

		POLICY AND PROCEDURE MANUAL	
Category: Legislative & Regulatory Services	Number: LEG.02(C)	SHOW HOME BUILDING PERMIT POLICY	
Type:	Authority:	Approved By:	
<input checked="" type="checkbox"/> Policy <input type="checkbox"/> Procedure	<input checked="" type="checkbox"/> Council <input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Council <input type="checkbox"/> Chief Administrative Officer <input type="checkbox"/> Department Head	
Office of Primary Responsibility: Development Services and Engineering & Public Works			
Date Adopted: April 1, 2019	Council Resolution No: RC19/188	Date to be Reviewed: April 1, 2020	
Manner Issued: Letter, Email, Pipeline.			

BACKGROUND:

The construction of a show home(s) for new residential development(s) is standard operating practice and is considered an essential marketing tool to facilitate and finance the build-out of new one and two family subdivisions as well as multi-family row-house residential developments.

PURPOSE:

To establish the minimum level of servicing needed for the show homes and the appropriate degree of liability the developer and municipality wish to accept while the development is being completed.

POLICY:

1. Definitions for the purposes of this policy:

“**Building Official**” has the same meaning as provided in the District of Mission Building Bylaw 3590-2003.

“**Council**” means the elected officials of the District of Mission.

“**Developer**” means the person or corporate entity that has signed the Servicing Agreement.

“**Development**” means the subdivision of land for Single Family Dwelling, Duplex or Row House uses.

“**Development Agreement**” see Servicing Agreement.

“**Development and Subdivision Control Bylaw**” means the “District of Mission Development and Subdivision Control Bylaw 5650-2017” including all amendments from time to time.

“District” means the District of Mission.

“Director of Development Services” means the person appointed to the position of Director of Development Services with the District, their designate or staff person delegated the responsibilities contained in part or all of this policy.

“Engineer” means the person appointed to the position of Director of Engineering and Public Works with the District, their designate or the staff person delegated the responsibilities contained in part or all of this policy.

“Fire Chief” means the person appointed to the position of Fire Chief with the District, their designate or the staff person delegated the responsibilities contained in part or all of this policy.

“Phase” means systematic completion of a Development in portions pursuant to the Servicing Agreement.

“Pod” means a Row House structure containing 3 to 6 Dwelling Units.

“Security Deposit” means the money or letter of credit submitted to the District of Mission and held pursuant to the terms of the Servicing Agreement.

“Servicing Agreement” means an agreement executed and registered on the property’s title pursuant to the Development and Subdivision Control Bylaw.

“Show Home” means Show Home – subdivision and Show Home – Row House.

“Show Home – subdivision” means a Single Family Dwelling or Duplex structure constructed prior to the completion of a development’s Servicing Agreement, used by the Developer for marketing purposes to facilitate the sale of homes in the development and subject to a final inspection to confirm building code compliance with the structure’s intended residential use as a Single Family Dwelling or Duplex.

“Show Home – Row House” means a Row House Pod structure constructed prior to the completion of the development’s Servicing Agreement, used by the Developer for marketing purposes to facilitate the sale of row house dwelling units in the development and subject to a final inspection to confirm building code compliance with the structure’s intended residential use as a dwelling unit in a Row House.

2. A Show Home shall only be permitted in Developments that are subject to a Development Agreement or Servicing Agreement, and upon the issuance of the Parcel Identification (PID) number for the lot.
3. The maximum number of Show Home - subdivision structures that can be constructed in a Development are limited to:

Number of Legal Lots in the Subdivision or in a Phase of a Subdivision	Permitted Number of Show Homes
5 to 7	1
8 to 15	2
16 to 25	3
26 to 39	4
Over 40	10 % of the actual number of Legal Lots rounded to the nearest whole number to a maximum of 10 structures

4. The maximum number of Show Home – Row House Pod structures that can be constructed in a Development are:

Number of Legal Units	Permitted Number of Show Home Pods (containing up to 6 dwelling units each)
18 to 54	1
55 or more	2

