

TOWN OF FORT NELSON
DEVELOPMENT APPROVAL PROCESS PROCEDURES MANUAL
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Processing development related applications can be complicated and time consuming if the proper procedures are not followed. This guide clarifies and simplifies these procedures by providing a step by step description of the necessary tasks for each application. A clearer understanding of these tasks also ensures provincial and town regulations are met.

The five (5) application procedures described in this guide are:

- ~ Development Permits;
- ~ Development Variance Permits;
- ~ Temporary Commercial and Industrial Permits;
- ~ Zoning Bylaw Amendments; and
- ~ Official Community Plan Amendments.

The tasks required to process each of these applications are numbered and contained in separate sections of this document. This format makes it easier to follow the tasks and allows the sections to be removed and reproduced if necessary.

Included within each section of the guide is:

- ~ a flow chart (checklist) which outlines the steps in the application process;
- ~ a section of text which explains the steps outlined in the flow chart;
- ~ an application; and
- ~ a permit, if applicable.

It is important to note that each application is described in its most basic form. Additional tasks may be required.

The Town of Fort Nelson Development Procedures Bylaw requires permit and amendment applications to be addressed to the Town Clerk. The Town Administrator may delegate responsibilities for processing these applications to other Town Staff.

SCOPE:

A Development Permit is required prior to:

- ~ any subdivision of land located within a designated Development Permit Area;
- ~ construction, alteration, or addition of a structure located on land within a designated Development Permit Area.

Before accepting an application under this category, it must first be determined if the subject property is located within a Development Permit Area as identified in the Fort Nelson Official Community Plan. The designation of a Development Permit Area is pursuant to Section 879 of the Local Government Act as amended from time to time, whereby areas may be designated for the:

- ~ protection of the natural environment;
- ~ protection of development from hazardous conditions;
- ~ protection of provincial or municipal heritage sites, under the Heritage Conservation Act;
- ~ revitalization of an area in which a commercial use is permitted, if the area has been designated for that purpose by the Minister; or
- ~ establishment of objectives and the provision of guidelines for the form and character of commercial, industrial or multi-family residential development.

Development Permit Applications cannot vary the use or density of land or flood plain specifications, pursuant to Section 920 of the Local Government Act, as amended from time to time.

In the event the applicant proposes changes in use or density, the applicant may wish to explore other avenues. These can include:

- ~ Zoning Bylaw Amendments; and
- ~ Official Community Plan Amendments (if appropriate).

FLOW CHART - PROCEDURES FOR DEVELOPMENT PERMIT APPLICATIONS

1. Applicant submits application to Town Clerk
v
2. Town Staff and Government Agencies review application
v
3. Zoning & Planning Committee & Town Council review application with Developer/Owner
v
4. Town Council approves or denies application
v
5. Upon Approval, applicant submits required security
v
6. Approving Officer prepares final permit, issues permit and prepares record of permit for Town files
v
7. Approving Officer files notice to the Prince George Land Titles Office

DEVELOPMENT PERMIT PROCEDURE:

The general process for issuing a Development Permit is identified below.

1. Applicant Submits Application to the Town Clerk.

The applicant holds a preliminary discussion with staff to determine if the application is consistent with the requirements established by the Town's bylaws and policies. If the application is consistent with those requirements, the applicant may complete the form, "Application for a Development Permit". The applicant must submit the application to the Town Clerk with the following:

- ~ the \$100 application fee, plus pays for any advertising costs;
- ~ the State of Title Certificate from the Prince George Land Title Office. A State of Title Certificate indicates property information such as the registered owner's name, charges and liens, etc;
- ~ a written description outlining the application;
- ~ a written authorization from the registered property owner which allows the applicant to apply on behalf of the owner, if the applicant is not the registered owner;
- ~ two (2) site plans which illustrate existing and proposed development of the subject property. The site plan should be drawn at a reasonable scale, and shall include information respecting:
 - ~ legal information,
 - ~ setbacks,
 - ~ parking,
 - ~ access,
 - ~ the outer perimeter of buildings and all structures,
 - ~ significant topographic features or watercourses, and
 - ~ any proposed elevations, cross sections or detail drawings which may be relevant; and
- ~ any other information required to support the application.

2. Town Staff and Government Agencies Review Application

Once the completed application package is received, the Development Control Manager consults with other Town departments and prepares a technical report assessing the application according to the criteria set out in the Development Permit section of the Town of Fort Nelson Official Community Plan.

The technical report should be submitted to the Zoning & Planning Committee for review and forwarded to Town Council as background information. It must address the appropriateness of the application with respect to the Development Permit Area criteria within the Town of Fort Nelson Official Community Plan and with respect to regulations set out in the Town of Fort Nelson Zoning Bylaw. This review may consider the appropriateness of the application according to:

- ~ impacts on adjacent properties;
- ~ views and privacy;
- ~ health and safety;
- ~ site rehabilitation plans;
- ~ height;
- ~ setbacks;
- ~ linkages to parks, walkways and green ways; and
- ~ basic infrastructure

The technical report may reveal that further or more detailed information is required from the applicant. If so, the application process may be delayed until the required information is submitted.

It may be necessary to refer the Development Permit application to outside agencies whose interests may be affected, These agencies may include but should not be limited to:

- ~ Ministry of Transportation and Highways (e.g.: highway access required);
- ~ Ministry of Environment, Lands and Parks (e.g.: air or water emissions);
- ~ Ministry of Health (e.g.: air or water emissions);
- ~ Ministry of Municipal Affairs (e.g.: Local Government Act requirements);
- ~ Agricultural Land Commission (e.g.: agricultural land involved).

3. The Zoning & Planning Committee and Town Council Reviews Application with Developer/Owner

When all necessary information has been received, the following must be submitted to the Zoning & Planning Committee and Town Council for review and consideration:

- ~ application form;
- ~ technical review; and
- ~ agency comments.

Upon review of the application, Council has three (3) options including:

- ~ considering the application with the Zoning & Planning Committee, and, if the application is acceptable, authorizing staff to prepare the permit; or
- ~ considering the application with the Zoning & Planning Committee, and if necessary, requesting additional information from the applicant; or
- ~ considering the application with the Zoning & Planning Committee, and if the application is unacceptable, denying the application.

4. Town Council Approves or Denies Application

If the application is denied, the applicant may not reapply for a Development Permit until six (6) months after the date of refusal. The time limit for any reapplication may be varied by an affirmative vote of at least two thirds (2/3) of eligible Council members, pursuant to Section 895 of the Local Government Act, as amended from time to time.

5. Upon Approval, Applicant Submits Required Security

Pursuant to Section 925 of the Local Government Act as amended from time to time, Council may require the Development Permit applicant to provide security with respect to landscaping or unsafe conditions through, at the applicant's option, either:

1. an irrevocable letter of credit; or
2. cash

6. Approving Officer Issues Permit

If the application is approved by Council resolution, the Approving Officer prepares the final Development Permit. Once the necessary approvals are received, the Permit is issued and a record is prepared of the Development Permit for the Town's files. A building permit may be issued at this time.

7. Approving Officer Files Notice to the Prince George Land Titles Office

Pursuant to Section 927 of the Local Government Act as amended from time to time, when the Town issues a Development Permit, the Approving Officer must file notice to the Prince George Land Titles Office that the land described in the notice is subject to the Development Permit. On filing, the registrar will make a note of the filing against the title to the land affected.

TOWN OF FORT NELSON
5319 - 50TH AVENUE SOUTH
FORT NELSON, BC V0C 1R0

Local Government Act
Part 29
NOTICE OF PERMIT

To: Registrar of Title

TAKE NOTICE that the land described below is subject to a permit issued by the Town of Fort Nelson.

