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PLANNING AND SUBDIVISION (APPLICATION REQUIREMENTS) REGULATIONS, 2011

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MINISTRY OF THE ENVIRONMENT

S.I. No. 1 of 2011

PLANNING AND SUBDIVISION ACT, 2010

(No. 4 of 2010)

PLANNING AND SUBDIVISION (APPLICATION
REQUIREMENTS) REGULATIONS, 2011

The Minister, in exercise of the powers conferred by section 75 of the Planning and Subdivision Act, makes the following Regulations—

1. Citation.

These Regulations may be cited as the Planning and Subdivision (Application Requirements) Regulations, 2011.

2. Interpretation.

In these Regulations—

“Act” means the Planning and Subdivision Act, 2010¹;

“Committee” means the Town Planning Committee appointed under section 5(1) of the Act;

“Department” means the Department of Physical Planning established under section 6(1) of the Act;

“Director” means the Director of Physical Planning appointed under section 7(1) of the Act;

3. Application for Land Use Plan Amendment.

An application for approval for a Land Use Plan Amendment under section 36 of the Act shall be made to the Director in the Form set out in the *First Schedule*.

4. Application for Zoning Bye-law Amendment.

An application for approval for a Zoning Bye-law Amendment under section 36 of the Act shall be made to the Director in the Form set out in the *Second Schedule*.

5. Application for Minor Variance.

An application for approval for Minor Variance to the Zoning Bye-law under section 36 of the Act shall be made to the Director in the Form set out in the *Third Schedule*.

6. Application for Site Plan.

An application for approval for a Site Plan under section 36 of the Act shall be made to the Director in the Form set out in the *Fourth Schedule*.

7. Application for Architectural Design.

An application for approval for an Architectural Design under section 36 of the Act shall be made to the Director in the Form set out in the *Fifth Schedule*.

8. Application for Subdivision.

An application for approval for a Subdivision under section 36 of the Act shall be made to the Director in the Form set out in the *Sixth Schedule*.

9. Application for Severance.

An application for approval for Severance under section 36 of the Act shall be made to the Director in the Form set out in the *Seventh Schedule*.

10. Department may require additional documentation.

The Department may require any one or more of the following documents to be submitted along with an application —

- (a) the conveyance in respect of the application;
- (b) specifications for the construction and maintenance of any proposed road;
- (c) specifications and design drawings showing grading, road reservations, access or landscaping;
- (d) a key plan showing—
 - (i) the site location including any nearby landmark for proper site identification, existing street names, existing land uses on surrounding adjacent land and all adjacent land that is owned by the applicant;
 - (ii) existing contours at two feet intervals or less to show the grade and drainage of the proposed development;
 - (iii) existing and proposed land uses on the subject property and adjacent to the subject property;

- (iv) the nature and extent of any restrictions affecting the land to be developed including restrictive covenants or easements;
- (v) existing natural and artificial features such as buildings or other structures, roads, watercourses, drainage ditches, wetlands, wooded areas, environmentally sensitive areas, swamps, etc., within or adjacent to the land proposed to be developed;
- (e) supporting documentation in respect of —
 - (i) Planning Rationale, if required;
 - (ii) Environmental Impact Study, if required;
 - (iii) Traffic Impact Analysis, if required; unless otherwise exempted by the Ministry responsible for Public Works and Transport;
 - (iv) Servicing Study, if required;
 - (v) Heritage Impact Statement, if required;
 - (vi) any additional supporting documentation that may be required;
- (f) additional supporting documentation for a Land Use Plan Amendment applications including but not limited to a Comprehensive Development Plan, if required; and
- (g) additional supporting documentation for Subdivision and Site Plan Applications, including, but not limited to—
 - (i) an Applicant Report as detailed in the application form;
 - (ii) a Stormwater Management Study, if required;
 - (iii) a Noise Study, if required;
 - (iv) an Archaeological Study, if required;
 - (v) a Soil/Geotechnical Study, if required; and
 - (vi) a Comprehensive Development Plan, if required.

11. Department may refuse to accept or consider application.

The Department may refuse to accept or consider an application that fails to —

- (a) comply with these Regulations or is incomplete;
- (b) have accompanied along with the application any information required by the Act or requested by the Department;
- (c) have accompanied with it the prescribed fee.

