

**TSAWOUT FIRST NATION
LANDS DEPARTMENT
SUBDIVISION, DEVELOPMENT AND
SERVICING APPLICATION FORM**

Tsawout First Nation Subdivision, Development and Servicing Law, Section 7.1

APPLICATION INFORMATION

APPLICATION TYPE: (mark all applicable boxes):		
<input type="checkbox"/> Commercial Development <input type="checkbox"/> Construction <input type="checkbox"/> Development Permit <input type="checkbox"/> Excavation	<input type="checkbox"/> Industrial Development <input type="checkbox"/> Institutional Development <input type="checkbox"/> Infrastructure, Sewer, Water <input type="checkbox"/> Recreational Development <input type="checkbox"/> Residential Development <input type="checkbox"/> Timber Harvesting	<input type="checkbox"/> Rezoning <input type="checkbox"/> Roads, Intersections, etc. <input type="checkbox"/> Other: <hr style="width: 100%;"/>
FILE #	DATE OF APPLICATION:	APPLICATION #
APPLICATION FEE \$	RECEIPT #	DATE RECEIVED:
BOND POSTED (120% of Construction Costs for on-site works)		\$
DETAILS OF BOND:		

DEVELOPER/AGENT INFORMATION

DEVELOPER (AGENT)	CORPORATE NAME:	
INCORPORATION NO.	(B.C./ Canada)	
GST #	HST #	
Address of Records Office:		
PHONE # (WORK)	PHONE # (CELL)	
FAX #	EMAIL:	
NAME OF DIRECTORS:		
Have any of the directors gone bankrupt or been a director for a corporation that has gone bankrupt in the past 5 years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please provide the name of the director and the details:		
Name of the Authorized Representative:		
Address:	Telephone:	
<input type="checkbox"/> COPY OF DIRECTORS RESOLUTION authorizing representative or an affidavit of execution or proof of authority to use the corporate seal attached to application?		
<input type="checkbox"/> A COPY OF A CORPORATION SEARCH from the past 7 days demonstrating that the corporation is in good standing.		

CP/PERMANENT INTEREST HOLDER INFORMATION *(List all Certificate of Possession/Permanent Interest Holders)*

All applications must be signed by both the CP Holder/Permanent Interest Holder and, if there is one, the Corporate, agent or developer applicant.

By signing below I/We hereby authorize the corporation, agent or developer listed below to apply on our behalf. I/We agree to provide all information required for this application and to abide by all relevant Tsawout, Federal, provincial and municipal laws in relation to the application and the project.

OWNER (CP HOLDER 1)	PHONE # (WORK)
MAILING ADDRESS:	PHONE # (CELL)
CITY/PROVINCE/POSTAL CODE	EMAIL:
FAX #	SIGNATURE:
OWNER (CP HOLDER 2)	PHONE # (WORK)
MAILING ADDRESS:	PHONE # (CELL)
CITY/PROVINCE/POSTAL CODE	EMAIL:
SIGNATURE:	Date:
OWNER (CP HOLDER 3)	PHONE # (WORK)
MAILING ADDRESS:	PHONE # (CELL)
CITY/PROVINCE/POSTAL CODE	EMAIL:
SIGNATURE:	Date:
OWNER (CP HOLDER 4)	PHONE # (WORK)
MAILING ADDRESS:	PHONE # (CELL)
CITY/PROVINCE/POSTAL CODE	EMAIL:
SIGNATURE:	Date:
OWNER (CP HOLDER 5)	PHONE # (WORK)
MAILING ADDRESS:	PHONE # (CELL)
CITY/PROVINCE/POSTAL CODE	EMAIL:
SIGNATURE:	Date:

LEGAL DESCRIPTION

LOT #:	PLAN #:	RESERVE NAME AND NUMBER:
STREET ADDRESS:		
EXISTING LAND USE UNDER ANY APPLICABLE TSAWOUT ZONING OR LAND USE LAW/REGULATION:		
PROPOSED LAND USE (IF DIFFERENT FROM CURRENT USE):		

