

CITY OF MERRITT BYLAW NO. 2076

A BYLAW to ESTABLISH PROCEDURES and FEES RELATED to LAND USE and DEVELOPMENT APPLICATIONS

Consolidated for Convenience with Bylaws 2122, 2292, and 2319 (all amendments to Schedule B fees).

Consolidation is not a legal document, please contact the City to confirm accuracy of bylaws.

WHEREAS Council desires to establish procedures and fees related to land use and development applications;

NOW THEREFORE, the Council of the City of Merritt in open meeting assembled enacts as follows:

1. This bylaw shall be cited as "**City of Merritt LAND USE AMENDMENT AND DEVELOPMENT APPROVAL PROCEDURES BYLAW NO. 2076, 2009**".
2. That the "City of Merritt DEVELOPMENT APPROVAL PROCEDURES Bylaw No. 1939, 2006" and any amendments be hereby **REPEALED** in its entirety.
3. Applications for the following shall be submitted to the City of Merritt and shall substantially be in the form of application attached hereto as Schedule "A":
 - a) amendments to the Official Community Plan;
 - b) amendments to the Zoning Bylaw;
 - c) the issuance of Development Variance Permits;
 - d) the issuance of Development Permits; or
 - e) the issuance of Temporary Commercial or Industrial Use Permits
4. No application shall be accepted until the application form and site profile is fully completed and fees paid in full.
5. **Form of Permit**

The following permits shall be substantially in the applicable form attached hereto:

- a) Development Variance Permits as per Schedule "C"
- b) Development Permits as per Schedule "D"
- c) Temporary Commercial or Industrial Use Permits shall be as per Schedule "E".



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6. Site Profiles

Site Profiles shall be submitted to the City of Merritt and shall substantially be in the form attached hereto as Schedule "F".

7. Schedules "A", "B", "C", "D", "E", "F", "G" and "H" attached hereto are incorporated in and form part of this bylaw

8. Pre-application Procedures

The following procedures apply to development proposals that may lead to applications for an Official Community Plan amendment, Zoning amendment or a Permit related to land development:

- a) Development Services staff are the first contact with developers when considering or submitting an application. Developers' contact with Council will be through their duly convened meetings.
- b) Development Services staff are available to advise developers about their proposals before they submit a formal application. The objective of this service is to achieve win-win gains by promoting projects from the outset that best fit with City development objectives and priorities while saving time and costs for the developer and staff later in the actual application process.
- c) At staff's discretion, Council may be consulted on a development proposal and feedback returned to the developer. Where staff and Council consider it advantageous, a developer may be invited to personally make representations.

9. Types of Development Permits

- a) A **Development Permit** is required in specific areas in the City identified as "Development Permit Areas" according to the Official Community Plan. In order for land to be subdivided or a Building Permit issued for construction in one of these areas, Council must first authorize a Development Permit.
- b) A **Sign Development Permit** is required to install any signage in Development Permit Areas "Highway Corridor Gateways" or "City Centre".

Upon receipt of an application dealing exclusively with signage in the City Centre, the application will be forwarded to the City Centre Board for review and comment. The Administrator (or designate) is hereby delegated the authority to issue or reject a Sign Development Permit.



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A Development Permit issued for signage must comply with the provisions of City of Merritt Sign Regulation Bylaw.

The processing fee for a Sign Development Permit shall be fifty dollars (\$50.00) which consists of twenty five dollars (\$25.00) for the Development Permit application and twenty five dollars (\$25.00) for a Sign permit. In the event a Sign Development Permit is not issued, the applicant will be refunded the twenty five dollar (\$25.00) Sign Permit fee. A Sign Development Permit is not required if sign is part of a comprehensive Development Permit.

- c) A **Facade Development Permit** is required for all proposals for building alteration and/or new construction within the areas designated City Centre and along the Nicola Avenue Corridor. Projects requiring a development permit application are:

- i) exterior renovation/ restoration to an existing building façade
- ii) new construction
- iii) application of new exterior finish materials
- iv) painting of the building exterior
- v) awning or canopy installation

Guidelines for Façade design in the City Centre are set out in the Official Community Plan and will require a Development Permit but shall not be subject to Development Permit fees. Façade Improvements will be subject to Building Permit fees. Applications for Façade design improvements shall be submitted in complete detail as required by the form listed as Schedule "G" attached to and forming part of this bylaw.

Façade Design Applications shall be submitted to the Development Services Officer for approval. Upon approval the application will be forwarded to the Building and Safety Inspector before being forwarded to City Council for consideration of issuance of the Development Permit.

10. General Terms and Conditions for Development Permits

- a) The scope of a Development Permit may include some or all of the following matters as applicable to a particular property:
- i) Provision and funding of water, sewer, storm drainage and road servicing;
 - ii) Implementation of requirements pursuant to the Zoning Bylaw, a density bonus, development permit area(s), or development variance permit(s);
 - iii) Landscaping securities; and
 - iv) Any other related matters



