

PROCEDURE FOR SUBMISSION
AND APPROVAL OF PLANS
FOR BRITISH PACIFIC PROPERTIES LIMITED SUBDIVISIONS

DESIGNATED SUBDIVISIONS

While meetings may be held and informal comment provided, formal processing of any application will not commence until the receipt of the processing fee, the security deposit (where applicable) and a full and complete submission of all materials as listed in the appropriate application kit.

January 1, 2008

**DESIGNATED SUBDIVISIONS PROCEDURE FOR SUBMISSION
OF PLANS FOR BRITISH PACIFIC PROPERTIES LIMITED
SUBDIVISIONS**

*PLEASE NOTE THAT THIS INFORMATION IS SUBJECT TO CHANGE FROM TIME TO TIME
AND CONFIRMATION OF APPLICABLE REQUIREMENTS SHOULD BE MADE WITH BRITISH
PACIFIC PROPERTIES LIMITED PRIOR TO SUBMITTING ANY PROPOSAL*

- A. Designated subdivisions currently include:
1. Whitby Estates
 2. Taylor's Lookout
- B. As a registered owner in a British Properties' subdivision, when you intend to build, extend, or alter a building or construct a fence or any structure, you must file an application for approval of plans at British Pacific Properties Limited's office (#1001, 100 Park Royal, West Vancouver, B.C. V7T 1A2 [Phone:604-925-9000]).

1. RESTRICTIVE COVENANTS

1. British Properties' building schemes incorporate a schedule of "restrictive covenants" that are registered in the Provincial Government Land Titles Office upon the creation of each subdivision. **Approval of plans is required under these restrictive covenants and plan approval must be given by British Pacific Properties Limited only.**
2. It is the Owner's responsibility to check the Restrictive Covenants in the building scheme applicable to their property.
3. The restrictive covenants, which may differ from one subdivision to another are binding upon the first and any subsequent owner(s) of the lot.

2. BY-LAWS

1. British Properties' subdivisions in the District of West Vancouver are subject to all applicable Municipal zoning and Building By-Laws (the rules and regulations for construction applied to all developments) as well as to other applicable laws. All applications for building and servicing are dealt with by the Permits and Licenses Department.

3. DESIGNER/CONTRACTOR APPROVAL – Designated Subdivisions

1. Certain British Properties' subdivisions, as listed above, are Designated and subject to British Pacific Properties Limited's prior approval of the designer/architect and building contractor. This provision is included in the original lot sale agreement which requires the condition to be "assumed" by subsequent purchasers. Please refer to the lot purchase agreement.

2. British Pacific Properties Limited will be considering designers/architects and builders with current West Vancouver or equivalent experience and a skill level to meet the quality expectation for these particular neighbourhoods – all as set out in “Architect/Designer and Builder Approval Requirements” as available from British Pacific Properties Limited.
3. Approval requires a formal request and submission to be provided for review, consideration and approval. Designers and contractors shall not commence any work prior to their approval by British Pacific Properties Limited.

4. **SUBMISSION PROCESS FOR PLAN APPROVAL**

Procedures for approval of plans from British Pacific Properties Limited are outlined below. Requirements vary depending on the type of project you are planning.

The following points explain the correct procedure in making a development application to British Pacific Properties Limited.

1. The first step is to read and fully understand the "Restrictive Covenants" that are registered on the title of the property, and the terms of the original sales agreement on recent subdivisions, as well as applicable British Pacific Properties Limited requirements and design guidelines.
2. The second step is to establish the category of the project planned. There are three categories:

Category 1: A new or replacement house or a significant addition or modification to an existing building or structure.

Category 2: A small to medium (less than fifteen percent) exterior addition or alteration to an existing building or structure.

Category 3: Any alteration or addition to an existing outdoor site work, e.g. outdoor swimming pool, tennis court, patio, fence, retaining wall etc.

3. The third step is to obtain the correct Application Kit for the type of project you are planning.

The Application Kit clearly explains the procedure and materials required in submitting an application.

4. An application must be accompanied by a processing fee as set out, herein. The fee will generally be non-refundable.

5. A pre-design meeting between the owner, and/or designer and the approving authority is recommended, especially for Category 1 application.
6. The decision of British Pacific Properties Limited, as the approving authority, with respect to a development application and the approval of plans, will be final and binding. British Pacific Properties Limited will not be liable to any owner, and no action will lie against British Pacific Properties Limited by any such owner, for decisions made by British Pacific Properties Limited in good faith as approving authority.

5. APPLICATION PROCESSING FEE

1. The processing fee is required to offset the expense of the plan review and management of the approval process. Cheques are to be made payable to British Pacific Properties Limited.

