



City of
Campbell
River

DEVELOPMENT
APPLICATIONS PROCEDURES
AND DELEGATION

BYLAW NO. 3955, 2024

BYLAWS



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Development Applications Procedures and Delegation

Bylaw No. 3955, 2024

ADOPTED July 25, 2024

PURPOSE

This bylaw sets out to define procedures under which an owner of land may apply for an amendment to the Official Community Plan or Zoning Bylaw or for the issue of a permit under the Local Government Act.

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The Council of the City of Campbell River enacts as follows:

PART 1: Title

- 1.1** This bylaw may be cited for all purposes as Development Applications Procedures and Delegation Bylaw No. 3955, 2024.

PART 2: Development Applications

- 2.1** All applications shall be made by the owner of the land involved or by a person or company authorized in writing by the owner, to be referred to hereinafter as the applicant.
- 2.2** All applications shall be made to the Development Services Department of the City of Campbell River on the applicable form(s).
- 2.3** Development Permit Categories applicable to this Bylaw:
- a) Minor Development Permits include:
 - i. All multiple family residential form and character applications containing less than 10 dwelling units in total;
 - ii. Commercial and industrial applications for less than or equal to 100 square metres floor area;
 - iii. Environmental development permit applications; and
 - iv. Hazardous conditions applications.
 - b) Major Development Permits include:
 - i. All commercial and industrial development greater than 100 square metres;
 - ii. All multiple family residential form and character applications for 10 or more dwelling units;
 - iii. Development permits involving a variance; and
 - iv. Manufactured Home Parks or subdivisions of 3 or more dwelling units with an average lot size of less than 450 square metres.
- 2.6** Other development applications that are applicable to this Bylaw include:
- a) Agricultural Land Reserve;
 - b) Board of Variance
 - c) Temporary Use Permits;
 - d) Liquor Licence;
 - e) Cannabis Licence;
 - f) Telecommunication Towers;
 - g) Downtown BIA grant programs;
 - h) Heritage applications;
 - i) Official Community Plan amendments;

- j) Zoning Bylaw amendments;
 - k) Subdivision (Fee simple and Strata);
 - l) Latecomer agreements;
 - m) City road right of way closures; and
 - n) Application to discharge/modify a charge on title (in favour of the City).
- 2.7** In accordance with the City’s Official Community Plan, the City may require information on the anticipated impact of a proposed activity or development on the community (“Development Approval Information”), including but not limited to the following matters:
- a) transportation patterns including traffic flow,
 - b) local utility infrastructure,
 - c) rainwater management,
 - d) market/economic assessments,
 - e) public facilities including schools and parks,
 - f) community services, and
 - g) any report deemed required to assess the proposed development, at the discretion of the Director of Development Services.
- 2.8** Development Approval Information must be provided by the applicant at the applicant’s expense, in the form of a study or information containing Development Approval Information that fulfils or is intended to fulfil the requirements of this Bylaw (a “Report”) certified and signed by a qualified professional licensed to practice in British Columbia and having expertise and qualifications acceptable to the Director of Development Services (a “Qualified Professional”).
- 2.9** The Report must be prepared in accordance with the professional practice standards and complete with the signature and seal of any Qualified Professional involved in its creation.
- 2.10** The City may distribute the Report, publicize the results of any Report, and rely on the findings and conclusions contained in the Report.
- 2.11** If the City determines that a Report is incomplete or deficient, it will notify the applicant in writing of the nature of the deficiencies. The applicant will be required to submit a new or updated Report to address the deficiencies.
- 2.12** Technical reports submitted are deemed valid for 12 months, if a report submitted is older than 12 months either the professional that signed the report, or another professional with the same designation, must provide a memo confirming the data, findings, and/or recommendations in the report are still valid, or if the report is no longer deemed valid, a new technical report must be submitted with the application, this is at the discretion of the Director of Development Services or their designate.
- 2.13** All other applications require a Pre-Application meeting and submission of the Pre-Application fee, other than:
- a) Development Variance Application seeking variance to Zoning Bylaw, 3250, 2006; Environmental Development Permit only pertaining to Eagles and Great Blue Herons nests, and setbacks to defined ditches; Hazardous Development Permit pertaining to Flood, Wildfire, and Steep Slopes; Minor Form and Character Development Permits for

1-9 units.