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- b) Where landscaping is a condition of a Development Permit as in 10(a)(iii) the applicant shall provide a security deposit, in the form of either an Irrevocable Letter of Credit, cash, or certified cheque in a form satisfactory to the Manager of Financial Services in the amount of 120% of the estimated cost of the landscaping. Upon completion of the landscape construction, the City may withhold 10% of the security for a period of one growing season to ensure the survivability of all landscape features.
- c) The holder of a Development Permit shall be the owner of the subject property to which the Permit applies.
- d) Council approval is required for transferring any Development Permit to a new property owner for it to remain valid, predicated on the satisfactory refunding and recollecting of posted securities and subject to all other requirements of this Bylaw.
- e) All Building Permits issued and all works undertaken subject to a Development Permit must be in strict compliance with its terms and conditions.
- f) A Permit holder may apply for an amendment to the terms and conditions of their Development Permit. Council approval is required for any substantive change to the original Permit; however the Development Services Officer or Building Inspector may approve or deny any minor amendment.
- g) Council will only approve a new Development Permit subject to an expiry date of twenty four (24) months from the date of their approval; extensions will only be granted under extenuating circumstances, otherwise re-application will be required.
- h) A Development Permit will only remain valid if a Building Permit is issued within twelve (12) months from the date of Development Permit approval for all subject works under the Development Permit requiring a Building Permit; otherwise, the Development Permit will expire no extension is permitted.
- i) If a Building Permit expires pursuant to the City of Merritt Building Bylaw, any concurrent Development Permit for the same subject works will automatically expire with it on the same date and no extension is permitted.
- j) Prior to any subject works proceeding, the City and permit holder may mutually agree at any time to cancel a Development Permit, and with it any subject Building Permit application or approval.
- k) The City will return any securities collected for an expired or cancelled Development Permit.



11. Development or Bylaw Amendment Signage

The applicant shall post at his cost a sign or signs in a prominent location on the subject property notifying the public of a pending bylaw amendment or development application. Permit applications where the development value is less than fifty thousand dollars (\$50,000) are exempt from posting a sign. Signs must be posted in accordance with the following:

- a) Signage must be posted, updated and retained on the subject property to adequately notify the general public as follows:
 - i) Signs must be posted at least ten (10) calendar days prior to the application first going to Council;
 - ii) Signs must be updated a minimum of ten (10) calendar days prior to a Public Consultation Meeting for an OCP Bylaw Amendment, or the meeting will be delayed;
 - iii) Signs must be updated a minimum of ten (10) calendar days prior to a Public Hearing for a Zoning Bylaw Amendment, or the Hearing will be delayed; and
 - iv) Signs must remain on site until the development application is approved or denied or the application abandoned, and be removed within seven (7) days of a Council decision.
- b) The signage shall be placed approximately three (3) metres inside the property line and must be clearly visible to the general public. The City may require at least one sign every one hundred (100) metres. Where a site abuts more than one road, the City may require one sign for each road frontage.
- c) The size, layout and arrangement of text on the sign(s) shall be in general accordance with the sample shown in Schedule "H" which is attached to and forms part of this Bylaw. The overall dimensions of each sign shall be 1.2 metres by 2.4 metres (4 ft. by 8 ft.).
- d) The sign text shall be subject to the City's approval and shall contain the following information:
 - i) The City-assigned Application number.
 - ii) The purpose of the application.
 - iii) The civic address and legal description of the subject property.
 - iv) A map measuring 0.6 metres by 0.6 metres showing the subject property in relation to surrounding properties.
 - v) Existing and, when applicable, proposed OCP and Zoning designations.
 - vi) Details of variance, if applicable.



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- vii) The date, place and time of the Public Consultation Meeting, Public Hearing, or Variance meeting, as applicable.
 - viii) Developer's name and phone number.
 - ix) City's Planning and Development phone number.
 - x) Any additional information the Administrator or their delegate may require.
- e) A proof of the sign must be approved by the City before sign is built and installed.
- f) The applicant will notify the City when the sign is installed and again upon removal.

12. Public Notice

- a) Where an amendment bylaw alters the permitted use or density of an area, or a variance alters a condition of a bylaw, the *Local Government Act* requires that notice must be mailed or otherwise delivered to the owners of all lots which are subject to the bylaw alteration or variance, and all owners located within thirty (30) metres from the area that is subject to the bylaw alteration or variance.
- b) The distance in 12(a) is a minimum and may be broadened to reach more recipients at the discretion of Council and/or the Administrator or their designate.
- c) Where an amendment bylaw alters the permitted use or density of an area, the *Local Government Act* requires that a notice stating such be advertised in 2 consecutive issues of a local newspaper, the last publication to appear not less than 3 and not more than 10 days before a public hearing on the matter.

13. Council Consideration

- a) Council shall consider every development application together with staff's report and recommendations.
- b) Council may approve or deny an application for a bylaw amendment.
- c) Council will only give final reading for a Zoning Bylaw Amendment with prior approval of an OCP Bylaw Amendment required for enabling the proposed new land uses.
- d) Where a Development Permit, Development Variance Permit, or bylaw amendment requires the approval of the Ministry of Transportation and Infrastructure, Council will consider approval of the application after receiving Ministry approval.



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- e) For a Zoning Bylaw Amendment:
 - i) Council will only give final reading for property in a Development Permit area in tandem with issuance of a Development Permit for the proposed new land uses.
 - ii) The application will lapse if the applicant fails to complete a Development Permit application within six (6) months of the date of Council's third reading of the amendment.
- f) For a Permit, Council may:
 - i) Authorize issuance of the Permit; or
 - ii) Authorize issuance of the Permit as amended by the Council in its resolution; or
 - iii) Deny issuance of the Permit.
- g) Where a Development Permit, Development Variance Permit, or bylaw amendment has been refused by Council, re-application shall not be considered within a six month period beginning from the date of refusal.

