



Town of Qualicum Beach

DEVELOPMENT APPLICATION PROCEDURES AND FEES BYLAW Bylaw No. 605, 2007

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of Bylaw No. 605 with the bylaws below. The amending bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. The Corporation does not warrant that the information contained in this consolidation is current. Certified copies of the original bylaws should be consulted to ensure accurate, current bylaw provisions.

Amending Bylaw

Date of Adoption

Bylaw No. 605

September 19, 2007

Bylaw No. 605.01

February 8, 2010

Bylaw No. 605.02

May 1, 2017

The bylaw numbers in bold in the margin of this consolidation refer to the last bylaw that amended each section of the principal bylaw: "Town of Qualicum Beach Development Application Procedures and Fees Bylaw No. 605, 2007"..

**TOWN OF QUALICUM BEACH
BYLAW NO. 605**

**A BYLAW TO ESTABLISH DEVELOPMENT APPLICATION
PROCEDURES AND FEES**

WHEREAS the Council of the Town of Qualicum Beach has adopted an Official Community Plan and a Zoning and Development Bylaw;

AND WHEREAS the *Local Government Act* requires the Council to establish procedures under which an owner of land may apply for an amendment to the plan or bylaw or for the issue of a permit;

THEREFORE BE IT RESOLVED THAT the Council of the Town of Qualicum Beach in open meeting assembled, enacts as follows:

1. TITLE

This bylaw may be cited as the "Town of Qualicum Beach Development Application Procedures and Fees Bylaw No. 605, 2007"

2. DEFINITIONS

"Owner" includes a person authorized by the owner of real property to be his agent.

"Subdivision" means:

- (a) a subdivision as defined in the *Land Title Act*; or
- (b) a subdivision as under the *Strata Property Act*.

3. SCOPE

- (a) This bylaw shall be applicable to all lands within the Town of Qualicum Beach.
- (b) This bylaw shall apply to:
 - (i) Applications to Amendment:
 - A. An Official Community Plan;
 - B. A Zoning Bylaw; or
 - C. A Land Use Contract
 - (ii) Applications For:
 - A. Development Permits; and
 - B. Development Variance Permits
 - (iii) Subdivision Applications
 - (iv) Administration and Inspection Fees For Works and Services
 - (v) Legal and Consultant Fees Associated with Development
 - (vi) Board of Variance Applications
 - (vii) Erosion and Sediment Control Permit Applications **(Bylaw No. 605.01)**

4. APPLICATIONS

Applications for amendments or permits shall be made on a form provided by the Town and shall include any information relevant to the proposed development that may be required by the Town in order to conduct a thorough review and analysis of the proposed development. Without limiting the generality of this section or other bylaws of the Town of Qualicum Beach the information requested may include any, or all, of the following:

- (a) street address of property
- (b) legal address of property
- (c) site plan
- (d) certificate of title
- (e) summary of proposed development including benefits and impacts on the community
- (f) detailed drawings of the proposed development
- (g) summary of existing land uses adjacent to the subject property
- (h) copy of all relevant charges registered on the legal title of the property
- (i) signature of the applicant
- (j) payment of the prescribed fees.

5. FEES

At the time of application for a bylaw amendment, permit or subdivision approval, the applicant shall pay to the Town an application fee as set out in Schedule "A" attached to and forming part of this bylaw.

6. SIGNAGE

Applicants for an official community plan, zoning bylaw or land use contract amendment shall post Bylaw Amendment Application sign(s) on the subject property as outlined in Schedule "B" attached to this bylaw, a minimum of ten (10) days prior to consideration of Second reading of the amendment bylaw by Council. The required signage shall be made up at the applicant's expense.

7. REFUSAL - AMENDMENTS AND PERMITS

Where an application, amendment bylaw or permit has been refused by Council, the Town shall notify the applicant in writing within fifteen (15) days immediately following the date of refusal.

8. TIME LIMIT, EXTENSION AND REAPPLICATION

- (a) Development Permits shall lapse if construction has not begun within two years of issuance.
- (b) Extensions may be considered to development permits subject to the payment of a further fee equal to fifty percent (50%) of the total original fees provided the application for extension is made prior to the permit lapsing. The length of time of any extension that may be granted will be at the discretion of the Town but may not exceed an additional two years.

- (c) Subject to the *Local Government Act*, reapplication for an amendment or a permit that has been refused by the Council shall not be considered within a six (6) month period immediately following the date of refusal.
- (d) If Council has not adopted an amending bylaw within twelve (12) months after the date it was given third reading by Council, the bylaw will lapse and will be of no force or effect and an applicant who wishes to proceed with the activity or development that was the subject of the application must make a new application.