PARTICULARS OF PERMIT

<p>Permit Description</p> <p>(e) Type of Permit: _____</p> <p>(f) Statutory Authority: _____ (Specify section of Local Government Act authorizing permit)</p> <p>Legal Description of Land Affected: _____</p> <p>Issue Date: _____</p> <p>Expiry Date (if any): _____ (For Temporary Commercial or Industrial Permit Only)</p> <p>FURTHER PARTICULARS OF THE PERMIT MAY BE OBTAINED FROM THE ISSUING AUTHORITY</p> <p>_____</p> <p>_____</p> <p>_____</p>
--

AND FURTHER TAKE NOTICE that in case of a Temporary Commercial or Industrial Permit you are hereby authorized to cancel the notation of the filing of this notice against the title to the land affected by it on or after the expiry date specified above without further application from us and we consent to a cancellation of the notation on the basis of passage of time.

TOWN OF FORT NELSON

Dated: _____ BY _____
Approving Officer

FORM FOR IRREVOCABLE LETTER OF CREDIT

Date:

Bank of:

(Address)

Dear Sir:

At the request of _____, we hereby establish in your favour our irrevocable credit for
(Owner)
a sum not exceeding _____ Dollars (\$ _____).

This credit shall be available to you by sight drafts drawn on the

(Bank)

(Address)

when supported by your written demand for payment made upon us. This Letter of Credit is required in connection with an undertaking by the Owner to perform certain works and services required. We especially undertake not to recognize any notice of dishonour of any sight draft that you shall present to us for payment under this Letter of Credit. You may make partial drawings or full drawings at any time. We shall honour your demand without enquiring whether you have a right as between yourself and our customer.

The expiration date of this Letter of Credit shall be _____ and
(Expiry Date)

IT IS A CONDITION of this Letter of Credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date hereof, unless at least 30 days prior to the present or any future expiration date, we notify you in writing by registered mail that we elect not to consider this Letter of Credit to be renewable for any additional period.

Our reference for this Letter of Credit is the Bank of _____

(Address of Bank)

Letter of Credit No. _____

(Signature of Bank Officer)

SCOPE:

Development Variance Permits may, by Council resolution, vary the provisions of a number of Town bylaws. These provisions may pertain to:

- ~ zoning (e.g.: setback and height restrictions);
- ~ parking (e.g.: number of spaces required);
- ~ signage (e.g.: size, materials);
- ~ subdivision servicing (e.g.: services required, pipe size);
- ~ mobile home parks (e.g.: setback and separation regulations);
- ~ other regulatory bylaws

Development Variance Applications cannot vary the use or density of land or flood plain specifications, pursuant to Section 922 of the Local Government Act, as amended from time to time.

If the application deals with issues of use or density, the applicant may wish to consider other avenues. These can include:

- ~ Zoning Bylaw amendments; and
- ~ Official Community Plan amendments.

FLOW CHART - PROCEDURES FOR DEVELOPMENT VARIANCE PERMIT APPLICATIONS

1. Applicant submits application to Town Clerk
v
2. Town Staff and Government Agencies review application
v
3. Zoning & Planning Committee and Town Council review application with Developer/Owner
v
4. Town Council denies or gives preliminary approval to application
v
5. Upon Preliminary Approval, Town Clerk notifies Property Owners of Permit Application
v
6. Town Council holds final review of application > 7. Town Council denies application
v
8. Applicant submits required security
v
9. Approving Officer prepares final permit, issues permit and prepares record of permit for Town files
v
10. Approving Officer files notice to the Prince George Land Titles Office

DEVELOPMENT VARIANCE PERMIT PROCEDURE:

The general process for issuing a Development Variance Permit is identified below.

1. Applicant Submits Application to the Town Clerk.

The applicant holds a preliminary discussion with staff to determine if the application is consistent with the requirements established by the Town's bylaws & policies. If the application is consistent with those requirements, the applicant may complete the form, "Application for a Development Variance Permit".

The applicant must submit the application with the following:

1. the \$100 application fee, plus pays for any advertising costs;
2. the State of Title Certificate from the Prince George Land Title Office. A State of Title Certificate indicates property information such as the registered owner's name, charges and liens, etc;
3. a written description outlining the application;
4. a written authorization from the registered property owner which allows the applicant to apply on behalf of the owner, if the applicant is not the registered owner;
- . two (2) site plans which illustrate existing and proposed development of the subject property. The site plan should be drawn at a reasonable scale, and shall include information respecting:
 - ~ legal information,
 - ~ setbacks,
 - ~ parking,
 - ~ access,
 - ~ the outer perimeter of buildings and all structures,
 - ~ significant topographic features or watercourses, and
 - ~ any elevations, cross sections or detail drawings which may be relevant; and
- ~ any other information required to support the application.

2. Town Staff and Government Agencies Review Application

Once the completed application package is received, the Development Control Manager consults with other Town departments and prepares a technical report.

The technical report should assess the application for presentation to Council. It will consider the nature of the application and its potential impact on adjacent properties with respect to:

- ~ views and privacy;
- ~ health and safety;
- ~ site rehabilitation plans;
- ~ height;
- ~ setbacks;
- ~ linkages to parks, walkways and green ways; and
- ~ basic infrastructure

The technical report may reveal that further or more detailed information is required from the applicant. If so, the application may be held until the required information is submitted.

It may be necessary to refer the Development Variance Permit application to outside agencies whose interests may be affected, These agencies may include but should not be limited to:

- ~ Ministry of Transportation and Highways (e.g.: highway access required or within 800m of a controlled access highway - the Alaska Highway - if variance to zoning regulations);
- ~ Ministry of Environment, Lands and Parks (e.g.: air or water emissions);
- ~ Ministry of Health (e.g.: air or water emissions);
- ~ Ministry of Municipal Affairs (e.g.: Local Government Act requirements);
- ~ Agricultural Land Commission (e.g.: agricultural land involved).

3. Zoning & Planning Committee and Town Council reviews application with Developer/Owner

When all necessary information has been received, the following must be submitted to the Zoning & Planning Committee and the Town Council for review and consideration:

- ~ application form;
- ~ technical review; and
- ~ agency comments.

Upon review of the application, Council has three (3) options including:

- ~ considering the application with the Zoning & Planning Committee and, if the application is unacceptable, denying the application; or

- ~ considering the application with the Zoning & Planning Committee, and if necessary, requesting additional information from the applicant; or
- ~ considering the application with the Zoning & Planning Committee, and if the application is acceptable, authorizing staff to prepare the draft permit and to notify the public of Council's intention to issue the permit.

4. Town Council Approves or Denies Application

If the application is denied, the applicant may not reapply for a Development Variance Permit until six (6) months after the date of refusal. The time limit for any reapplication may be varied by an affirmative vote of at least two thirds (2/3) of eligible Council members, pursuant to Section 895 of the Local Government Act, as amended from time to time.

5. Upon Preliminary Approval, Town Clerk Notifies Property Owners of Permit Application

If Council authorizes the Town Clerk to notify property owners of their intent to issue the Permit, notice must be given in accordance with the provisions of Section 922 of the Local Government Act as amended from time to time.

The notice shall state:

- ~ in general terms, the purpose of the proposed Development Variance Permit;
- ~ the land or lands that are subject to the proposed Development Variance Permit; and
- ~ the place where, and the times when, copies of the proposed Development Variance Permit may be inspected.

