

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2658

A bylaw to establish Application Procedures and Administrative Fees
for Greater Vernon Water Subdivision and Development

WHEREAS Section 794 [*Procedure, bylaws and enforcement*] of the *Local Government Act*, states that the Board of the Regional District of North Okanagan must establish, by bylaw, general procedures to be followed by the Regional Board and Board committees to conduct the business of the Board;

AND WHEREAS the Regional District of North Okanagan Regional Board has adopted a Greater Vernon Water Subdivision and Development Servicing Bylaw;

AND WHEREAS the Regional Board is desirous to adopt a bylaw defining procedures under which an owner of land may apply for the issuance of a development variance permit under Part 26, Division 11 of the *Local Government Act*, in accordance with Section 922 [*Development Variance Permits*] of the *Local Government Act*,

AND WHEREAS in accordance with Section 363 [*Imposition of fees and charges*] and Section 931 [*Fees related to applications and inspections*] of the *Local Government Act*, the Regional Board is desirous of establishing fees and charges which more accurately reflect cost recovery for services provided;

NOW THEREFORE, the Board of the Regional District of North Okanagan, in open meeting assembled, hereby **ENACTS AS FOLLOWS**:

1. TITLE

This Bylaw may be cited as the “**Greater Vernon Water Subdivision and Development Servicing Application Procedures and Administrative Fees Bylaw No. 2658, 2015**”.

2. DEFINITIONS

In this bylaw;

“**Applicant**” means an owner of land or authorized agent applying for approval of an amendment to a Regional District Bylaw through the issuance/amendment of a development variance permit under Part 26, Division 11 of the *Local Government Act*.

“**GVW or GVWU**” means the Greater Vernon Water Service as established by *Regional District of North Okanagan – Greater Vernon Regional Water Supply Local Service Establishment Bylaw No. 1262, 1994* and amendments thereto.

“**Regional Board**” means the Board of Directors of the Regional District of North Okanagan.

“**Regional District**” means the Regional District of North Okanagan as described in its Letters Patent and amendments thereto.

“**Security Deposit**” means an unconditional Irrevocable Letter of Credit, bank draft or cash drawn on a chartered bank in Canada in a form acceptable to the Regional District.

3. SCOPE

This bylaw applies to:

Subdivision and Development Servicing Application Fees related to:

3.1 The issuance and amendment of Development Variance Permits.

Administrative Fees related to:

3.2 Fees associated with the following administrative functions:

- a) Various photocopying fees (Minutes, Bylaws, Maps, etc.)
- b) Title Searches
- c) Document Retrieval
- d) NSF Cheques

4. FEES

At the time of submission of an application for a development variance permit, and from time to time during the processing of the application as set out below, the applicant shall pay to the Regional District fees in the amount as set out in Schedule “A” of this Bylaw.

5. PROCESSING OF APPLICATIONS

In addition to any requirements contained in the *Local Government Act* and *Community Charter*, the following shall be the requirements of the Regional District:

The General Manager Engineering, or his designate, shall process every application and a report shall be presented to the Regional Board. The report shall:

- a) State the purpose of the application;
- b) Contain a recommendation on whether or not the application should be approved in principle or denied and sufficient rationale to support the recommendation;
- c) Contain a map locating the property;
- d) State the proposed security deposit to be posted by the applicant, if any; and,
- e) Provide any additional relevant information.

5.1 Development Variance Permit Applications

- 5.1.1 An application submitted for issuance or amendment of a Development Variance Permit shall be submitted in the form prescribed by the Regional District, and must be accompanied by the fee outlined in Schedule “A”.

- 5.1.2 The application shall include:
- a) Completed application form;
 - b) Current copy of a Certificate of Title for the affected property(s), together with copies of any charges registered against the title of the property;
 - c) Written explanation for the proposed variance(s);
 - d) Written explanation of the benefit which would accrue to the public in consideration of the application;
 - e) A plan drawn to scale showing the proposed development;
 - f) Signed and sealed engineering report and/or drawings in support of the proposed application; and,
 - g) Additional information requested by the General Manager, Engineering, or designate in order to evaluate the application.

5.1.3 Development Approval Information

The General Manager Engineering, or designate, may require the applicant to provide development approval information pursuant to the *Local Government Act*. A report may be required, at the applicant's expense, from a qualified professional on the following with respect to considering an application for a Development Variance Permit:

- a) Assessment of the capacity of the GVW system for the subject property;
- b) Impact and assessment on GVW infrastructure;
- c) Impact or need for extension for GVW services;
- d) Assessment of fire flows required under the Fire Underwriters' Survey and fire flow available to the subject property;
- e) Computerized water modelling of the area surrounding the subject property to ensure adequate water supplies are available for the proposed development without compromising water supply and pressure for existing development; and
- f) Provide engineering estimates for all proposed works and where waterworks are waived under this development permit application.

5.1.4 Public Information Meetings and Notice Requirements

- a) When an application has been approved in principle by the Regional Board, subject to the applicant holding a Public Information Meeting, the applicant shall cause said meeting to be held in accordance with current Board policy on holding Public Information Meetings together with payment of the applicable fee outlined in Schedule "A".
- b) When an approval requires public notification, that notice shall comply with Section 922 [*Development Variance Permits*] of the *Local Government Act*. Notice shall be mailed or otherwise delivered to all registered property owners of land situated within 30 metres from that part of the area that is subject to the application. The notice shall be sent by the Regional District.

- 5.1.5 The issued Development Variance Permit shall be in the form approved by the Regional District from time to time.

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW NO. 2658 - SCHEDULE OF FEES

Development Variance Permit Application Fees

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|--------------------------------|------------------------------|
| 1. Development Variance Permit | \$1,100.00 |
| 2. Public Information Meeting | \$500.00 for each occurrence |

Administrative Fees

- | | |
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| 1. Minutes | \$0.25 per page |
| 2. Bylaw Extracts | \$0.25 per page |
| 3. Bylaws (Excluding Maps) | \$3.00 for 19 or less pages
\$5.00 for 20 to 59 pages
\$10.00 for more than 60 pages |
| 4. Photocopies | \$0.25 per page |
| 5. Title Searches (current CoT BC Online) | \$20.00 |
| 6. Document Retrieval (BC Online) | \$30.00 |
| 7. Maps | 8.5 x 11 photocopies \$3.00
11 x 17 photocopies \$4.00
18 x 24 photocopies \$5.00
24 x 36 photocopies \$6.00
Coloured Map \$15.00
Oversize Map \$2.50 per lineal foot
Plot Plans \$3.00 each
8.5 x 11 Colour Orthophotos \$5.00 each
Fax Service \$2.00 each |
| 8. NSF Cheque | \$25.00 |