- b) An Applicant can request pre-application meeting even if the application meets the exemption requirements, at their request, the pre-application fee will be applicable.
 - c) All other applications will be required to have a Pre-Application meeting, at the discretion of the Director of Development Services, or their designate.
- 2.11** If it is deemed by Development Services staff that an application is incomplete or deficient, the applicant will be notified in writing of the nature of the deficiencies and the timeframe to resubmit the required information.
- 2.12** Where Council or the Director of Development Services or their designate approves the issuance of a development permit, the date of the approval will be deemed to be the date of issuance.
- 2.13** Where an application, amendment bylaw, or an amendment to a permit has been refused by Council or an Approving Authority for the City of Campbell River, the Development Services Department shall notify the applicant in writing within fifteen (15) days immediately following the date of refusal, including any reasons for rejection where applicable.
- 2.14** Re-application or an amendment or permit that has been refused by Council or an Approving Authority at the City of Campbell River shall not be considered within a six (6) month period immediately following the date of refusal. The Development Services Department will immediately consider and process a “new” application or revised application that is significantly different from an amendment or permit that has been refused by Council.

PART 3: Notifications and Development Sign

- 3.1** All notifications for Official Community Plan, Zoning Bylaw amendments, or Temporary Use Permits, must be mailed or otherwise delivered by the City to the owners and any tenants in occupation of all properties within a 100 metre radius of the lot lines of the land involved under an application.
- 3.2** All notifications for an application for a Development Variance Permit must be mailed or otherwise delivered by the City to the owners and any tenants in occupation of all properties within a 50 metre radius of the lot lines of the land involved under an application.
- 3.3** In the case of applications to amend Official Community Plan or a Zoning Bylaw, or a Development Variance Permit or a combined Development Permit with variance that has not been deemed minor, the applicant is required to hold a Neighbourhood Public Meeting, unless specified elsewhere in this Bylaw.
- 3.4** If the Director of Development Services or their designate has denied a minor variance request and the applicant appeals to take the application to Council for consideration, notifications must be sent out to properties within 50m of the subject property prior to Council making a determination.
- 3.5** If the proposed Zoning Bylaw Amendment is compliant with the Official Community Plan, and not required to hold a public hearing (as per the Local Government Act), a Neighbourhood Public Meeting is not required.
- 3.6** The applicant is required to hold a Neighbourhood Public Meeting prior to the Development Services Department sending out notification. The applicant must present the results of the Neighbourhood Public meeting in a summary report to the Development Services Department a minimum of 3 weeks prior to Council’s consideration of approval.

- 3.7** A Neighbourhood Public Meeting is a meeting held by the owner/applicant to discuss and answer any questions relating to the proposed development or project at a location that will be suitable to accommodate and provide information to all adjacent landowners and tenants in occupation within 100 metres of the limits of the subject land under consideration.
- 3.8** A Neighbourhood Public Meeting is not required for:
- a) Any variance deemed minor by the Director of Development Services or their designate;
 - b) Phased Building Strata for setbacks that will be zoning compliant once construction is complete; or
 - c) City-led rezoning on City property.
- 3.9** Notwithstanding Sections 3.6 and 3.7, the Director of Development Services or their designate may authorize the use of the following Alternate Neighbourhood Public Meeting process:
- a) The applicant must mail or otherwise deliver, a letter advising the owners and tenants in occupation of the properties within a 50 metre radius for a Development Variance Permit or combined Development Permit with variance, and 100m for Official Community Plan amendments, Zoning Bylaw amendments, of the lot lines of the land under application of the development proposal and include the following:
 - i. A detailed description of the proposal;
 - ii. The applicant’s phone number and email address;
 - iii. A timeframe (minimum of three weeks from the date the letter is mailed) when comments and questions can be directed to the applicant; and
 - iv. The contact information for the City’s Development Planning Division.
 - v. Following the minimum three-week timeframe, the applicant must provide the Development Services Department with a summary report of the process documenting the information provided and the questions and comments received.
- 3.10** Where a Neighbourhood Public Meeting has been held in association with any application, the summary report is required to include comment on how, or if, the application has been amended or refined as a result of feedback received during the meeting.
- 3.11** In the case of applications to amend an Official Community Plan, a Zoning Bylaw, or applications for Temporary Use Permits, the applicant shall be responsible for installing a Development Proposal Sign to the specifications outlined in Schedule “C” attached herein, and forming part of this bylaw.