12. Applications submitted to Committee.

- (1) All applications made in accordance with regulations 3 to 9 shall be submitted to the Committee for consideration along with —
 - (a) any material as required by the Department in support of the application;
 - (b) a letter of authorization signed by the property owner(s) explicitly authorizing the submission of such application; and
 - (c) the requisite prescribed fee.
- (2) All applications submitted to the Committee shall be accompanied with a report prepared by the Department in the form set out in the *Eighth Schedule*.

13. Application for Zoning Compliance.

- (1) All applications for a Notice of Zoning Compliance under section 36 of the Act shall be submitted to the Director in the form set out in *Part A* of the *Ninth Schedule* and accompanied with —
 - (a) the requisite prescribed fee; and
 - (b) any additional information requested by the Director.
- (2) The Director may, based solely on the information provided in the application, issue a Notice of Zoning Compliance in the form set out in *Part B* of the *Ninth Schedule*.

14. Fees.

The fees for an application made under these Regulations are specified in the *Tenth Schedule*.

FIRST SCHEDULE

(regulation 3)

APPLICATION TO AMEND THE LAND USE PLAN

1. NOTE TO APPLICANT

This application form is to be used by persons or public bodies wishing to apply for an amendment to the Land Use Plan. The applicant is advised to approach the Department of Physical Planning for information prior to submitting a formal application. (Please note Pre-Submission Consultation requirement below). To avoid delay, it is important to provide complete and accurate information.

In this form, the term "subject land" refers to the land that is the subject of the application.

Submission of this application constitutes consent for authorized government staff to inspect the subject lands.

The application must be completed by the owner or the owner's authorized agent. Where an agent makes the application, the owner's written authorization is required. If more than one owner owns the subject land, the authorization of all owners is required. The authorization must acknowledge that the owner has knowledge of and does not object to the making of the application.

Sufficient studies for the completion of the application should be carried out prior to submission and should be included with the application.

An amendment to the Land Use Plan does not constitute a change to the zoning of the subject property. An amendment to the Zoning Bye-law is still required if the proposal does not conform to the existing zoning. In the event that a Zoning Bye-law Amendment is required, please refer to the Zoning Bye-law Amendment application form.

2. COMPLETE APPLICATION

This application form requires information (i.e. technical information or reports) that will assist the Government and other agencies in the planning evaluation of the application. To ensure a prompt and complete review, all information must be included at the time of the submission of the application. In the absence of this information, the application is considered incomplete and will not be processed until all required information and material is submitted.

3. PRE-SUBMISSION CONSULTATION

A Pre-Submission Consultation with the Department of Physical Planning staff is a requirement for the submission of an application. Applicants are advised to

contact the Department to arrange a Pre-Submission Consultation Meeting prior to submitting the application.

The consultation allows for a review of the proposed application with Department staff. The consultation will assist in determining technical and submission requirements and any additional materials (i.e. reports or studies) that must accompany the application. In the event that an Environmental Impact Study is required the consultation will serve to establish the Terms of Reference and outline the process.

4. DEVELOPMENT APPLICATION SIGN

The Applicant will supply the Department of Physical Planning with a Development Application Sign(s). The applicant shall erect such sign(s) in accordance with the size, content and quality directed by the Department of Physical Planning in the following manner ---

- Along the street frontage of the property with one sign per frontage
- As near to the street line as feasible
- At least three feet above grade and parallel to and facing the street
- Not attached or nailed to trees

A Development Application Sign(s) shall remain in place until the application is considered and determined by the Town Planning Committee. It is the responsibility of the applicant to remove the sign(s) thereafter.