The notice must be mailed or otherwise delivered at least ten (10) days before adoption of the resolution to:

- ~ the owners as shown on the assessment role on the date of application for the Development Variance Permit; and
- ~ any tenants in occupation, on the date of the mailing or delivery of the notice, of all parcels, any part of which is:
 1. the subject of the Development Variance Permit, or
 2. within 360 feet of that part of land that is subject to the Development Variance Permit (as per the Town's Public Hearing Notification bylaw as may be amended from time to time)

6. Town Council Holds Final Review of Application

Once Council considers the application and input from the public, it has four (4) options, including:

- ~ by resolution, issuing the Development Variance Permit (as amended if required); or
- ~ requesting additional information or minor adjustments; or
- ~ tabling the matter; or
- ~ refusing to issue the Development Variance Permit.

7. Town Council denies application

8. Upon Approval, Applicant Submits Required Security

Pursuant to Section 925 of the Local Government Act as amended from time to time, Council may require the Development Variance Permit applicant to provide security with respect to landscaping or unsafe conditions through, at the applicant's option, either:

- ~ an irrevocable letter of credit; or
- ~ cash

9. Approving Officer Issues Permit

If the application is approved by Council resolution, the Approving Officer prepares the final Development Variance Permit. Once the necessary approvals are received, the Permit is issued and a record is prepared of the Development Permit for the Town's files. A building permit may be issued at this time.

10. Approving Officer Files Notice to the Prince George Land Titles Office

Pursuant to Section 927 of the Local Government Act, as amended from time to time, when the Town issues a Development Variance Permit, the Approving Officer must file notice to the Prince George Land Titles Office that the land described in the notice is subject to the Development Variance Permit. On filing, the registrar will make a note of the filing against the title to the land affected.

TOWN OF FORT NELSON
5319 - 50TH AVENUE SOUTH
FORT NELSON, BC V0C 1R0

Local Government Act
Part 29
NOTICE OF PERMIT

To: Registrar of Title

TAKE NOTICE that the land described below is subject to a permit issued by the Town of Fort Nelson.

PARTICULARS OF PERMIT

<p>Permit Description</p> <p>(i) Type of Permit: _____</p> <p>(j) Statutory Authority: _____ (Specify section of Local Government Act authorizing permit)</p> <p>Legal Description of Land Affected: _____</p> <p>Issue Date: _____</p> <p>Expiry Date (if any): _____ (For Temporary Commercial or Industrial Permit Only)</p> <p>FURTHER PARTICULARS OF THE PERMIT MAY BE OBTAINED FROM THE ISSUING AUTHORITY</p> <p>_____</p> <p>_____</p> <p>_____</p>

AND FURTHER TAKE NOTICE that in case of a Temporary Commercial or Industrial Permit you are hereby authorized to cancel the notation of the filing of this notice against the title to the land affected by it on or after the expiry date specified above without further application from us and we consent to a cancellation of the notation on the basis of passage of time.

TOWN OF FORT NELSON

Dated: _____ BY _____
Approving Officer

FORM FOR IRREVOCABLE LETTER OF CREDIT

Date:

Bank of:

(Address)

Dear Sir:

At the request of _____, we hereby establish in your favour our
(Owner)

irrevocable credit for a sum not exceeding _____
Dollars (\$ _____). This credit shall be available to you by sight drafts drawn on the

(Bank)

(Address)

when supported by your written demand for payment made upon us. This Letter of Credit is required in connection with an undertaking by the Owner to perform certain works and services required. We especially undertake not to recognize any notice of dishonour of any sight draft that you shall present to us for payment under this Letter of Credit. You may make partial drawings or full drawings at any time. We shall honour your demand without enquiring whether you have a right as between yourself and our customer.

The expiration date of this Letter of Credit shall be _____ and
(Expiry Date)

IT IS A CONDITION of this Letter of Credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date hereof, unless at least 30 days prior to the present or any future expiration date, we notify you in writing by registered mail that we elect not to consider this Letter of Credit to be renewable for any additional period.

Our reference for this Letter of Credit is the Bank of _____

(Address of Bank)

Letter of Credit No. _____

(Name of Bank)

(Signature of Bank Officer)

SCOPE:

Temporary Commercial and Industrial Permits provide the property owner with the authority to conduct industrial or commercial uses on a temporary basis.

Staff may only accept applications for a Temporary Commercial and Industrial Permit in areas designated for this use in the Official Community Plan, pursuant to Section 921 of the Local Government Act as amended from time to time.

FLOW CHART - PROCEDURES FOR TEMPORARY COMMERCIAL AND INDUSTRIAL PERMIT APPLICATIONS

1. Applicant submits application to Town Clerk
v
2. Town Staff and Government Agencies review application
v
3. Zoning & Planning Committee and Town Council review application with Developer/Owner
v
4. Town Council approves or denies application
v
5. Town Clerk advertises notice in newspaper and prepares permit
v
6. Town Council holds final review of application > 7. Town Council denies application
8. Upon Approval, Town Council requires security and special conditions
v
9. Approving Officer prepares final permit, issues permit and prepares record of permit for Town files
v
10. Approving Officer files notice to the Prince George Land Titles Office

TEMPORARY COMMERCIAL AND INDUSTRIAL PERMITS PROCEDURE:

The general process for issuing a Temporary Commercial and Industrial Permit is identified below.

1. Applicant Submits Application to the Town Clerk.

The applicant has a preliminary discussion with staff. At that time staff must confirm that the site is located within a designated Temporary Commercial and Industrial Permit area by referring to the Town of Fort Nelson Official Community Plan. The general policies and conditions for temporary uses will provide guidance while reviewing the feasibility of the proposal.

If it is determined that the application is consistent with the requirements set out above, the applicant may complete the form, "Application for a Temporary Commercial and Industrial Permit".

The applicant must submit the application with the following:

- (a) the \$100 application fee, plus pays for any advertising costs;
- (b) the State of Title Certificate from the Prince George Land Title Office. A State of Title Certificate indicates property information such as the registered owner's name, charges and liens, etc;
- (c) a written description outlining the application;
- (d) a written authorization from the registered property owner which allows the applicant to apply on behalf of the owner, if the applicant is not the registered owner;
- (e) two (2) site plans which illustrate existing and proposed development of the subject property. The site plan should be drawn at a reasonable scale, and shall include information respecting:
 - ~ legal information,
 - ~ setbacks,
 - ~ parking,
 - ~ access,
 - ~ the outer perimeter of buildings and all structures,
 - ~ significant topographic features or watercourses, and
 - ~ any elevations, cross sections or detail drawings which may be relevant; and
 - ~ any other information required to support the application.

2. Town Staff and Government Agencies Review Application

Once the completed application package is received, the Development Control Manager consults with other Town departments and prepares a technical report. The technical report should assess the application for presentation to Council. It will consider the nature of the application and its potential impact on adjacent properties with respect to:

- ~ views and privacy;
- ~ appropriateness of use;
- ~ the times of day use will occur
- ~ length of use;
- ~ season of use;
- ~ health and safety;
- ~ screening;
- ~ site rehabilitation plans;
- ~ height and setbacks;
- ~ impacts on adjacent properties; and
- ~ basic infrastructure.

The technical report may reveal that further or more detailed information is required from the applicant. If so, the application can be delayed until the required information is submitted.

It may be necessary to refer the request for a Temporary Commercial and Industrial Permit application to outside agencies whose interests may be affected, These agencies may include but should not be limited to:

- ~ Ministry of Transportation and Highways (e.g.: highway access required, subject property is within 800m of the Alaska Highway);
- ~ Ministry of Environment, Lands and Parks (e.g.: air or water emissions);
- ~ Ministry of Health (e.g.: air or water emissions);
- ~ Ministry of Municipal Affairs (e.g.: Local Government Act requirements);
- ~ Agricultural Land Commission (e.g.: agricultural land involved).

