

THE CORPORATION OF THE CITY OF DAWSON CREEK

BYLAW NO. 4394

A bylaw of the Corporation of the City of Dawson Creek to establish procedures to amend the Official Community Plan or the Zoning Bylaw or to issue a permit under Part 14 of the *Local Government Act*.

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

AND WHEREAS, the Council of the City of Dawson Creek has designated areas within which Temporary Use Permits and Development Permits are required;

AND WHEREAS, the Council of the City of Dawson Creek wishes to establish procedures to amend the Official Community Plan or Zoning Bylaw or issue a permit and to impose application fees for such application;

NOW THEREFORE, the Council of the City of Dawson Creek enacts as follows:

SECTION 1 - TITLE

1.1 This bylaw may be cited as “**LAND USE PROCEDURES BYLAW NO. 4394, 2018**”.

SECTION 2 - DEFINITIONS

2.1 In this bylaw the following words and terms have the following meanings assigned to them:

“**Application**” means an application for an amendment to the Official Community Plan or Zoning Bylaw or for a Land Use Permit;

“**City**” means the Corporation of the City of Dawson Creek;

“**Land Use Permit**” means a permit issued under Part 14 of the *Local Government Act* and includes a Development Permit, Development Variance Permit, and Temporary Use Permit.

SECTION 3 – APPLICATIONS

3.1 Applications shall be made by the owner of the land or by a person authorized by the owner.

3.2 Applications shall be submitted to the General Manager of Development Services or their designate, on the applicable form provided by the City.

3.3 Application fees, in accordance with the attached schedule, are payable to the City at the time of application submission.

3.4 Applications will not be considered complete and will not be processed until all the necessary attachments and fees have been received by the City.

3.5 The City reserves the right to defer an application to obtain additional or alternative information.

SECTION 4 – DELEGATION

4.1 Council delegates its authority to issue and amend Development Permits to the General Manager of Development Services, except where an application has received a comment of a negative nature from a member of the public.

4.2 Where the General Manager of Development Services has amended or denied a Development Permit, the owner of the land is entitled to have Council reconsider the decision of the General Manager of Development Services and such reconsideration shall follow the process as outlined in Section 5 – Process.

SECTION 5 – PROCESS

5.1 Every application, except applications delegated to the General Manager of Development Services under Section 4 – Delegation, shall be processed by the General Manager of Development Services or their designate who shall present a report to Council for its consideration.

5.2 Council may, upon receipt of a report regarding an application:

- a. In the case of a Land Use Permit:
 - i. Authorize the issuance of the permit;
 - ii. Authorize the issuance of the permit as amended by Council in its resolution;
 - iii. Refuse to authorize the issuance of the permit.

- b. In the case of an amendment to the Official Community Plan or Zoning Bylaw:
 - i. Proceed with the amendment bylaw;
 - ii. Proceed with an amendment bylaw as amended by Council in its resolution;
 - iii. Reject the application.

5.3 Where an application has been refused or rejected by Council, the General Manager of Development Services, or their designate, shall notify the owner in writing within fifteen (15) days immediately following the date of refusal or rejection.

SECTION 6 – NOTIFICATION

6.1 At least ten (10) days prior to issuance of a Development Permit or Development Variance Permit, the General Manager of Development Services, or their designate, must mail or otherwise deliver written notice of the proposed Development Permit to:

- a. The applicant and/or registered owner of the subject property; and
- b. The owners and occupiers of all real property within thirty (30) metres of the subject property.

- 6.2 Prior to a Public Hearing for an amendment to an Official Community Plan or Zoning Bylaw, the General Manager of Development Services, or their designate, must:
 - a. Mail or otherwise deliver written notice of the Public Hearing to:
 - i. The applicant and or registered owner of the subject property; and
 - ii. The owners and occupiers of all real property within 30 metres of the subject property.
 - b. Publish the notice in accordance with the *Local Government Act*.

- 6.3 Prior to the issuance of a Temporary Use Permit, the General Manager of Development Services, or their designate, must:
 - a. Mail or otherwise deliver written notice of the Temporary Use Permit to:
 - i. The applicant and/or the registered owner of the subject property; and
 - ii. The owners and occupiers of all real property within thirty (30) metres of the subject property.
 - b. Publish the notice in accordance with the *Local Government Act*.

SECTION 7 – ADMINISTRATIVE

- 7.1 Schedule 'A' is attached to and forms part of this bylaw.

- 7.2 If any portion of this bylaw is declared invalid by a court, the invalid portion shall be severed and the remainder of the bylaw is deemed valid.

- 7.3 Land Use Procedures Bylaw No. 4094, 2010 and all amendments thereto are hereby repealed.

READ a first time this 17th day of September, 2018.

READ a second time this 17th day of September, 2018.

READ a third time this 17th day of September, 2018.

ADOPTED this 1st day of October, 2018.

CERTIFIED A TRUE AND CORRECT COPY of Bylaw No. 4394 cited as "LAND USE PROCEDURES BYLAW NO. 4394, 2018".

ORIGINAL SIGNED BY

Brenda Ginter
Corporate Officer

The Corporate Seal of **THE CORPORATION OF THE CITY OF DAWSON CREEK** was affixed in the presence of:

ORIGINAL SIGNED BY

Dale Bumstead - Mayor

ORIGINAL SIGNED BY

Brenda Ginter – Corporate Officer

SCHEDULE 'A'

Schedule of Fees

	<u>Fees*</u>
Development Permit	\$400.00
Development Variance Permit	\$300.00
Official Community Plan Amendment	\$1,300.00
Temporary Use Permit	\$400.00
Temporary Use Permit Renewal	\$200.00
Zoning Bylaw Amendment	\$1,300.00
Combined Official Community Plan and Zoning Bylaw Amendment	\$2,000.00

*includes advertising fees