

PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2165, 2016

A bylaw to establish application procedures and fees for the processing of land development applications, including amendments to an Official Community Plan, Zoning Bylaw, or for permits under Part 14 of the *Local Government Act*

WHEREAS section 460 the *Local Government Act*, RSBC 2015, c. 1, provides that a local government that has adopted an official community plan bylaw or zoning bylaw must, by bylaw, define procedures under which an owner of land may apply for an amendment to a plan, or bylaw, or for the issuance of a permit under that section;

AND WHEREAS the Regional Board has designated areas in the Official Community Plan within which temporary use permits and development permits are required;

AND WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose application fees;

NOW THEREFORE the Regional Board of the Peace River Regional District, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited for all purposes as "Development Application Procedures and Fees Bylaw No. 2165, 2016."

2. Repeal

The following bylaws are hereby repealed:

- (a) Development Application, Fee and Amendment Procedure Bylaw No. 1558, 2005;
- (b) Development Application, Fee and Amendment Procedure Bylaw No. 1898, 2010; and
- (c) Development Application, Fee and Amendment Procedure Bylaw 1926, 2011.

3. Scope

- (a) This bylaw shall apply to the following applications:
 - (i) Official Community Plan bylaw amendment;
 - (ii) Zoning bylaw amendment;
 - (iii) Temporary Use Permit
 - (iv) Development Permit
 - (v) Development Variance Permit; and
 - (vi) Board of Variance.

4. Application

- (a) An application to amend an Official Community Plan or Zoning Bylaw, or for a Temporary Use Permit, Development Permit or Development Variance Permit shall be made by the owner of land involved or by a person authorized by the owner ("an agent").
- (b) An application as described in section 4 (a) shall be made to the Peace River Regional District in the form prescribed in the attached Schedule 'A'.
- (c) An application to the Board of Variance shall be made to the Peace River Regional District in the form prescribed in the attached Schedule 'B'.

5. Permits

- (a) The temporary use permit shall be in the form prescribed in Schedule 'C';
- (b) The development permit shall be in the form prescribed in Schedule 'D';
- (c) The development variance permit shall be in the form prescribed in Schedule 'E'

6. Fees

The fees for development applications listed in section 3 of this bylaw shall be as set out in Schedule 'F'.

7. Public Notice Requirements

Public Notice for land use applications, as required under Part 14 of the *Local Government Act*, shall be mailed or otherwise delivered to landowners of all parcels that are within a distance of 1.5 kilometres of the area that is subject to the bylaw amendment, except Development Variance Permit applications in which case notification shall be given to landowners within a distance of 100 metres. The Public Notice area shall not extend more than 100 metres into municipal boundaries.

8. Public Notice Sign Requirements

- (a) On those parcel(s) that are subject to an amendment to:
 - (i) an official community plan and / or zoning bylaw; or
 - (ii) temporary use permit;the applicant shall post a development application sign on the subject property, which shall be provided by the Peace River Regional District.
- (b) The sign shall be a minimum of 1.2 metres x 1.2 metres (4 feet x 4 feet) in dimension;
- (c) The sign shall be constructed of recyclable material;
- (d) The sign shall have a white background with black block lettering that is not less than 6 centimeters in height;
- (e) The sign shall contain the following wording;
'This site is subject to an application to change land use or density. For further information please contact the Peace River Regional District at 1-800-670-7773';
- (f) The sign must be placed at the driveway entrance or midpoint of the property fronting the main service road, providing the most effective legibility and visibility for passersby from the road;
- (g) The sign shall be erected on the property at a minimum of fourteen (14) days prior to the Regional Board considering the application, and the applicant must submit to the Regional District a photograph clearly showing the sign posted on the property;
- (h) The sign shall be placed in a manner that does not interfere with pedestrian or vehicle traffic flow, or create a potential hazard by obstructing visibility from a highway, road or lane;
- (i) The sign shall be installed in a safe, sturdy manner, capable of withstanding typical wind and other weather conditions;
- (j) The sign shall remain in place continuously until the conclusion of the Public Hearing or issuing of the permit, as the case may be, and shall be removed within fourteen (14) days after the decision(s) of the Regional Board on the said application. Applicants are encouraged to dispose of the signs by recycling them.
- (k) Failure to post and keep the sign in accordance with this bylaw may result in a delay or postponement of the Public Hearing and / or Board decision process;

- (l) Any additional notification costs incurred by the Regional District as a result of the applicant failing to post the required sign shall be payable by the applicant prior to advertising of the Public Hearing or delivering public notification.
- (m) Where a sign required by this bylaw is removed, destroyed or altered due to vandalism or the actions of unknown persons, the validity of any bylaw that is the subject of the relevant application and Public Hearing shall not be impacted;
- (n) If a land owner receives any written comments regarding the land use application, those comments must be delivered to the Peace River Regional District office as soon as they are received so that this information may be considered with the subject application.
- (o) A non-refundable fee in the amount of \$150.00 shall be levied for the sign.

