



Islands Trust

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

FEES BYLAW NO. 173, 2007

AS AMENDED BY NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAWS:

205 and 219

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Certified copies of the Land Use Bylaw are available from the Islands Trust Office,
#200 - 1627 Fort Street, Victoria, B.C. V8R 1H8

Consolidated: February 21, 2019

BYLAW AMENDMENTS

This copy is consolidated for convenience only and includes the following **Text Amendments only**

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 205	Amendment No. 1, 2016	April 6, 2017
Bylaw No. 219	Amendment No. 1, 2018	January 31, 2019

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 173

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications.

WHEREAS Section 931 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections;

NOW THEREFORE the North Pender Island Local Trust Committee, being the trust committee having jurisdiction in respect of the North Pender Island local trust area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. Citation

1.1 This bylaw may be cited as the "North Pender Island Local Trust Committee Fees Bylaw No. 173, 2007".

2. Interpretation

2.1 In this bylaw:

"Applicant" means the person authorized under the North Pender Island Trust Committee Procedures Bylaw No. 72, 1992 to make the application;

"Islands Trust" means the Director of Local Planning or his/her authorized representative;

"Application Fee" means the monetary amount payable to the "Islands Trust".

3. Application Fees

3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to the Islands Trust the corresponding application fee in the amount shown in Column 2 of Table 1, Table 2, Table 3 or Table 4.

TABLE 1 – Bylaw Amendments	
Column 1	Column 2
1. Official Community Plan amendment	\$4,400
2. Official Community Plan amendment in combination with a consistent application for amendment to a Land Use Bylaw	\$5,500
3. Land Use Bylaw, Zoning Bylaw or Subdivision Bylaw amendment	\$4,400
4. Land Use Contract amendment	\$4,400

TABLE 2 – Permits	
Column 1	Column 2
1. Development permit in respect of a protection area	\$200
2. Development permit in respect of a commercial revitalization area	\$550
3. Development permit in respect of form and character area	\$850
4. Development permit amendment	\$165
5. Development permit in combination with a companion application for a development variance permit in respect of a residential development	\$770
6. Development permit in combination with a companion application for a development variance permit in respect of a commercial, industrial or institutional development	\$990
7. Development variance permit in respect of a residential development	\$715
8. Development variance permit in respect of a commercial, industrial or institutional development	\$935
9. Heritage alteration permit	\$1,100
10. Temporary Use Permit	\$1,100
11. Temporary Use Permit in respect of a short term vacation rental	\$900
12. Temporary Use Permit renewal (including in respect of a short term rental)	\$165
13. Soil Deposit and Removal Permit non commercial	\$220
14. Soil Deposit and Removal Permit commercial	\$550

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TABLE 3 – Subdivision Referrals	
Column 1	Column 2
1. Application for subdivision review – first parcel	\$1,100
2. Application for subdivision review - every additional parcel that would be created by the proposed subdivision	\$110
3. Application for subdivision review - parcel line adjustments only, creating no additional parcels	\$330

TABLE 4 – Other Applications	
Column 1	Column 2
1. Board of Variance	\$990
2. Strata Conversion	\$1,100
3. Liquor & Cannabis Regulation Branch – Liquor Licensing Applications	\$825
4. Liquor & Cannabis Regulation Branch – Non-Medical Cannabis Retail License Applications	\$4,000

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3.2 An application administration fee in the amount of \$110.00 being a portion of the fee referred to in Table 1 is not refundable in any event.

- 3.3 An application administration fee in the amount of ~~\$55.00~~ being a portion of the fee referred to in Table 2, Table 3 and Table 4 is not refundable in any event.
- 3.4 Subject to Section 3.3 and Section 3.4, if an application is not processed for any reason, the Islands Trust must refund to the applicant the application fee.
- 3.5 In the event a public hearing is not held in respect of an application referred to in Table 1, the applicant shall be entitled to a refund in the amount of \$1,650.

4. Extraordinary Costs

- 4.1 In the event the costs of processing, inspection, advertising and administration in respect of an application are estimated by the Islands Trust to exceed 150% (percent) of the applicable fee, the Applicant shall pay to the Islands Trust prior to the processing of the application the estimated actual costs of processing, site inspection, advertising and administration.
- 4.2 To the extent the amount paid under Subsection 4.1 exceeds the actual costs of processing, inspection, advertising and administration related to the application, the Islands Trust shall refund the excess amount to the Applicant.
- 4.3 To the extent the amount paid under Subsection 4.1 is less than the actual costs of processing, inspection, advertising and administration, the Islands Trust shall invoice the Applicant for the excess amount which shall become a debt due and payable to the "Islands Trust".

5. Severability

- 5.1 In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the bylaw remains in force and in effect.

6. Repeal

- 6.1 "North Pender Island Local Trust Committee Fees Bylaw No. 159, 2004", is repealed upon adoption of this bylaw.

READ A FIRST TIME this 30th day of August , 2007.

READ A SECOND TIME this 30th day of August , 2007.

READ A THIRD TIME this 30th day of August , 2007.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST
this 9th day of October , 2007.

ADOPTED this 25th day of October , 2007

Chairperson

Deputy Secretary