5. SUBMISSION REQUIREMENTS

All submissions to be submitted to the Department of Physical Planning, Ministry of the Environment, Dockendale House, West Bay Street, P.O. Box N-1611, Nassau, Bahamas and to include ---

- One (1) original and ten (10) copies of the application form
- Ten (10) copies of the proposed development concept plan, if applicable, (folded to either 8½ x 11 or 8½ x 14 format)
- One (1) reduced copy of the proposed development concept plan, if applicable (either 8½ x 11 or 8½ x 14 format)
- One (1) copy of the proposed wording of the Land Use Plan amendment
- Six (6) copies of any supporting documentation or technical or information reports, as required by staff in the Pre-Submission Consultation
- The application fee (to be determined during Pre-Submission Consultation)
 - \$1,500 for a simple Land Use Plan Amendment Application
 - \$2,500 for a complex Land Use Plan Amendment Application

6. OTHER FEES

The applicant may be responsible for the cost of third party reviews of supporting studies, if required. This requirement applies to matters such as, but not limited to, the review of traffic, servicing, environmental, noise, and engineering reports, etc. In all cases the Department of Physical Planning will notify the applicant to seek approval and payment before proceeding to a third party review of supporting studies.

An additional non-refundable fee of \$500 may be charged if more than one public open house or public meeting is required.

7. REFUND POLICY

A refund of an application fee will be calculated as follows ---

- | | | |
|--------------------------|--|-----|
| <input type="checkbox"/> | For application withdrawn before having been circulated | 90% |
| <input type="checkbox"/> | For application withdrawn after having been circulated
but before public meeting: | 50% |
| <input type="checkbox"/> | For application withdrawn after public meeting | 20% |
| <input type="checkbox"/> | For application withdrawn after public hearing | 0% |

APPLICATION TO AMEND THE LAND USE PLAN

(For Government Use Only)

File Number:	Date of Receipt:	Date of Complete Application:
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To: Director of Physical Planning

1. OWNER/APPLICANT/AGENT

PLEASE PRINT	Mailing Address	Telephone Number	E-mail Address	Facsimile number
Owner:				
Applicant:				
Agent or Attorney-at-law				
The applicant is: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant or Lessee of land <input type="checkbox"/> Prospective owner	Matters relating to this application should be sent to <i>(select one only):</i> <input type="checkbox"/> Owner <input type="checkbox"/> Applicant <input type="checkbox"/> Agent or Attorney-at-law			
If applicant is not the owner, the owner must consent to the application: <input type="checkbox"/> separate letter of authorization attached; or <input type="checkbox"/> signature at right	Owner's Signature: Date:			
Has a Pre-Submission Consultation taken place with the Department of Physical Planning? <input type="checkbox"/> Yes If yes, provide date _____ <input type="checkbox"/> No If no, a Pre-Submission Consultation is required prior to submission of application.				

2. SUBJECT LAND

Location:			
Address:		Closest intersection and directions to land	
Description:			
Frontage (sq. ft.)	Acres (sq. ft.)	Average Depth (ft.)	Average Width (ft.)

3. CURRENT PLANNING STATUS

Existing Land Use Designation in the Land Use Plan:	
Existing Zoning in the Zoning Bye-law:	

4. CURRENT, PREVIOUS AND PROPOSED USES OF THE SUBJECT LAND

Current use of the land:	
Previous and historic use of the land, if different from above:	
Proposed use of the land:	

5. PROPOSED LAND USE PLAN AMENDMENT

Describe the purpose of the proposed amendment:	
Identify the proposed designation and the proposed land uses:	
Identify the written policies, if any, to be added / deleted / changed:	
Identify the Schedule(s) in the Land Use Plan to be affected:	

6. OTHER PLANNING APPLICATIONS OR APPROVALS REQUIRED

Application Type	File Number	Purpose	Status
<input type="checkbox"/> Zoning By-law Amendment			
<input type="checkbox"/> Site Plan			
<input type="checkbox"/> Subdivision			
<input type="checkbox"/> Severance			
<input type="checkbox"/> Minor Variance			
<input type="checkbox"/> Architectural Design			

7. PREVIOUS APPLICATIONS OR APPROVALS

Has a previous application for approval ever been submitted for the subject lands?

