



LAND USE APPLICATION PROCEDURES AND FEES

BYLAW 3612-2003

THIS DOCUMENT HAS BEEN REPRODUCED FOR CONVENIENCE ONLY and is a consolidation of "District of Mission Land Use Application Procedures and Fees Bylaw 3612-2003" with the following amending bylaws:

Bylaw Number	Date Adopted	Section Amended
3854-2005-3612(1)	December 19, 2006	Schedule A
3911-2006-3612(2)	July 17, 2006	Schedule A
3954-2006 (a general fees & charges amending bylaw)	December 18, 2006	Schedule A
4030-2007 (a general fees & charges amending bylaw)	December 17, 2007	Schedule A
4090-2008-3612(3)	October 20, 2008	Schedule A
5002-2008-4030(1) (a general fees & charges amending bylaw)	December 15, 2008	Schedule A
5054-2009-3612(4)	July 20, 2009	Schedule A
5070-2009 (a general fees & charges amending bylaw)	December 14, 2009	Schedule A
5113-2010-3612(5)	February 1, 2010	Schedule A
5142-2010-3612(6)	July 19, 2010	Sections 5, 6, 7
5192-2011-3612(7)	February 7, 2011	Schedule A

Individual copies of any of the above bylaws are available from the Administration Department of the District of Mission. For legal purposes, copies of the original bylaws should be obtained.

DISTRICT OF MISSION

BYLAW 3612-2003

A bylaw to establish procedures to amend the Official Community Plan or the Zoning Bylaw or Land Use Contract Bylaws or to issue a permit under Part 26 of the *Local Government Act*

WHEREAS the Council has adopted an Official Community Plan and a Zoning Bylaw;

AND WHEREAS the Council shall, under section 895 of the *Local Government Act*, by bylaw, establish procedures to amend a plan, bylaw or issue a permit;

NOW THEREFORE the Council of the District of Mission in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "District of Mission Land Use Application Procedures and Fees Bylaw No. 3612-2003."
2. This Bylaw shall apply to the following:
 - a) Amendments to:
 - i. an official community plan,
 - ii. a zoning bylaw,
 - iii. land use contract bylaws;
 - b) Issuance of:
 - i. development variance permits,
 - ii. development permits,
 - iii. temporary commercial or industrial development permits;
 - c) Fees for processing miscellaneous land use requests, as outlined in Schedule "A" attached hereto and forming part of this bylaw.
3. Application
 - a) Applications for an amendment or a permit shall be made by the owner of the land involved or by a person authorized in writing by the owner, or by the District of Mission to pursue a specific land use planning objective.
 - b) Applications for amendments or permits shall be submitted to the Director of Planning or designate on the applicable form.
 - c) Applications for Rezoning, Land Use contract amendments, Development Permits, or Development Variance Permits must be accompanied by a completed District of Mission Site Information Form and, if required, a provincial Schedule 1 Site Profile.
4. Fees

At the time of application for an amendment, a permit or a miscellaneous land use request, the applicant shall pay to the District of Mission an application fee in the amount as set out in Schedule "A" of this Bylaw.
5. Process

Except when Council has delegated its authority in this Bylaw, every application for an amendment or a permit shall be processed by the Director of Planning or designate, who shall present a report to Council for its consideration.

6. Delegation of Authority

Council hereby delegates authority to the Director of Planning and the Deputy Director of Planning, to approve the issuance of:

- a) intensive residential development permits;
- b) industrial development permits;
- c) geo-technical development permits.

7. Notification of Development Permits and Development Variance Permits

A notice of Development Permit or Development Variance Permit shall be mailed or otherwise delivered prior to consideration by Council, or delegate:

- a) to all owners and tenants in occupation of the land that is the subject of the application;
- b) to all owners and tenants in occupation of the land that is within 10 metres (30 feet) of the land that is subject of the application, including those properties across dedicated rights-of-way and highways. When the Development Permit and/or Development Variance Permit is part of a rezoning application, the Permit notifications be included on the Notice of Public Hearing for the rezoning application;
- c) all owners and tenants may provide comment regarding the application via mail, email or by telephone to the planning department which will be considered by either Council or their delegate;
- d) where applicable, and after Council introduction, Council may require an increased notification area and/or require a Public Information Meeting to be held for a specific Development Permit and/or Development Variance Permit that may affect the public interest.

8. Notice of Public Hearing

Where notice of a Public Hearing is required, the notice shall be to the owners as shown on the assessment roll as at the date of the application, and to the occupiers of all parcels any part of which is within a distance of 152 metres for urban areas and 500 metres for rural areas from any part of the parcel that is subject to the bylaw alteration. The notification area may be expanded to a distance determined by the Director of Planning or designate when development proposals are deemed to have a significant impact. Notification to the owners and occupiers does not apply if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration.

9. Bylaw Amendments – Approval or Refusal

The Council may, upon receipt of the report under Section 5 of this bylaw, proceed with an amendment bylaw or reject the application.

10. Permits – Issuance or Refusal

The Council may, upon receipt of the report under Section 5 of this bylaw:

- a) authorize the issuance of the permit;
- b) authorize the issuance of the proposed permit as amended by the Council in its resolution;
- c) refuse to authorize the issuance of the permit.

11. Refusal – Amendments and Permits

Where the Council has refused an application, amendment bylaw or a permit, the Director of

Planning or designate shall notify the applicant in writing following the date of refusal.

12. Re-Application

Subject to Section 895 of the *Local Government Act*, re-application for an amendment or permit that has been refused by Council shall not be considered within a 12 (twelve) month period immediately following the date of refusal.