3. Zoning & Planning Committee and Town Council review application with Developer/Owner

When all necessary information has been received, the following must be submitted to the Zoning & Planning Committee and Town Council for review and consideration:

- ~ application form;
- ~ technical review; and
- ~ agency comments

Upon review of the application, Council has three (3) options including:

- ~ considering the application with the Zoning & Planning Committee and, if the application is acceptable, authorizing staff to prepare the draft permit and advertise the Council's intention to issue the permit; or
- ~ considering the application with the Zoning & Planning Committee and, and if necessary, requesting additional information from the applicant; or
- ~ considering the application with the Zoning & Planning Committee, and if the application is unacceptable, denying the application.

4. Town Council Approves or Denies Application

If the application is denied, the applicant may not reapply for a Temporary Commercial and Industrial Permit until six (6) months after the date of refusal. The time limit for any reapplication may be varied by an affirmative vote of at least two thirds (2/3) of eligible Council members, pursuant to Section 895 of the Local Government Act.

5. Town Clerk Advertises Notice in Newspaper

When Council proposes to pass a resolution to issue a Temporary Commercial and Industrial Permit, the Town Clerk must give notice according to the provisions of Section 921 of the Local Government Act, as amended from time to time. The notice shall state:

- ~ in general terms, the purpose of the proposed Temporary Commercial and Industrial Permit;
- ~ the land or lands that are subject to the proposed Temporary Commercial and Industrial Permit; and
- ~ the place where, and the times when, copies of the proposed Temporary Commercial Permit may be inspected; and
- ~ the date, time and place where the resolution will be considered.

The notice shall also be published in a newspaper not less than three (3), nor more than fourteen days before the adoption of the resolution to issue the Temporary Commercial and Industrial Permit.

6. Town Council Holds Final Review of Application

Once Council considers the application and input from the public, it has four (4) options, including:

- ~ by resolution, issuing the Temporary Commercial and Industrial Permit (as amended if required); or
- ~ requesting additional information or minor adjustments; or
- ~ tabling the matter; or
- ~ refusing to issue the Temporary Commercial and Industrial Permit.

7. Town Council denies application

8. Upon Approval Town Council Requires Security and Special Conditions

As per Section 925 of the Local Government Act, as amended from time to time, if the Town considers that:

- a) A condition in a permit respecting landscaping and including paving has not been satisfied;
- b) An unsafe condition has resulted as a consequence of contravention of a condition in the permit; or
- c) Damage to the natural environment has resulted as a consequence of a contravention of a condition in a permit;

The Town will:

- a) Undertake, at the expense of the holder of the permit, the works, construction or other activities required to satisfy the landscaping condition, correct the unsafe condition or correct the damage to the environment; and
- b) Apply the security in payment of the cost of the works, construction or other activities, with any excess to be returned to the holder of the permit.

As a general guideline, the amount of security should be adequate to undertake all works that may be in default, all landscaping, all work that may be required to rectify any potential unsafe conditions, and all work required to restore a site to its original condition.

Pursuant to Section 925 of the Local Government Act, as amended from time to time, Council may specify other conditions under which the temporary commercial or industrial use may be carried on.

9. Approving Officer Issues Permit

If the application is approved by Council resolution, the Approving Officer prepares the final Temporary Commercial and Industrial Permit. Once the necessary approvals are received, the Permit is issued and a record is prepared of the Temporary Commercial and Industrial Permit for the Town's files. A building permit may be issued at this time.

10. Approving Officer Files Notice to the Prince George Land Titles Office

Pursuant to Section 927 of the Local Government Act as amended from time to time, when the Town issues a Temporary Commercial and Industrial Permit, the Approving Officer must file notice to the Prince George Land Title Office that the land described in the notice is subject to the Temporary Commercial and Industrial Permit. On filing, the registrar will make a note of the filing against the title of the land affected.

TOWN OF FORT NELSON
5319 - 50TH AVENUE SOUTH
FORT NELSON, BC V0C 1R0

Local Government Act
Part 29
NOTICE OF PERMIT

To: Registrar of Title

TAKE NOTICE that the land described below is subject to a permit issued by the Town of Fort Nelson.

PARTICULARS OF PERMIT

<p>Permit Description</p> <p>(j) Type of Permit: _____</p> <p>(k) Statutory Authority: _____ (Specify section of Local Government Act authorizing permit)</p> <p>Legal Description of Land Affected: _____</p> <p>Issue Date: _____</p> <p>Expiry Date (if any): _____ (For Temporary Commercial or Industrial Permit Only)</p> <p>FURTHER PARTICULARS OF THE PERMIT MAY BE OBTAINED FROM THE ISSUING AUTHORITY</p> <p>_____</p> <p>_____</p> <p>_____</p>
--

AND FURTHER TAKE NOTICE that in case of a Temporary Commercial or Industrial Permit you are hereby authorized to cancel the notation of the filing of this notice against the title to the land affected by it on or after the expiry date specified above without further application from us and we consent to a cancellation of the notation on the basis of passage of time.

TOWN OF FORT NELSON

Dated: _____ BY _____
Approving Officer

FORM FOR IRREVOCABLE LETTER OF CREDIT

Date:

Bank of:

(Address)

Dear Sir:

At the request of _____, we hereby establish in your favour our

(Owner)

irrevocable credit for a sum not exceeding _____
Dollars (\$ _____). This credit shall be available to you by sight drafts drawn on the

(Bank)

(Address)

when supported by your written demand for payment made upon us. This Letter of Credit is required in connection with an undertaking by the Owner to perform certain works and services required. We especially undertake not to recognize any notice of dishonour of any sight draft that you shall present to us for payment under this Letter of Credit. You may make partial drawings or full drawings at any time. We shall honour your demand without enquiring whether you have a right as between yourself and our customer.

The expiration date of this Letter of Credit shall be _____ and
(Expiry Date)

IT IS A CONDITION of this Letter of Credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date hereof, unless at least 30 days prior to the present or any future expiration date, we notify you in writing by registered mail that we elect not to consider this Letter of Credit to be renewable for any additional period.

Our reference for this Letter of Credit is the Bank of _____

(Address of Bank)

Letter of Credit No. _____

(Name of Bank)

(Signature of Bank Officer)

SCOPE:

The Town may amend any provision of its Zoning Bylaw. However, prior to initiating any change, it is important to determine how the Town of Fort Nelson Official Community Plan applies to the subject property. Generally speaking, it must be determined if the proposed amendment is consistent with the provisions of the Town's Official Community Plan.

In the event the proposed amendment contradicts the provisions of the Official Community Plan, an amendment to the Official Community Plan is required. This can be conducted either concurrent with or before any Zoning Bylaw amendment.

FLOW CHART - PROCEDURES FOR ZONING BYLAW AMENDMENT APPLICATIONS

1. Applicant submits application to Town Clerk
v
2. Town Staff Review Application
v
3. Zoning & Planning Committee & Town Council review application with Developer/Owner
v
4. Town Council approves or denies application
v
5. Town Staff refers application to Government Agencies and prepares amending bylaw
v
6. Town Clerk submits amending bylaw to Town Council
v
7. Town Council gives bylaw first & second reading >
8. Town Council defeats bylaw
9. Town Clerk Mails and Advertises Notice of Public Hearing
v
10. Town Council holds Public Hearing
v
11. Town Council gives bylaw third reading >
12. Town Council defeats bylaw
13. Town Clerk refers amending bylaw to Ministry of Transportation & Highways
v
14. Town Council adopts bylaw >
15. Town Council defeats bylaw
v
16. Town Clerk notifies the applicant

ZONING BYLAW AMENDMENTS PROCEDURE:

The general procedure for amendments to Zoning Bylaws is identified below.