LEASE REGISTRATION # (as contained in Tsawout Lands Registry)	SUBLEASE REGISTRATION # (as contained in Tsawout Lands Registry)
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APPLICATION FOR DEVELOPMENT

TYPE	NO. OF UNITS	BLDG AREA (SQ.FT)
HEIGHT	NO. OF STOREYS	PARCEL(S) SIZE
GENERAL NATURE OF DEVELOPMENT (attach additional pages if necessary)		

CHECKLIST

I have provided all of the information and documents set out in the attached Subdivision, Development and Servicing Application Checklist
<input type="checkbox"/> Yes <input type="checkbox"/> No
If no, please provide an explanation:

NOTE: If the applicant is not the registered owner of the property concerned, then the land owner/interest holder's signature is required on this application.

I/we hereby apply for the above approvals and agree to provide all information required for this application and to abide by all relevant Tsawout, federal, provincial and municipal laws in relation to the application and the project.

I/we further agree to allow any authorized Tsawout Representative or their delegate to enquire into my/our credit history, corporate standing and all other aspects of my/our business relevant to this application.

I accept responsibility for delays in processing caused by incorrect or insufficient submissions. [Contact the Tsawout Lands Office, if you should have any further questions.]

I represent to the Tsawout First Nation, knowing that the Tsawout First Nation relies on this representation and warranty, that the property covered by this application, to the best of my knowledge having done due and diligent inquiry, is not contaminated or polluted in any way that would make it unlawful, unsafe or unsuited for the purpose for which it is intended to be used.

That I understand and acknowledge that neither the issuance of a permit under the Subdivision, Development and Servicing Law, nor the review of plans and supporting documents, shall in any way constitute a representation, warranty or statement by the Tsawout First Nation that the B.C. Building Code, the Subdivision, Development and Servicing Law in force from time to time, or any other law or bylaw of the Tsawout First Nation has been complied with. I confirm that I have relied

only on the registered professionals of record for the adequacy of plans and supporting documents submitted with this application.

I acknowledge that the Tsawout First Nation has relied and is relying exclusively on the BC Building Code Schedule B Letter(s) of Assurance of Professional Design and Commitment for Field Review which have been or may be submitted in reviewing the plans and supporting documents submitted with this application.

I assume all risks incidental to or that may arise as a result of the of this application and agree to save harmless and indemnify the Tsawout First Nation and its officials, agents, servants and representatives from and against all claims, actions, costs, expenses and demands with respect to death, injury, loss or damage to persons or property arising out of or in connection with this application. I agree to comply with or cause those whom I employ to comply with, all applicable laws, bylaws, and requirements of the Tsawout First Nation and any other authority having jurisdiction. I understand that no warranty is implied for the approval of this application and that this waiver and indemnity is binding on me, my heirs, executors and assigns.

I have read and agree with the above paragraphs.

Signature of Applicant/Agent (or its authorized signatory*)

Date

Signature of Land Owner/Interest Holder (or its authorized signatory*)

Date

* I certify that I have the authority to bind the corporation

OFFICE USE ONLY	
APPLICATON IS:	<input type="checkbox"/> COMPLETE <input type="checkbox"/> INCOMPLETE (PROVIDE COMMENTS BELOW)
Comments:	
Date: _____	Name of Staff Member: _____
	Signature: _____

**TSAWOUT FIRST NATION
LANDS DEPARTMENT
SUBDIVISION, DEVELOPMENT
AND SERVICING CHECKLIST**

Tsawout First Nation Subdivision, Development and Servicing Law, Section 7.1

CHECKLIST

All of the following must be provided as applicable:

GENERAL

Application:

A completed application form and payment of all prescribed fees.