13. District of Mission Land Use Application Procedures and Fees Bylaw 1631- 1986 is hereby repealed.

READ A FIRST TIME this 21st day of July, 2003

READ A SECOND TIME this 21st day of July, 2003

READ A THIRD TIME this 21st day of July, 2003

RECONSIDERED AND FINALLY ADOPTED this day of 5th day of August, 2003

(Original signed by Abe Neufeld)
MAYOR

(Original Signed by Dennis Clark)
DIRECTOR OF CORPORATE
ADMINISTRATION

SCHEDULE "A"

Application fees for the purpose of recovering the direct costs of the processing, inspecting and advertising relating to the application shall be deposited at the time of application in accordance with the following schedule:

<u>APPLICATION TYPE</u>	<u>FEE</u>	
	2010	2011
REZONING		
Multi-Family Residential	\$ 4,277.00	\$ 4,405.00
Single Family Residential up to and including 10 lots	\$ 2,814.00	\$ 2,898.00
Single Family Residential greater than 10 lots	\$ 3,602.00	\$ 3,710.00
Commercial, Industrial, Institutional Uses	\$ 4,221.00	\$ 4,348.00
Commercial Zones (containing more than 20 residential units)	\$ 4,784.00	\$ 4,928.00
Temporary Commercial, Industrial, Institutional Use Permit	\$ 4,221.00	\$ 4,348.00
Secondary Suite, prior to installation	\$ 845.00	\$ 870.00
All others (including text change)	\$ 2,814.00	\$ 2,898.00
Comprehensive Development	\$ 4,783.00	\$ 4,926.00
Rezoning Extensions	\$ 2,251.00	\$ 2,319.00
OFFICIAL COMMUNITY PLAN AMENDMENT		
Official Community Plan amendment only	\$ 2,251.00	\$ 2,319.00
Official Community Plan amendment with rezoning	\$ 844.00	\$ 869.00
Agricultural Land Reserve Application Fee	\$ 600.00	\$ 600.00
Non-refundable portion	\$ 300.00	\$ 300.00
Portion forwarded to the Province, or refunded to Registered Owner if application is not supported by council	- \$ 300.00	- \$ 300.00
LAND USE CONTRACT AMENDMENT		
Major	\$ 2,476.00	\$ 2,550.00
Minor	\$ 1,689.00	\$ 1,740.00
PERMITS		
Development Permit - Multi-Family Residential	\$ 2,814.00	\$ 2,898.00
Development Permit - Downtown	\$ 450.00	\$ 464.00
Development Permit - Other	\$ 2,138.00	\$ 2,202.00
Development Permit – Minor Amendment (new)	\$ 225.00	\$ 232.00
Development Variance Permit – basic	\$ 1,688.00	\$ 1,739.00
plus per second and subsequent requests	\$ 225.00	\$ 232.00
Land Title Office Fee	\$ 75.00	\$ 75.00

	2010	2011
HAZARDOUS LANDS DEVELOPMENT PERMIT AREA	\$ 309.00	\$ 318.00
 MISCELLANEOUS LAND USE REQUESTS		
Final Plan Approval Fee (*see also Subdivision Control Bylaw 1500-1985)	\$ 84.00	\$ 87.00
Strata Title Conversion/Phased Strata Development plus per unit (estimated 16 unit average)	\$ 1,351.00 \$ 84.00	\$ 1,392.00 \$ 87.00
Liquor Licence Inquiry	\$ 3,152.00	\$ 3,247.00
Site Specific Exemption from Floodplain Management Bylaw	\$ 1,639.00	\$ 1,688.00
Site Information Form processing fee (contaminated site profile) (cost per property) (*see also Subdivision Control Bylaw 1500-1985)	\$ 100.00	\$ 100.00
Provincial (Ministry of Environment) Site Information Form processing fee (contaminated site profile) (cost per property) (*see also Subdivision Control Bylaw 1500-1985)	\$ 100.00	\$ 100.00
Change of Owner/Applicant on a development application file	\$ 338.00	\$ 348.00
Official Community Plan Background Reports & Planning Studies (cost per each document)	\$ 45.00	\$ 46.00
Downtown Facade Review	\$ 225.00	\$ 232.00
OCP/Zoning Research Letters (cost per property)	\$ 225.00	\$ 232.00
Development Inquiry Fee (written comments provided following development meeting)	\$ 281.00	\$ 289.00
Request by Developer for Staff Attendance at Public Information Meeting (cost per staff member)	\$ 169.00	\$ 174.00
Request for List of Property Owners/Addresses (cost per area)	\$ 112.00	\$ 115.00
Fee for copy of a legal plan	\$ 3.00	\$ 3.00

REFUNDS

1. For rezoning applications:
 - a. withdrawn in writing by the applicant within 30 days of submission, a refund of 50% of the application fee;
 - b. withdrawn in writing by the applicant 30 or more days after submission but prior to the public hearing notice being prepared or advertised, 20% of the application fee shall be refunded to the applicant;
 - c. withdrawn in writing by the applicant after preparation or advertising of the public hearing notice, no refund.

2. For all other development applications:
 - a. withdrawn in writing by the applicant within 30 days of submission, a refund of 50% of the application fee;
 - b. withdrawn in writing by the applicant 30 or more days after submission but prior to consideration by Council, 20% of the application fee shall be refunded to the applicant;
 - c. withdrawn in writing by the applicant after consideration by Council, no refund.