1. Applicant Submits Application to the Town Clerk.

The applicant has a preliminary discussion with staff. If it is determined that the applicant requires a Zoning Bylaw amendment, the applicant may complete the form, "Application for a Zoning Bylaw Amendment".

The applicant must submit the application with the following:

1. the \$100 application fee, plus pays for any advertising costs;
2. the State of Title Certificate from the Prince George Land Title Office. A State of Title Certificate indicates property information such as the registered owner's name, charges and liens, etc;
3. a written description outlining the application;
4. a written authorization from the registered property owner which allows the applicant to apply on behalf of the owner, if the applicant is not the registered owner;
- . two (2) site plans which illustrate existing and proposed development of the subject property. The site plan should be drawn at a reasonable scale, and shall include information respecting:
 - ~ legal information,
 - ~ setbacks,
 - ~ parking,
 - ~ access,
 - ~ the outer perimeter of buildings and all structures,
 - ~ significant topographic features or watercourses, and
 - ~ any elevations, cross sections or detail drawings which may be relevant; and
 - ~ other information as required by the Building Inspector
 - ~ any other information required to support the application.

2. Town Staff Review Application

Once the completed application package is received, the Development Control Manager consults with other Town departments and prepares a technical report. The technical report should assess the application for presentation to Council.

It will consider the nature of the application and its potential impact on adjacent properties with respect to:

- ~ appropriateness of use;
- ~ Past precedents;
- ~ Council policy; and
- ~ compliance with the Official Community Plan.

The technical report must also consider the general nature and appropriateness of the proposal, and the potential impact of the application on adjacent properties with respect to:

- ~ land use;
- ~ views and privacy;
- ~ health and safety;
- ~ height;
- ~ setbacks;
- ~ basic infrastructure; and
- ~ impacts on adjacent properties.

The technical report may reveal that further or more detailed information is required from the applicant. If so, the application may be delayed until the required information is submitted.

3. Zoning & Planning Committee & Town Council review application with Developer/Owner

When all necessary information has been received, the following must be submitted to the Zoning and Planning Committee and Town Council for review and consideration:

- ~ application form;
- ~ technical review; and
- ~ agency comments.

Upon review of the application, Council has two (2) options, including:

- ~ If satisfied, beginning the referral process as outlined below; or
- ~ if dissatisfied, either denying the application, or requesting additional information.

4. Town Council Approves or Denies Application

If Town Council denies the application, the applicant may not reapply for an amendment to the Zoning Bylaw until six (6) months after the date of refusal. The time limit for any reapplication may be varied by an affirmative vote of at least two thirds (2/3) of eligible Council members, pursuant to Section 895 of the Local Government Act, as amended from time to time.

5. Town Clerk refers Application to Government Agencies and Prepares Amending Bylaw

If Council chooses the referral process, the Town Clerk will refer the application to Government Agencies that may include, but should not be limited to:

- ~ Ministry of Transportation and Highways (e.g.: highway access required, subject property is within 800m of the Alaska Highway);
- ~ Ministry of Environment, Lands and Parks (e.g.: air or water emissions);
- ~ Ministry of Energy, Mines & Petroleum Resources (e.g.: gravel pit);
- ~ Ministry of Municipal Affairs (e.g.: Local Government Act requirements);
- ~ Agricultural Land Commission (e.g.: agricultural land involved).

6. Town Clerk Submits Amending Bylaw to Town Council

Once the recommendations and comments are received from government agencies, the Town Clerk prepares the following for submission to the Council:

- ~ the amending bylaw; and
- ~ recommendations/comments from the government agencies

7. Town Council Considers giving Bylaw First and Second Readings

Council considers the Zoning Amendment and proceeds with one of the following options:

- ~ giving the bylaw First and Second readings; or
- ~ requesting additional information or minor adjustments; or
- ~ tabling the bylaw; or
- ~ refusing First and Second readings and defeating the Bylaw.

8. Town Council defeats bylaw.

9. Upon First and Second Readings, Town Clerk Advertises Notice in Newspaper

Pursuant to Section 890 of the Local Government Act, as amended from time to time, Council must hold a Public Hearing if it intends to proceed with the application. Prior to a Public Hearing, the Town Clerk must advertise the Hearing in not less than two (2) consecutive issues of a newspaper. Pursuant to Section 892 of the Local Government Act, as amended from time to time, the notice shall state:

- ~ the time and date of the Hearing;
- ~ the place of the Hearing;
- ~ in general terms, the purpose of the amending Zoning Bylaw;
- ~ the land or lands that are subject to the amending Zoning Bylaw; and
- ~ the place where, and the times and dates when, copies of the proposed Bylaw may be inspected.

Where the amendment alters the permitted use or density of the Zoning Bylaw affecting the subject area, pursuant to Section 892 of the Local Government Act, as amended from time to time, the Town Clerk must also mail or otherwise deliver notices to:

- ~ the owners as shown on the assessment roll on the date of application for the amendment; and
- ~ any tenants in occupation, on the date of the mailing or delivery of the notice, of all parcels, any part of which is:
 - ~ the subject of the amending Zoning Bylaw, or
 - ~ within 360 feet of that part of the land that is subject to the amending Zoning Bylaw (as per the Town's Public Hearing Notification bylaw as may be amended from time to time).

Pursuant to Section 892 of the Local Government Act, as amended from time to time, Council is not required to send notification if the amending Zoning Bylaw applies to ten (10) or more parcels owned by ten (10) or more persons.

If the amending Zoning Bylaw is consistent with the Official Community Plan, Council may waive the Public Hearing. However, waiving of a Public Hearing is a rare occurrence and should only be done in consultation with the Town's Solicitor. If a Public Hearing is waived, the Town Clerk must still advertise and mail notices of the amending Zoning Bylaw, in accordance with Section 893 of the Local Government Act, as amended from time to time.

10. Town Council Holds Public Hearing

When the Public Hearing is held, eligible parties are given an opportunity to speak before Council. Once this occurs, Council must officially adjourn the Hearing before convening again to address the application. Council may reconvene on the same day of the Hearing.

11. Town Council gives Third Reading of Bylaw

Town Council gives Third Reading of the Bylaw. Prior to this task, Council may consider other factors potentially affecting the Bylaw. This is done by ensuring:

- ~ regulations in other Town bylaws have been met (e.g.: subdivision servicing);
- ~ all guidelines set out in Development Permit area (DPA's) affecting the subject property are met (if the subject property is located within a DPA;
- ~ response received at the Public Hearing has been considered; and
- ~ the complexity of the proposal is considered.

12. Town Council defeats bylaw.

13. Upon third reading, Town Clerk Refers Amending Bylaw to the Ministry of Transportation and Highways.

If the amending Zoning Bylaw is given Third Reading and it applies to an area within eight hundred (800) metres of a controlled access highway (the Alaska Highway), it must be referred to the Regional Approving Officer at the Ministry of Transportation and Highways for approval, pursuant to Section 57(2) of the Highways Act.

14. Town Council Adopts Bylaw

Once the necessary provincial approvals are in place, the amending Zoning Bylaw can be considered and adopted by Council.

15. Town Council defeats bylaw

**16. Upon Adoption, Town Clerk Notifies the Applicant
(Town Clerk must notify the applicant of the Council's decision.)**

SCOPE:

An Official Community Plan (OCP) is a general statement of Council's broad objectives and policies. These objectives and policies address the form and character of existing and proposed land use in the area covered by the OCP.

The Town Clerk may accept an application to amend any provision of the OCP.

