER, the application must be signed by the REGISTERED OWNERS designated AGENT and proof thereof must be registered in the office of the Village of Pemberton.

FOR OFFICE USE ONLY:

Date received: _____

Application/File No.: _____

Application Fee received \$ _____

Receipt No.: _____

Signature of Official

3. **TEXT AMENDMENT**

(a) Proposed Text Amendment: _____

(b) Section to be amended: _____

4. **PROPERTY TO BE REDESIGNATED**

(a) Legal Description: Lot: _____, Plan: _____, DL: _____, LLD.

(b) Civic Address: _____

(c) Property Size: _____

(d) Present Designation: _____

(e) Proposed Designation: _____

(f) Existing Use/Development: _____

(g) Proposed Use/Development _____

(h) Existing Services or Readily Available Services ()

SERVICES	EXISTING		READILY AVAILABLE	
	Yes	No	Yes	No
Road Access	—	—	—	—
Water Supply	—	—	—	—
Sewage Disposal	—	—	—	—
Storm Drainage	—	—	—	—

(i) Proposed Water Supply Method: _____

(l) Proposed Sewage Disposal Method: _____

(k) Proposed Storm Run-off Method: _____

(m) Commencement Date of Project: _____

5. **APPLICATION SUPPORT**

Comments in support of application:

6. **ATTACHMENTS** (Four sets of plans to be provided)

At the time of providing application and information forms to the applicant, the Director of Development Services shall indicate which of the following attachments are required or not required for this application. The Director of Development Services may require more information.

(a) Architectural Drawing of the exterior of the building (elevations drawings) to a scale of _____ to _____ showing the parcel(s) or part of the parcel(s) to be rezoning and the location of the existing buildings, structures and uses.

REQUIRED: Yes _ **No** _

(b) A dimensional Site Development Plan drawn to a scale of _____ to _____ showing the proposed use, buildings and structures including front, rear, and side elevations, highway access, etc.

REQUIRED: Yes _ **No** _

(c) A Lot Grading Plan drawn to a scale of _____ to _____ if warranted by the topographic condition (of the subject site).

REQUIRED: Yes _ **No** _

(d) A dimensional Sketch Plan drawn to a scale of _____ to _____ of the proposed subdivision, where subdivision (small or large) is contemplated.

REQUIRED: Yes _ **No** _

(e) A dimensional Landscape Plan drawn to a scale of _____ to _____ showing the type and quality of landscaping materials.

REQUIRED: Yes _ **No** _

Applicants Signature

Date

FOR OFFICE USE ONLY

Forms duly completed and received

Officials Signature

Date

SCHEDULE "B-1"

APPLICATION FOR A PERMIT

I/We hereby make application under the provisions of Part 26 of the Local Government Act for a ():

- Development Variance Permit**
- Development Permit**
- Minor Development Permit**

to permit the proposed development as described in the attached form upon (Legal Description):

Lot: _____, Plan: _____, District Lot: _____, LLD.

and located at (Civic Address): _____

The required application fee of \$ _____ and the completed Permit Information Form Schedule B-2 is attached.

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT

Registered owner's signature

Date

Where the applicant is NOT the REGISTERED OWNER, the application must be signed by the REGISTERED OWNERS designated AGENT and proof thereof must be registered in the office of the Village of Pemberton.

FOR OFFICE USE ONLY:	
Application/File No.: _____	
Application Fee received \$ _____	Receipt No.: _____
Date received: _____	
_____ Signature of Official	

SCHEDULE "B-2"

Permit Information Form

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION.

This form is to be completed in full and submitted with all requested information, Permit Application, Application Fee and Certificate of State of Title or of Indefeasible Title for the subject property.

1. APPLICANT AND REGISTERED OWNER

- a) Applicants/Contact name: _____
Please note: The name noted above will be considered to be the **main contact person** on all issues related to the application.

Mailing Address: _____

Street Address: _____

Email Address: _____

Telephone No.: _____
 Business Fax Cell

- b) Registered Owner's Name: _____

Address: _____

Mailing Address: _____

Street Address: _____

Email Address: _____

Telephone No.: _____
 Business Fax Cell

- c) A copy of the State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than 30 days prior to submission of the application must accompany the application as a proof of ownership.

2. APPLICATION FEE

An Application Fee as set out in Schedule B shall be made payable to the Village of Pemberton and shall accompany the application.