PART 4: Delegation of Authority

- 4.1** Council herein delegates the following to the Director of Development Services, or the City Manager or Development Planning Manager as alternates in the absence of the Director (Approving Authority):
- a) The authority to require Development Approval Information;
 - b) The authority to provide approvals/concurrence to the following Liquor Licence applications: Entertainment Endorsement Applications and Temporary Extension of Licensed Area for special events;

- c) The authority to require security for landscaping including re-vegetation works to restore degraded natural environments;
- d) The authority to require security for environmental monitoring to ensure that all mitigation measures are completed and continue to function as described in a permit;
- e) The authority to require security to remedy an unsafe condition or damage to the natural environment that may result as a consequence or a contravention of a condition in a permit;
- f) The authority to guarantee the performance of the terms of a Temporary Use Permit;
- g) The authority to designate the form of any permit issued under this bylaw;
- h) The authority to designate the form and content of application forms;
- i) The authority to amend all development permits (major and minor) where variances are not requested;
- j) The authority to renew all Development Permits that have been issued and lapsed provided there are no major variances;
- k) The authority to issue a Development Variance permit or combined Development Permit with variance if the proposed variance:
 - i. is a minor variance, and
 - ii. varies the provisions of a bylaw under any of the following:
 - 1. Zoning bylaws respecting siting, size and dimensions of buildings, structures;
 - 2. Off-street parking and loading space requirements;
 - 3. Regulation of signs; and
 - 4. Screening and landscaping to mask or separate uses or to preserve, protect, restore and enhance natural environment.

4.2 The criteria for determining whether a proposed variance is minor is as follows:

Variances	Deemed minor variance
Zoning: Setbacks – Front, Rear, and Side Yards	Less than or equal to 20% of the minimum required setback.
Zoning: Setbacks related to Phased Building Stratas and Fee Simple attached housing (Front, rear, sides)	A reduction of less than or equal to 100% of the interior side yard minimum setback for attached units only. A reduction of less than or equal to 100% of the setback between a strata building that is part of a phased development and a fee simple parcel that will form part of the same phased development.
Zoning: Building Height	Less than or equal to 10% above the stipulated maximum building height; except for lots along the Island Highway from 6 TH Avenue south to the Evergreen ROW where such variances will not be considered minor variances
Zoning: Lot Coverage	Less than or equal to 10% of permitted maximum lot

	coverage.
Zoning: Off-Street Parking	A reduction less than or equal to 10% the minimum parking space requirement. An increase less than or equal to 10% of the maximum allowance small car stalls.
Signs	Less than or equal to an additional 20% of maximum sign height or area

4.3 When issuing Development Variance Permits and combined Development Permit with variance, the Director of Development Services must consider the following guidelines if, in their opinion, the proposed variance would result in any of the following:

- a) Result in inappropriate development of the site;
- b) Adversely affect the natural environment;
- c) Substantially affect the use and enjoyment of adjacent land;
- d) Vary permitted uses and densities under the applicable bylaw; or
- e) Defeat the intent of the bylaw.

4.4 All of the following apply to any decision by the Director of Development Services, or their designate, under Section 4.1(k):

- a) Any owner of property that is subject to a requested variance and is dissatisfied with the decision made by the Director of Development Services is entitled to have the decision reconsidered by Council in accordance with this section;
- b) If the Director of Development Services or their designate has already deemed the variance to be minor, a Neighbourhood Public Meeting is not required to be completed prior to going to Council;
- c) An owner who wishes to have Council reconsider a decision must apply in writing to the Director of Development Services within thirty (30) days after the decision has been communicated in writing to the owner, setting out all of the following:
 - i. The name of the delegate who made the decision, the date of the decision and the nature of the decision;
 - ii. The reasons why the owner/applicant wishes Council to reconsider the decision;
 - iii. The new decision the owner/applicant requests Council to make, with brief reasons to support the new decision; and,
 - iv. A copy of any materials the owner/applicant considers relevant to the reconsideration.
- d) Council must reconsider the decision at a Regular Meeting of Council held within at least thirty (30) days after the date on which the application is delivered to the Director of Development Services.
- e) The Director of Development Services or their designate must compile a report with a recommendation to be considered by Council.

