

DISTRICT OF HIGHLANDS

BYLAW NO. 95

LAND USE APPLICATION FEES BYLAW

This Bylaw is consolidated by the Corporate Officer in accordance with Bylaw No. 301.

It includes amendments up to July 9, 2007 (Bylaw No. 299)

This bylaw has been consolidated for convenience purposes only and may or may not contain the latest amendment (s). Electronic and On-Line Consolidated bylaws are not certified copies and they should not be used in place of actual district bylaws. If you require an accurate, up to date copy of the district bylaw, please contact the District Office.



DISTRICT OF HIGHLANDS
BY-LAW NO. 95

A BY-LAW OF THE DISTRICT OF HIGHLANDS TO IMPOSE FEES WITH RESPECT TO LAND
DEVELOPMENT APPLICATIONS PURSUANT TO PART 26 OF THE MUNICIPAL ACT

The Council of the District of Highlands in open meeting assembled hereby enacts as follows:

The application fees for the following:

1.
 - a) an application to initiate changes to the provisions of a plan or By-Law under Divisions 2, 3, 7 or 11 of Part 26 of the Municipal Act;
 - b) for the issue of a permit under Division 9 of Part 26 of the Municipal Act;
 - c) an amendment to a land use contract; and,
 - d) application fees for an application to a board of variance shall be as set out in this By-Law.

2. Zoning By-Law and Official Community Plan Amendments are as follows:
 - a) Application fee for Rezoning OR Official Community Plan Amendment \$ **1,000.00**
 - b) Application fee for Rezoning AND Official Community Plan Amendment \$ **1,000.00**
 - c) Application fee for Rezoning requiring text amendment \$ **1,000.00**
 - d) If an application is refused or cancelled prior to the Notice of a Public Hearing being caused to be published, then \$ **400.00** of the fee will be refunded.

3. Amendments to By-Laws, other than the Zoning By-Law, under Divisions 7 and 11 of Part 26 of the Municipal Act shall be:
 - a) Application Fee \$ **100.00**

No. 4 removed by
Bylaw No. 190

5. Board of Variance Application:
 - a) Application fee **\$ 250.00**
 - b) Application fee for extension of time limit **\$ 125.00**

6. Development Permits, Development Variance Permits and Temporary Commercial & Industrial Permits:
 - a) Development Permit Application fee **\$ 250.00**
 - i) No application fee is required where the application is for the removal of a tree that is dead, dying, severely damaged, unstable or severely leaning and in danger of falling, or interfering with, or in such close proximity to utility wires as to be a danger.

6.a:i) added by Bylaw No. 189
 - ii) No application fee is required where the application is solely for the purpose of tree and vegetation removal for mitigation of the fire interface hazard, as described by the FireSmart Manual.

6.a:ii) added by Bylaw No. 299
 - b) Development Variance Permit Application fee **\$ 250.00**
 - c) Temporary Commercial - Industrial Use Permits:
 - i) Application fee **\$ 1,000.00**
 - ii) If an application is refused or cancelled prior to the Notice of a Public Hearing being caused to be published, then \$400.00 of the fee will be refunded.

7. Land Use Contract Amendments:
 - a) Application fee **\$ 100.00**
 - b) If a Land Use Contract is required to go to Public Hearing AN ADDITIONAL **\$ 400.00**
 - c) If an application is refused or cancelled prior to the Notice of a Public Hearing being caused to be published, then 50% of the Public Hearing fee is refunded.

8. Application fees are not refundable except in circumstances noted above.

9. All application fees shall be paid at the time of application.

10. The following By-Laws are hereby repealed:
 - Capital Regional District By-Law No. 568, "Development Permit Form, Procedure and Application Fee By-Law, 1979";
 - Capital Regional District By-Law No. 1562, " Land Use Application Fees By-Law 1987";
 - Capital Regional District By-Law No. 1861, "Land Use Application Fees By-Law No. 1562, Amendment By-Law No. 1, 1990";

- Capital Regional District By-Law No. 1968, "Land Use Application Fees By-Law 1987, Amendment By-Law No. 2, 1991";
- District of Highlands By-Law No. 47, "District of Highlands Land Use Application Fees Amendment By-Law No. 47, 1995".
- District of Highlands By-Law No. 52, "District of Highlands Land Use Application Fees Amendment By-Law No. 52, 1995"; AND,
- District of Highlands By-Law No. 90 - "District of Highlands Land Use Application Fees Amendment By-Law No. 90, 1997".

11. Severability:

If any section, subsection or paragraph of this By-Law is found invalid by a decision of a Court of competent jurisdiction the invalid section, subsection, or paragraph shall be severed without effect on the remainder of the By-Law.

12. Citation:

This By-Law may be cited as "Land Use Application Fees By-Law No. 95, 1997".

READ A FIRST TIME THIS 20TH DAY OF OCTOBER, 1997.

READ A SECOND TIME THIS 20TH DAY OF OCTOBER, 1997.

READ A THIRD TIME THIS 20TH DAY OF OCTOBER, 1997.

ADOPTED THIS 3RD DAY OF NOVEMBER, 1997.

MAYOR

CLERK