

BRAITHWAITE ESTATES IMPROVEMENT DISTRICT

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Date: _____

APPLICATION FOR SUBDIVISION (for properties within the current boundaries of the District)

Notes to Applicant:

The conditions noted in this Application for Subdivision are valid for 90 days from the date noted above.

Subject to compliance with the BEID Subdivision, Water Distribution, Connection Charge and Capital Expenditure Charge Bylaws, the District will agree to supply water from its system only where it is a logical, planned and orderly growth that fits into the District's long-term plan. To this end the District will require a map showing the location of the property that you wish to subdivide and complete plans of the subdivision including where the water connection(s) will be made off of the main line.

The costs associated with any water line extension and service connection associated with the subdivision are the sole responsibility of the Applicant. The District requires the Applicant to pay all costs involved to bring the main line to clear the farthest point of the applicant's property line and increase the main water line size if recommended by the District's engineer. Any new water line must be located in a registered right of way, either as a registered easement or a public right of way, so the District has full and unrestricted access for maintenance purposes. The service line to the dwelling or building will come off of the main line. All service lines on private property are the sole responsibility of the property owner.

The District requires this Application for Subdivision to be signed by the registered owners of the property. If there is more than one registered owner, all the registered owners of the property must sign the Application for Subdivision. If the registered owner is a corporation, the District also requires a copy of the Articles of Incorporation, Certificate of Incorporation and copy of the Land Title Certificate.

Pursuant to its most recent bylaws, the District will require an immediate payment currently totalling \$_____ (Initials: BEID & Owner(s)), for each property being created within the boundaries of the District, comprising:

- \$_____ Capital Expenditure Charge, as established by the BEID Capital Expenditure Charge Bylaw
- \$_____ non-refundable application processing fee as established by the BEID Connection Charge Bylaw
- \$_____ deposit for meter and meter installation as established by the BEID Connection Charge Bylaw (any overages will be charged to the applicant)

Depending on the size of the subdivision, the District may require a servicing plan prepared by the Applicant's engineer to outline the proposed concept for servicing the property.

Depending on the size of the subdivision, the District may also require an assessment of the impact of the proposed subdivision on the existing system. This assessment will be undertaken by the District's engineering consultants, at the Applicant's expense. This study will ensure any new connections do not erode the ability of the District to deliver a reasonable level of service without compromising its current users. As a result of the study, it may be necessary for the District to impose conditions not otherwise noted herewith on the Applicant, in order to augment the system to ensure an adequate supply for the Applicant's property.

Upon receipt of the forgoing, the application will be reviewed and evaluated by the Board of Trustees and a decision will be made on whether the proposed subdivision is acceptable.

If the Board of Trustees deems an application is acceptable, a Service Agreement may be prepared by the District's solicitor at the Applicant's expense, to be executed by both parties. This agreement will set out and formalize the requirements, rights and obligations of the Applicant and the District pertaining to the subdivision.

This agreement must be signed and all the other above noted conditions met, **before commencing work**. It should also be noted that approvals are also required by other local and provincial jurisdictions before any work commences.

If the District's Board of Trustees or other provincial or local jurisdictions do not accept this application, the Capital Expenditure Charge payment and meter deposit noted above will be fully refunded to the Applicant without interest. The District will not be held liable for any of the other charges or costs incurred by the Applicant.

The Applicant will have one year from the date the Application for Subdivision is approved to complete any main line construction requirements up to and including the installation of the water meters. Any work not completed may be completed by the District at the Applicant's expense at cost plus 10%. The Applicant agrees that if the property is sold prior to the completion of the work, they will notify the District and all prospective buyers that although the property is within the boundaries of the District, it cannot be serviced until the extension is completed by the current property owner. If the property is sold prior to all the construction requirements being completed, the Capital Expenditure Charge, application fee and meter deposit will be retained by the District for the purposes as set out by bylaw.

Once the proposed subdivision has been approved by the Board of Trustees and all local and provincial jurisdictions, the property owners will become full members of the District, with all the rights and obligations thereof. This includes:

- Voting rights and the opportunity to serve as a District Trustee
- Subject to annual tax on property within the District
- Subject to user fees for water consumption as per the standard bylaw rates

All assessment, development and construction costs associated with any main line and service line extension and service connections are the sole responsibility of the Applicant. These costs will include, but are not limited to, all labour costs, cost of permits, connections meters, meter boxes, pipes, and appurtenances thereto, as set out by the Trustees of the District, or their agent. This also includes all costs for work required by other provincial or local jurisdictions, and work done within public right-of-way including coring, cutting and repairing roads.

Main Line Construction:

All main water line design and construction must be under the direction of a qualified Certified Professional Engineer and completed according to AWWA recommended standards. The design must be approved by the District’s engineer and all construction will be monitored by the District’s Engineer. The District’s Engineer will provide a quotation for the cost of their work in advance. All costs associated with the work of the District’s Engineer will be the sole responsibility of the applicant and will be ensured by either a Performance Bond, an Irrevocable Letter of Credit or the total sum placed in trust with the District’s lawyer. The cost of the District’s Engineer will be billed to the applicant on a monthly basis, and all invoices are due in 30 days.

The Applicant’s engineer will be required to provide a series of zero bacteriology water tests with testing to be completed by a certified lab using AWWA C651-14 "The Water Main Disinfectant Standard" to obtain the water samples. The number of tests required will be specified by the District’s engineer. The Applicant’s Engineer will provide these tests, along with a final report to the District’s Engineer and the Trustees, confirming compliance with the District’s requirements.

All work done within public right of ways will be subject to the approval of the Ministry of Transportation and Highways including cutting and coring.

All main line construction will have a one year warranty period on all work performed, the period to start when the District’s engineer has inspected and given written acceptance of the work and Trustees have indicated acceptance in writing. During this warranty period the Applicant will be fully responsible for any deficiencies, repairs or alterations that may be required. The District will notify the Applicant of any deficiencies and will give a reasonable time for the Applicant to rectify the same. If this time limit is not met, the District will complete the repairs and the Applicant will pay all costs of the repairs plus 10 percent.

After the warranty period on the main line expires, the District will take full ownership of the main line works up to and including the meter and will thereafter be responsible for all operation and maintenance of the main line system.

Service Line Construction:

All service lines on private property are the sole responsibility of the property owner.

A ¾” water service will be provided from the residence to the property line in each lot.

The Applicant will assume the responsibility of providing adequate water pressure, in the event that a normal connection to the system does not allow for adequate pressure of 32 pounds per square inch.

Upon receipt of this signed application containing all the forgoing information, plus the payment of all charges as set out by bylaw and detailed above, the application will be reviewed and evaluated by the Trustees and a decision made on whether the proposed property is acceptable for incorporation into the District.

I/We _____, of Lot _____, Plan _____
Shawnigan District, hereby apply for subdivision as noted in the attached plans/drawings. (If there is more than one registered owner, all must sign this application).

I/We agree that I/We have read and understand the "Notes to Applicant" and to be bound by, to observe, and to comply with all the terms of this application and the terms and provisions of the District's bylaws and amendments thereto, now, or hereinafter in force.

Description of required services:

1) Size of service required:

2) Purpose required, or use of property for (give details):

3) Number and size of buildings:

4) Sketch of proposed application (attach drawings):

Date: _____

Signature of Owner

Signature of Owner