



Islands Trust

# Denman Island Fees Bylaw

## Bylaw No. 181, 2007

As amended by the  
Denman Island Local Trust Committee

### **Consolidated Version: October 31, 2018**

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

For reference to original bylaw and amendments,  
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*Preserving Island communities, culture and environment*

## CONSOLIDATED BYLAW TEXT 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. 187	Amendment No. 1, 2009	January 20, 2009
Bylaw No. 221	Amendment No. 1, 2016	November 15, 2016
Bylaw No. 226	Amendment No. 1, 2017	September 14, 2017
Bylaw No. 230	Amendment No. 1, 2018	October 9, 2018

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 181

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

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

**Citation**

This bylaw may be cited as the "Denman Island Local Trust Committee Fees Bylaw, 2007".

**Interpretation**

2.1 In this bylaw:

"Applicant" means the person authorized under the Denman Island Trust Committee Development Procedures Bylaw No. 71, 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.

<b>TABLE 1 – Bylaw Amendments</b>	
<b>Column 1</b>	<b>Column 2</b>
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	\$4,950
3. Land Use Bylaw or Zoning Bylaw or Subdivision Bylaw Amendment	\$4,400
4. Land Use Bylaw Amendment for the purpose of rezoning a property for use as affordable housing	\$1,000
5. Land Use Contract amendment	\$4,400
6. Amendments to an Official Community Plan to transfer density into or out of the Density Bank in conjunction with a land use bylaw amendment	\$4,000

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<b>TABLE 2 – Permits</b>	
<b>Column 1</b>	<b>Column 2</b>
<b>Development Permits</b>	
1. Development Permit (protection areas)	\$440
2. Development Permit (form and character areas)	\$660
3. Development Permit amendment	\$165
<b>Development Variance Permits</b>	
4. Development Variance Permit (residential)	\$715
5. Development Variance Permit (commercial, industrial, or institutional)	\$935
<b>Temporary Use Permits</b>	
6. Temporary Use Permit (commercial and industrial uses)	\$1,100
7. Temporary Use Permit (other than commercial and industrial uses)	\$440
8. Temporary Use Permit renewal	\$165
<b>Siting and Use Permits</b>	
9. Siting and Use Permit	\$220
<b>Companion Applications</b>	
10. Development Permit in combination with a companion application for a Development Variance Permit (residential)	\$770
11. Development Permit in combination with a companion application for a Development Variance Permit (commercial, industrial, or institutional)	\$935
12. Siting and Use Permit in combination with a companion application for a Development Variance Permit (residential)	\$715
13. Siting and Use Permit in combination with a companion application for a Development Variance Permit (commercial, industrial, or institutional)	\$935
14. Siting and Use Permit in combination with a companion application for a Development Permit (protection area)	\$550
15. Siting and Use Permit in combination with a companion application for a Development Permit (form and character areas)	\$660
16. Siting and Use Permit in combination with a companion application for a Temporary Use Permit (commercial and industrial uses)	\$1,100
17. Siting and Use Permit in combination with a companion application for a Temporary Use Permit (other than commercial and industrial uses)	\$440

<b>TABLE 3 – Subdivision Referrals</b>	
<b>Column 1</b>	<b>Column 2</b>
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

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

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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 3.2 and Section 3.3, 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 Denman Island Local Trust Committee Fees Bylaw, 2004 is repealed upon adoption of this bylaw.

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READ A FIRST TIME this 12<sup>th</sup> day of June , 2007.

READ A SECOND TIME this 10<sup>th</sup> day of July , 2007.

READ A THIRD TIME this 10<sup>th</sup> day of July , 2007.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST  
this 7<sup>th</sup> day of August , 2007.

ADOPTED this 11<sup>th</sup> day of September , 2007.

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Chairperson

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Secretary