



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
5257-2011 (a general fees & charges amending bylaw)	December 12, 2011	Schedule A
5267-2012-3612(9)	March 5, 2012	Section 7, Schedule A
5305-2012-3612(10)	August 7, 2012	Schedule A
5314-2012-3612(11)	September 10, 2012	Schedule A
5384-2013-3612(12)	October 21, 2013	Schedule A
5398-2013-3612(13)	December 16, 2013	Schedule A, Schedule B
5399-2013-3612(14)	December 16, 2013	Section 10
5487-2015-4029(11) (a general fees and charges amending bylaw)	March 16, 2015	Schedule A
5512-2015-3612(15)	July 6, 2015	Schedule A
5531-2015 (a general fees and charges amending bylaw)	December 7, 2015	Schedule A

Bylaw Number	Date Adopted	Section Amended
5582-2016-3612(16)	July 18, 2016	Schedule A
5683-2017 (a general fees and charges amending bylaw)	December 20, 2017	Schedule A
5765-2018-3612(17)	August 7, 2018	Housekeeping changes throughout, Schedule A, and addition of a Schedule C
5800-2018 (a general fees and charges amending bylaw)	December 17, 2018	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 14 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 460 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
 - 13) 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 Development Services 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 Development Services or designate, who shall present a report to Council for its consideration.

6. Delegation of Authority

Council hereby delegates authority to the Director of Development Services, to approve the issuance of:

- a) Area A: Intensive Residential Development Permits;
- b) Area D: Industrial Development Permits;
- c) Area E: Natural Environment Development Permit
- d) Area F: Fraser River Development Permit
- e) Area G: Geotechnical Development Permit
- f) Area H: Fire Interface Development Permit
- g) Area I: *MissionCity* Downtown Development Permit that involves a Downtown Façade Improvement Grant, in accordance with policy LAN.42, only.

7. A notice of Permit:

shall be mailed or otherwise delivered at least 10 days before adoption of the resolution to issue the permit;

- 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 land that is within 10 metres (30 feet) of the land that is the 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 will 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. Comments will be forwarded to Council as part of the staff report,
- 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 Permit that may affect the public interest; and
- e) Where a Development Permit has been delegated approval of a Development Permit to the Director of Development Services, no notification is required.

and must state the following;

- a) in general terms, the purpose of the proposed permit,
- b) the land and lands that are the subject of the proposed permit,
- c) the place, time and date when copies of the proposed permit may be inspected, and
- d) the date, time and place when the resolution will be considered.”

8. Notification of Temporary Use Permits

A notice of Permit shall be mailed or otherwise delivered prior to consideration of 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 land that is within 10 metres (30 feet) of the land that is the subject of the application, including those properties across dedicated rights-of-way and highways,
- 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. Comments will be forwarded to Council as part of the staff report,
- 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 Permit that may affect the public interest, and

- e) notice requirements (a) through (d) do not apply if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration.

The notice must:

state the following;

- a) in general terms, the purpose of the proposed permit,
- b) the land and lands that are the subject of the proposed permit,
- c) the place, time and date when copies of the proposed permit may be inspected, and
- d) the date, time and place when the resolution will be considered; and

be published in a newspaper at least 3 and not more than 14 days before the adoption of the resolution to issue the permit.

9. 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.

10. 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.

11. 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.

12. Refusal – Amendments and Permits

Where the Council has refused an application, amendment bylaw or a permit, the Director of Development Services or designate shall notify the applicant in writing following the date of refusal.

13. Re-Application

Subject to Section 460 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.

14. 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:

Application Type	Effective January 1, 2019
Rezoning	
Attached Multi-Unit Residential	\$4,908.50
Single Family/Two Family Residential	\$3,681.50
Commercial, industrial, institutional	\$4,848.00
Mixed-Use Commercial and Residential If an application is received for a project on a property within the <i>MissionCity</i> Downtown Action Plan area (Schedule “B”) and the Building Permit for the project will be received on or before December 31, 2019, this fees will be reduced by ½ (50%) of the amount shown.	\$5,491.50
Secondary Dwelling	\$969.50
All others (including text change)	\$3,681.50
Comprehensive Development*	\$5,489.00
Rezoning Extensions	\$2,583.50
Official Community Plan Amendment	
Official Community Plan (amendment only)	\$2,584.50
Official Community Plan (amendment with rezoning)	\$1,242.00
Agricultural Land Commission Application (\$1200 remitted to ALC, \$300 retained by municipality)	\$1500.00
Permits	
Development Permit – (Area A: Intensive Residential on a property designated Urban Compact in the OCP) Neighbourhood Form & Character	\$2,357.00
Intensive Residential Design Review (review design of a proposed home for conformance with previously issued Neighbourhood Form & Character DP)	\$267.50
Development Permit – (Area A: Intensive Residential on a property designated Urban Residential in the OCP)	\$507.00
Development Permit – (Area B: Attached Multi-Unit Residential)	\$3,230.00
Development Permit – (Area C: Commercial only)	\$2,454.00
Development Permit – (Area C: Mixed-Use only)	\$3,812.00
Development Permit – (Area D: Industrial)	\$2,454.00
Development Permit – Area E: Natural Environment Development Permit – Area F: Fraser River Development Permit – Area G: Geotechnical Hazards	\$100.00
Development Permit – Area H: Fire Interface (includes the Site Information Form Fee)	\$100.00
Development Permit – (Area I: <i>MissionCity</i> Downtown), except a development permit application that consists of a Downtown Façade Improvement Grant only, to LAN.42 only, is exempt from the fee. All new buildings and additions to buildings within the <i>MissionCity</i> Downtown area shall pay the full fee.	\$517.00