FLOW CHART - PROCEDURES FOR OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATIONS

1. Applicant submits application to Town Clerk
v
2. Town Staff Review Application
v
3. Zoning & Planning Committee & Town Council review application with Developer/Owner
v
4. Town Council approves or denies application
v
5. Town Staff refers application to Government Agencies and prepares amending bylaw
v
6. Town Clerk submits amending bylaw to Town Council
v
7. Town Council gives bylaw First & Second Reading >
8. Town Council defeats bylaw
9. Town Clerk Mails and Advertises Notice of Public Hearing
v
10. Town Council holds Public Hearing
v
11. Town Council gives bylaw Third Reading >
12. Town Council defeats bylaw
13. Town Council adopts bylaw >
14. Town Council defeats bylaw
15. Town Clerk notifies the applicant

OFFICIAL COMMUNITY PLAN AMENDMENTS

PROCEDURE:

The general procedure for amendments to the Town's Official Community Plan is identified below.

1. Applicant Submits Application to the Town Clerk.

The applicant has a preliminary discussion with staff. If it is determined that the applicant requires an OCP amendment, the applicant may complete the form, "Application for an Official Community Plan Amendment".

The applicant must submit the application with the following:

1. the \$100 application fee, plus pays for any advertising costs;
 2. the State of Title Certificate from the Prince George Land Title Office. A State of Title Certificate indicates property information such as the registered owner's name, charges and liens, etc;
 3. a written description outlining the application;
 4. a written authorization from the registered property owner which allows the applicant to apply on behalf of the owner, if the applicant is not the registered owner;
 5. two (2) site plans which illustrate existing and proposed development of the subject property. The site plan should be drawn at a reasonable scale, and shall include information respecting:
 - ~ legal information,
 - ~ setbacks,
 - ~ parking,
 - ~ access,
 - ~ the outer perimeter of buildings and all structures,
 - ~ significant topographic features or watercourses, and
 - ~ any elevations, cross sections or detail drawings which may be relevant; and
 - ~ other information as required by the Building Inspector.
- ~ any other information required to support the application.

2. Town Staff Review Application

Once the completed application package is received, the Development Control Manager consults with other Town departments and prepares a technical report.

The technical report should assess the application for presentation to Council. The assessment should be conducted according to the objectives and policies set out in the Town's Official Community Plan. It will consider the nature of the application and its potential impact on adjacent properties with respect to:

- ~ land use;
- ~ views and privacy;
- ~ health and safety;
- ~ site rehabilitation plans;
- ~ height;
- ~ setbacks;
- ~ impacts on adjacent properties; and
- ~ basic infrastructure.

The technical report may reveal that further or more detailed information is required from the applicant. If so, the application may be delayed until the required information is submitted.

3. Zoning & Planning Committee and Town Council review application with Developer/Owner

When all necessary information has been received, the following must be submitted to the Zoning and Planning Committee and Town Council for review and consideration:

- ~ application form;
- ~ technical review; and
- ~ agency comments.

Upon review of the application, Council has two (2) options, including:

- ~ If satisfied, beginning the referral process as outlined below; or
- ~ if dissatisfied, either denying the application, or requesting additional information.

4. Town Council Approves or Denies Application

If Town Council denies the application, the applicant may not reapply for an amendment to the Official Community Plan until six (6) months after the date of refusal. The time limit for any reapplication may be varied by an affirmative vote of at least two thirds (2/3) of eligible Council members, pursuant to Section 895 of the Local Government Act, as amended from time to time.

5. **Town Clerk refers Application to Government Agencies and Prepares Amending Bylaw**

If Council chooses the referral process, the Town Clerk will refer the application to Government Agencies that may include, but should not be limited to:

- ~ Ministry of Transportation and Highways (e.g.: highway access required, subject property is within 800m of the Alaska Highway);
- ~ Ministry of Environment, Lands and Parks (e.g.: air or water emissions);
- ~ Ministry of Energy, Mines & Petroleum Resources (e.g.: gravel pit);
- ~ School District #81
- ~ Ministry of Municipal Affairs (e.g.: Local Government Act requirements);
- ~ Agricultural Land Commission (e.g.: agricultural land involved).

If the OCP amendment affects a parcel of land outside the municipal boundaries which is located within the Northern Rockies Regional District (NRRD), or a function of the NRRD, the Town Clerk must refer the amending bylaw to the NRRD Board for comment, pursuant to Section 882 of the Local Government Act, as amended from time to time.

Once the Town refers the amending bylaw to the NRRD, the Town cannot hold a Public Hearing for at least twenty (20) days after the day the amending bylaw was sent to the NRRD, pursuant to Section 882 of the Local Government Act, as amended from time to time.

Once the application is referred, the Town Clerk will prepare a draft amending bylaw.

6. **Town Clerk Submits Amending Bylaw to Town Council**

Once the recommendations and comments are received from government agencies, the Town Clerk prepares the following for submission to the Council:

- ~ the amending bylaw; and
- ~ recommendations/comments from the government agencies.

7. **Town Council Considers giving Bylaw First and Second Readings**

Council considers one of the following options for the amending OCP bylaw:

- ~ giving the bylaw First and Second readings; or
- ~ requesting additional information or minor adjustments; or
- ~ tabling the bylaw; or
- ~ refusing First and defeating the Bylaw.

If Council wishes to advance the amending OCP bylaw, Council gives it First Reading and examines the amending OCP bylaw in conjunction with the Town's most recent capital expenditure program and any waste management or economic strategy plan. The purpose of this review is to ensure consistency between the OCP and these plans. Council may then give the amending OCP bylaw Second Reading and shall authorize the calling of a Public Hearing.

8. Town Council defeats bylaw.
9. Upon First and Second Readings, Town Clerk Advertises Notice in Newspaper

Pursuant to Section 890 of the Local Government Act, as amended from time to time, Council must hold a Public Hearing if it intends to proceed with the application. Prior to a Public Hearing, the Town Clerk must advertise the Hearing in not less than two (2) consecutive issues of a newspaper. Pursuant to Section 892 of the Local Government Act, as amended from time to time, the notice shall state:

- ~ the time and date of the Hearing;
- ~ the place of the Hearing;
- ~ in general terms, the purpose of the amending Bylaw;
- ~ the land or lands that are subject to the amending Bylaw; and
- ~ the place where, and the times and dates when, copies of the proposed Bylaw may be inspected.

Where the amendment alters the permitted use or density of the Zoning Bylaw affecting the subject area, pursuant to Section 892 of the Local Government Act, as amended from time to time, the Town Clerk must also mail or otherwise deliver notices to:

- ~ the owners as shown on the assessment roll on the date of application for the amendment; and
- ~ any tenants in occupation, on the date of the mailing or delivery of the notice, of all parcels, any part of which is:
 - ~ the subject of the amending Zoning Bylaw, or
 - ~ within 360 feet of that part of the land that is subject to the amending Zoning Bylaw (as per the Town's Public Hearing Notification bylaw as may be amended from time to time).

Pursuant to Section 892 of the Local Government Act, as amended from time to time, Council is not required to send notification if the amending Official Community Plan Bylaw applies to ten (10) or more parcels owned by ten (10) or more persons.

10. Town Council Holds Public Hearing

When the Public Hearing is held, eligible parties are given an opportunity to speak before Council. Once this occurs, Council must officially adjourn the Hearing before convening again to address the application. Council may reconvene on the same day of the Hearing.

11. Town Council gives Third Reading of Bylaw

Town Council gives Third Reading of the Bylaw. Prior to this task, Council may consider other factors potentially affecting the Bylaw. This is done by ensuring:

- ~ regulations in other Town bylaws have been met (e.g.: subdivision servicing);
- ~ all guidelines set out in Development Permit area (DPA's) affecting the subject property are met (if the subject property is located within a DPA;
- ~ response received at the Public Hearing has been considered; and
- ~ the complexity of the proposal is considered.