3. **PROPERTY TO BE REDESIGNATED**

- (a) Legal Description: Lot: _____, Plan: _____, DL: _____, LLD.
- (b) Civic Address: _____
- (c) Property Size: _____
- (d) Present Designation: _____
- (e) Proposed Designation: _____
- (f) Existing Use/Development: _____
- (g) Proposed Use/Development _____
- (h) Proposed Variation and/or Supplementation to Existing Regulations: _____

4. **APPLICATION SUPPORT**

Comments in support of application:

5. **ATTACHMENTS** (4 Sets of Plans to be Provided)

At the time of providing Application and Information Forms to the applicant, the Director of Development Services will indicate which of the following attachments are required or not required for this Application. The Director of Development Services may require additional information.

- (a) Architectural Drawings of the exterior of the building (elevations drawings) to a scale of _____ to _____ showing the location of existing buildings, structures and uses.

REQUIRED: Yes No

- (b) A dimensional Site Development Plan drawn to a scale of _____ to _____ showing the proposed use, buildings and structures including front, rear and side elevations, landscaping, highway access, etc.

REQUIRED: Yes No

(c) A Lot Grading Plan drawn to a scale of _____ to _____ of the subject site.

REQUIRED: Yes _ **No** _

(d) A dimensional sketch Plan drawn to a scale of _____ to _____ of the proposed subdivision, where subdivision (small or large) is contemplated.

REQUIRED: Yes _ **No** _

(e) A landscape plan drawn to a scale of _____ to _____ showing the type and quantity of landscaping materials to be used.

REQUIRED: Yes _ **No.** _

(f) Technical information or reports and other information required to assist in the preparation of the Permit, listed below:

SPECIFIC REPORTS:

FOR OFFICE USE ONLY

Forms duly completed and received

Signature of Official

Date

SCHEDULE "C"

DEVELOPMENT PERMIT

1. This Development Permit No. _____ is issued to the owner (hereinafter called the "Permittee" and shall apply only to ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Village of pemberton, in the Province of British Columbia, and more particularly known and described as:

to which the civic address of:

has been assigned, (hereinafter referred to as "said land")

2. This Development Permit No. _____ is issued pursuant to the authority of the Village of Pemberton Official Community Plan Bylaw as amended, and in conformity with the procedure prescribed in the Village of Pemberton Development Procedure Bylaw, and the provisions, requirements, terms and conditions of the Village of Pemberton Zoning Bylaw and the Village of Pemberton Official Community Plan Bylaw and the Village of Pemberton Subdivision Bylaw, as the same relate to and regulate the use of the said lands, and shall not be in any way varied.

3. The following terms and conditions shall apply to the area of land and premises hereinbefore described and which are covered by the Development Permit:

(a) Dimensions and Siting of Buildings and Structures on the Land

All buildings and structures to be constructed on the said lands shall conform in every respect to the Village of Pemberton on the _____ day of _____ 20 . Drawing No. _____, prepared by _____, date stamped and approved by me.

(b) Landscaping and Screening

Landscaping or screening shall be provided in accordance with the Landscape Plan date stamped _____ as prepared by _____ approved by the Village of Pemberton this _____ day of _____, 20 .

4. With respect to the said land:
 - (a) The Zoning Bylaw No. 466, 2001 of the Village of Pemberton is hereby varied as follows:
 - (b) The Subdivision Bylaw No. 219, 1990, of the Village of Pemberton is hereby varied as follows:
5. The following maps and plans are attached hereto and are made part of this Development Permit and notwithstanding any other provision, no works shall be performed upon the said land covered by this Development Permit, nor shall any building or structure be erected, constructed, repaired, renovated or sited, or any use permitted that is not in accordance with all terms and conditions of this Development Permit provided, however that nothing herein contained shall be construed to authorize the owner of the said lands to develop other than in accordance with the provisions of the Village of Pemberton Zoning bylaw, except as otherwise outlined in Section 4 of this Permit.
6. Prior to issuance of the Permit, the Permittee is to provide security in the form of Cash or an Irrevocable Letter of Credit in the amount of _____ to secure provision of landscaping. The Letter of Credit shall be received and kept in force until all the landscaping work is completed.
7. The Permittee shall complete all landscaping to the satisfaction of the Municipality within twelve (12) months from the date the Municipal Council authorized the issuance of the Permit. If the landscaping is not completed to the satisfaction of the municipality within the required time limit, the security deposit may be used to undertake the required landscaping.
8. If the Permittee does not commence the development permitted by the Permit within ONE (1) YEAR from the date of the issuance of this Permit, this Permit shall lapse.
9. This Permit is not a building permit or a development variance permit. While development on the lands described in paragraph 1 of this Permit is subject to the conditions and requirements set out in this Permit, this Permit does not authorize development or any construction. Council reserves the right at any time prior to issuance of a building permit to alter the permitted use, density or conditions of use that affects the Lands.