9. Re-application

- (a) An application for a development permit, or an amendment to an Official Community Plan or Zoning bylaw that has been refused by the Board of the Peace River Regional District shall not be accepted for re-application within six (6) months of the date of refusal.
- (b) Pursuant to Section 460 of the *Local Government Act*, this time limit may be varied in relation to a specific re-application by an affirmative vote of at least 2/3 of the Peace River Regional District Board members eligible to vote on the reapplication.

10. Waiving of Fees

Requests from not-for-profit societies and community organizations to waive all or part of the fees set out in Schedule 'F' must be approved by the Peace River Regional District Board members in order to occur.

11. Refunds

The Regional District will refund part of an application fee as follows:

- (a) Fifty percent (50%) of application fee(s) shall be refunded if an Official Community Plan Bylaw amendment application does not proceed to the Public Hearing stage of the amendment process.
- (b) Fifty percent (50%) of application fee(s) shall be refunded if a Zoning bylaw amendment application does not proceed to the Public Hearing or Public Notification stage of the rezoning process.
- (c) One hundred percent (100%) of application fee(s) for any development application shall be refunded if the application is withdrawn by the applicant prior to the application being reviewed or processed.

12. Severability

If any section, sub-section, sentence, clause, phrase, schedule or map, of this bylaw is for any reason declared invalid by a Court of competent jurisdiction, the decision shall not affect the validity of the remainder of this bylaw.

READ a FIRST TIME this 25th day of February, 2016.
READ a SECOND TIME this 25th day of February, 2016.
READ a THIRD TIME this 25th day of February, 2016.
ADOPTED this 25th day of February, 2016.



Chair

(corporate seal has been affixed to the original bylaw)



Corporate Officer

I hereby certify this to be a true and correct copy of "Development Application Procedures Bylaw No. 2165, 2016" as adopted by the Peace River Regional District Board on _____.

Corporate Officer

PEACE RIVER REGIONAL DISTRICT
BYLAW NO. 2165, 2016

SCHEDULE 'A'
APPLICATION FOR DEVELOPMENT



PEACE RIVER REGIONAL DISTRICT

DAWSON CREEK 1981 Alaska Avenue (Box 810), Dawson Creek, BC (T): 250-784-3200..(F) 250-784-3201
FORT ST. JOHN 9505 100TH Street, Fort St. John, BC V1J 4N4 (T) 250-784-8084 (F) 250-785-1125
 Toll Free: 1-800-670-7773

Receipt # _____

Application for Development

1. TYPE OF APPLICATION	FEE
<input type="checkbox"/> Official Community Plan Bylaw Amendment	\$ 1,000.00
<input type="checkbox"/> Zoning Bylaw Amendment	\$ 650.00
<input type="checkbox"/> Official Community Plan / Zoning Bylaw Amendment combined	\$ 1,050.00
<input type="checkbox"/> Temporary Use Permit	\$ 350.00
<input type="checkbox"/> Development Permit	\$ 165.00
<input type="checkbox"/> Development Variance Permit	\$ 165.00
<input type="checkbox"/> Sign requirement	\$ 150.00

In regard to applications for:

- i) an official community plan and/or zoning bylaw amendment;
- ii) temporary use permit;

Sign provided by the PRRD and sign posted pursuant to Section 8 of Bylaw No. 2165, 2016, attached.

2. PLEASE PRINT

Property Owner's Name	Authorized Agent of Owner (if applicable)
Address of Owner	Address of Agent
City/Town/Village	City/Town/Village
Postal Code	Postal Code
Telephone Number:	Telephone Number:
Fax Number:	Fax Number:
E-mail:	E-mail:

3. PROPERTY DESCRIPTION

Full legal description of each property under application	Area of each lot
	ha./acres
	ha./acres
	ha./acres
	TOTAL AREA ha./acres

Notice of collection of personal information:

Personal information on this form is collected for the purpose of processing this application. The personal information is collected under the authority of the *Local Government Act* and the bylaws of the PRRD. Documentation/Information submitted in support of this application can be made available for public inspection pursuant to the *Freedom of Information and Protection of Privacy Act*.

