

5.6.i. Policy

APPLICATION PROCESSING SERVICES

Trust Council: March 13, 1993

Amended: June 13, 2002; June 10, 2004

A: PURPOSE:

1. This policy is intended to distinguish services along a continuum from property tax subsidy to applicant cost responsibility. It provides the parameters for application processing services by which service levels can be distinguished as a basis for preparing the Fees Bylaw and Schedule.

B: REFERENCES:

1. *Local Government Act: S.931*
2. Trust Council Model Fees Bylaw

C: DEFINITIONS:

1. APPLICATION PROCESSING SERVICES include:

- 1.1. **Amendments** to an Official Community Plan, Zoning Bylaw, Subdivision Bylaw or Land Use Bylaw.
- 1.2. **Requests** for Development, Development Variance, or Commercial/ Industrial Temporary Use Permits, Soil Removal and Deposit Permits, Board of Variance, and Liquor Licensing Permits and Siting & Use Permits.
- 1.3. **Comments** on applications referred from other agencies.

2. SERVICE LEVELS are defined as follows:

- 2.1. **Information Service** providing an information service to applicants and the general public at no cost, as a public service, and funded by property taxation revenues.
- 2.2. **Processing Service** providing a specific service to applicants as a direct response to an application and primarily funded by an established fees paid by an applicant.
- 2.3. **Extraordinary Processing Service** providing a planning review related service to an applicant beyond the standard processing service with funding provided by the applicant or through a cost recovery agreement.

D: POLICY:**1. SERVICE LEVEL - DETAILS****1.1. Information Service – No Fee Required**

- i. The service level below indicates the information services which will be provided to an applicant as a public service:
 - 1) information on application process requirements including a meeting with staff
 - 2) assistance to complete an application
 - 3) determination of applicable fees
 - 4) identification of potential issues to be addressed
- ii. **Funding Basis:** These services are funded 100% by property tax revenues.

1.2. Processing Service – Application Fee Required

- i. The service levels below indicate specific services that will be provided to an applicant who has paid an application processing fee:
 - 1) comprehensive staff assessment
 - 2) staff referral to other agencies, advisory planning commissions, and analysis of their comments
 - 3) discussions between planners and applicant throughout process as required
 - 4) bylaw or resolution drafting including review for compatibility with Trust object and policies and the relevant Official Community Plan
 - 5) one community information meeting with planning staff present
 - 6) notification of public hearing including cost of placing ad
 - 7) conducting one public hearing with staff present
 - 8) staff report with recommendation for LTC approval consideration
 - 9) processing bylaws through Executive Committee for approval consideration, if necessary

- 10) forwarding to Minister of Community, Aboriginal and Women's Services for approval consideration, if necessary
 - 11) adoption of all bylaws or issuing of permits as required.
- ii. **Funding Basis:** These services are funded primarily through fees as per a local trust committee's Fees Bylaw. The fees will be based on average processing costs as per Section 931 of the *Local Government Act*. Actual costs of processing an application may be less or greater than the established fee for that application. These costs are calculated as the product of staff labour costs X processing time (including Planner, and administrative support positions), adding to this other direct costs such as mapping expenses, registration fees, travel expenses and advertising, then multiplying the total by a factor which incorporates the indirect costs such as general administration and overhead.
- iii. **Fee Adjustments:** A local trust committee may enact variances to Trust Council's Model Fee Schedule of up to 20% when adopting a local trust committee fees bylaw. The following criteria must be considered when evaluating a fee variance:
- the level of community benefit offered by the type of application
 - availability of LTC approved design guidelines for projects requiring development permits
 - an amendment to an approved application occurring within 6 months of the approval date

Variance to a fees bylaw must be adopted by bylaw amendment. All local trust committee fees bylaws and fees bylaw amendments must be approved by the Executive Committee before adoption by a local trust committee. Executive Committee may consider requests for adjustments greater than 20%. Fee variances must be adopted by December 31 annually and can only be implemented on April 1 of the following year and following Trust Council's budget approval.

1.3. Extraordinary Processing Service – Cost Recovery Agreement Required

- i. The service activities below indicate services beyond the scope of a general processing service and the required fees and require that additional fees be paid on the basis of a cost recovery agreement between the Islands Trust and an applicant:
 - 1) covenant development
 - 2) continuous dedicated staffing
 - 3) additional public consultation including community information meetings, advisory planning commission meetings and public hearings
 - 4) technical assessments or studies as required by the LTC

- 5) retaining special technical assistance required by the LTC
 - 6) legal counsel services required for the application
 - 7) process agreement negotiation
 - 8) other resources and/or services required by the LTC to process the application
 - 9) accelerated timeframe to process the application
- ii. **Funding Basis:** These additional services are funded by an applicant via a cost recovery agreement in addition to any applicable fee established in the fee bylaw.