

## THE CORPORATION OF THE CITY OF DAWSON CREEK

### BYLAW NO. 4094

A Bylaw of the Corporation of the City of Dawson Creek (hereinafter called "the City") to establish procedures to amend the Official Community Plan or the Zoning Bylaw or to issue a permit under Part 26 of the Local Government Act.

Whereas, the Council of the City has adopted an Official Community Plan and a Zoning Bylaw;

And whereas, the Council of the City has designated areas within which Temporary Use Permits or Development Permits are required;

And whereas, the Council of the City shall, under Part 26 of the Local Government Act, by bylaw establish procedures to amend a plan, bylaw or issue a permit and impose application fees for such applications;

Now therefore, the Council of the City enacts as follows:

1. This Bylaw may be cited for all purposes as "**THE CITY OF DAWSON CREEK LAND USE PROCEDURES BYLAW NO. 4094, 2010**" and comes into effect on the date of adoption.
2. This bylaw shall apply to:
  - a) An Official Community Plan or Zoning Bylaw amendment, or;
  - b) Development Variance Permits, Temporary Use Permits or Development Permits.
3. **Application**
  - a) Applications for an amendment or a permit shall be made by the owner of the land or by a person authorized by the owner;
  - b) Applications for amendments or permits shall be submitted to the Director of Infrastructure & Sustainable Development, or their designate, on the applicable form provided by the City;
  - c) Application fees, in accordance with the attached schedule, are payable to the City of Dawson Creek at the time of application submission. Review of an application will only proceed when all fees have been paid in full;
  - d) Applications will not be considered complete until all the necessary attachments and fees have been received by the City;
  - e) The City reserves the right to defer an application to obtain additional or alternative information;
4. **Process**
  - a) Every application shall be processed by the Director Infrastructure & Sustainable Development, or their designate, who shall present a report to Council for its consideration;

- b) The Council may, upon receipt of the report:
  - i) In the case of Development Permits, Development Variance Permits or Temporary Use Permits:
    - a) Authorize the issuance of the permit;
    - b) Authorize the issuance of the proposed permit as amended by the Council in its resolution;
    - c) Refuse to authorize the issuance of the permit.
  - ii) In the case of bylaw amendments:
    - a) Proceed with an amendment bylaw;
    - b) Proceed with an amendment bylaw as amended by the Council in its resolution;
    - c) Reject the application.
  - c) Where an application, amendment bylaw or a permit has been refused by the Council, the Director of Infrastructure & Sustainable Development, or their designate, shall notify the applicant in writing within fifteen (15) days immediately following the date of refusal.

## 5. **Notification**

- a) In the case of Development Permits:
  - i. Prior to issuance of the Development Permit, mail or otherwise deliver written notice of the proposed Development Permit to:
    - a) The applicant and/or registered owner of the subject property;
    - b) The owners and occupiers of all real property within 30 metres of the subject property.
- b) In the case of Official Community Plan Amendments:
  - i. Provide notice of a Public Consultation Session and a Public Hearing to:
    - a) The applicant and/or registered owner of the subject property;
    - b) The owners and occupiers of all real property within 30 metres of the subject property.
  - ii. Publish the notice in accordance with Section 892 of the Local Government Act.
- c) In the case of Zoning Amendments:
  - i. Provide notice of a Public Hearing to:
    - a) The applicant and/or registered owner of the subject property;
    - b) The owners and occupiers of all real property within 30 metres of the subject property.
  - ii. Publish the notice in accordance with Section 892 of the Local Government Act.
- d) In the case of Development Variance Permits:

- i. Prior to issuance of the Permit, mail or otherwise deliver written notice that the City proposes to pass a resolution to issue a permit to:
  - a) The applicant and/or registered owner of the subject property;
  - b) The owners and occupiers of all real property sharing a common boundary with the subject property.
- e) In the case of Temporary Use Permits:
  - i. Prior to issuance of the Permit, mail or otherwise deliver written notice that the City proposes to pass a resolution to issue a permit to:
    - a) The applicant and/or registered owner of the subject property;
    - b) The owners and occupiers of all real property sharing a common boundary with the subject property.
  - ii. Publish the notice in accordance with Section 921 of the Local Government Act.
- 9. This Bylaw shall repeal the following bylaws and all amendments:
  - (i) Procedures Bylaw No. 3396, 1999.
  - (ii) Procedures Amendment Bylaw No. 3773, 2004.
  - (iii) Procedures Amendment Bylaw No. 3961, 2007.
  - (iv) Procedures Amendment Bylaw No. 3986, 2008.
- 10. If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portion of this bylaw.

**READ** a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**READ** a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**READ** a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

<p><b>CERTIFIED A TRUE AND CORRECT COPY</b> of Bylaw No. 4094 cited as "LAND USE PROCEDURES BYLAW NO. 4094, 2010".</p>  <p>_____          Brenda Ginter          Director of Corporate Administration</p>
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The Corporate Seal of **THE CORPORATION OF THE CITY OF DAWSON CREEK** was affixed in the presence of:

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Mike Bernier – Mayor

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Brenda Ginter – Director of Corporate Administration

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BYLAW NO. 4094**

**Schedule of Fees**

	<b><u>TOTAL FEE</u></b>
Development Permit	\$400.00
Development Variance Permit	\$300.00
Official Community Plan Amendments	\$1,300.00
Temporary Use Permit	\$400.00
Temporary Use Permit Renewal	\$200.00
Zoning Amendments	\$1,300.00
Combined OCP/Zoning Amendment	\$2,000.00

\*Includes advertising costs