4. Civic Address or location of property: _____

5. PARTICULARS OF PROPOSED AMENDMENT

Please check the box(es) that apply to your proposal:

Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: _____

Proposed OCP designation: _____

Text amendment: _____

Zoning Bylaw amendment:

Existing zone: _____

Proposed zone: _____

Text amendment: _____

Development Variance Permit – describe proposed variance request:

Temporary Use Permit – describe proposed use:

Development Permit: Bylaw No. _____ Section No. _____

6. Describe the existing use and buildings on the subject property:

7. Describe the existing land use and buildings on all lots adjacent to and surrounding the subject property:

- (a) North _____
- (b) East _____
- (c) South _____
- (d) West _____

8. Describe the proposed development of the subject property. Attach a separate sheet if necessary:

9. Reasons and comments in support of the application. Attach a separate sheet if necessary:

10. Describe the means of sewage disposal for the development:

11. Describe the means of water supply for the development:

THE FOLLOWING INFORMATION IS REQUIRED. FAILURE TO PROVIDE MAY DELAY YOUR APPLICATION.

12. Proof of ownership of the subject property or properties. (For example: Certificate of State of Title, BC Land Title Office Property Title Search or recent Property Tax Notice.)
13. A Sketch Plan of the subject property or properties, showing:
 - (a) the legal boundaries and dimensions of the subject property;
 - (b) boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - (c) the location of existing buildings and structures on the subject property, with distances to property lines;
 - (d) the location of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - (e) the location of any existing sewage disposal systems;
 - (f) the location of any existing or proposed water source.

ADDITIONAL OR MORE DETAILED INFORMATION MAY BE REQUESTED BY THE PEACE RIVER REGIONAL DISTRICT FOLLOWING REVIEW OF YOUR APPLICATION.

If it is necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a British Columbia Land Surveyor may be required.

15. I / We the undersigned hereby declare that the information provided in this application is complete and is, to the best of my / our knowledge, a true statement of the facts related to this application.

Signature of Owner

Date signed

Signature of Owner

Date signed

16. **AGENT'S AUTHORIZATION**

If you have an agent act on your behalf in submission of this application, the following authorization **MUST** be signed by **ALL** property owners.

I / We	and	hereby
authorize		
(name)		to act on my/our behalf regarding this
application.		
Agent address:		
Telephone:	Fax:	Email:
Signature of Owner:		Date:
Signature of Owner:		Date:

PEACE RIVER REGIONAL DISTRICT
BYLAW NO. 2165, 2016

SCHEDULE 'B'
APPLICATION to BOARD OF VARIANCE



PEACE RIVER REGIONAL DISTRICT

APPLICATION to BOARD OF VARIANCE

1. A person may apply to a Board of Variance for an order under subsection (2) if the person alleges that compliance with any of the following would cause the person hardship:
 - a) a bylaw respecting the siting, dimensions or size of a building or structure, or the siting of a manufactured home in a manufactured home park;
 - b) a bylaw under Section 8(3)(c) [fundamental power - trees] of the *Community Charter*, other than a bylaw that has an affect referred to in Section 50(2) (restrictions in relation to authority) of the *Community Charter* if the Board has taken action under Section 50(3) of the *Community Charter* to compensate or mitigate the hardship that is caused to the persons;
 - c) the prohibition of a structural alteration or addition under Section 531 (non-conforming uses and sittings);
 - d) a subdivision servicing requirement under Section 506(1)(c) in an area zoned for agricultural or industrial use.
2. Pursuant to Section 544 of the *Local Government Act* a person may apply to a Board of Variance for an order if the person alleges that the determination by a building inspector of the amount of damage under Section 532 is in error.
3. This application is regarding Bylaw No. _____ Section No. _____
4. Application fee: \$90.00

Notice of collection of personal information:

Personal information on this form is collected for the purpose of processing this application. The personal information is collected under the authority of the *Local Government Act* and the bylaws of the PRRD. Documentation/Information submitted in support of this application can be made available for public inspection pursuant to the *Freedom of Information and Protection of Privacy Act*.

5. REGISTERED OWNER

Property Owner's Name	Authorized Agent of Owner (if applicable):
Address of Owner	Address of Agent
City / Town / Village	City / Town / Village
Postal Code	Postal Code
Telephone Number: Fax Number:	Telephone Number: Fax Number:
e-mail address:	e-mail address:

6. PROPERTY DESCRIPTION

Full legal description of each property under application	Area of each lot
	ha. / acres
	ha. / acres
	ha. / acres
	Total ha. / acres

- 7. Civic address or location of property: _____
- 8. Current Zoning: _____
- 9. Describe the existing uses and building(s) on the subject property:

10. Reasons for appeal:

Date

Signature of Owner/Applicant



Board of Variance Use Only

1. This verifies that the above property is zoned as _____.
A copy of the pertinent section of zoning bylaw is attached to this application.