2. The plan review process and acceptance of your fee does not guarantee an approval of your proposed project.

3. The processing fee will be set from time to time by British Pacific Properties Limited.

4. Formal processing of any application will not commence until the receipt of the processing fee and proof of ownership.

5. Processing fees are generally non-refundable and apply to one design submission and attendant design process adjustments only. Partial refunds will be considered at the discretion of British Pacific Properties Limited where a project is cancelled or withdrawn only as follows:

1. After initial submission and brief design meeting or review

1. Refund of up to 75% of fee

2. After initial submission and full Stage 1 review and consideration

1. Refund of up to 50% of fee

6. Resubmissions or new revised designs that may ensue after cancellation or withdrawal will require a new full processing fee.

7. Design submissions that have not proceeded forward for full approval after a period of twelve (12) months after initial processing fee submission may be considered terminated and a further processing fee may be required for further project consideration.

6. DESIGNATED SUBDIVISION APPLICATION PROCESSING FEE

1. The basis for calculation of a consistent processing for the designated current subdivision lands is to be derived from an assumed building “construction cost” **and** a landscape assessment.

| | | |
|----|---------------------------------|---------------------|
| 1. | <u>New Building: Category 1</u> | <u>EXAMPLE</u> |
| 1. | Building Processing Fee | |
| | <u>Sq.ft.</u> | <u>Assumed Cost</u> |
| | Main Floor: e.g. 2,500 | |
| | Upper Floor: e.g. <u>1,000</u> | |
| | 3,500 @ \$100 = | 350,000 |
| | Basement: e.g. 700 @ \$ 70 = | 49,000 |
| | Garage: e.g. 400 @ \$ 30 = | <u>12,000</u> |
| | | \$411,000 |
| | Fee \$411,000 x 0.5% = | <u>\$2,055.00</u> |

For large houses, a maximum building processing fee is set at \$5,000.00 **plus HST**. (Plus Landscaping Fee/HST)

| | | |
|----|---------------------------------------|---------|
| 2. | Landscaping Processing Fee Assessment | |
| | <u>Site Area</u> | |
| 1. | General 15,000 sq.ft. or less | \$1,000 |
| 2. | Large 15,000 to 40,000 sq.ft. | \$1,500 |
| 3. | Super 41,000 sq.ft. and larger | \$2,000 |

| | | |
|----|---|-------------------|
| 3. | The total project processing fee shall be the sum of: | |
| | | <u>EXAMPLE</u> |
| 1. | Building processing fee | \$2,055.00 |
| 2. | Landscape Processing fee (30,000 sq.ft. lot) | <u>\$1,500.00</u> |
| | | \$3,555.00 |
| 3. | Plus HST | <u>426.60</u> |
| | TOTAL | <u>\$3,981.60</u> |

2. Small/Medium Additions and Alterations: Category 2

1. Small exterior additions/alterations - \$300.00 **plus HST**
Under 10% of existing footprint
2. Medium exterior additions/alterations - \$500.00 **plus**
10-15% of existing footprint

HST

3. Alterations/additions to outdoor site works: Category 3

1. Minimum - \$300.00 **plus HST**

7. SECURITY DEPOSIT

1. Security deposit where required by Site Purchase Agreements cover the performance of house and landscape works.
2. Security deposit monies may be retained by British Pacific Properties Limited as deemed appropriate in relation to completion of house and landscape works in compliance with approved drawings, the guidelines and completion requirements.

8. HOUSE COMPLETION

1. Upon completion of the house and related works, the owner shall have the house designer/architect provide a letter certifying that the house has been constructed in compliance with the approved drawings and related guidelines and submissions.

9. LANDSCAPE COMPLETION

1. Upon completion of the landscape and related site works, the owner shall have the landscape designer/architect provide a letter certifying that the landscaping has been constructed in compliance with the approved drawings and the guidelines and shall formally request a landscape completion review.

10. LANDSCAPE COMPLETION REVIEW PROCESS

1. Owner to provide: (as noted above)
 1. Formal written request for review to British Pacific Properties Limited.
 2. Letter from landscape designer/architect.
2. British Pacific Properties Limited will undertake one site review and appropriate response letter to owner (approval/deposit release or deficiency list). The cost of this review/letter is included in the landscape processing fee.
3. For deficient work, the Owner is to:
 1. Have work upgraded.
 2. Have landscape designer certify in writing that deficiencies have been corrected and that final completion is to guidelines/approved drawings.
 3. Provide formal written request for review to British Pacific Properties Limited.
4. British Pacific Properties Limited will undertake a further site review and appropriate response letter to the Owner. The British Pacific Properties Limited consultant cost for this and any following revisions/responses will be deducted from the security holdback monies.
5. Continuing non-conformance may result in British Pacific Properties Limited directly undertaking remedial work and/or deducting the costs from the security deposit and/or notifying the District of West Vancouver of non-compliance with Development Permit.