

PEACE RIVER REGIONAL DISTRICT
By-Law No. 1558, 2005

- as amended by By-law No. 1898, 2010 -

A by-law to establish application fees and procedures to amend an Official Community Plan and Zoning By-law, or a Zoning By-law or to issue a permit under Part 26 of the *Local Government Act*

WHEREAS Section 895 of the *Local Government Act*, R.S.B.C. 1996, c. 323, provides that the local government that has adopted an official community plan by-law or zoning by-law must, by by-law define procedures under which an owner of land may apply for an amendment to a plan, or by-law, or for the issuance of a permit;

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

AND WHEREAS Section 931 of the *Local Government Act*, provides a local government may, by by-law, impose application fees;

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

Title

1. This by-law may be cited for all purposes as "Development Application, Fee and Amendment Procedures By-law No. 1558, 2005."

Repeal

2. The following by-laws are hereby repealed:
 - a) APublic Hearing Notification By-law No. 101, 1975";
 - b) ADevelopment Procedures By-law No. 579, 1988"; and
 - c) ADevelopment Procedures Amendment By-law 1287, 2000.®

Scope

3. a) This by-law shall apply to the following applications:
 - i) an Official Community Plan amendment;
 - ii) a Zoning by-law amendment;
 - iii) Development Variance Permit;
 - iv) Temporary Use Permit;
[References to "Temporary Commercial/Industrial Use" permit changed June 3, 2010 to "Temporary Use Permit" pursuant to LGA, Section 921]
 - v) Development Permits; and
 - vi) Board of Variance.

Application

- 4a) Application for an amendment or a permit shall be made by the owner of land involved or by a person authorized by the owner (Aan agent®).
- 4b) Application for amendments or permits shall be made to the Peace River Regional District on the applicable form attached hereto as ~~A~~**Schedule A**- Application(s) for Development® to this by-law.
- 4c) Application for Board of Variance shall be made to the Peace River Regional District on the applicable form attached hereto as ~~A~~**Schedule B**- to this by-law.

Schedules

5. For the purpose of this by-law **Schedule A= to F=** referred to in this by-law are attached and form an integral part of this by-law:

Schedule A=	-	Application for Development
Schedule B=	-	Board of Variance Application
Schedule C=	-	Temporary Use Permit Form
Schedule D=	-	Development Permit Form
Schedule E=	-	Development Variance Permit Form
Schedule F=	-	Fee Schedule

Fees

6. At the time of an application for an amendment or a permit, the applicant shall pay to the Peace River Regional District an application fee in the amount set out in **Schedule F=** of this by-law.

Public Notice **[Amended by By-law No. 1898, 2010]**

7. Public Notice Requirements

- 7a) Public Notice, where required to be mailed under Part 26 of the *Local Government Act* for land use applications, shall be mailed, or otherwise delivered to landowners of all parcels, that are within a distance of 100 metres (328 feet) of the area that is subject to the by-law alteration.

Sign Requirements

- 7b) The applicant, on those parcel(s) subject to an amendment to:

- i) an official community plan and/or zoning by-law;
- ii) temporary commercial or industrial use permit;

shall post a development application sign on the subject property, as provided by the Regional District.

- 7c) A sign required under Section 7b) must be posted, and removed, in accordance with the following:

- i) The sign shall be a minimum of 1.2m x 1.2m (4 ft x 4 ft) in dimension;
- ii) The sign shall be constructed of durable material ie. Dibond;
- iii) The sign shall have a white background with black block lettering that is not less 6 cm in height;
- iv) The sign shall contain the following wording;

'This site is subject an application to change land use or density. For further information please contact the Peace River Regional District at 1-800-670-7773';

with a detailed description of the application as per Appendix I, hereto attached and forming part of this by-law, and attached to the sign board;

- v) 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 passer-by from the road;
- vi) 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;
- vii) The sign shall be placed so as not to interfere with pedestrian or vehicle traffic flow, or obstruct visibility from a highway or lane so as to create a hazard;

7. Public Notice Requirements (continued)

- viii) The sign shall be installed in a safe, sturdy manner, capable of withstanding typical wind and other weather conditions;
- ix) All signs will remain in place continuously until the conclusion of the Public Hearing or permit issuance, and shall be removed within fourteen (14) days after the decisions of the Regional Board on the said application.
- x) Failure to post and keep the sign in accordance with this by-law may result in a delay or postponement of the public hearing/decision;
- xi) Any additional notification costs incurred by the Regional District, resulting in the failure to post this sign, shall be paid by the applicant prior to advertising of the public hearing/notification or issuance.
- xii) Where a sign required by this by-law is removed, destroyed or altered due to vandalism or the actions of unknown persons, the validity of any by-law that is subject to the relevant application and public hearing shall not be impacted;
- xiii) For any reason that the land owner receives any written comments regarding the land use application, these comments must be delivered to the Regional District office as soon as they are received so that this information may be considered with the subject application.