READ A FIRST TIME THIS

24th day of February, 2009

READ A SECOND TIME THIS

14th day of July, 2009

READ A THIRD TIME THIS

14th day of July, 2009

ADOPTED THIS

28th day of July, 2009

Susan Roline, Mayor

**Ruth Tolerton, Corporate Services
Manager**



CITY OF MERRITT - SCHEDULE "A"
APPLICATION FOR DEVELOPMENT

Applicant:

1. _____
Property Owner's Name Authorized Agent* (if applicable)

Mailing Address of Owner Mailing Address of Agent
Phone # and Email: _____ Phone # and Email: _____

2. Civic address and Legal Description**:

(**Please provide a current State of Title Certificate.)

Application Type:

3. This is an application for a:
____ Official Community Plan Amendment
____ Rezoning amendment and if so, what is the proposed zoning? _____
____ Development Variance permit and Section(s) that requires amending?
____ Development Permit
____ Temporary Commercial or Industrial Use Permit

4. Existing Zoning***: _____

5. Existing OCP Sector: _____ Land Use: _____

6. Describe the existing use of the subject property: _____

(***Information can be found on the City's website)





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7. Describe the existing land use and buildings on all lots adjacent to and surrounding the subject property:
- (a) North: _____
- (b) East: _____
- (c) South: _____
- (d) West: _____
8. Describe the proposed development of the subject property and any variances or amendments to existing plans, bylaws or permits that are necessary to accomplish the proposed development: _____
- _____
- _____
- _____
9. Describe the services available to the subject property or the possibility of providing services:
- (a) Roads: _____
- (b) Water: _____
- (c) Sewage: _____
- (d) Storm water: _____
10. Is the subject property subject to floodplain regulations or Riparian Area Regulations:
Yes _____ No _____
11. Is the subject property in a Development Permit Area pursuant to the OCP?
Yes _____ No _____ Indicate Development Permit Area(s) applicable:





12. This application must be fully completed and supported by the following documents:

(a) A State of Title Certificate from the Land Titles Office.

(b) A fee made payable to the City of Merritt, as per Schedule "B".

(c) A site plan suitable to the Development Services Officer should contain:

- i) boundaries and dimensions of subject property;
- ii) size and location of existing and proposed building(s) on the site(s) including distances to the boundary lines of the property;
- iii) location and name of road(s) adjacent to the property;
- iv) north arrow and scale;
- v) location of bodies of water adjacent to or on the site(s);
- vi) topographic information in the form of contours or spot elevations;
- vii) proposed subdivision layout showing the number and approximate locations of lots; and
- ix) any other information as required in order to obtain as much information as possible regarding the proposed development.

(d) Detailed description of access to the subject property, including:

- i) traffic site plan;
- ii) name of the closest major highway
- iii) point of intersection with access road; and
- iv) distances and landmarks.

13. Any other information or comments: _____

I hereby declare the information contained herein is, to the best of my knowledge, factual and correct.

(Signature of Owner/Agent*)

(Date)

(*If agent is handling application, please supply authorization from owner.)

The personal information collected on this form is collected under the authority of the Local Government Act and will be used solely for the purposes of issuing the permit applied for.



Schedule B “Fees”

Application Type	Fee					✓
	2020	2021	2022	2023	2024	
OCP Amendments						
OCP Amendments	\$1,500.00	\$1,530.00	\$1,561.00	\$1,592.00	\$1,624.00	
OCP Amendments in conjunction with a Rezoning application	\$1,000.00	\$1,020.00	\$1,040.00	\$1,061.00	\$1,082.00	
Rezoning						
Rezoning Applications	\$1,500.00	\$1,530.00	\$1,561.00	\$1,592.00	\$1,624.00	
Zoning Bylaw Text Amendments	\$1,250.00	\$1,275.00	\$1,301.00	\$1,327.00	\$1,353.00	
Comprehensive Development Zone	\$2,500.00	\$2,550.00	\$2,601.00	\$2,653.00	\$2,706.00	
Public Notice Signs (OCP Amendments/ Rezoning)						
Sign Removal Deposit	\$400.00	\$408.00	\$416.00	\$424.00	\$433.00	
Sign Installation	Actual Cost					
Sign Replacement or Repair	Actual Cost					
Development Permit Application						
Minor DP (patio, façade improvement)	\$300.00	\$306.00	\$312.00	\$318.00	\$325.00	
Major DP	\$1,500.00	\$1,530.00	\$1,561.00	\$1,592.00	\$1,624.00	
Amendments to a DP	\$150.00	\$153.00	\$156.00	\$159.00	\$162.00	
Appeal to Council of a Staff Decision on a DP	\$500.00	\$510.00	\$520.00	\$531.00	\$541.00	
Riparian/ Environmental DP	\$300.00	\$306.00	\$312.00	\$318.00	\$325.00	
Geotechnical DP	\$300.00	\$306.00	\$312.00	\$318.00	\$325.00	
Wildfire DP	\$300.00	\$306.00	\$312.00	\$318.00	\$325.00	
Development Variance Permit or Board of Variance Application						
Minor Variance (up to 2 Variances)	\$700.00	\$714.00	\$728.00	\$743.00	\$758.00	
Minor Variance in conjunction with a DP	\$500.00	\$510.00	\$520.00	\$531.00	\$541.00	
Major Variance (3+ Variances)	\$1,000.00	\$1,020.00	\$1,040.00	\$1,061.00	\$1,082.00	
Major Variance in conjunction with a DP	\$800.00	\$816.00	\$832.00	\$849.00	\$866.00	
Board of Variance	\$500.00	\$510.00	\$520.00	\$531.00	\$541.00	
Temporary Use Permit						
Temporary Use Permit	\$800.00	\$816.00	\$832.00	\$849.00	\$866.00	
Temporary Use Permit Renewal	\$400.00	\$408.00	\$416.00	\$424.00	\$433.00	
Discretionary Use Permit						
Minor Discretionary Use Permit	\$50.00	\$51.00	\$52.00	\$53.00	\$54.00	
Major Discretionary Use Permit	\$500.00	\$510.00	\$520.00	\$531.00	\$541.00	
Special Discretionary Use Permit	\$1,000.00	\$1,020.00	\$1,040.00	\$1,061.00	\$1,082.00	