Application Type	Applied for (if yes, indicate file #)	Approved (if yes, indicate file #)
Land Use Plan Amendment	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Zoning By-law Amendment	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Subdivision	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Site Plan	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Severance	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Minor Variance	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Architectural Design	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no

8. SUPPORTING DOCUMENTATION

Documentation Type (determined during Consultation)	Required Pre-Submission		Title of Report
	Yes	No	
Planning Rationale	<input type="checkbox"/>	<input type="checkbox"/>	
Environmental Impact Study (EIS)	<input type="checkbox"/>	<input type="checkbox"/>	
Traffic Impact Analysis	<input type="checkbox"/>	<input type="checkbox"/>	
Heritage Impact Statement	<input type="checkbox"/>	<input type="checkbox"/>	
Servicing Study	<input type="checkbox"/>	<input type="checkbox"/>	
Comprehensive Development Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Noise Study	<input type="checkbox"/>	<input type="checkbox"/>	
Archaeological Study	<input type="checkbox"/>	<input type="checkbox"/>	
Soil/Geotechnical Study	<input type="checkbox"/>	<input type="checkbox"/>	
Stormwater Management Study	<input type="checkbox"/>	<input type="checkbox"/>	

9. DECLARATION OF OWNER OR APPLICANT

I hereby declare that the information contained in this application is true and correct and I hereby agree to permit access by relevant persons to the subject property.

I hereby agree that all studies submitted in support of this application may be made available for public review.

Signature of Owner or Applicant

Date

SECOND SCHEDULE

(regulation 4)

APPLICATION TO AMEND THE ZONING BYE-LAW

1. NOTE TO APPLICANT

This application form is to be used by persons or public bodies wishing to apply for an amendment to the Zoning Bye-law.

The applicant is advised to approach the Department of Physical Planning for information prior to submitting a formal application. (Please note Pre-Submission Consultation requirement below.) To avoid delay, it is important to provide complete and accurate information.

In this form, the term "subject land" refers to the land that is the subject of the application.

Submission of this application constitutes consent for authorized government staff to inspect the subject lands.

The application must be completed by the owner or the owner's authorized agent. Where an agent makes the application, the owner's written authorization is required. If more than one owner owns the subject lands, the authorization of all owners is required. The authorization must acknowledge that the owner has knowledge of and does not object to the making of the application.

Sufficient studies for the completion of the application should be carried out prior to submission and should be included with the application.

The zoning of the subject property must conform to the Land Use Plan. If the proposed zoning does not conform to the existing Land Use Plan designation a Land Use Plan Amendment application must first be submitted.

2. COMPLETE APPLICATION

This application form requires information (i.e. technical information or reports) that will assist the Government and other agencies in the planning evaluation of the application. To ensure a prompt and complete review, all information must be included at the time of the submission of the application. In the absence of this information, the application is considered incomplete and will not be processed until all required information and material is submitted.

3. PRE-SUBMISSION CONSULTATION

A Pre-Submission Consultation with the Department of Physical Planning staff is a requirement for the submission of an application. Applicants are advised to contact the Department to arrange a Pre-Submission Consultation Meeting prior to submitting the application.

The consultation allows for a review of the proposed application with Department staff. The consultation will assist in determining technical and submission requirements and any additional materials (i.e. reports or studies) that must accompany the application. In the event that an Environmental Impact Study is required the consultation will serve to establish the Terms of Reference and outline the process.

4. DEVELOPMENT APPLICATION SIGN

The Applicant will supply the Department of Physical Planning with a Development Application Sign(s). The applicant shall erect such sign(s) in accordance with the size, content and quality directed by the Department of Physical Planning in the following manner —

- Along the street frontage of the property with one sign per frontage
- As near to the street line as feasible
- At least three feet above grade and parallel to and facing the street
- Not attached or nailed to trees

A Development Application Sign(s) shall remain in place until the application is considered and determined by the Town Planning Committee. It is the responsibility of the applicant to remove the sign(s) thereafter.

5. SUBMISSION REQUIREMENTS

All submissions to be submitted to the Department of Physical Planning, Ministry of the Environment, Dockendale House, West Bay Street, P.O. Box N-1611, Nassau, Bahamas and to include:

- One (1) original and ten (10) copies of the application form
- Ten (10) copies of the proposed development concept plan, if applicable, (folded to either 8½ x 11 or 8½ x 14 format)
- One (1) reduced copy of the proposed development concept plan, if applicable (either 8½ x 11 or 8½ x 14 format)
- One (1) copy of the proposed wording of the Zoning Bye-law amendment
- Six (6) copies of any supporting documentation or technical or information reports, as required by staff in the Pre-Submission Consultation
- The application fee (to be determined during Pre-Submission Consultation) —
 - \$1,500.00 for a simple Zoning Bye-law Amendment Application
 - \$2,500.00 for a complex Zoning Bye-law Amendment Application

6. OTHER FEES

The applicant may be responsible for the cost of third party reviews of supporting studies, if required. This requirement applies to matters such as, but not limited to, the review of traffic, servicing, environmental, noise, and engineering reports, etc. In all cases the Department of Physical Planning will notify the applicant to seek approval and payment before proceeding to a third party review of supporting studies.