Board of Variance Decision

2. The above application received on the ____ day of _____, 2____
was considered by the Board of Variance on the ____ day of _____, 2____.

The Board decision is as follows:

Signed by:

Chair,
Board of Variance

Board Member

Board Member

PEACE RIVER REGIONAL DISTRICT
BYLAW NO. 2165, 2016

SCHEDULE 'C'
TEMPORARY USE PERMIT

(logo)

PEACE RIVER REGIONAL DISTRICT
TEMPORARY USE PERMIT NO. ()

ISSUED TO: Name: _____

Address:

- A. 1. Property affected: _____
(legal description)
- 2. Official Community Plan: _____
(name plus note designation)
- 3. Zoning Bylaw: _____
(name plus note zone)

B. Development upon the land referenced in this permit shall conform to the following specifications and terms:

- 1. This *Temporary Use Permit* is valid up to and including the ___ **day of** _____, **20**____, at which time it shall expire and the property affected by this permit will be subject to the applicable zoning regulations.
- 2. The property referenced in Item A(1) above may be used for the following *Temporary* purposes in addition to those permitted by the zoning applicable to the property:
 - (i) _____

 - (list purpose / use)*
- 3. The conditions under which the *Temporary Use* must be carried out are as follows:
 - i) permit to be posted on site for its duration;
 - ii) compliance with all statutory and bylaw requirements;
 - iii) other.

- 4. All terms and specifications referred to above are subject to any changes required by the Building Inspector or other officials of the Peace River Regional District where such terms and specifications do not comply with any duly enacted law or bylaw and such non-compliance is not specifically permitted by this Temporary Use Permit.

- 5. THIS IS **NOT** A BUILDING PERMIT.

Issued this _____ day of _____, 200__.

This permit is authorized by Peace River Regional District Board Resolution No. _____ passed on the _____ day of _____, 20__.

Authorized Signatory

Schedule attached to and forming part of this Temporary Use Permit: Site Plan 'A' (as necessary)

Temporary Use Permit No. _____

Site Plan 'A'

(insert as necessary)

PEACE RIVER REGIONAL DISTRICT
BYLAW NO. 2165, 2016

SCHEDULE 'D'
DEVELOPMENT PERMIT



PEACE RIVER REGIONAL DISTRICT DEVELOPMENT PERMIT NO. (_____ DP)

ISSUED TO: Name: _____

Address:

A. 1. Property affected: _____
(legal description)

2. Official Community Plan: _____
(name plus note designation)

3. Zoning Bylaw: _____
(name plus note zone)

4. This Development Permit is issued subject to compliance with all of the bylaws of the Peace River Regional District applicable thereto, except as specifically varied or supplemented by this Permit. The provisions of this Development Permit shall prevail over any other provisions of Peace River Regional District bylaws in the event of a conflict.

5. This Development Permit is required by (list sections) of the (official name of bylaw).

6. The conditions of this Permit are as follows:

a) **List conditions; (may include duration of permit)**

7. The land described herein, shall be developed strictly in accordance with the terms, conditions and provisions of this permit and any plans and specifications attached to this Permit which shall form a part thereof.

8. This Permit is **NOT** a building permit.

ISSUED THIS _____ day of _____, 20__.

Authorized Signatory

PEACE RIVER REGIONAL DISTRICT
BYLAW NO. 2165, 2016

SCHEDULE 'E'
DEVELOPMENT VARIANCE PERMIT



PEACE RIVER REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT NO. (_____ DVP)

ISSUED TO:

Name

Address

1. Property affected: **(legal description)**
2. Official Community Plan: **(name plus note designation)**
3. Zoning Bylaw: **(name plus note zone)**
4. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit. The provisions of this Development Variance Permit shall prevail over any other provisions of the bylaws in the event of a conflict.
5. This Development Variance Permit allows for **(specifically state)**

6. The land described herein, shall be developed strictly in accordance with the terms, conditions and provisions of this permit and any plans and specifications attached to this Permit which shall form a part thereof.
7. This Permit is **NOT** a building permit.

ISSUED THIS _____ day of _____, 20__.

This permit is authorized by Peace River Regional District Board Resolution No. _____ passed on the _____ day of _____, 20__.

Authorized Signatory

Schedule 'F'
Development Application Fee Schedule

Application Type	Fee
Official Community Plan Amendment	\$1,000.00
Zoning Amendment	\$ 650.00
Official Community Plan and Zoning Amendment Combined	\$1,050.00
Temporary Use Permit	\$ 350.00
Development Permit	\$ 165.00
Development Variance Permit	\$ 165.00
Sign Requirement	\$ 150.00
Board of Variance	\$ 90.00