“Fees” Cont’d

Application Type	Fee					✓
	2020	2021	2022	2023	2024	
Subdivision						
Preliminary Layout Review (Fees based on total number of lots being registered at Land Titles)						
Up to 2 Lots	\$850.00	\$867.00	\$884.00	\$902.00	\$920.00	
3 – 10 Lots	\$1,000.00 + \$100.00 per lot	\$1,020.00 + \$102.00 per lot	\$1,040.00 + \$104.00 per lot	\$1,061.00 + \$106.00 per lot	\$1,082.00 + \$108.00 per lot	
11 – 20 Lots	\$2,500.00 + \$100.00 per lot	\$2,550.00 + \$102.00 per lot	\$2,601.00 + \$104.00 per lot	\$2,653.00 + \$106.00 per lot	\$2,706.00 + \$108.00 per lot	
21 – 30 Lots	\$4,000.00 + \$100.00 per lot	\$4,080.00 + \$102.00 per lot	\$4,162.00 + \$104.00 per lot	\$4,245.00 + \$106.00 per lot	\$4,330.00 + \$108.00 per lot	
31 – 40 Lots	\$5,000.00 + \$100.00 per lot	\$5,100.00 + \$102.00 per lot	\$5,202.00 + \$104.00 per lot	\$5,306.00 + \$106.00 per lot	\$5,412.00 + \$108.00 per lot	
41 or More Lots	\$6,000.00 + \$100.00 per lot	\$6,120.00 + \$102.00 per lot	\$6,242.00 + \$104.00 per lot	\$6,367.00 + \$106.00 per lot	\$6,495.00 + \$108.00 per lot	
Phased Strata (each phase)	\$850.00	\$867.00	\$884.00	\$902.00	\$920.00	
Preliminary Layout Review (PLR) Amendment or Extension	\$200.00	\$204.00	\$208.00	\$212.00	\$216.00	
Strata Conversion						
Strata Conversion	\$500.00 + \$100.00 per lot	\$510.00 + \$102.00 per lot	\$520.00 + \$104.00 per lot	\$531.00 + \$106.00 per lot	\$541.00 + \$108.00 per lot	
Third Party Review of Reports Submitted	Actual Cost					
Agricultural Land Reserve Application						
ALR Exclusion/Inclusion/Subdivision/Non Farm	As prescribed by the ALC					
Other Administrative Fees						
Ministry of Environment Site Profile Referral	\$100.00	\$102.00	\$104.00	\$106.00	\$108.00	
Land Titles Document Retrieval (per document)	\$20.00	\$20.00	\$21.00	\$21.00	\$22.00	

“Fees” Cont’d

Application Type	Fee					✓
	2020	2021	2022	2023	2024	
Earthworks Permit						
Earthworks Permit Application Fee	-	\$100.00	\$102.00	\$104.00	\$106.00	
Security Fee in the form of cash or an Irrevocable Standby Letter of Credit: <small>(Security fee is refundable if works are completed in compliance with Earthworks Permit)</small>						
Residential Landscaping	-	The greater of \$500 or 10% of the value of the works	The greater of \$500 or 10% of the value of the works	The greater of \$500 or 10% of the value of the works	The greater of \$500 or 10% of the value of the works	
Single Detached	-	\$5,000	\$5,000	\$5,000	\$5,000	
Semi-detached Residential	-	\$5,000	\$5,000	\$5,000	\$5,000	
Multi-Unit Residential (three or more units)	-	\$5,000	\$5,000	\$5,000	\$5,000	
Commercial or Industrial	-	\$5,000	\$5,000	\$5,000	\$5,000	
TOTAL FEES						

If this schedule is not amended following 2024, the fee for subsequent years shall be the fee listed for 2024.



(Please Print)

CITY OF MERRITT - SCHEDULE "C"

DEVELOPMENT VARIANCE PERMIT NO. _____

Permittee: _____

Legal Description and civic address: _____

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

(Legal Description of Property)

as shown outlined in red on the map attached hereto as Schedule "A".

3. The Zoning Bylaw and/or Subdivision Control Bylaw of the City of Merritt are varied as follows:

(Insert Variations)

4. The development shall be carried out according to the following time schedule:

(Set Out Time Schedule for Development)

5. As a condition of the issuance of this Development Variance Permit, Council of the City of Merritt is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Development Variance Permit. 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 Development Variance Permit within the time provided, the City of Merritt 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 Development Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:





DEVELOPMENT VARIANCE PERMIT NO. _____

5. (a) An Irrevocable Letter of Credit in the amount of \$ _____
(b) A Certified Cheque in the amount of \$ _____; or
(c) A Bank Draft in the amount of \$ _____.
6. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Development Variance Permit and any plans and specifications attached to this Development Variance Permit which shall form a part hereof.
7. If the Permittee does not commence the development permitted by this Development Variance Permit within of the date of the authorization of this Development Variance Permit, this Development Variance Permit shall lapse.
8. Any application to amend this Development Variance Permit shall be considered as a new application.
9. This Development Variance Permit is not a Building Permit.

