

LAND USE AND DEVELOPMENT APPLICATION FEE BYLAW, 2006, NO. 8798

CONSOLIDATED FOR CONVENIENCE AND REFERENCE PURPOSES ONLY

This consolidated version is not a legal document. For official purposes please refer to the original bylaw and amending bylaw documents.

Includes Bylaw Amendments:

No. 8814, 9169, 9651, 9557, 9775, 9994, AND 10017.

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 8798

TO IMPOSE FEES WITH RESPECT TO LAND USE AND DEVELOPMENT APPLICATIONS

The Municipal Council of The Corporation of the District of Saanich in open meeting assembled enacts as follows:

1. Submission of Application

All applications for Rezoning; Temporary Use Permits; Land Use Contract Amendments; Development Permits or Development Permit Amendments; Development Variance Permits; Subdivision; Liquor Primary License Referrals, Agricultural Land Reserve Exclusion applications and modifications or discharges to a covenant registered on title to lands to the benefit of the District of Saanich, shall be submitted to the Director of Planning. Applications to the Board of Variance shall be submitted to the Corporate Officer.

2. Application Fees

An application submitted pursuant to Section 1 shall be accompanied by a fee in the sum of:

- (a) i) **\$2,000.00** where the application is to rezone lands in any zone **EXCEPT** that a lesser fee of **\$1,000.00** shall be submitted where the application is to rezone lands from one single family zone (RS) to another single family zone (RS) for the sole purpose of creating one lot for single family dwelling use.
- ii) An additional fee of **\$150.00** shall be submitted where the application to rezone lands will require an amendment to the Official Community Plan of the said Corporation as amended from time to time.
- (b) **\$500.00** where the application is for a temporary commercial or industrial use permit.
- (c) **\$400.00** where the application is for an amendment to a land use contract.
- (d) i) **\$500.00 plus \$1.00 per square metre of gross floor area** where the application is for a development permit or development permit amendment.
- ii) No fee is payable for a development permit or development permit amendment to replace, repair, alter or reconstruct the building envelope of a building, or any part thereof, where such work is necessary due to damage or potential damage to the building by the penetration of precipitation.

- iii) Notwithstanding (d)(i) above and excluding lands in the Streamside Development Permit Area and the Environmental Development Permit Area, where a development permit or development permit amendment application is for lands located in a (P) zone and designated as a Development Permit Area under Local Government Act s.919.1(i)(a) for protection of the natural environment, its ecosystem and biological diversity, a fee of **\$500.00** shall apply.
- iv) Notwithstanding (d) (i) above, where a development permit or development permit amendment application is for lands in the Streamside Development Permit Area or the Environmental Development Permit Area, a fee of **\$350.00** shall apply.
- v) Notwithstanding (d) (i) above, where a development permit or development permit amendment application is for lands in the Rural Saanich Interface Fire Hazard Development Permit Area, a fee of **\$350.00** shall apply, except that no fee shall be applied where the application is submitted in conjunction with a building permit application, or a development permit or development permit amendment application under the Streamside Development Permit Area or the Environmental Development Permit Area.
- vi) \$500 where the application is for a development permit or a development permit amendment for a garden suite.

For the purpose of this section, the meaning of gross floor area shall be as defined in the Zoning Bylaw of the said Corporation as amended from time to time.

- (e)
 - i) **\$125.00** where the application is for a minor amendment to an existing development permit.
 - ii) No fee is payable for a minor amendment to an existing development permit to replace, repair, alter or reconstruct the building envelope of a building, or any part thereof, where such work is necessary due to damage or potential damage to the building by the penetration of precipitation.
 - iii) In this section a minor amendment means:
 - (a) a change in the siting of a building or structure that does not encroach into a setback in the Zoning Bylaw, or
 - (b) an amendment to a development permit that does not affect the overall building and/or landscape design of the proposed development.
- (f) **\$500.00** where the application is for a development variance permit.
- (g)
 - i) **\$1,200.00** plus **\$300.00** for each proposed new lot where the application is for the subdivision of lands.
 - ii) **\$200.00** where an application for the subdivision of lands is resubmitted before the conditional approval has expired.

- iii) **\$5,000.00** where the application is for the approval of an air space subdivision plan.
- (h) **\$250.00** where the application is for the conversion into strata lots of a previously occupied building, under the Strata Property Act.
- (i) i) **\$300.00** where the application is for a variance approval from the Board of Variance.
ii) **\$50.00** where the application is a request for an extension of the time limit on a previously approved variance.
- (j) **\$900.00** where a liquor-primary license application to the Liquor Control and Licensing Branch is referred to the Municipal Council for comment.
- (k) i) **\$2,000** where the application is for exclusion from the Agricultural Land Reserve; and
ii) **\$750** on those occasions where the District of Saanich supports and applies for exclusion from the Agricultural Land Reserve to the Agricultural Land Commission. For greater certainty, this fee of \$750 is not charged unless the Exclusion Application is sent to the Agricultural Land Commission.
iii) **\$1000.00** where the application is for the modification or discharge of a covenant registered on title to land to the benefit of the District of Saanich.

3. Rezoning Application Fee Refund

Where an application to rezone lands does not proceed to a Council meeting, fifty (50) percent of the applicable fee shall be refunded.

4. Advertising Fees

- 4.1 Where an application to rezone lands, or for an Official Community Plan amendment, a land use contract amendment, or a temporary use permit is to be considered at a public hearing, advertising fees as follows shall be submitted by the applicant to the Municipal Clerk prior to the public hearing being scheduled:
- (a) i) **\$1,200.00** where the application to rezone lands, or for an Official Community Plan amendment or land use contract amendment will require the processing of one bylaw to amend the Zoning Bylaw or the Official Community Plan of the said Corporation as amended from time to time.
ii) An additional fee of **\$500.00** shall be submitted for each additional bylaw that is required to be processed to amend the Zoning Bylaw or the Official Community Plan of the said Corporation as amended from time to time;
 - (b) **\$1,200.00** where the application is for a temporary use permit.

- (c) Despite section 4(b), there is no advertising fee when the application is for a temporary use permit for the sale of home-grown and value-added fruits, flowers, vegetables and homemade crafts at roadside stands.
 - (d) \$1,200 where the application is for an Agricultural Land Reserve Exclusion Application.
- 4.2 Where an application to rezone lands is consistent with the Official Community Plan, and is not proceeding to public hearing, the applicant shall submit the advertising fee of **\$1,200.00** to the Manager of Legislative Services prior to the first reading of the amendment bylaw at a Council meeting being scheduled.
- 5. Except as permitted in Section 3 hereof, no fees paid shall be refunded whether or not the application is successful.
 - 6. Bylaw No. 8693, being the "Land Use and Development Application Fee Bylaw, 2005" is hereby repealed.
 - 7. This Bylaw may be cited for all purposes as the "**LAND USE AND DEVELOPMENT APPLICATION FEE BYLAW, 2006, NO. 8798**".

Includes Bylaw Amendments 8814, 9169, 9651, 9557, 9775, 9994, and 10017.