An additional non-refundable fee of \$500 may be charged if more than one public open house or public meeting is required.

7. REFUND POLICY

A refund of an application fee will be calculated as follows —

- | | | |
|--------------------------|--|-----|
| <input type="checkbox"/> | For application withdrawn before having been circulated: | 90% |
| <input type="checkbox"/> | For application withdrawn after having been circulated
but before public hearing: | 50% |
| <input type="checkbox"/> | For application withdrawn after public hearing: | 0% |

APPLICATION TO AMEND THE ZONING BYE-LAW

(For Government Use Only)

File Number:	Date of Receipt:	Date of Complete Application:
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To: Director of Physical Planning

1. OWNER /APPLICANT/AGENT

PLEASE PRINT	Mailing Address	Telephone Number	E-mail Address	Facsimile Number
Owner:				
Applicant:				
Agent or Attorney-at-law:				
The applicant is: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant or Lessee of Land <input type="checkbox"/> Prospective owner	Matters relating to this application should be sent to (select one only): <input type="checkbox"/> Owner <input type="checkbox"/> Applicant <input type="checkbox"/> Agent or Attorney-at-law			
If the applicant is not the owner, the owner must consent to the application: <input type="checkbox"/> separate letter of authorization attached; or <input type="checkbox"/> signature at right	Owner's Signature: Date:			
Has a Pre-Submission Consultation taken place with the Department of Physical Planning? <input type="checkbox"/> Yes If yes, provide date _____ <input type="checkbox"/> No If no, a Pre-Submission Consultation is required prior to submission of application.				

2. SUBJECT LAND

Location:			
Address:		Closest intersection and directions to land	
Description:			
Frontage (sq. ft.)	Acres (sq. ft.)	Average Depth (ft.)	Average Width (ft.)

3. CURRENT PLANNING STATUS

Existing Land Use Designation in the Land Use Plan	
Existing Zoning in the Zoning By-law	

4. CURRENT, PREVIOUS AND PROPOSED USES OF THE SUBJECT LAND

Current use of the land	
Previous and historic use of the land, if different from above	
Proposed use of the land	

5. PROPOSED LAND ZONING BYE-LAW AMENDMENT

Describe the purpose of the proposed amendment	
Identify the proposed zoning and the proposed land uses	
Identify any zoning standards, to be added / deleted / changed	

6. OTHER PLANNING APPLICATIONS OR APPROVALS REQUIRED

	Application Type	File Number	Purpose	Status
<input type="checkbox"/>	Land Use Plan Amendment			
<input type="checkbox"/>	Subdivision			
<input type="checkbox"/>	Site Plan			
<input type="checkbox"/>	Severance			
<input type="checkbox"/>	Minor Variance			
<input type="checkbox"/>	Architectural Design			

7. PREVIOUS APPLICATIONS OR APPROVALS

Has a previous application for approval ever been submitted for the subject lands?

Application Type	Applied for (if yes, indicate file #)	Approved (if yes, indicate file #)
Land Use Plan Amendment	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Zoning Bye-law Amendment	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Subdivision	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Site Plan	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Severance	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Minor Variance	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Architectural Design	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no

8. SUPPORTING DOCUMENTATION

Documentation Type (determined during Pre-Submission Consultation)	Required?		Title of Report
	Yes	No	
Planning Rationale	<input type="checkbox"/>	<input type="checkbox"/>	
Environmental Impact Study (EIS)	<input type="checkbox"/>	<input type="checkbox"/>	
Traffic Impact Analysis	<input type="checkbox"/>	<input type="checkbox"/>	
Heritage Impact Statement	<input type="checkbox"/>	<input type="checkbox"/>	
Servicing Study	<input type="checkbox"/>	<input type="checkbox"/>	
Comprehensive Development Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Noise Study	<input type="checkbox"/>	<input type="checkbox"/>	
Archaeological Study	<input type="checkbox"/>	<input type="checkbox"/>	
Soil/Geotechnical Study	<input type="checkbox"/>	<input type="checkbox"/>	
Stormwater Management Study	<input type="checkbox"/>	<input type="checkbox"/>	

9. DECLARATION OF OWNER OR APPLICANT

I hereby declare that the information contained in this application is true and correct and I hereby agree to permit access by relevant persons to the subject property.