12. Town Council defeats bylaw.

13. Upon third reading, Council can proceed with reconsideration and adoption of the bylaw.

14. Town Council defeats bylaw.

15. Upon Adoption, Town Clerk Notifies the Applicant

Town Clerk must notify the applicant of the Council's decision.

APPLICATION FOR AN OCP AND/OR ZONING BYLAW AMENDMENT

I/We hereby make application to [] amend the Official Community Plan
[] amend the Zoning Bylaw

6. Name of Applicant(s): _____

7. Address: _____

8. Telephone Number: Business: _____ Residence: _____

9. Names of Owner(s): _____
(If different from Applicant)

10. Address: _____

11. Legal Description of Property: _____

12. Street Address of Property: _____

13. Existing Use of Subject Property: _____

14. Existing Use of Adjacent Property: _____

15. Official Community Plan Map Designation: _____

16. Present Zoning: _____

17. Amendment Proposed:

[] Official Community Plan From _____ To _____

[] Zoning From _____ To _____

18. Explain purpose of Application (including intended use): _____

19. [] Attached is Application Fee of \$100, plus pays for any advertising costs

- 20. [] Attached is current, date stamped State of Title Certificate
- 21. [] Attached is a Letter of Consent from the Owner
(Applies only if the Applicant is not the Owner)

I/WE HEREBY DECLARE THAT THE ABOVE STATEMENTS AND THE INFORMATION CONTAINED IN THE MATERIAL SUBMITTED IN SUPPORT OF THIS APPLICATION ARE TO THE BEST OF MY/OUR BELIEF TRUE AND CORRECT IN ALL RESPECTS.

Dated this _____ day of _____, 20____

Signature of Applicant
(Print name below signature)

Signature of Applicant
(Print name below signature)

APPLICATION FOR A DEVELOPMENT PERMIT

I/We hereby make application for a Development Permit.

1. Name of Applicant(s): _____

2. Address: _____

3. Telephone Number: Business: _____ Residence: _____

4. Names of Owner(s): _____
(If different from Applicant)

5. Address: _____

6. Legal Description of Property: _____

7. Street Address of Property: _____

8. Existing Use of Subject Property: _____

9. Existing Use of Adjacent Property: _____

10. Official Community Plan Map Designation: _____

11. Present Zoning: _____

12. Detailed Description of Permit:
(Two Site Plans attached. Site plans shall include legal information, setbacks, parking, access, outer perimeter of buildings and structures, topographic features, water courses, proposed elevations, cross sections or relevant detail drawings).

- 13. [] Attached is Application Fee of \$100, plus pays for any advertising costs
- 14. [] Attached is current, date stamped State of Title Certificate.
- 15. [] Attached is Letter of Consent from the Owner.
(Applies only if the Applicant is not the Owner)

I/WE HEREBY DECLARE THAT THE ABOVE STATEMENTS AND THE INFORMATION CONTAINED IN THE MATERIAL SUBMITTED IN SUPPORT OF THIS APPLICATION ARE TO THE BEST OF MY/OUR BELIEF TRUE AND CORRECT IN ALL RESPECTS.

Dated this _____ day of _____, 19__/20__

Signature of Applicant
(Print name below signature)

Signature of Applicant
(Print name below signature)

NOTE: The Local Government Act states that a development permit shall not vary:
1. the use or density of land from that specified in the bylaw; or
2. a flood plain specification

NOTE: Prior to the issuance of a Development Permit, the Town may require, as a condition of issuing the Permit, security to guarantee the performance of obligations under the Permit.

Development Permit

DATE: _____
DEVELOPMENT PERMIT NO. _____

This Development Permit is hereby issued by the Council for the Town of Fort Nelson to:

(Permitee)

for the development of: _____

(Describe Proposal)

Subject to the following conditions:

- 1. This Development Permit is issued subject to compliance with all of the bylaws of the Town of Fort Nelson applicable thereto, except as specifically varied or supplemented by this Permit.
- 2. This Development Permit applies to, and only to, those lands within the Town described below, and to any and all buildings, structures and other development thereon:

Legal Description: _____
and Municipal _____
Address _____

- 3. Bylaw(s) _____ Is/are hereby varied or supplemented by:

- 4. The sequence and timing of construction shall be as follows:

5. The following conditions are hereby imposed as per Section 920 of the Local Government Act

6. The following requirements are hereby imposed under Section 920 of the Local Government Act.

7. As a condition of the issuance of this Permit, and as per Section 925 of the Local Government Act, the Town is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit.

Security Deposit Amount \$ _____

Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Town may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permittee.

There is filed accordingly:

1. An Irrevocable Letter of Credit in the amount of \$ _____ ; or
2. Cash in the amount of \$ _____ .

8. As per Section 925 of the Local Government Act, if the Town considers that:
- a) A condition in a permit respecting landscaping and including paving has not been satisfied;
 - b) An unsafe condition has resulted as a consequence of contravention of a condition in the permit; or
 - c) Damage to the natural environment has resulted as a consequence of a contravention of a condition in a permit;

The Town will:

- a) Undertake, at the expense of the holder of the permit, the works, construction or other activities required to satisfy the landscaping condition, correct the unsafe condition or correct the damage to the environment; and
 - b) Apply the security in payment of the cost of the works, construction or other activities, with any excess to be returned to the holder of the permit.
9. The land described within shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part hereof.
10. This permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL THIS _____ DAY OF _____, 20__.

APPROVED BY THE MINISTRY OF TRANSPORTATION AND HIGHWAYS ON THE _____ DAY OF _____, 20___. (If Applicable)

ISSUED THIS _____ DAY OF _____, 20__.

Approving Officer

APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT

I/We hereby make application for a Development Variance Permit.

1. Name of Applicant(s): _____

2. Address: _____

3. Telephone Number: Business: _____ Residence: _____

4. Names of Owner(s): _____
(If different from Applicant)

5. Address: _____

6. Legal Description of Property: _____

7. Street Address of Property: _____

8. Existing Use of Subject Property: _____

9. Existing Use of Adjacent Property: _____

10. Official Community Plan Map Designation: _____

11. Present Zoning: _____

12. The Development Variance(s) requested vary the provisions of the following Town Bylaws:

<u>Town Bylaw</u>	<u>Variance Requested</u>	<u>Applicable Sections</u>
Zoning	_____	_____
Mobile Home Park	_____	_____
Subdivision Control and Servicing	_____	_____

13. Detailed Description of Variance

(Two site plans attached. Site plans should illustrate legal information, setbacks, parking, access, outer perimeter of buildings and structures, topographic features, water courses, elevations, cross sections, relevant detail drawings).

14. Attached is Application Fee of \$100, plus pays for any advertising costs

15. Attached is current, date stamped State of Title Certificate.

16. Attached is Letter of Consent from the Owner.
(Applies only if the Applicant is not the Owner)

I/WE HEREBY DECLARE THAT THE ABOVE STATEMENTS AND THE INFORMATION CONTAINED IN THE MATERIAL SUBMITTED IN SUPPORT OF THIS APPLICATION ARE TO THE BEST OF MY/OUR BELIEF TRUE AND CORRECT IN ALL RESPECTS.

Dated this _____ day of _____, 20____

Signature of Applicant
(Print name below signature)

Signature of Applicant
(Print name below signature)

NOTE: The Local Government Act states that a development variance permit shall not vary:

1. the use or density of land from that specified in the bylaw; or
2. a flood plain specification

NOTE: Prior to the issuance of a Development Variance Permit, the Town may require, as a condition of issuing the Permit, security to guarantee the performance of obligations under the Permit.