Site Plan Approved by the Minister of Transportation this day of _____,

Authorizing resolution passed by the Council of the City of Merritt this day of _____,

The personal information collected on this form is collected under the authority of the Local Government Act and will be used solely for the purposes of issuing the permit applied for.





CITY OF MERRITT -SCHEDULE "D"

DEVELOPMENT PERMIT NO. _____

Permittee: _____

Legal Description and civic address: _____

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

(Legal Description of Property)

as shown outlined in red on the map attached hereto as Schedule "A".

3. The Zoning Bylaw and/or Subdivision Control Bylaw of the City of Merritt are varied or supplemented as follows:

(Insert Variations)

4. The development shall be carried out according to the following time schedule:

(Set Out Time Schedule for Development)

5. As a condition of the issuance of this Development Permit, Council of the City of Merritt is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Development Permit. 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 Development Permit within the time provided, the City of Merritt 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 Development Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:





SCHEDULE "D"
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DEVELOPMENT PERMIT NO. _____

- a) An Irrevocable Letter of Credit in the amount of \$ _____;
 - b) A Certified Cheque in the amount of \$ _____; or
 - c) A Bank Draft in the amount of \$ _____.
6. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Development Permit and any plans and specifications attached to this Development Permit which shall form a part hereof.
7. If the Permittee does not commence the development permitted by this Development Permit within of the date of the authorization of this Development Permit, this Development Permit shall lapse.
8. This Development Permit is not a Building Permit.

Site Plan Approved by the Minister of Transportation this day of _____, 20__.

Authorizing resolution passed by the Council of the City of Merritt this day of _____, 20__.

The personal information collected on this form is collected under the authority of the Local Government Act and will be used solely for the purposes of issuing the permit applied for.





CITY OF MERRITT - SCHEDULE "E"

PERMIT FOR TEMPORARY USE PERMIT NO. _____

Choose: ☐ COMMERCIAL ☐ INDUSTRIAL

Permittee: _____

Legal Description and civic address: _____

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

(Legal Description of Property)

as shown outlined in red on the map attached hereto as Appendix "A".

3. In addition to the existing provisions of the Zoning Bylaw the following use(s) is(are) permitted:

(List specific Commercial or Industrial uses)

4. The above use(s) is/are subject to the following conditions:

(Insert all conditions of use applicable to the subject property(ies).

(Set Out Time Schedule for Development)

5. As a condition of the issuance of this Temporary Use Permit, Council of the City of Merritt is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. 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 Temporary Use Permit within the time provided, the City of Merritt 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 Temporary Use Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:





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SCHEDULE "E"
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5. (a) An Irrevocable Letter of Credit in the amount of \$ _____;
- (b) A Certified Cheque in the amount of \$ _____; or
- (c) A Bank Draft in the amount of \$ _____.
6. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Temporary Use Permit and any plans and specifications attached to this Temporary Permit which shall form a part hereof.
7. If the Permittee does not commence the development permitted by this Temporary Use Permit within of the date of the authorization of this Temporary Use Permit, this Temporary Use Permit shall lapse.
8. Any application to amend this Temporary Use Permit shall be considered as a new application.
9. This Temporary Use Permit is not a Building Permit.

Site Plan Approved by the Minister of Transportation this day of ,

Authorizing resolution passed by the Council of the City of Merritt this day of ,

The personal information collected on this form is collected under the authority of the Local Government Act and will be used solely for the purposes of issuing the permit applied for.





CITY OF MERRITT -SCHEDULE "F"
SITE PROFILE

Preamble

Under section 40 of the *Environmental Management Act*, a person who knows or reasonably should know that a site has been used or is used for industrial or commercial purposes or activities must in certain circumstances provide a site profile. Schedule 2 of the Contaminated Sites Regulation sets out the types of industrial or commercial purposes or activities to which site profile requirements apply.

If section 40 of the Environmental Management Act applies to you and you know or reasonably should know that the site has been used or is used for one of the purposes or activities found in Schedule 2 of the Contaminated Sites Regulation, you may be required to complete the attached site profile.

Notes/Instructions:

Persons preparing a site profile must complete Section I, II and III, answer all questions in sections IV through IX, and sign section XI. If the site profile is not satisfactorily completed, it will not be processed under the *Environmental Management Act* and the Contaminated Sites Regulation. Failure to complete the site profile satisfactorily may result in delays in approval of relevant applications and in the postponement of decisions respecting the property.

The person completing this site profile is responsible for the accuracy of the answers. Questions must be answered to the best of your knowledge.

Section 27 (1) of the *Freedom of Information and Protection of Privacy Act* requires that provision of personal information concerning an individual must be authorized by that individual. Persons completing the site profile on behalf of the site owner must be authorized by the site owner.

One (1) site profile may be completed for a site comprised of more than one titled or untitled parcel, but individual parcels must be identified.

The latitude and longitude (accurate to 0.5 of a second using North American Datum established in 1983) of the centre of the site must be provided. Also, please attach an accurate map, containing latitude, longitude and datum references, which shows the boundaries of the site in question. Please use the largest scale map available. If the property is legally surveyed, titled and registered, then all PID numbers (Parcel Identifiers – Land Title Registry system) must be provided for each parcel as well as the appropriate legal description.