9. BYLAW AMENDMENT

- (a) "Town of Qualicum Beach Engineering Standards and Specifications Bylaw No. 545, 1994" is amended by deleting Schedule A and replacing it with a new Schedule A to Bylaw No. 545, attached to this bylaw as Schedule "C" .
- (b) "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999 is amended by:
 - (i) deleting Schedule 3B and replacing it with a new Schedule 3B to Bylaw No. 580, attached to this bylaw as Schedule "D".
 - (ii) deleting Schedule 4C and replacing it with a new Schedule 4C to Bylaw No. 580, attached to this bylaw as Schedule "E".

10. EFFECT

This bylaw shall come into effect on the date of adoption.

READ A FIRST TIME this 11th day of June, 2007.

READ A SECOND TIME this 9th day of July, 2007.

READ A THIRD TIME this 10th day of September, 2007.

ADOPTED this 19th day of September, 2007.

Teunis Westbroek, Mayor

Trudy Coates, Corporate Administrator

(Bylaw No. 605.01)

**SCHEDULE "A" - Bylaw No. 605
 DEVELOPMENT FEES**

Category	Fee
OCP Amendment Application	\$2,500
Zoning Bylaw Amendment Application	\$4,000
Development Permit Application that is not combined with a zoning or OCP amendment bylaw process	\$500 plus \$1.50/m ² of new gross floor area of a building to a maximum of \$4,000; or \$500 plus \$50 per lot in a subdivision to a maximum of \$4,000
Reissuance of Existing Development Permit	\$200
Development Permit that is combined with a zoning or OCP amendment bylaw process	\$100 plus \$0.50m ² of new gross floor area of a building to a maximum of \$2,000; or \$100 plus \$10 per lot in a subdivision to a maximum of \$2,000
Development Permit for façade improvements involving no additional floor area	\$100
Development Variance Permit Application	\$1,500
Temporary Use Permit that is not combined with a zoning or OCP amendment bylaw process	\$1,000
Temporary Use Permit that is combined with a zoning or OCP amendment bylaw process	\$100
Reissuance of Temporary Use Permit	\$200
Subdivision Application <ul style="list-style-type: none"> • Fee Simple or Bareland Strata Subdivision • PLA Extension • Boundary Adjustment Fee 	\$3,000 for the first lot created, plus \$300 for each additional lot created thereafter; \$200 \$300
Strata Title Conversion Application	\$500
Form P Phased Strata Approval Application	\$100 per strata lot
Form P Amendment Application	\$200
Other plans requiring the Subdivision Approving Officer's signature	\$150
Development Security Deposit <ul style="list-style-type: none"> • Works related to subdivision • Works related to building permit or other development 	\$1,000 per lot serviced 5% of works and services costs as approved by the Director of Engineering and Utilities

(Bylaw No. 605.01)

**SCHEDULE "A" - Bylaw No. 605
 DEVELOPMENT FEES
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Works and Services Administration and Inspection Fee	2% of project value on first \$250,000, plus 1.5% of project value over and above \$250,000 based on Engineer's Certified Project Cost as approved by the Director of Engineering and Utilities (payable at the time of application for final approval)
Land Use Contract Amendment Application	\$2,500
Consultant's Fees	Where required under Schedule 'F' of this bylaw to be charged back to an applicant, the applicant must deposit with the Town an amount equal to 50% of the estimated costs provided by the Consultant, prior to further processing of the application. The balance of the fees must be paid prior to the application process being completed.
Legal Fees	Where required under Schedule 'F' of this bylaw to be charged back to an applicant, the applicant must pay the fees prior to the processing of the application being completed.
Board of Variance	\$150
Erosion and Sediment Control Permit Application	\$100
Temporary Use Permit for Backyard Poultry	\$0 (Bylaw No. 605.02)

Method of Payment

Permit fees shall be paid by way of cash, certified cheque or money order payable to the Town of Qualicum Beach.

Development Security Deposits

Every application for final acceptance of a development shall be accompanied by a security deposit in the form of an irrevocable, automatically renewable, letter of credit in favour of the Town to cover the costs of defects and rectifying deficiencies during the maintenance period pursuant to "Town of Qualicum Beach Engineering Standards and Specifications Bylaw No. 545, 1994".

The security deposit required may be increased where, in the opinion of the Approving Officer, special site conditions prevail so as to make repairs to defects or deficiencies more costly.

SCHEDULE "B" BYLAW AMENDMENT APPLICATION SIGN REQUIREMENTS

Where Bylaw Amendment Application Signs are required under this bylaw, they shall comply with the following:

1. Declaration of Installation By Owner

At least ten days prior to consideration of second reading of the amendment bylaw by Council the applicant must provide the Town with a written declaration that all signs have been erected on the subject property in accordance with this bylaw. Failure to erect the required sign(s) shall result in the postponement of consideration of the amendment bylaw by Council. The owner is also required to add to the sign, at least 10 days prior to the date of the public hearing, the date of any public hearing in relation to the bylaw amendment.

2. Removal of Signs

Signs must be removed by the owner at the owner's expense at least 10 days either after adoption of the amendment bylaw or rejection of the amendment application by Council.