Development Variance Permit

DATE: _____
DEVELOPMENT VARIANCE PERMIT NO. _____

This Development Variance Permit is hereby issued by the Council for the Town of Fort Nelson to:

(Permitee)

for the development of: _____

(Describe Proposal)

Subject to the following conditions:

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Town of Fort Nelson applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to, and only to, those lands within the Town described below, and to any and all buildings, structures and other development thereon:

Legal Description: _____
and Municipal _____
Address _____

- a) Attached is current, date stamped state of Title Certificate
- b) Attached is Letter of Consent from the Owner (Applies only if the applicant is not the owner)
- c) Attached is applicable application fee

Subject to the following conditions:

3. Bylaw(s) _____ Is/are hereby varied or supplemented as follows:

Development Variance Permit Form

4. The sequence and timing of construction shall be as follows:

5. The Development Variance(s) requested vary the provisions of the following Town Bylaws:

Bylaw	Variance Requested	Applicable Sections
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

6. Detailed Description of Variance:

(Two site plans attached. Site plans should illustrate legal information, setbacks, parking, access, outer perimeter of buildings and structures, topographic features, water courses, elevations, cross sections, relevant detail drawings.)

7. As per Section 922 of the Local Government Act, a development variance permit shall not vary;

- a) the use or density of land from that specified in the bylaw; or
- b) a flood plain specification

8. As a condition of the issuance of this Permit, and as per Section 925 of the Local Government Act, the Town is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit.

Security Deposit Amount \$ _____

Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Town may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permittee.

Development Variance Permit Form

There is filed accordingly:

1. An Irrevocable Letter of Credit in the amount of \$ _____ ; or
2. Cash in the amount of \$ _____ .

9. As per Section 925 of the Local Government Act, if the Town considers that:
- a) A condition in a permit respecting landscaping and including paving has not been satisfied;
 - b) An unsafe condition has resulted as a consequence of contravention of a condition in the permit; or
 - c) Damage to the natural environment has resulted as a consequence of a contravention of a condition in a permit;

The Town will:

- a) Undertake, at the expense of the holder of the permit, the works, construction or other activities required to satisfy the landscaping and or paving condition, correct the unsafe condition or correct the damage to the environment; and
 - b) Apply the security in payment of the cost of the works, construction or other activities, with any excess to be returned to the holder of the permit.
10. The land described within shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part hereof.
11. This permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL THIS _____ DAY OF _____, 20____.

APPROVED BY THE MINISTRY OF TRANSPORTATION AND HIGHWAYS ON THE _____ DAY OF _____, 20____ . (If Applicable)

ISSUED THIS _____ DAY OF _____, 20____.

Approving Officer

Development Variance Permit Form

APPLICATION FOR A TEMPORARY COMMERCIAL AND INDUSTRIAL PERMIT

I/We hereby make application to the Town of Fort Nelson for a Temporary Commercial and Industrial Permit.

1. Name of Applicant(s): _____
2. Address: _____
3. Telephone Number: Business: _____ Residence: _____
4. Names of Owner(s): _____
(If different from Applicant)
5. Address: _____
6. Legal Description of Property: _____

7. Street Address of Property: _____
8. Existing Use of Subject Property: _____
9. Existing Use of Adjacent Property: _____
10. Official Community Plan Map Designation: _____
11. Present Zoning: _____
12. Detailed Description of Permit:
(Two Site Plans attached. Site plans shall include legal information, setbacks, parking, access, outer perimeter of buildings and structures, topographic features, water courses, proposed elevations, cross sections or relevant detail drawings).

13. Estimated date when Temporary use will cease: _____

14. Proposed Water Supply: _____

15. Proposed Sewage Disposal: _____

16. Solid/Liquid Waste Disposal: _____

17. Proposed Access and Parking: _____
18. Attached is Application Fee of \$100.
19. Attached is current, date stamped State of Title Certificate.
20. Attached is Letter of Consent from the Owner.
(Applies only if the Applicant is not the Owner)

I/WE HEREBY DECLARE THAT THE ABOVE STATEMENTS AND THE INFORMATION CONTAINED IN THE MATERIAL SUBMITTED IN SUPPORT OF THIS APPLICATION ARE TO THE BEST OF MY/OUR BELIEF TRUE AND CORRECT IN ALL RESPECTS.

Dated this _____ day of _____, 20____

Signature of Applicant
(Print name below signature)

Signature of Applicant
(Print name below signature)

NOTE: Prior to the issuance of a Temporary Commercial and Industrial Permit, the Town may require, as a condition of issuing the Permit, security to guarantee the performance of obligations under the Permit.

Temporary Use Permit

DATE: _____

TEMPORARY USE PERMIT NO. _____

This Temporary Use Permit is hereby issued by the Council for the Town of Fort Nelson to:

(Permitee)

for the development of: _____

(Describe Proposal)

Subject to the following conditions:

1. This Temporary Permit is issued subject to compliance with all of the bylaws of the Town of Fort Nelson applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Temporary Permit applies to, and only to, those lands within the Town described below, and to any and all buildings, structures and other development thereon:

Legal Description: _____
and Municipal _____
Address _____

- a) Attached is current, date stamped state of Title Certificate
- b) Attached is Letter of Consent from the Owner (applies only if the applicant is not the owner)
- c) Attached is applicable application fee

Subject to the following conditions:

3. Bylaw(s) _____ Is/are hereby varied or supplemented as follows:

Temporary Use Permit

4. The sequence and timing of construction shall be as follows:

5. Detailed Description of Temporary Permit:

(Two site plans attached. Site plans should illustrate legal information, setbacks, parking, access, outer perimeter of buildings and structures, topographic features, water courses, elevations, cross sections, relevant detail drawings.)

6. This Temporary Use Permit is issued subject to the Permittee providing the following services which are applicable to temporary uses:

Approved Water Supply

Approved Sewage Supply

Solid/Liquid Waste Disposal

Approved Access & Parking

7. As a condition of the issuance of this Permit, and as per Section 925 of the Local Government Act, the Town is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit.

Security Deposit Amount \$ _____

Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Town may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permittee.

Temporary Use Permit

There is filed accordingly:

1. An Irrevocable Letter of Credit in the amount of \$ _____ ; or
2. Cash in the amount of \$ _____.

8. As per Section 925 of the Local Government Act, if the Town considers that:

- a) A condition in a permit respecting landscaping and including paving has not been satisfied;
- b) An unsafe condition has resulted as a consequence of contravention of a condition in the permit; or
- c) Damage to the natural environment has resulted as a consequence of a contravention of a condition in a permit;

The Town will:

- a) Undertake, at the expense of the holder of the permit, the works, construction or other activities required to satisfy the landscaping and or paving condition, correct the unsafe condition or correct the damage to the environment; and
 - b) Apply the security in payment of the cost of the works, construction or other activities, with any excess to be returned to the holder of the permit.
9. The land described within shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part hereof.
10. This permit is not a Building Permit.
11. If the Permittee does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.
12. When a Permittee fails to comply with any of the conditions of this Temporary Use Permit, the Town may enter on the land and carry out the demolition, removal, or restoration at the expense of the owner.
13. This Temporary Use Permit shall expire on _____. The applicant may apply to the Temporary Use Permit renewed. A Temporary Use Permit may only be renewed once.

Temporary Use Permit

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL THIS _____ DAY OF _____, 20____.

APPROVED BY THE MINISTRY OF TRANSPORTATION AND HIGHWAYS ON THE _____ DAY OF _____, 20____. (If Applicable)

ISSUED THIS _____ DAY OF _____, 20____.

Approving Officer

Temporary Use Permit