If the property is untitled Crown land (no PID number), then the appropriate PIN numbers (Parcel Identification Numbers – Crown Land registry system) for each parcel with the appropriate land description should be supplied.

Anything submitted in relation to this site profile will become part of the public record and may be made available to the public through the Site Registry as established under the *Environmental Management Act*.



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Under section 43 of the *Environmental Management Act*, corporate and personal information contained in the site profile may be made available to the public through the Site Registry. If you have questions concerning the collection of this information, contact the Site Registrar, at site@gov.bc.ca. For questions on site profiles, please send a message to siteprofiles@gov.bc.ca.

(PLEASE PRINT)

Site Profile v4.0, 2009

All Information Must be Provided and All Questions Answered

I. CONTACT IDENTIFICATION

A. Name of Site Owner:

Last First Middle Initial(s) (and / or, if applicable)

Company

Owner's Civic Address

City Province/State

Country Postal Code/ZIP

B. Person Completing Site Profile *Leave blank if same as above:*

Last First Middle Initial(s) (and / or, if applicable)

Company

C. Person to Contact Regarding the Site Profile:

Last First Middle Initial(s) (and / or, if applicable) Company

Mailing Address

City Province/State

Country Postal Code/ZIP

Telephone (.....) - Fax (.....) -



SCHEDULE "F"
PAGE 3

II. SITE IDENTIFICATION If Legally Titled, Registered Property

Site Street Address

City Postal Code

PID numbers and associated legal descriptions. *Attach an additional sheet if necessary.*

PID

Legal Description

.....
.....
.....
.....
.....

Total number of titled parcels represented by this site profile is:

If Untitled Crown Land

1) PIN numbers and associated Land Description. *Attach an additional sheet if necessary*

PIN

Land Description

.....
.....
.....
.....

Total number of untitled, crown land parcels represented by this site profile is:

2) Coordinates (using the North American Datum 1983 convention) for the centre of the site:

Latitude: Degrees Minutes Seconds
.....

Longitude: Degrees Minutes Seconds
.....

Please attach a map of appropriate scale showing the boundaries of the site.

(and, if available)

Crown land file numbers. *Attach an additional sheet if necessary.*

.....



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PAGE 4

III. COMMERCIAL AND INDUSTRIAL PURPOSES OR ACTIVITIES

Please indicate below, in the format of the example provided, which of the industrial and commercial purposes and activities from Schedule 2 have occurred or are occurring on this site.

EXAMPLE:

<u>Schedule 2</u>	<u>Description</u>
<u>Reference</u>	
E1	appliance, equipment or engine repair, reconditioning, cleaning or salvage
F10	solvent manufacturing or wholesale bulk storage

.....
Please print legibly. Attach an additional sheet if necessary

<u>Schedule 2</u>	<u>Description</u>
<u>Reference</u>	

.....

.....

.....

.....

.....

IV. AREAS OF POTENTIAL CONCERN

	Is there currently or to the best of your knowledge has there previously been on the site any (please mark the appropriate column opposite the question):	YES	NO
A	Petroleum, solvent or other polluting substance spills to the environment greater than 100 litres?		
B	Residue left after removal of piled materials such as chemicals, coal, ore, smelter slag, air quality control system baghouse dust?		
C	Discarded barrels, drums or tanks?		
D	Contamination resulting from migration of substances from other properties?		



SCHEDULE "F"

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V. FILL MATERIALS			
	Is there currently or to the best of your knowledge has there previously been on the site any deposit of (please mark the appropriate column opposite the question):	YES	NO
A	Fill dirt, soil, gravel, sand or like materials from a contaminated site or from a source used for any of the activities listed under Schedule 2?		
B	Discarded or waste granular materials such as sand blasting grit, asphalt paving or roofing material, spent foundry casting sands, mine ore, waste rock or float?		
C	Dredged sediments, or sediments and debris materials originating from locations adjacent to foreshore industrial activities, or municipal sanitary or stormwater discharges?		

VI. WASTE DISPOSAL			
	Is there currently or to the best of your knowledge has there previously been on the site any landfilling, deposit or dumping of the following materials (please mark the appropriate column opposite the question):	YES	NO
A	Materials such as household garbage, mixed municipal refuse, or demolition debris?		
B	Waste or byproducts such as tank bottoms, residues, sludge, or flocculation precipitates from industrial processes or wastewater treatment?		
C	Waste products from smelting or mining activities, such as smelter slag, mine tailings, or cull materials from coal processing?		
D	Waste products from natural gas and oil well drilling activities, such as drilling fluids and muds?		
E	Waste products from photographic developing or finishing laboratories; asphalt tar manufacturing; boilers, incinerators or other thermal facilities (e.g. ash); appliance, small equipment or engine repair or salvage; dry cleaning operations (e.g. solvents); or from the cleaning or repair of parts of boats, ships, barges, automobiles or trucks, including sandblasting grit or paint scrapings?		

VII. TANKS OR CONTAINERS USED OR STORED			
	Are there currently or to the best of your knowledge have there been previously on the site any (please mark the appropriate column opposite the question):	YES	NO
A	Underground fuel or chemical storage tanks other than storage tanks for compressed gases?		
B	Above ground fuel or chemical storage tanks other than storage tanks for compressed gases?		



