

SAMPLE DEVELOPMENT PERMIT

TO: (the "Owner/Permittee")

1. This Development Permit is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Permit applies only to those Lands within the Municipality as shown on attached Appendix "A" and described below, and the buildings and structures detailed in the attached Appendix "B", thereon: (the "Land")
3. This Permit has the effect of authorizing:
 - a. an application for approval to subdivide the Land, subject to the requirements of the *Local Government Act* and the *Land Title Act*; or
 - b. the issue of a building permit for the construction of, addition to, or alteration of a building or structure on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable bylaws, except as varied by this Permit, and subject to the conditions, requirements and standards imposed and agreed to in Section 6 of this Permit.
4. This Permit shall not have the effect of varying the use or density of the Land specified in Zoning Bylaw No. 1123 (except where they relate to health, safety or protection of property from damage under the *Local Government Act*), nor a flood plain specification under the *Local Government Act*.
5. The Permittee, as a condition of issuance of this Permit, agrees to:
6. This Permit is issued on the condition that the Permittee has provided to the Municipality, security in the form of an Irrevocable Letter of Credit (or other acceptable security) to guarantee the performance of the conditions in Section 5 of this Permit respecting landscaping and/or to correct any unsafe condition which may result from a contravention of the conditions in this Permit. The Letter of Credit shall be for a period of 24 months and shall be in the amount of \$25,000.00.
7. Should the Permittee fail to satisfy the conditions referred to in Section 5 of this Permit, the Municipality may undertake and complete the works required to satisfy the landscaping condition(s) or carry out any construction required to correct an unsafe condition(s), at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess being returned to the Permittee.
8. Notice of this Permit shall be filed in the Land Title Office at Kamloops, BC according to the *Local Government Act* and, upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the Land affected by this Permit.

9. The Land shall be developed in strict accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached and forming a part hereof.
10. If the Permittee does not commence the construction permitted by this Permit within 24 months of the date of this Permit, this Permit shall lapse.
11. This Permit prevails over the provisions of the Bylaw, in the event of a conflict.
12. This Permit is not a Building Permit.

Approval of this Permit by Resolution No. _____ of the Council of the Town of Creston was given on the ____ day of _____, 20__.

This Permit was issued on the ____ day of _____, 20__.

Except as specifically provided above, this Permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation of responsible authorities which may apply to the Land.

Town of Creston

Mayor

Corporate Officer

APPLICATION FEE

Development Permit..... \$500.00



This pamphlet is intended for general guidance. Sources may include the Local Government Act, the Community Charter, the Land Titles Act, the Town of Creston Official Community Plan, Zoning Bylaw, and other municipal bylaws.

Revised November 20, 2014

DEVELOPMENT PERMITS



A Guide to Development Permits in Creston

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Development Permits are noted on the title of the subject property and are binding on all persons who acquire an interest in the land.

Within areas designated as Development Permit Areas in the Town of Creston's Official Community Plan, a Development Permit is required.

A Development Permit is required before land within the area is subdivided or when construction of, addition to, or alteration of a building or structure is commenced.

The purpose of a Development Permit is to vary or supplement the provisions of a bylaw (eg.: Zoning Bylaw) or to specify certain conditions and requirements with respect to the development.

All applications for a Development Permit are made to the Development Services Department, 238 - 10th Avenue North, on the prescribed form. Applications are processed by the Development Services Department with the involvement of other Town departments, Provincial ministries and outside agencies, as necessary.

The following guide is intended to generally illustrate the procedure involved in a Development Permit application. It does not cover the numerous technical details often encountered during the Development Permit process.

The applicant makes preliminary enquiries to Development Services to determine if the proposed development is located in an area designated as a Development Permit Area in the Official Community Plan.

The applicant, being the owner of land or having the written permission of the owner, completes the "Development Permit Application" form.

The complete application form will be submitted with the necessary fee, State of Title Certificate and development plans which may include a dimensioned Sketch Plan drawn to scale, showing the parcel to be developed and the location of existing and proposed buildings, structures, uses, access roads, parking driveways and any screening, landscaping and fences to Development Services.

The application is processed and reviewed by the Development Service and circulated for technical review to other Town departments and outside agencies, as necessary.

The Development Services prepares a report for Council providing background information on the application.

The applicant may be required to submit additional information for technical review and presentation to Council. The Development Permit is drafted.

Council considers the report and either denies the application or authorizes the issuance of the Development Permit or amending agreement. If denied, the applicant shall be notified in writing within 15 days of the date of refusal. The applicant may, within 30 days, appear as a delegation before Council and request that the application be reconsidered.

If authorized by Council, Development Services will issue a Development Permit on behalf of the Town.

The applicant is notified and sent a copy of the Development Permit.

Development Services forwards the Permit to the Land Title Office to be registered on the title of the property.

A Development Permit is not a Building Permit. After a Development Permit is approved, you need to apply for a Building Permit before construction begins.

Development Permit Process

