

**THE VILLAGE OF FRASER LAKE
DEVELOPMENT APPROVAL PROCEDURES BYLAW NO. 684, 2008**

A Bylaw to establish development approval and notification procedures.

A Bylaw of The Corporation of the Village of Fraser Lake (hereinafter called "the Village") to establish procedures to amend an Official Community Plan or a Zoning Bylaw or to issue a permit under Section 920 of the Local Government Act.

WHEREAS PART 26 of the *Local Government Act* provides for applications for amending an official community plan, a zoning bylaw, a land use contract, the issuance of development permits, development variance permits, and temporary use permits, the review of subdivisions, the establishment of procedures pertaining to these, and the notification of property owners;

AND WHEREAS Section 895 of the *Local Government Act* provides that where a local government has adopted an official community plan or a zoning bylaw, the local government must, by bylaw, define procedures under which an owner of land may apply for an amendment to the plan or bylaw or for the issuance of a permit under Part 26 of the *Local Government Act*;

NOW THEREFORE, The Council of the Village of Fraser Lake, in open meeting assembled, enacts the following:

1. SHORT TITLE

1.1 This bylaw may be cited for all purposes as the "Village of Fraser Lake Development Approval Procedures Bylaw No. 684, 2008".

2. SCOPE

2.1 This bylaw shall apply to the following:

- (a) an official community plan, a zoning bylaw; and
- (b) development variance permits, temporary commercial use permits and temporary industrial use permits.

3. APPLICATIONS

3.1 Application for amendments or permits shall be submitted by the registered owner of the subject property or by a person authorized to act on behalf of the registered owner.

3.2 Applications for amendments or permits shall be made to the Municipal Clerk on the applicable form.

4. FEES

4.1 At the time of application for an amendment or a permit, the applicant shall pay to the Village of Fraser Lake an application fee in the amount set out below.

- (a) Development Variance Permit - \$100.00
- (b) Zoning Amendment - \$300.00
- (c) Official Community Plan Amendment - \$300.00

5. GENERAL PROVISIONS

5.1 Every application shall be processed by the Municipal Clerk or designated official who shall prepare a report for Council's consideration. The report shall:

- (a) contain a copy of the application;
- (b) contain a copy of the proposed amendment bylaw or proposed permit and recommendations;
- (c) specify whether or not the approval of the Minister of Transportation under Section 52 of the *Transportation Act* or Section 924 of the *Local Government Act* is required; and
- (d) state the proposed security to be posted by the client if any.

5.2 Upon receipt of the report under Section 5.1 of this bylaw, Council may:

- (a) proceed with an amendment bylaw;
- (b) reject the application to amend the Official Community Plan or Zoning bylaws;
- (c) authorize the issuance of a permit;
- (d) authorize the issuance of a permit as amended by Council; or
- (e) refuse to authorize the issuance of a permit.

5.3 An officer or authorized employee of the municipality must mail or otherwise deliver notice of a proposed Council consideration of a development variance permit to the owners and tenants in occupation of all lots, any part of which is:

- (a) the subject of the proposed permit; or

(b) located within 30 m from the land that is the subject of the proposed permit.

5.4 Where an amendment bylaw alters the permitted use or density of an area, and the *Local Government Act* requires that notice of the public hearing must be mailed or otherwise delivered to the owners and tenants in occupation of land, the notice must be given to the owners and tenants in occupation of all lots:

(a) any part of which is subject of the bylaw alteration; or

(b) located within 30 m from the land that is subject of the bylaw alteration.

5.5 The notification outlined in section 5.4 is not required if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration.

5.4 Where an application, amendment bylaw or a permit has been refused by Council, the Municipal Clerk or designated official shall notify the applicant in writing within fifteen days following the date of refusal and shall provide reasons for the refusal.


5.5 Pursuant to Section 895(3) of the *Local Government Act*, reapplication for an amendment or permit that has been refused by Council shall not be considered within a six month period following the date of refusal, unless varied by an affirmative $\frac{2}{3}$ vote by local government members eligible to vote on the reapplication.

READ A FIRST TIME this 27th day of ^{see} Aug, 2008.

READ A SECOND TIME this 27th day of Aug, 2008.

READ A THIRD TIME this 22nd day of Aug, 2008.

ADOPTED this 10th day of Sept, 2008.


MAYOR


CORPORATE OFFICER

*Certified a true copy of
Bylaw 684, 2008 as
adopted this 10th day
of September, 2008*

³
*Donna Ward
Clerk/Treasurer*

Sept 11, 2008