- f) The Director of Development Services or their designate must:
 - i. Place each reconsideration application on the agenda of a Regular Meeting of Council;
 - ii. Before each reconsideration by Council, deliver to each Council member the materials that were provided by the owner/applicant. as well as a copy of the report from the Director of Development Services.
- g) In reconsidering a decision, Council must consider the material that was considered by the Director of Development Services or their designate in making the decision;
- h) At a reconsideration of a decision, the owner/applicant and any other person who is interested in the decision are entitled to be heard by Council;
- i) Council is entitled to adjourn a reconsideration of a decision; and
- j) After having reconsidered a decision, Council must either confirm the decision or may set aside the decision and substitute the decision of Council.

4.5 When the City receives Cannabis Retail Store licence application referrals the City will mail notices to surrounding property owners and occupants within a 100-metre radius of the limits of the subject land under consideration, delivered at least 10 days before consideration by Council. At the meeting, Council will consider submissions by staff and written comments from members of the public and will provide comments and recommendations that:

- a) Take into account the location of the proposed store;
- b) Are in writing;
- c) Include the views of the City on the general impact on the community;
- d) Include the view of the residents and the method used to gather the views; and
- e) Recommend whether the application should be approved or rejected, and the reasons for the recommendation.

4.6 All Liquor Licensing applications requiring a Council resolution – other than those types specified in Section 4.1(b), in accordance with the Liquor Control and Licensing Act will be forwarded to the appropriate departments to provide background data and information in a recommendation to Council. Where public notification only is required, notices will be mailed to surrounding property owners and tenants in occupation within a 100-metre radius of the limits of the subject land under consideration delivered at least 10 days before consideration by Council.

4.7 When a public hearing is required for liquor license applications, as determined by the Director of Development Services, notices will be mailed to surrounding property owners and tenants in occupation within a 100-metre radius of the limits of the subject land under consideration delivered at least 10 days before the public hearing is held. Further, notification of the public hearing will also be published online and in an issue of the local newspaper, the last publication to appear not less than 3 and not more than 10 days before the public hearing.

PART 5: File Closures Due to Inactivity

5.1 Where no submission of outstanding or required application materials has been made by the applicant on an Application file for any six (6) month period, or such longer time, as the City may determine. The applicant shall be notified in writing and if no response/required materials is received within thirty (30) days, the application file will be closed.

PART 6: Severability

6.1 If any section, subsection, paragraph, clause, phrase or word within this bylaw is for any reason held to be invalid by the decision of a court or competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

PART 7: Repeal

7.1 Development Applications Procedures Bylaw No. 3856, 2022 as amended, is hereby repealed.

READ THE FIRST TIME this 27 day of June, 2024

READ THE SECOND TIME this 27 day of June, 2024

READ THE THIRD TIME this 27 day of June, 2024

ADOPTED this 25 day of July, 2024

Signed by the Mayor and Corporate Officer this 25 day of July, 2024



Kermit Dahl, MAYOR



Sheila Girvin, CORPORATE OFFICER

SCHEDULE "A"

Development Application Fees

This schedule sets out the fees imposed for development related activities such as Official Community Plan and Zoning Bylaw amendments, Agriculture Land Reserve applications, Development Permits, Development Variance Permits, Board of Variance appeals and inspection fees for subdivisions.