COMMUNITY BENEFITS

Community Benefit Summary (for subdivisions or development of > 4 lots or units for sale or lease to non-Members):

In addition to increases to the property tax base, please provide a summary of all proposed benefits to the Tsawout community. This could include donations or dedications of land or facilities for park, recreation or housing or a donation of cash in lieu; greenspace; trails; sidewalks; street lights; training or development opportunities for members; etc.

ENGINEERING

General Engineering Requirements for Land Development on Tsawout Reserve Lands
Provision of all plans, documents, and professional seals and signatures as set out in the General Engineering Requirements.

ENVIRONMENTAL

Environmental:

Copies of all required environmental assessments and reports as per Tsawout General Requirements for Environmental Assessments

Archaeological Assessment:

Copies of all required archaeological assessments and reports as per the Tsawout General Requirements for Heritage Assessments

FINANCIAL AND INSURANCE

The following are required:

Appraisal:

For new sub-divisions, multi-family, commercial or industrial developments, an appraisal of the current market value of the land;

- A copy of a credit check from within the past 7 days or authorization for Tsawout to carry out a credit check;
- A signed statement that the developer or applicant is solvent, is not bankrupt, and knows of no reason why they would have insufficient funds to complete the development or activity;

Proof of insurance including:

- Comprehensive Public Liability Insurance and Property Damage Insurance providing coverage of at least \$5,000,000 inclusive against liability for bodily injury or death and/or damage to property on an all risk occurrence basis;
- Motor Vehicle Insurance for public liability and property damage providing coverage of at least \$5,000,000 inclusive on owned, non-owned or hired vehicles;
- Completed operations coverage on all-risk occurrence basis of at least \$5,000,000 inclusive against liability for bodily injury, death and/or damage to property of others arising out of the existence of any condition in the works when completed or any installation or repair operations during the period of 12 calendar months next ensuing after the issuance of a certificate of substantial completion by Tsawout;
- Confirmation in all of the above policies of insurance (except motor vehicle insurance) that Tsawout First Nation is a named insured, and in all policies of insurance that they contain a provision that the insurance shall apply as though a separate policy has been issued to each name insured;
- Confirmation in all of the above policies that each contractor engaged in the works shall be named as an additional insured in respect of the performance of the works, and each such policy shall provide that no expiry, cancellation or materials change in the policy shall become effective until after thirty days notice of such cancellation or change shall have been given to Tsawout by registered mail;
- Signed confirmation that the applicant will maintain all of the above policies until the development and the works have received final acceptance.

BONDS

The following are required:

- Posting of a performance bond or irrevocable letter of credit from a bank in a form acceptable to Tsawout in the amount of \$_____ (120% of the estimated cost) to ensure the completion of the development and installation of infrastructure and improvements (this bond or letter of credit is in addition to any bonds or letters of credit required by the District of Central Saanich for off-site works); and
- Posting of a maintenance bond or irrevocable letter of credit from a bank in a form acceptable to Tsawout in the amount of \$_____ (10% of the estimated cost) for a period of one year following to ensure maintenance of the works and services and to correct any deficiencies discovered during the first year of operations.

LEGAL DOCUMENTS

The following documents are required:

- First Nations Lands Registry search that is less than 30 days old;
- A copy of all draft or final executed leases, sub-leases, assignments, etc.;
- A copy of all encumbrances, rights of way, easements, permits;
- A copy the CLSR plan;

- A copy of all existing and proposed subdivisions, easements, rights of way, and draft surveys;
- A signed and witnessed agreement to indemnify Tsawout First Nation against any loss or damage in relation to the subdivision, development or activity; and
- Confirmation of right of entry for Tsawout and all authorized officials to inspect the site and any structures or infrastructure.

All information must be sent to:

**Tsawout First Nation
Lands Department
7728 Tetayut Rd.
Saanichton B.C. V8M 2C3
Phone: 250-652-9101
Fax: 250-652-9114**

For assistance, in completing the application, please contact the above telephone number.