



## DISTRICT OF SOOKE

### BYLAW No. 255

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#### CONSOLIDATED FOR REFERENCE OCTOBER 28, 2008

BYLAW No. 255, *DEVELOPMENT PROCEDURES BYLAW, 2007*  
BYLAW No. 378, *DEVELOPMENT PROCEDURES AMENDMENT BYLAW (255- 1)*

THIS BYLAW IS PROVIDED FOR REFERENCE PURPOSES ONLY AND IS NOT TO BE RELIED UPON IN MAKING FINANCIAL OR OTHER COMMITMENTS. COPIES OF THE ORIGINAL BYLAW AND AMENDMENTS MAY BE VIEWED AT THE DISTRICT OF SOOKE MUNICIPAL HALL.

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A bylaw to establish procedures and fees for applications to amend the official community plan bylaw and the zoning bylaw and the issuance of permits under Part 26 of the *Local Government Act*.

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The Council of the District of Sooke, in open meeting assembled, enacts as follows:

1. This Bylaw is cited as the *Development Procedures Bylaw, 2007*.

#### **Applications and Notifications**

2. An owner of land may apply to amend the official community plan bylaw or zoning bylaw, or for a permit under Part 26 of the *Local Government Act*, under the procedures set out in this Bylaw.
3. For the purposes of the notice requirements under the *Local Government Act*, the notice of the public hearing or Council meeting at which a bylaw or development variance or temporary use permit application will be considered must be mailed or otherwise delivered to owners and tenants who are in occupation of each parcel any part of which is the subject of the application, or within 100 metres of any part of the land that is the subject of the application. If 10 or more parcels owned by 10 or more persons are subject of the bylaw, then a mailed notice is not required.
4. An application shall be:

- (a) signed by the owner of each parcel of land that is the subject of the application or by a person authorized in writing by the owner to act as his or her agent for the purpose of making the application;
  - (b) made on the application form prescribed by the Director of Planning;
  - (c) accompanied by the information required by the Director of Planning; and
  - (d) accompanied by the applicable fees set out in Schedule A to this Bylaw, which fees are not refundable except to the extent that they relate to a public hearing that is not held or a public notice that is not given.
5. An application is considered abandoned and the application fee forfeited to the District in its entirety if the Director of Planning requests the applicant to provide information required to permit the application to be processed, and such information has not been provided within one year of the request.
6. The applicant must display a sign provided by the District on every highway frontage of every parcel of land or group of contiguous parcels of land that is the subject of an application to amend the official community plan bylaw or the zoning bylaw. In particular the applicant must:
- (a) pay to the District the amount set out in Schedule A to this Bylaw for each sign required;
  - (b) post such signs at locations at which they are legible, within 24 hours of the application being filed with the District, and display them until the date of adoption or date of refusal of the bylaw in the case of an application to amend a bylaw, and until the date of issuance or refusal of the permit in the case of an application for a permit;
  - (c) notify the Director of Planning once signs are posted; and
  - (d) maintain the signs in good and legible condition and replace, at the applicant's expense, any signs that are damaged or removed before the time specified in subsection (b).

### **Re-Application**

7. Where an application to amend the official community plan bylaw or zoning bylaw or for a permit under Part 26 of the *Local Government Act* has been considered and denied by Council, no like application in respect of the

same parcel of land may be made within twelve months of the date it was denied.

### **Change of Ownership**

8. If there is a change of ownership of a parcel of land subject to an application to amend the official community plan bylaw or zoning bylaw or for the issuance of a permit under Part 26 of the *Local Government Act*, the new owner shall immediately notify the District of the change of ownership and assignment of the application.

### **Repeal and Transition**

9. Bylaw No. 85, *Development Application Bylaw, 2002* is repealed, but any application made pursuant to that bylaw prior to the date of adoption of this Bylaw may be processed and dealt with by the Council in accordance with the provisions of that bylaw.

Introduced and read a first time the 23<sup>rd</sup> day of April, 2007.

Read a second time the 23<sup>rd</sup> day of April, 2007.

Amended the 28<sup>th</sup> day of May, 2007.

Read a third time the 28<sup>th</sup> day of May, 2007.

Motion to Adopt defeated on the 9<sup>th</sup> day of June, 2007.

Motion to Adopt Reconsidered on the 9<sup>th</sup> day of July, 2007.

Adopted on the 9<sup>th</sup> day of July, 2007.

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Janet Evans  
Mayor

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Evan Parliament  
Chief Administrative Officer

## SCHEDULE A

### DEVELOPMENT APPLICATION FEES

#### 1. Official Community Plan Bylaw or Zoning Bylaw Amendment Application Fees

	Application Fee	Fee per Public Hearing	Additional Fee Per m <sup>2</sup> of Lot Area
All Single-Family Residential and Institutional Zones	\$2,000	+\$1,200	+\$0.05
All Agricultural, Forestry and Rural Zones	\$2,000	+\$1,200	+\$0.02
All Multiple-Family Residential, Commercial, Industrial and Comprehensive Development Zones	\$2,000	+\$1,200	+\$0.20
Official Community Plan or Zoning Bylaw text amendment	\$2,000	+\$1,200	n/a
Combined Official Community Plan Bylaw and Zoning Bylaw amendment	Total rezoning fees plus 50% of the OCP fees		
Sign Deposit	+\$50.00		

#### 2. Temporary Commercial and Industrial Uses Permit Fees

	Application Fee	Fee per Public Notice
Temporary Use Permit	\$500	+\$1,200

#### 3. Development Variance Permits and Board of Variance Application Fees *(Amended by Bylaw 378 September 18, 2008)*

	Application Fee	Each Additional Variance
Development Variance Permit	\$800	+\$100
Board of Variance	\$250	n/a

**4. Development Permit Application Fees**

	<b>Application Fee</b>	<b>Additional Fee</b>	<b>Each Additional Variance</b>
<b>Form and Character</b>	\$1,000	+\$1.00 per m <sup>2</sup> of Gross Floor Area or +\$200 per Dwelling Unit	+\$100
<b>Environmental or Hazardous Conditions</b>			
Lots less than 4,000 m <sup>2</sup>	\$1,000	+0.12 per m <sup>2</sup> of lot area	
Lots between 4,000 m <sup>2</sup> -2 ha	\$1,000	+0.08 per m <sup>2</sup> of lot area	
Lots greater than 2 ha	\$1,000	+0.06 per m <sup>2</sup> of lot area	
<b>Combined Form and Character and Environmental or Hazardous Conditions</b>	Form and Character Fee + 1/2 of the Environmental Fee		
<b>Development Permit Amendment</b>	\$700	n/a	

**Fees are non-refundable, except in the case where Council denies an Official Community Plan Bylaw and/or Zoning Bylaw amendment or temporary use permit before a public hearing/notice, then the public hearing/notice fee will be refunded to the applicant.**