Development Category	Application Fee
Pre-Application Meeting	\$450
<p style="text-align: center;">OCP Amendments</p> <p style="text-align: center;"><= 4,000m² of site area</p> <p style="text-align: center;">4,001m² – 20,000m² of site area</p> <p style="text-align: center;">20,001m²-40,000m² of site area</p> <p style="text-align: center;">>40,000m² of site area</p>	<p style="text-align: center;">\$3,000 + PH Fee</p> <p style="text-align: center;">\$6,000 + PH Fee</p> <p style="text-align: center;">\$9,000+PH Fee</p> <p style="text-align: center;">\$12,000+PH Fee</p>
<p style="text-align: center;">Zoning Amendments</p> <p style="text-align: center;"><= 4,000m² of site area</p> <p style="text-align: center;">4,001m² – 20,000m² of site area</p> <p style="text-align: center;">20,001m²-40,000m² of site area</p> <p style="text-align: center;">>40,000m² of site area</p>	<p style="text-align: center;">\$3,000 + PH Fee if required</p> <p style="text-align: center;">\$6,000 + PH Fee if required</p> <p style="text-align: center;">\$9,000+PH Fee if required</p> <p style="text-align: center;">\$12,000+PH Fee if required</p>
<p style="text-align: center;">OCP/Zoning Combined application</p>	<p style="text-align: center;">Base fees reduced by 25% + \$2,000 PH Fee</p>
<p>Fees for Public Hearings on all applications requiring a public hearing or for additional public hearings on revised applications.</p>	<p style="text-align: center;">\$2,000</p>
<p>Fees for public notices in newspaper/online or other media, other than public hearings</p>	<p style="text-align: center;">\$500/notice</p>
<p>Fee for ads and notices for not holding a public hearing</p>	<p style="text-align: center;">\$750</p>
<p style="text-align: center;">Amendment or Discharge of Existing Land Use Contract</p>	<p style="text-align: center;">\$2000 + PH Fee if required</p>

Development Category	Application Fee
Major Development Permit Non Residential Escalator Residential Escalator	\$4,000 + escalator \$3/m2 after first 100m2 \$100/unit Maximum fee \$10,000
Minor Development Permit (Form and Character DPs are separate applications from Environmental DPs)	\$2,000 base fee +\$500 per Development Permit Area
Amendments, Time Extensions to existing Permits not requiring approval by Council	\$750
Amendments, Time Extensions (renewals) to existing Permit requiring approval by Council	\$1,000
Development Variance Permits	\$1,500
Time Extension to Development Variance Permit	\$750
Amendments to an Existing Development Variance Permit	\$750
Registration Fee for all applications requiring a notice on title	\$50
Temporary Use Permit	\$2,500
Renewals for Temporary Use Permits	50% of original fee
Land owner application for Exclusion, Subdivision or Non- farm use on ALR Lands	LRC FEE = \$750 (Direct to ALC) CITY FEE = \$750 (Direct to City)
Board of Variance	\$500

Development Category	Application Fee
Application for Discharge of a Charge on Title	\$400
Fee Simple (Base Fee to obtain Preliminary Subdivision Review)	\$750 + \$250/lot Max Fee \$15,000
Bare Land Strata Subdivision (Base Fee to obtain Preliminary Subdivision Review)	\$750 + \$250/lot Max Fee \$15,000
Minor lot line adjustment	\$2,000
Strata Title Conversion of existing buildings where no public hearing or circulation to other agencies is required	\$750 + \$150/unit
Engineering Review and Monitoring Fees for Subdivision or Building Permit	\$500 + 2.5% of Engineers Estimate of the Cost of the Works and Services for the first \$200,000 and 1% of the remainder
Final approvals or revisions on Phased Strata Developments (Per phase)	\$500
Subdivision, Bare Land Strata Final Approval	\$500 + \$250/lot
Time Extension or Amendment to Preliminary Layout approval	\$1000
Road Closure Application (Through Corporate Services)	\$1,500
Telecommunications Referral	\$5,000

Development Category	Application Fee
Legal Fees for preparation of documents	At cost.
Liquor/Cannabis Application Requiring a public hearing	\$1,000 + \$2,000 PH Fee
Liquor/Cannabis Application Requiring only a Council Resolution	\$1,000
Liquor/Cannabis Application Not Requiring a Council Resolution	\$500
Latecomers Agreement Application	\$1000
Property Record Request	\$50 Residential (up to 3 units) \$70 Commercial/Industrial/Multi-Family (residential 4 units and above, and non-residential)
Title search (for properties within the City's jurisdiction only)	\$30
Plan search (for properties within the City's jurisdiction only)	\$30
Document search (for charges relating to the City only)	\$30
Contaminated Site Profile	\$100
Zoning and Official Community Plan Maps (1 Plotted Map Page)	\$20
Full Set of Official Community Plan Map Sheets (30 Plotted Map Sheets)	\$500