AUTHORIZING RESOLUTION made at meeting No. _____ held on the _____ day of _____, 20 .

IN WITNESS THEREOF this Agreement has been executed under the seal of the Village of Pemberton, on the _____ day of _____, 20 .

The Corporate Seal of the Village)
of Pemberton was hereunto affixed)
in the Presence of:)
)
_____)
Mayor)
)
_____)
Chief Administrative Officer)

STATEMENT OF INTENT

I, _____ having read and understood the terms and conditions of this Development Permit hereby agree to abide by such terms and conditions and to complete all the works and services and all other requirements under this Development Permit and in accordance with the Village Bylaws.

Authorized Signatory

DATE

SCHEDULE "D"

DEVELOPMENT VARIANCE PERMIT

1. This Development Variance Permit No. _____ is issued to _____ as the Owner (hereinafter called the "Permittee") and shall apply only to ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Village of Pemberton in the Province of British Columbia, and more particularly known and described as:

- to which the civic address of: _____
- has been assigned, (hereinafter referred to as "said land")
2. This Development Variance Permit No. _____ is issued pursuant to the authority of Part 26 of the Local Government Act as amended, and in conformity with the procedure prescribed by the Village of Pemberton Development Procedure Bylaw No. 585, 2007, and the provisions, requirements, terms and conditions of the Village of Pemberton Zoning Bylaw, and the Village of Pemberton Subdivision Bylaw, as the same relate to and regulate the use of the said land, and shall not be in any way varied.
3. With respect to the said land:
 - (a) The Zoning Bylaw No. 466, 2001 of the Village of Pemberton is hereby varied as follows:
 - (b) The Subdivision Bylaw No. 219, 1990, of the Village of Pemberton is hereby varied as follows:
4. The following terms and conditions shall apply to the area of land and premises hereinbefore described and which are covered by the Development Variance Permit.
5. The following maps and plans are attached hereto and are made part of this Development Variance Permit and notwithstanding any other provision, no works shall be performed upon the lands covered by this Development Variance Permit, nor shall any building or structure be erected, constructed, repaired, renovated or sited, or any use permitted that is not in accordance with all terms and conditions of this Development Variance Permit provided, however that nothing herein contained shall be construed to authorize the owner of the said land to develop other than in accordance with the provisions of the Village of Pemberton Zoning Bylaw, except as otherwise outlined in Section 3 of this Permit.
6. Prior to issuance of the Permit, the Permittee is to provide security in the form of Cash or an Irrevocable Letter of Credit in the amount of _____ to secure provision of landscaping. The Letter of Credit shall be received and kept in force until all the landscaping work is completed.
7. The Permittee shall complete all landscaping to the satisfaction of the Municipality within twelve (12) months from the date the Municipal Council authorized the issuance of the

Permit. If the landscaping is not completed to the satisfaction of the municipality within the required time limit, the security deposit may be used to undertake the required landscaping.

- 8. If the Permittee does not commence the development permitted by the Permit within ONE (1) YEAR from the date of the issuance of this Permit, this Permit shall lapse.
- 9. This Permit is not a building permit or a development permit. While development on the lands described in paragraph 1 of this Permit (the "Lands") is subject to the conditions and requirements set out in this Permit, this Permit does not authorize development or any construction. Council reserves the right at any time prior to issuance of a building permit to alter the permitted use, density or conditions of use that affects the Lands.

AUTHORIZING RESOLUTION made at meeting No. _____ held on the _____ day of _____, 20 .

IN WITNESS THEREOF this Agreement has been executed under the seal of the Village of Pemberton, on the _____ day of _____, 20 .

The Corporate Seal of the Village)
of Pemberton was hereunto affixed)
in the Presence of:)
))
))
_____))
Mayor)
))
))
_____))
Chief Administrative Officer

STATEMENT OF INTENT

I, _____ having read and understood the terms and conditions of this Development Variance Permit hereby agree to abide by such terms and conditions and to complete all the works and services and all other requirements under this Development Permit and in accordance with the Village Bylaws.

Authorized Signatory

DATE