I hereby agree that all studies submitted in support of this application may be made available for public review.

Signature of Owner or Applicant

Date

THIRD SCHEDULE

(regulation 5)

APPLICATION FOR MINOR VARIANCE APPROVAL

1. NOTE TO APPLICANT

This application form is to be used by persons or public bodies wishing to apply for a variance of a minor nature from the regulations of the Zoning Bye-law. The applicant is advised to approach the Department of Physical Planning for information prior to submitting a formal application. (Please note Pre-Submission Consultation requirement below.)

To avoid delay, it is important to provide complete and accurate information.

In this form, the term "subject land" refers to the land that is the subject of the application.

Submission of this application constitutes consent for authorized government staff to inspect the subject lands.

The application must be completed by the owner or the owner's authorized agent. Where an agent makes the application, the owner's written authorization is required. If more than one owner owns the subject lands, the authorization of all owners is required. The authorization must acknowledge that the owner has knowledge of and does not object to the making of the application.

Sufficient studies for the completion of the application should be carried out prior to submission and should be included with the application.

2. COMPLETE APPLICATION

This application form requires information (i.e. technical information or reports) that will assist the Government and other agencies in the planning evaluation of the application. To ensure a prompt and complete review, all information must be included at the time of the submission of the application. In the absence of this information, the application is considered incomplete and will not be processed until all required information and material is submitted.

3. PRE-SUBMISSION CONSULTATION

A Pre-Submission Consultation with the Department of Physical Planning staff is a requirement for the submission of an application. Applicants are advised to contact the Department to arrange a Pre-Submission Consultation Meeting prior to submitting the application.

The consultation allows for a review of the proposed application with Department staff. The consultation will assist in determining technical and submission requirements and any additional materials (i.e. reports or studies) that must accompany the application. In the event that an Environmental Impact Study is required the consultation will serve to establish the Terms of Reference and outline the process.

4. DEVELOPMENT APPLICATION SIGN

The Applicant will supply the Department of Physical Planning with a Development Application Sign(s). The applicant shall erect such sign(s) in accordance with the size, content and quality directed by the Department of Physical Planning in the following manner —

- Along the street frontage of the property with one sign per frontage
- As near to the street line as feasible
- At least three feet above grade and parallel to and facing the street
- Not attached or nailed to trees

A Development Application Sign(s) shall remain in place until the application is considered and determined by the Town Planning Committee. It is the responsibility of the applicant to remove the sign(s) thereafter.

5. SUBMISSION REQUIREMENTS

All submissions to be submitted to the Department of Physical Planning, Ministry of the Environment, Dockendale House, West Bay Street, P.O. Box N-1611, Nassau, Bahamas and to include:

- One (1) original and ten (10) copies of the application form
- Ten (10) copies of a scaled survey sketch (see note below) showing the proposed minor variance(s) (folded to either 8½ x 11 or 8½ x 14 format)
- One (1) reduced copy of the survey sketch (either 8½ x 11 or 8½ x 14 format)
- Six (6) copies of any supporting documentation or technical or information reports, as required by staff in the Pre-Submission Consultation
- The application fee:
 - \$250 for residential
 - \$500 for non-residential

6. NOTE – Scaled Survey Sketch

The following information is required to be shown on the scaled survey sketch

- A north arrow and scale
- The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land
- The boundaries and dimensions of the subject land showing the proposed minor variance(s)
- The location of all natural and artificial features (i.e. buildings, roads, watercourses, drainage ditches, wetlands, wooded areas, wells, septic tanks) located on or adjacent to the subject land, including those that may not abut the subject land but that may affect the application
- The current use(s) of the subject property and land adjacent to the subject land (i.e. residential, agricultural, commercial, industrial, etc.)
- The location, width and name of any roads within or abutting the subject land, indicating whether it is a public or private road;
- If access to the subject land will be by water only, the location of the parking and boat docking facilities to be used, and
- The location and nature of any easements or rights-of-way and any restrictive covenants affecting the subject land.