SCHEDULE "F"

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VIII. SPECIAL (HAZARDOUS) WASTES OR SUBSTANCES

	Are there currently or to the best of your knowledge have there been previously on the site any (please mark the appropriate column opposite the question):	YES	NO
A	PCB-containing electrical transformers or capacitors either at grade, attached above ground to poles, located within buildings, or stored?		
B	Waste asbestos or asbestos containing materials such as pipe wrapping, blown-in insulation or paneling buried?		
C	Paints, solvents, mineral spirits or waste pest control products or pest control product containers stored in volumes greater than 205 litres?		

IX. LEGAL OR REGULATORY ACTIONS OR CONSTRAINTS

	To the best of your knowledge are there currently any of the following pertaining to the site (please mark the appropriate column opposite the question):	YES	NO
A	Government orders or other notifications pertaining to environmental conditions or quality of soil, water, groundwater or other environmental media?		
B	Liens to recover costs, restrictive covenants on land use, or other charges or encumbrances, stemming from contaminants or wastes remaining onsite or from other environmental conditions?		
C	Government notifications relating to past or recurring environmental violations at the site or any facility located on the site?		

X. ADDITIONAL COMMENTS AND EXPLANATIONS

(Note 1: Please list any past or present government orders, permits, approvals, certificates and notifications pertaining to the environmental condition, use or quality of soil, surface water, groundwater or biota at the site.

Note 2: If completed by a consultant, receiver or trustee; please indicate the type and degree of access to information used to complete this site profile):



XI. SIGNATURES

The person completing the site profile states that the above information is true, based on the person's current knowledge as of the date completed.

.....
Signature of person completing site profile Date completed: (YY-MM-DD)

12. Official Use

Local Authority

Reason for Submission (*Please check one or more of the following*)

Soil Removal _____ Subdivision Application _____ Zoning Application _____

Development Permit _____ Variance Permit _____ Demolition Permit _____

Date received:	<u>Local Government contact:</u>	Date submitted to Site Registrar:	Date forwarded to BC Environment Manager:
----------------	----------------------------------	---	--

_____ Name: _____

Agency: _____

Address: _____

Telephone: _____ Fax: _____



Bylaw 2076, 2009
Development Procedures Bylaw

SCHEDULE "F"
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BC Environment Manager

Reason for Submission (*please check one or more of the following*)

Under Order _____ Site Decommissioning _____ Foreclosure _____

Date received: _____ Assessed By: _____ Investigation Required? _____ Decision Date: _____

_____ Name: _____ Yes _____ No _____

Region: _____

Telephone: _____ Fax: _____

If site profile entered, SITE ID# _____

Site Registrar

Date received: _____ Entered onto site registry by: _____ SITE ID# _____ Entry Date _____



SCHEDULE "F"
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Date: _____

File: _____

Approving Officer
City of Merritt
PO Box 189
Merritt, BC
V1K 1B8

Legal Property Description: _____

Property I.D. (PID): _____

I, _____ hereby acknowledge that *the Environmental Management Act*, 2003, is effective as of March 31, 2005.

Based on my personal knowledge of the property in question, I do not believe that it is or has been used for any of the industrial or commercial purposes and activities specified in Schedule 2 (attached) of the regulations. Accordingly, I elect not to complete and submit a "site profile", as outlined in Section 40.(1) of the *Act*, however I understand that it is my option to request and complete a "site profile" if I so intend.

I further acknowledge that this election does not remove any liability, which may otherwise be applicable under the legislation.

Applicant

Witness

Date



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SCHEDULE 2
INDUSTRIAL AND COMMERCIAL PURPOSES AND ACTIVITIES

Column I Item	Column II Purpose or Activity
A	Chemical industries and activities <ol style="list-style-type: none">1. adhesives manufacturing or wholesale bulk storage2. chemical manufacturing or wholesale bulk storage3. explosives or ammunition manufacturing or wholesale bulk storage4. fire retardant manufacturing or wholesale bulk storage5. fertilizer manufacturing or wholesale bulk storage6. ink or dye manufacturing or wholesale bulk storage7. leather or hides tanning8. paint, lacquer or varnish manufacturing, formulation, recycling or wholesale bulk storage9. pharmaceutical products manufacturing10. plastic products (foam or expanded plastic products) manufacturing11. textile dyeing12. pesticide manufacturing, formulation or wholesale bulk storage13. resin or plastic monomer manufacturing, formulation or wholesale bulk storage
B	Electrical equipment industries and activities <ol style="list-style-type: none">1. battery (lead acid or other) manufacturing or wholesale bulk storage2. communications stations using or storing equipment that contains PCBs3. electrical equipment manufacturing, refurbishing or wholesale bulk storage4. electrical transmission or distribution substations5. electronic equipment manufacturing6. transformer oil manufacture, processing or wholesale bulk storage
C	Metal smelting, processing or finishing industries and activities <ol style="list-style-type: none">1. foundries or scrap metal smelting2. galvanizing3. metal plating or finishing4. metal salvage operations5. nonferrous metal smelting or refining6. welding or machine shops (repair or fabrication)
D	Mining, milling or related industries and activities <ol style="list-style-type: none">1. asbestos mining, milling, wholesale bulk storage or shipping2. coal coke manufacture, wholesale bulk storage or shipping3. coal or lignite mining, milling, wholesale bulk storage or shipping4. milling reagent manufacture, wholesale bulk storage or shipping5. nonferrous metal concentrate wholesale bulk storage or shipping6. nonferrous metal mining or milling