Fee schedule for Sign [Amended by By-law No. 1898, 2010]

- 7d) A \$150.00 fee will be charged for utilizing the sign and a \$100.00 refund will be issued upon return of the sign to the Regional District.

Re-application

- 8. a) An application for a permit or an amendment to an Official Community Plan, Zoning by-law, 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 895 of the *Local Government Act*, this time limit may be varied in relation to a specific re-application by an affirmative vote of least 2/3 of the Regional Board members eligible to vote on the re-application.

Waiving of Fees

- 9. The Regional Board retains the option to waive all or part of the fees stipulated in this by-law for not-for-profit societies and community organizations.

Refund

- 10. The Regional District will refund part of an application fee in the following instances:
 - a) If an Official Community Plan amendment application does not proceed to the Public Hearing stage of the amendment process then fifty percent (50%) of the application fee(s) is refundable.
 - b) If a Zoning by-law amendment application does not proceed to the Public Hearing or Public Notification stage of the rezoning process then fifty percent (50%) of the application fee(s) is refundable.

Severability

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

READ a first time this 10th day of March, 2005.

READ a second time this 10th day of March, 2005.

READ a third time this 10th day of March, 2005.

ADOPTED this 10th day of March, 2005.

CERTIFIED a true and correct copy of
"Development Application, Fee and
Refund Procedures By-law No. 1558,
2005."

Harald Hansen
Harald Hansen, Administrator

THE CORPORATE SEAL of the Peace
River Regional District was hereto affixed
in the presence of:

Karen Goodings
Karen Goodings, Chair

Harald Hansen
Harald Hansen, Administrator



SCHEDULE >A=

**APPLICATION for
DEVELOPMENT**



Box 810, 1981 Alaska Avenue, Dawson Creek, BC V1G 4H8 Telephone: (250) 784.3200 Fax: (250) 784.3201	9505 – 100 th Street, Fort St. John, BC V1J 4N4 Telephone: (250) 785.8084 Fax: (250) 785.1125
Toll Free: 1.800.670.7773	

Receipt #: _____

Application for Development

1.		FEES
<input type="checkbox"/>	Official Community Plan Amendment	\$1,000.00
<input type="checkbox"/>	Zoning Amendment	\$ 650.00
<input type="checkbox"/>	Official Community Plan and Zoning 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 [Amended by By-law No. 1898, 2010]	\$ 150.00

The applicant, on those parcel(s) subject to an amendment to:

- iii) an official community plan and/or zoning by-law;
- iv) temporary commercial or industrial use permit;

shall post a development application sign on the subject property, as provided by the Regional District.

A \$150.00 fee will be charged for utilizing the sign and a \$100.00 refund will be issued upon return of the sign to the Regional District.

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: Fax Number:	Telephone Number: Fax Number:
e-mail address:	e-mail address:

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

4. Civic address or location of property: _____

5. Particulars of proposed amendment

Please Acheck® the box(es) that apply(ies) to your proposal.

Official Community Plan (OCP) amendment:
 Existing OCP designation: _____
 Proposed OCP designation _____
 Text amendment: _____

For a Zoning amendment:
 Existing zone: _____
 Proposed zone _____
 Text amendment: _____

Development Variance Permit: - describe proposed variance request:

Temporary Use Permit (describe proposed use):

For a Development Permit: By-law No. _____ Section: _____

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:

The following information is required. Failure to provide any of the following may delay the application.

1. A copy of the **proof of ownership**. [For example: Certificate of Title or recent Tax Assessment] for the subject property or properties.
2. A **Sketch Plan** of the subject property, showing:
 - the legal boundaries and dimensions of the subject property;
 - boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - the location of permanent buildings and structures on the subject property, with distances to property lines;
 - the location of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - the location of any existing sewage disposal systems;
 - the location of any existing or proposed water source; and
3. Additional or more detailed information may be requested by the Regional District following review of your application.

If the Regional District believes it to be 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.

I / We hereby declare that the information provided in this application is, to the best of my / our knowledge, true and correct in all respects, and I / we enclose the required fee with this application.

Signature of Owner/s:	
Signature of Owner/s:	
Date:	

Agent's Authorization

Should the property owners elect to have someone act on their behalf in submission of this application, the following must be signed by **all property owners**.