7. REFUND POLICY

A refund of an application fee will be calculated as follows —

- | | |
|--|-----|
| <input type="checkbox"/> For application withdrawn before having been circulated | 90% |
| <input type="checkbox"/> For application withdrawn after having been circulated, but before public hearing | 50% |
| <input type="checkbox"/> For application withdrawn after public hearing | 0% |

APPLICATION FOR MINOR VARIANCE APPROVAL

(For Government Use Only)

File Number:	Date of Receipt:	Date of Complete Application:
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To: Director of Physical Planning

1. OWNER/APPLICANT/AGENT

PLEASE PRINT	Mailing Address	Telephone Number	E-mail Address	Facsimile Number
Owner:				
Applicant:				
Agent or Attorney-at-law				
The applicant is: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant or Lessee of Land <input type="checkbox"/> Prospective owner	Matters relating to this application should be sent to <i>(select one only)</i> : <input type="checkbox"/> Owner <input type="checkbox"/> Applicant or <input type="checkbox"/> Attorney-at-law			
If the applicant is not the owner, the owner must consent to the application: <input type="checkbox"/> separate letter of authorization attached; or <input type="checkbox"/> signature at right	Owner's Signature: Date:			
Has a Pre-Submission Consultation taken place with the Department of Physical Planning? <input type="checkbox"/> Yes If yes, provide date _____ <input type="checkbox"/> No If no, a Pre-Submission Consultation is required prior to submission of application.				

2. SUBJECT LAND

Location:			
Address:		Closest intersection and directions to land	
Description:			
Frontage (sq. ft.)	Acre (sq. ft.)	Average Depth (ft.)	Average Width (ft.)

3. CURRENT PLANNING STATUS

Status	Existing	Amendment Required?
Land Use Designation in the Land Use Plan		<input type="checkbox"/> Yes <input type="checkbox"/> No
Zoning in the Zoning By-law		<input type="checkbox"/> Yes <input type="checkbox"/> No
If required, submit amendment applications prior to minor variance application		
Is land within area defined in the First Schedule of the Planning and Subdivision Act?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Are there any easements, restrictive covenants or rights-of-way affecting the land? If yes, explain.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Are there any wetlands on the property as designated in the Land Use Plan?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
List any approvals or permits previously issued for the property.		

4. CURRENT, PREVIOUS AND PROPOSED USES OF THE SUBJECT LAND

Current use of the land			
Previous and historic use of the land, if different from above			
Are there any existing buildings or structures on the land?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, are they to be demolished?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the land contain any areas of archaeological potential?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, provide an archaeological assessment and a conservation plan for such resources	
Proposed use of the land			

5. OTHER PLANNING APPLICATIONS OR APPROVALS REQUIRED

Application Type	File Number	Purpose	Status
<input type="checkbox"/> Land Use Plan Amendment			
<input type="checkbox"/> Zoning Bye-law Amendment			
<input type="checkbox"/> Subdivision			
<input type="checkbox"/> Severance			
<input type="checkbox"/> Site Plan			
<input type="checkbox"/> Architectural Design			

6. PREVIOUS APPLICATIONS OR APPROVALS

Has a previous application for approval ever been submitted for the subject lands?

Application Type	Applied for (if yes, indicate file #)	Approved (if yes, indicate file #)
Land Use Plan Amendment	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Zoning Bye-law Amendment	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no

Application Type	Applied for (if yes, indicate file #)	Approved (if yes, indicate file #)
Subdivision	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Site Plan	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Severance	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Minor Variance	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no
Architectural Design	<input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/> yes <input type="checkbox"/> no