SCHEDULE "F"
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- E** **Miscellaneous industries, operations or activities**
1. appliance, equipment or engine repair, reconditioning, cleaning or salvage
 2. ash deposit from boilers, incinerators, or other thermal facilities
 3. asphalt tar roofing manufacture, wholesale storage and distribution
 4. coal gasification (manufactured gas production)
 5. medical, chemical, radiological or biological laboratories
 6. rifle or pistol firing ranges
 7. road salt storage facilities
 8. measuring instruments (containing mercury) manufacture, repair or wholesale bulk storage
 9. dry cleaning facilities or operations and dry cleaning chemical storage
 10. sites which have been or likely have been contaminated by substances migrating from other properties
- F** **Petroleum and natural gas drilling, production, processing, retailing and distribution**
1. petroleum or natural gas drilling
 2. petroleum or natural gas production facilities
 3. natural gas processing
 4. petroleum coke manufacture, wholesale bulk storage or shipping
 5. petroleum product dispensing facilities, including service stations and card lots
 6. petroleum, natural gas or sulphur pipeline rights of way excluding rights of way for pipelines used to distribute natural gas to consumers in a community
 7. petroleum or natural gas product or produced water storage in above ground or underground tanks
 8. petroleum product wholesale bulk storage or distribution
 9. petroleum refining wholesale bulk storage or shipping
 10. solvent manufacturing or wholesale bulk storage
 11. sulphur handling, processing or wholesale bulk storage and distribution
- G** **Transportation industries, operations and related activities**
1. aircraft maintenance, cleaning or salvage
 2. automotive, truck, bus, subway or other motor vehicle repair, salvage or wrecking
 3. bulk commodity storage or shipping (e.g. coal)
 4. dry docks, ship building or boat repair
 5. marine equipment salvage
 6. rail car or locomotive maintenance, cleaning, salvage or related uses, including railyards
 7. truck, rail or marine bulk freight handling



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H

Waste disposal and recycling operations and activities

1. antifreeze bulk storage or recycling
2. barrel, drum or tank reconditioning or salvage
3. battery (lead acid or other) recycling
4. biomedical waste disposal
5. bulk manure stockpiling and high rate land application or disposal (non-farm applications only)
6. construction demolition material landfilling
7. contaminated soil storage, treatment or disposal
8. dredged waste disposal
9. dry-cleaning waste disposal
10. electrical equipment recycling
11. industrial waste lagoons or impoundments
12. industrial waste storage, recycling or landfilling
13. industrial wood waste (log yard waste, hog fuel) disposal
14. mine tailings waste disposal
15. municipal waste storage, recycling, composting or landfilling
16. organic or petroleum material land spreading (land-farming)
17. sandblasting waste disposal
18. septic tank pumpage storage or disposal
19. sewage lagoons or impoundments
20. special (hazardous) waste storage, treatment or disposal
21. sludge drying or composting
22. street or yard snow removal dumping
23. waste oil reprocessing, recycling or bulk storage
24. wire reclaiming operations

I

Wood, pulp and paper products and related industries and activities

1. particle board manufacturing
2. pulp mill operations
3. pulp and paper manufacturing
4. treated wood storage at the site of treatment
5. veneer or plywood manufacturing
6. wafer board manufacturing
7. wood treatment (antisapstain or preservation)
8. wood treatment chemical manufacturing, wholesale bulk storage
9. sawmills



SCHEDULE "G"
FAÇADE DESIGN APPLICATION

Owner/Applicant: _____

Mailing Address: _____

Telephone Number: _____ Fax Number: _____ Email: _____

Address of Façade Project: _____

Legal Description: _____

Designer or Contractor Information:

Name: _____

Mailing Address: _____

Telephone Number: _____ Fax Number: _____ Email: _____

General Description of Project: ☐ New Construction ☐ Alteration of Exterior ☐ (Both)

List of Materials to be used: _____

☐ Photographs attached of current appearance:

☐ Coloured rendering attached of proposed project:





SCHEDULE "G"
PAGE 2

Value of Proposed Project: _____

Proposed Project Start Date: _____ Completion Date: _____

I hereby certify that I am the above applicant and hereby state that the foregoing information and all the attached material hereto are true to the best of my knowledge.

Signature of Property Owner

Date

For Office Use only:

☐ Changes Required by Façade Design Committee _____(date)

☐ Changes resubmitted: _____(date)

☐ Approved by the Façade Design Committee: _____ (date)

☐ Reviewed by Building Inspector: _____ Approved:

☐ Building Permit No. _____ ☐ Development Permit No. _____

☐ Façade Project Completed Satisfactorily: _____(date)

The personal information collected on this form is collected under the authority of the Local Government Act and will be used solely for the purposes of issuing the permit applied for.



DEVELOPMENT APPLICATION No. RZ2009-01

Civic Address Legal Description

PROPOSED Rezoning from R1 - Single Family Residential to R7 - High Density Residential to enable the development of a 21 unit condominium complex.

CURRENT ZONING: R1 - maximum building height of 9 metres

PROPOSED ZONING: R7 - maximum building height of 13 metres with 75 dwelling units per gross developable hectare.

DEVELOPER: (name).
(telephone number)

Date & location of
OCP Public Consultation: _____

DEVELOPMENT SERVICES DEPARTMENT
(250) 378-4224

Date & location of
Public Hearing: _____

Map of Subject Property

0.6m

0.6m

1.2m

2.4m