

BOWEN ISLAND MUNICIPALITY

“BOWEN ISLAND MUNICIPALITY BYLAW NO. 484, 2019”

CONSOLIDATED FOR CONVENIENCE – July 2024

The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

Amendment Bylaw	Date of Adoption
Bylaw No. 526, 2020	October 13, 2020
Bylaw No. 535, 2021	April 12, 2021
Bylaw No. 607, 2023	July 24, 2023
Bylaw No. 656, 2024	July 8, 2024

BOWEN ISLAND MUNICIPALITY

BYLAW NO. 484, 2019

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications.

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose application fees that must not exceed the estimated average costs of processing, inspection, advertising and administration that are usually related to the type of application or other matter to which the fee relates;

NOW THEREFORE be it resolved that the Council for Bowen Island Municipality, in open meeting assembled enacts as follows:

1.0 Citation

- 1.1 This bylaw may be cited as the "Bowen Island Municipality Development Application Fees Bylaw, 484, 2019".

2.0 Interpretation

- 2.1 In this bylaw:

“Applicant” means the person authorized to make the application;

“Manager” means the Manager of Planning and Development or his/her designate;

“Application Fee” is payable to the Bowen Island Municipality.

3.0 Application Fees

- 3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3, or Table 4, the applicant must deliver to Bowen Island Municipality the correspondence application fee in the amount shown in Column 2.

TABLE 1 – Bylaw Amendments	
Column 1	Column 2
1. Official Community Plan Amendment	\$4000
2. Official Community Plan Amendment in combination with a consistent application for amendment to a Land Use Bylaw	\$4500
3. Land Use Bylaw, Zoning Bylaw or Subdivision Bylaw Amendment	\$4000

TABLE 2 – Permits	
Column 1	Column 2
1. Development Permit	\$350
2. Development Permit Amendment	\$250
3. Development Variance Permit	\$900
4. Temporary Use Permit	\$850
5. Temporary Use Permit Renewal	\$350

TABLE 3 – Subdivision Applications	
Column 1	Column 2
1. Subdivision Application Examination and Strata Conversion Approval – first parcel	\$1300
2. Application for Subdivision Review – every additional parcel that would be created by the proposed subdivision	\$150
3. Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	\$800

TABLE 4 – Other Applications	
Column 1	Column 2
1. Liquor and Cannabis Regulation Branch Referral to Local Government	\$900
2. Board of Variance	\$850
3. Liquor and Cannabis Regulation Branch – Non-Medical Cannabis Retail Licence	\$500
4. Liquor & Cannabis Regulation Branch – Temporary Licence Change	\$250
5. Covenant Amendment	\$350
6. Comfort Letter	\$150
7. Property Records provided to Solicitors, lending institutions, real estate agents and other individuals or organizations	\$75
8. Property Record Searches exceeding 1 hour charged an additional fee of:	\$75 for each additional hour

- 3.2 An applicant may withdraw their application at any time through written notice to the Planning Department.
- 3.3 For an application in Table 1 applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned to a planner; 50% refund if the first staff report has

been introduced to Council; 25% refund once public notice of a public hearing or bylaw reading has been sent out, no refund will be provided after a Public Hearing is held or First Reading of an amendment bylaw is given in the case where a Public Hearing is not held.

- 3.4 For applications in Table 2 Table 3 and Table 4, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned to a planner; no refund will be provided if a first staff report has been introduced to Council or Board of Variance, or formal referral response submitted to the relevant agency.
- 3.5 An application for a permit or bylaw amendment to authorize work or an activity already undertaken, or in operation as of the date the application is made, the rate in 3.1 will be subject to a 50% surcharge.

4.0 Extraordinary Costs

- 4.1 In the event the costs of processing, inspection, advertising and administration in respect of an application are estimated by Bowen Island Municipality to exceed 150% (percent) of the applicable fee, the Applicant shall pay to Bowen Island Municipality prior to the processing of the application, the estimated actual costs of processing, site inspection, advertising, administration, and all other costs.
- 4.2 To the extent the amount paid under Subsection 4.1 exceeds the actual costs of processing, site inspection, advertising, administration, and all other costs, Bowen Island Municipality shall refund the excess amount to the Applicant.
- 4.3 To the extent the amount paid under Subsection 4.1 is less than the actual costs of processing, inspection, advertising and administration, Bowen Island Municipality shall invoice the Applicant for the excess amount which shall become a debt due and payable to “Bowen Island Municipality”.

5. Severability

- 5.1 In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the invalid portion shall be severed, and the remainder of this bylaw remains in force and in effect.

6. Repeal

- 6.1 “Bowen Island Municipality Development Fees Bylaw No. 11, 2000” is repealed upon adoption of this bylaw.

READ A FIRST TIME this 25th day of March, 2019;

READ A SECOND TIME this 23rd day of April, 2019;

READ A THIRD TIME this 23rd day of April, 2019; AND

FINALLY ADOPTED this 13th day of May, 2019.

(ORIGINAL SIGNED)

Gary Ander
Mayor

(ORIGINAL SIGNED)

Hope Dallas-Kerr
Corporate Officer