Development Category	Application Fee
Full Set of Zoning Map Sheets (30 Plotted Map Sheets)	\$500
Zoning and Official Community Plan Maps (11/17 or 13/19 Format)	\$20
Zoning and Official Community Plan Maps (8 ^{1/2} /11 or 8 ^{1/2} /14 Format)	\$20

SCHEDULE “B”

Refundable Amounts and Return of Performance Security

1. Development Fees that are refunded prior to the file/application circulation are eligible for the cost of the Development Fee less 10% for administration.
2. Development Fees that are refunded after circulation and prior to Development Services Department report to Council (or Approving Authority) for consideration are eligible for the cost of the Development Fee less 30% for administrative costs.
3. If at any point it is determined by the City, that despite an application for a Development Permit having been made, a Development Permit is not required for the full works proposed within the application, Development Permit Fees are refundable in full.
4. Development Fees that are refunded at or after Council has completed 1st and 2nd reading of a bylaw but prior to scheduling of the public hearing are eligible for the cost of the Development Fee less 70% for administrative costs.
5. No development fees will be refunded after an application has had a public hearing, the public notification has been completed, the application is denied, or a report has been put on a Council, Committee of the Whole, Board of Variance or Committee agenda.
6. Subdivision applications that are withdrawn after circulation but before the issuance of Preliminary Subdivision Review are eligible for the cost of the Subdivision Fee less 30% for administrative costs.
7. Subdivision fees are non-refundable after a Preliminary Subdivision Review has been issued.

Return of Performance Security

1. Development permits and any associated performance security are transferable with property. Purchasers of property subject to ongoing development permit requirements should be aware of these requirements.
2. Performance security will be refunded to the current property owner, which may be different from the person or company who applied for a permit and/or paid any performance securities.
3. It is a property owner’s responsibility to request return of securities once conditions have been met.

SCHEDULE “C”

Development Proposal Sign Requirements

For Applications to Amend the Official Community Plan, Zoning Bylaw and for Temporary Use Permits:

Specifications:

1. These requirements and a Development Proposal Sign Format Sheet will be attached to applications for amendments to the Official Community Plan, Zoning Bylaw, and to applications for Temporary Use Permits. The Notice of Development Sign(s) shall be a minimum of 1.8 metres × 1.2 metres (6 feet × 4 feet) in size and constructed of 1.3 cm (1/2 inch) plywood or other durable material with a dark blue background and white lettering. It will include a Site Map that is white with dark blue or black highlights. Lettering will be in a legible *sans serif* font with:
 - a) Headings and sign copy not less than 7.62 cm (3 inches) in height.
 - b) Map lettering not less than 3.8 cm (1.5 inches) in height.
 - c) Adjacent land uses to the subject property are to be indicated on the plans.
2. Where the sign is mounted on a building, it must be unobstructed from the street, and the bottom edge shall be a minimum of 122 centimeters from the ground.

Locations:

1. The notice shall be posted in a location unobstructed to view from the street:
 - a) No further than six metres from the property line abutting a street; and
 - b) where property abuts two or more streets, excluding lanes, a sign shall be posted no further than six metres from each abutting street or alternatively from the intersection point of the two streets at a 45 degree angle; or
 - c) where placement of a required sign on a property is not feasible, the notice may be posted on an abutting road right of way, subject to approval by the City of Campbell River.

Timing:

1. The sign(s) must be posted no less than three weeks before an application’s first scheduled appearance before Council.

Posting:

1. It is the responsibility of the applicant to make, buy, or rent the sign(s) and to post the same, maintaining them in good condition. Failure to install the sign(s) according to these requirements will result in a postponement in the processing of the application. Signs must not be removed until an application has been either determined or withdrawn.

Exemption:

1. City-initiated map amendments involving multiple properties, and text amendments affecting multiple properties, are exempt from requirements to install development proposed signs.



City of
**Campbell
River**

301 St. Ann's Road
Campbell River, BC V9W 4C7
Phone (250) 286-5700
Fax (250) 286-5763
www.campbellriver.ca