3. Sign Specifications

The required signage shall be 4' x 8' and shall be made up at the applicant's expense in accordance with the following specifications:

	ZONING*
	AMENDMENT APPLICATION
1	
2	
3	AN APPLICATION HAS BEEN SUBMITTED TO THE TOWN OF QUALICUM BEACH TO
4	REZONE** THIS PROPERTY FROM _____ TO _____.
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	

LOCATION MAP WITH STREET NAMES	FURTHER INFORMATION IS AVAILABLE FROM THE TOWN OF QUALICUM BEACH MUNICIPAL OFFICE, 201 – 660 PRIMROSE STREET. PHONE 752-6921 THE APPLICANT IS: NAME _____
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A PUBLIC HEARING WILL BE HELD
ON _____

*Line No. 1 – insert appropriate wording ie., Zoning, Official Community Plan; Official Community Plan and Zoning; Land Use Contract; etc.

**Insert appropriate wording ie., rezone; redesignate; redesignate and rezone; amend the Land Use Contract; etc.

LETTERING

- White Background with dark blue letters and border
- Type face – Helvetica Capitals with the following minimum height sizes:

Line 1 and 2	135mm (5.5")
Line 3 and 4	75mm (3")
Line 5 to 12	40mm (1.5")
Line 13 and 14	50mm (2")

LOCATION

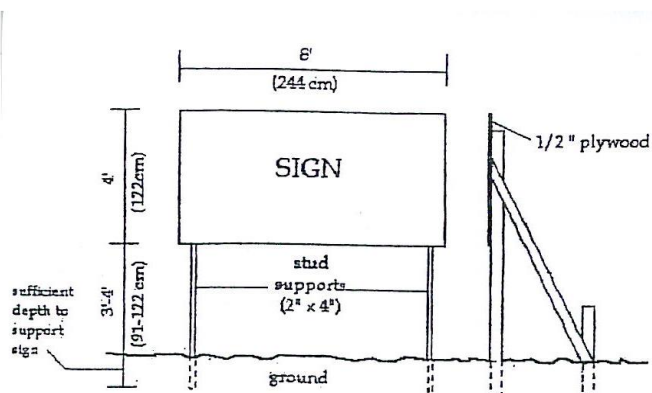
The sign(s) shall be erected on the subject property in a location unobstructed to view from the street approximately 3.0 meters from the property line abutting the street. Signs shall be located so as not to interfere with pedestrians or vehicle traffic or obstruct visibility from streets, lanes or driveways.

NUMBER OF SIGNS

One sign is required for each one hundred (100) metres of street frontage provided that no more than three signs are required for any one site.

SIGN SIZE

The size of the sign and supporting structure shall be as shown below.



SCHEDULE "C"

TOWN OF QUALICUM BEACH BYLAW NO. 545 SCHEDULE 'A'

Subdivision and Development Schedule of Fees and Security Deposits

Applicants shall pay to the Town of Qualicum Beach the fees and security deposits for subdivision and development as required by "Town of Qualicum Beach Development Application Procedures and Fees Bylaw No. 605, 2007".

SCHEDULE "D"

TOWN OF QUALICUM BEACH BYLAW NO. 580 SCHEDULE '3B'

AMENDMENT APPLICATION FEE

Applicants shall pay to the Town of Qualicum Beach the amendment application fee as required by "Town of Qualicum Beach Development Application Procedures and Fees Bylaw No. 605, 2007".

SCHEDULE "E"

TOWN OF QUALICUM BEACH BYLAW NO. 580 SCHEDULE '4C'

DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT APPLICATION FEES

Applicants shall pay to the Town of Qualicum Beach the development permit and development variance permit application fees as required by "Town of Qualicum Beach Development Application Procedures and Fees Bylaw No. 605, 2007".

SCHEDULE "F"

Legal Fees

1. Legal Fees will be charged back to the applicant:

Where legal documents are required as part of the processing of an application and it is determined by the Chief Administrative Officer (CAO) to be beyond the capacity of Town staff. In this case, legal costs will be associated with drafting documents or reviewing documents.

Consultant Fees

2. Consultants Fees will be charged back to the applicant:

- a. Where an applicant wishes a file to be expedited beyond that of the Town's current resources and the Town, at its option and in consultation with the applicant, hires a Consultant for this purpose; or
- b. Where, in the opinion of the CAO, it is prudent to retain a qualified professional for the purpose of responding to information submitted to the Town; or
- c. Where, in the opinion of the CAO, the application requires evaluation by a professional that is not on municipal staff.

The applicant will be required to deposit sufficient funds (as established by Schedule 'A' of this bylaw, where applicable) with the Town for the consultant's fees.

3. Consultants Fees will not be charged back to the applicant:

Where it is deemed necessary or appropriate by Council, the Chief Administrative Officer, or a Department Head, to hire a Consultant for the purpose of expediting a development application or addressing a Town resource issue, and the conditions in Section 1 of this schedule do not apply.