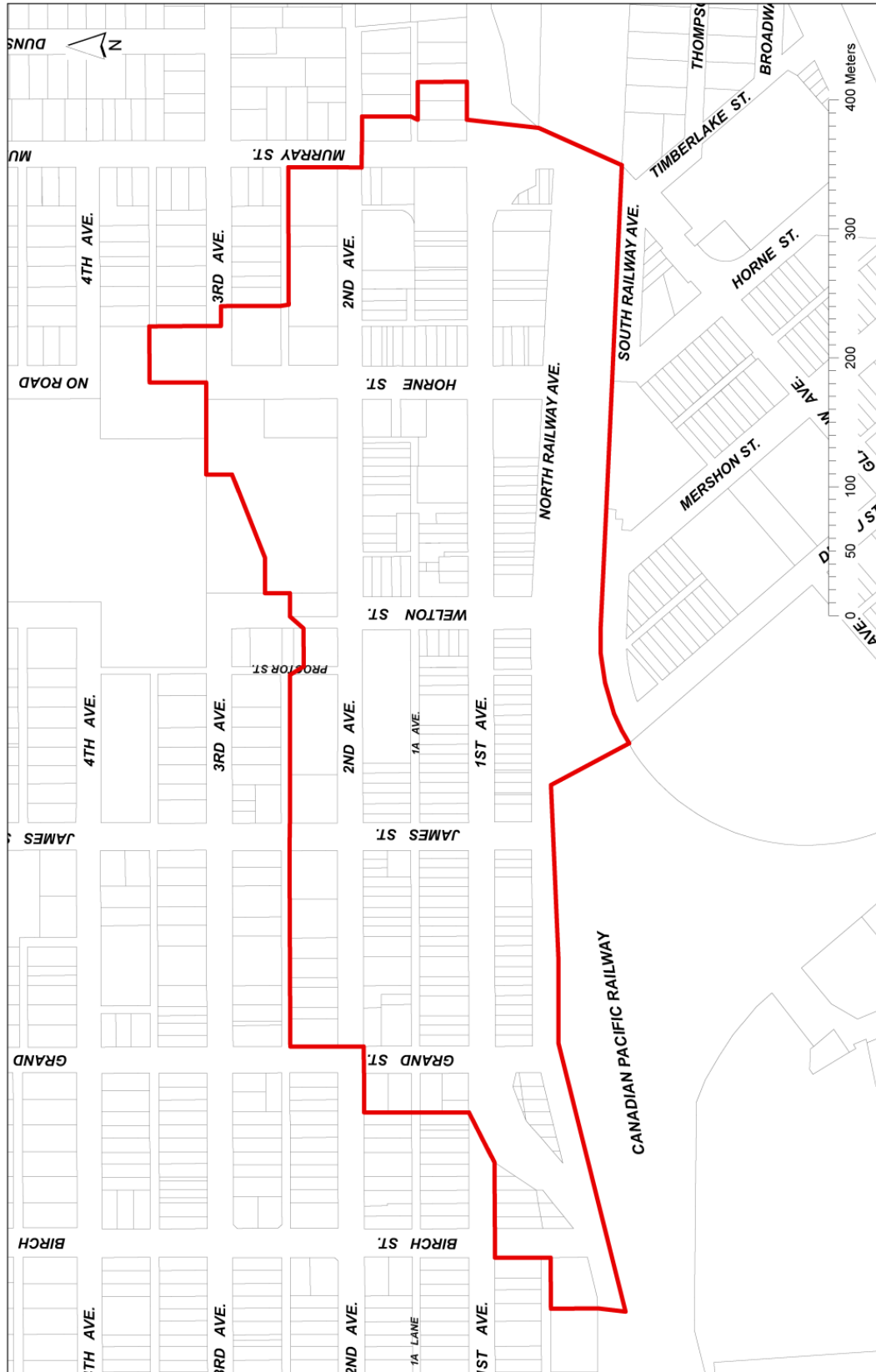
Application Type	Effective January 1, 2019
Development Permit – Other	\$2,430.00
Development Permit (Minor Amendment – New)	\$502.00
Development Variance Permit:	
Single Family Residential zones on an existing lot	\$1,010.00
All other zones	\$1,236.00
To facilitate a subdivision	\$1,937.00
Construction initiated without Building Permit issuance	\$1,937.00
Any 2 nd & subsequent requests	\$257.50
Temporary Use Permits	\$4,845.00
Temporary Use Permits - Renewal	\$505.00
Temporary Use Permits in the area shown in Schedule “C”	\$505.00
Request for Council Resolution	
Bylaw Variance Request	\$1,938.00
Site Specific Exemption from Floodplain Management Bylaw	\$1,880.50
Miscellaneous Fees	
Review of Phased Development Agreements	\$380.00 plus all District's direct legal costs associated with reviewing Agreements
Liquor Primary, new licence (exclusive of rezoning)	\$3,619.00
Liquor Primary Licence Amendment (change to existing licence, increased seating capacity, patio endorsement, hours of operation)	\$1,236.00
Food Primary Licence Amendment (extension of liquor service hours past midnight, or for patron participation)	\$1,236.00
Change of Applicant/Owner on a development application file	\$103.00
OCP Background Reports & Planning Studies (cost per each document)	\$51.50
OCP/Zoning Research Letters (cost per property)	\$259.50
Legal Document Amendment/Discharge	\$402.00
Development Inquiry Fee (written comments provided following development meeting)	\$319.00
Request by Developer to have staff attend a developer initiated Public Information Meeting (cost per staff member, per hour)	\$195.00
Strata Conversion/Phase Strata Development	\$1,551.00
plus per unit (estimated 16 unit average)	\$98.00
Fee for copy of a legal plan	\$3.00