I / We	and	hereby authorize
(name)	to act on my/our behalf in respect of this application.	
Address of agent:		
Telephone:	Fax:	Email:

Signature of Owner/s:

Date

Signature of Owner/s:

Date

CERTIFIED a true and correct copy of Schedule 'A' to "Development Application, Fee and Amendment Procedures By-law No. 1558, 2005."


Harald Hansen, Administrator



Schedule B=

**BOARD of VARIANCE
APPLICATION**



PEACE RIVER REGIONAL DISTRICT BOARD OF VARIANCE APPLICATION

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 by-law 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 by-law under Section 8(3)(c) [fundamental power - trees] of the Community Charter, other than a by-law that has an affect referred to in Section 50(2) (restrictions on authority - preventing all uses) of the Act if the Board has taken action under Subsection (3) of that Section to compensate or mitigate the hardship that is caused to the persons;
 - c) the prohibition of a structural alteration or addition under Section 911(5) (non-conforming uses and sittings);
 - d) a subdivision servicing requirement under Section 938(1) (c) in an area zoned for agricultural or industrial use.
2. Pursuant to Section 902(1) of the Local Government Act a person may apply to a Board of Variance for an order under Sub-Section (2) if the person alleges that the determination by a building inspector of the amount of damage under Section 911(8) is in error.
3. In respect of By-law No. _____, _____ (year) Section No. _____
4. Application fee is \$90.00
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.

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

1. This verifies that the above property is zoned as _____ a copy of which is attached to this application.

Board of Variance Decision

2. The above application received on the _____ day of _____, 2____ was heard by the Board of Variance on the _____ day of _____, 2____. The Board decided as follows:

 Chair,
 Board of Variance

 Board Member

 Board Member

CERTIFIED a true and correct copy of Schedule 'B' to "Development Application, Fee and Amendment Procedures By-law No. 1558, 2005."

Harald Hansen
 Harald Hansen, Administrator



Schedule C=

**TEMPORARY USE PERMIT
APPLICATION**



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 By-law: **(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 **(Date)**, 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 by-law 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 by-law 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__.

Authorizing Resolution No. _____ passed by the Regional Board this
_____ day of _____, 20__.

Authorized Signatory

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

CERTIFIED a true and correct copy of Schedule 'C' to "Development Application, Fee and Amendment Procedures By-law No. 1558, 2005."


Harald Hansen, Administrator

Site Plan AA@
(as necessary)



Schedule D=

**DEVELOPMENT PERMIT
APPLICATION**



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

ISSUED TO: **Name**
 Address

1. Property affected: *(legal description)*
2. Official Community Plan: *(name plus note designation)*
3. Zoning By-law: *(name plus note zone)*
4. This Development Permit is issued subject to compliance with all of the by-laws of the 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 the by-laws in the event of a conflict.
5. This Development Permit is required by (list sections) of the (official name of by-law).
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

CERTIFIED a true and correct copy of
Schedule 'D' to "Development Application,
Fee and Amendment Procedures By-law
No. 1558, 2005."


Harald Hansen, Administrator



Schedule E=

**DEVELOPMENT VARIANCE
PERMIT APPLICATION**



**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 By-law: **(name plus note zone)**
- 4. This Development Variance Permit is issued subject to compliance with all of the by-laws 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 by-laws 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__.

Authorizing Resolution No. _____ passed by the Regional Board this
_____ day of _____, 20__.

Authorized Signatory

CERTIFIED a true and correct copy of
Schedule 'E' to "Development Application,
Fee and Amendment Procedures By-law
No. 1558, 2005."


Harald Hansen, Administrator



Schedule >F=

FEE SCHEDULE

PEACE RIVER REGIONAL DISTRICT FEE SCHEDULE

1. The application fees for Development Procedure applications are as follows:

Application type	Fee
a) Official Community Plan amendment application fee	\$1,000.00
b) Zoning amendment application fee	\$ 650.00
c) Official Community Plan and Zoning Amendment combined application fee	\$1,050.00
d) Application fee for a permit, which includes: i) a Development Permit, ii) a Development Variance Permit, iii) a Temporary Use Permit	\$ 165.00 \$ 165.00 \$ 350.00
e) Board of Variance application fee	\$ 90.00

2. Fee schedule for Sign **[Amended by By-law No. 1898, 2010]**

A \$150.00 fee will be charged for utilizing the sign and a **\$100.00 refund** will be issued upon return of the sign to the Regional District.

CERTIFIED a true and correct copy of
Schedule 'F' to "Development Application,
Fee and Amendment Procedures By-law
No. 1558, 2005."


Harald Hansen, Administrator