7. SUPPORTING DOCUMENTATION

Documentation Type (determined during Pre-Submission Consultation)	Required?		Title of Report
	Yes	No	
Planning Rationale	<input type="checkbox"/>	<input type="checkbox"/>	
Environmental Impact Study (EIS)	<input type="checkbox"/>	<input type="checkbox"/>	
Traffic Impact Analysis	<input type="checkbox"/>	<input type="checkbox"/>	
Heritage Impact Statement	<input type="checkbox"/>	<input type="checkbox"/>	
Servicing Study	<input type="checkbox"/>	<input type="checkbox"/>	
Comprehensive Development Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Noise Study	<input type="checkbox"/>	<input type="checkbox"/>	
Archaeological Study	<input type="checkbox"/>	<input type="checkbox"/>	
Soil / Geotechnical Study	<input type="checkbox"/>	<input type="checkbox"/>	
Stormwater Management Study	<input type="checkbox"/>	<input type="checkbox"/>	

9. DECLARATION OF OWNER OR APPLICANT

I hereby declare that the information contained in this application is true and correct and I hereby agree to permit access by relevant persons to the subject property.

I hereby agree that all studies submitted in support of this application may be made available for public review.

Signature of Owner or Applicant

Date

FOURTH SCHEDULE

(regulation 6)

APPLICATION FOR SITE PLAN APPROVAL

1. NOTE TO APPLICANT

This application form is to be used by persons or public bodies wishing to apply for Site Plan Approval.

The applicant is advised to approach the Department of Physical Planning for information prior to submitting a formal application. (Please note Pre-Submission Consultation requirement below.) To avoid delay, it is important to provide complete and accurate information.

In this form, the term "subject land" refers to the land that is the subject of the application.

Submission of this application constitutes consent for authorized government staff to inspect the subject lands.

The application must be completed by the owner or the owner's authorized agent. Where an agent makes the application, the owner's written authorization is required. If more than one owner owns the subject lands, the authorization of all owners is required. The authorization must acknowledge that the owner has knowledge of and does not object to the making of the application.

Sufficient studies for the completion of the application should be carried out prior to submission and should be included with the application.

2. COMPLETE APPLICATION

This application form requires information (i.e. technical information or reports) that will assist the Government and other agencies in the planning evaluation of the application. To ensure a prompt and complete review, all information must be included at the time of the submission of the application. In the absence of this information, the application is considered incomplete and will not be processed until all required information and material is submitted.

3. PRE-SUBMISSION CONSULTATION

A Pre-Submission Consultation with the Department of Physical Planning staff is a requirement for the submission of an application. Applicants are advised to contact the Department to arrange a Pre-Submission Consultation Meeting prior to submitting the application.

The consultation allows for a review of the proposed application with Department staff. The consultation will assist in determining technical and submission requirements and any additional materials (i.e. reports or studies)

that must accompany the application. In the event that an Environmental Impact Study is required the consultation will serve to establish the Terms of Reference and outline the process.

4. DEVELOPMENT APPLICATION SIGN

The Applicant will supply the Department of Physical Planning with a Development Application Sign(s). The applicant shall erect such sign(s) in accordance with the size, content and quality directed by the Department of Physical Planning in the following manner —

- Along the street frontage of the property with one sign per frontage
- As near to the street line as feasible
- At least three feet above grade and parallel to and facing the street
- Not attached or nailed to trees

A Development Application Sign(s) shall remain in place until the application is considered and determined by the Town Planning Committee. It is the responsibility of the applicant to remove the sign(s) thereafter.

5. SUBMISSION REQUIREMENTS

All submissions to be submitted to the Department of Physical Planning, Ministry of the Environment, Dockendale House, West Bay Street, P.O. Box N-1611, Nassau, Bahamas and to include:

- One (1) original and ten (10) copies of the application form
- Ten (10) copies of the proposed site plan (folded to either 8½ x 11 or 8½ x 14 format)
- One (1) reduced copy of the proposed site plan (either 8½ x 11 or 8½ x 14 format)
- Six (6) copies of any supporting documentation or technical or information reports, as required by staff in the Pre-Submission Consultation
- The application fee (to be determined during Pre-Submission Consultation) —
 - \$1,500 for simple Site Plan Application
 - \$2,500 for complex Site Plan Application PLUS \$200 per unit
 - \$500 for an amendment to a Site Plan Application

6. OTHER FEES

The applicant may be responsible for the cost of third party reviews of supporting studies, if required. This requirement applies to matters such as, but not limited to, the review of traffic, servicing, environmental, noise, and