Refunds	
<p>1. For rezoning applications:</p> <p>a. Withdrawn in writing by the applicant within 30 days of submission, a refund of 50% of the application fee;</p> <p>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;</p> <p>c. withdrawn in writing by the applicant after preparation or advertising of the public hearing notice, no refund.</p>	
<p>2. For all other development applications:</p> <p>a. Withdrawn in writing by the applicant within 30 days of submission, a refund of 50% of the application fee;</p> <p>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;</p> <p>c. withdrawn in writing by the applicant after consideration by Council, no refund.</p>	
Subdivision	
*Fee based on number of original lots	
Conventional and Bare Land Strata	
Up to and including 5 lots for each phase of a subdivision (if applicable)	\$1,550.00
plus per lot (estimated 3 lot average)	\$97.00
Greater than 5 lots for each phase of a subdivision (if applicable)	\$1,937.00
plus per lot	\$97.00
Major revisions to subdivision (ex. tenure conversion, phasing, Development Agreement)	50% of the applicable application fee
<p>Engineering Administration Fee</p> <p>5% of the total cost of the works, but not less than the minimum fee charged + GST (When the whole of the installation of the service connection is carried out by the Municipality to connect to an existing Municipal sanitary sewer, storm sewer or watermain and the service connection fee is paid, the preparation of the service record card or cards and the Engineering Administration Fee shall be considered to be included in the service connection fee)</p>	<p>5% of total cost of works or \$2,531.00 minimum (whichever is greater)</p> <p>No fee is applicable when:</p> <ul style="list-style-type: none"> - no engineering review is required; and - no engineering related works are required
Subdivision 12-month Extension	\$1,918.00

<p>Engineering Administration Fee 5% of the total cost of the works, but not less than the minimum fee charged + GST - Minimum fee for subdivision of 4 lots or less</p>	<p>5% of total cost of works or \$630 minimum fee (whichever is greater)</p>
<p>- Minimum fee for subdivision of over 4 lots</p>	<p>5% of total cost of works or \$1,260.00 minimum fee (whichever is greater)</p>
<p>Final Plan Approval Fee Land Title Office (LTO) Fee to be paid prior to registration of subdivision plan</p>	<p>As per fee charged by LTO</p>
<p>Site Information Form Processing Fee (Contaminated Site Profile) (cost per property)</p>	<p>\$100.00</p>
<p>Provincial (Ministry of Environment) Site Information Form Processing Fee (Contaminated Site Profile) (cost per property)</p>	<p>\$100.00</p>
<p>Signs - Combination Traffic Control & Road Name Sign</p>	<p>\$300.00</p>
<p>- Single Traffic Control or Road Name Sign</p>	<p>\$180.00</p>

SCHEDULE "B"

MissionCity Downtown Action Plan Area



SCHEDULE "C"

Commercial and Industrial Use Temporary Use Permit - Fee Reduction Area