5. The Director of Development Services may refuse a Show Home building permit application if it is determined that the application does not meet the intent and terms of this policy.
6. The Engineer, having considered the requirements of the Servicing Agreement, shall provide written approval prior to the issuance of any Show Home building permit. If requested, a provisional servicing plan for each show home shall be provided to the satisfaction of the Engineer or the Building Official for a bare land Strata Development.
7. Acceptance of a Show Home building permit application does not automatically imply the issuance of a building permit.
8. The Developer (Show Home building permit holder) shall be registered with the BC Housing Licensing & Consumer Services.
9. Prior to issuance of a Show Home building permit, the developer will, in accordance with Schedule A of this Policy, be required to enter into a letter of undertaking with the District accepting responsibility for any damages to the works or services noted in the Servicing Agreement.
10. The public shall have access to any Show Home by means of a separate, level, compacted walkway clear of all construction work or materials. The developer shall take all necessary precautions to ensure the safety of the public.
11. If the original Construction/Fire Safety Plan does not include provisions for a Show Home(s) then the Developer shall provide a revised or supplemental Construction/Fire Safety Plan addressing life safety issues arising from the construction and limited occupancy of the Show Home(s) by office personnel and the public to the satisfaction of the Fire Chief.
12. A final building inspection, including authorization to occupy, will not be issued by the Building Division unless all subdivision works and services noted in the Servicing Agreement have received a "Certificate of Substantial Completion" issued by the Engineer; all provisional servicing arrangements have been removed or decommissioned to the satisfaction of the Engineer or the Building Official for a bare land Strata Development; and, the show home has been connected to all the required services to the satisfaction of the Engineer or the Building Official for a bare land Strata Development.
13. The Inspection Services Division will only accept building permit applications for Show Home(s) from the subject Developer. All fees, reports, correspondence, booking of inspections, and any other requirements associated with the construction of a Show Home shall be the responsibility of the Developer until such time as a final building inspection has been passed by the Inspection Services Division.
14. Only the Director of Development Services can approve the release of lots for Show Home building permits. Preference will be given to groupings of Show Home lots in proximity to existing paved roads and which will have the least conflict with ongoing construction of works and services during show home construction.

RELATED POLICIES, PROCEDURES, AGREEMENTS AND/OR BYLAWS:

*** END OF POLICY ***

RECORD OF AMENDMENTS/REVIEW

<u>Policy #</u>	<u>Date Adopted</u>	<u>Date Reviewed</u>	<u>Amended (Y/N)</u>	<u>Date Reissued</u>	<u>Authority (Resolution #)</u>

SCHEDULE "A"

Letter of Undertaking

TO THE DISTRICT OF MISSION

I request the issuance of a Building Permit for a Show Home to be built, pursuant to Show Home Building Permit Policy (Policy # LEG.02(C)), on lands located at

(civic address)

(legal description)

(the "Lands")

before completion of all site works and services. I accept full responsibility for any and all damage caused to the works and services due to the construction and occupation of the Show Home on the Lands. I agree to repair all said damage at my cost. Should the repairs not be completed or completed to the satisfaction of the Engineer then I agree that the District of Mission can repair the damage with their own forces or agent and the cost associated with this work shall be deducted from the Security Deposit.

I agree to construct all works and services to the standards required by the District of Mission per the Servicing Agreement. I accept full responsibility for any variances between the Development's approved engineered site servicing plans and the as-constructed site services provided to the show home lot/property. Furthermore, I acknowledge that I will be solely responsible for taking all steps to connect the show home services to the collection service lines in compliance with the Development & Subdivision Control Bylaw 5650-2017.

I agree to accept the responsibility to ensure that all work related to the construction of this home conforms to the aspects of the District of Mission Building Bylaw No. 3590-2003 as amended from time to time.

I acknowledge that the works and services required for this residential development are not yet complete, and that a Certificate of Substantial Completion for those works and services has not yet been issued by the Engineer. I therefore covenant and agree with the District of Mission that neither the Lands, nor the home constructed on the Lands, nor any interest in the Lands or home, shall be sold, leased, rented, lent, assigned, alienated, or otherwise transferred to another party before a Certificate of Substantial Completion is issued by the District of Mission for the required works and services

pursuant to the Servicing Agreement.

I further acknowledge that a final inspection authorizing occupancy for the intended final residential use shall not be passed by the District of Mission for the Show Home to be constructed on the Lands. I therefore covenant and agree with the District of Mission that the Show Home constructed on the Lands shall not be occupied for any purpose other than as a display suite for the general public, or as a real estate office before issuance by the District of Mission of a Certificate of Substantial Completion for the Development and a final inspection has passed authorizing occupancy as the Single Family Dwelling, Duplex, or dwelling unit in a Row House.

I further covenant and agree with the District of Mission that I will ensure that either a copy of this Letter of Undertaking, or a Notice in a form acceptable to the Director of Development Services containing the above noted restrictions on transfer and occupancy, will be posted in a prominent location within the home to be constructed on the Lands.

Contractor/Builder (Print):

Developer/Owner (Print):

Developer/Owner Authorized
Signatory:

Print Name

Date:

District of Mission Authorized
Signatory:

Date:

Print Name