

SUMMARY:

The Development Application Fees Bylaw sets out the fees imposed for development related activities such as rezonings, development permits, development variance permits, heritage alteration permits, board of variance appeals, discharging of land use contracts, and site profiles. It also sets out the fees for the processing of latecomer agreements, engineering and inspection fees for subdivisions, and survey monuments, pursuant to Subdivision, Development & Servicing Bylaw No. 7900 and the Land Title Act and sign permits pursuant to Sign Bylaw No. 8235.

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CITY OF KELOWNA
BYLAW NO. 8034
REVISED: July 21, 2003

CONSOLIDATED FOR CONVENIENCE TO INCLUDE BYLAW NOS. 8154, 8201, 8244, 8202, 8266, 8440, 8326, 8452, 8351, 8644, 8717, 8741, 8749, 8766, 8877, 8889, 8983 and 9039

DEVELOPMENT APPLICATION FEES

The Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as "Development Application Fees Bylaw No. 8034".
2. The fees for Development Applications shall be as shown on Schedule "A" attached to and forming part of this bylaw.
3. "Development Permit Application Fees Bylaw No. 7926" and "Bylaw No. 7973, being Amendment No. 1 to Development Application Fees Bylaw No. 7926" are hereby repealed.
4. This bylaw shall come into full force and take effect and be binding on all persons as and from the date of adoption.

Read a first, second and third time this 17th day of December, 1996.

Adopted by the Municipal Council of the City of Kelowna this 6th day of January, 1997.

"Walter Gray"

Mayor

"D.L. Shipclark"

City Clerk

I HEREBY CERTIFY THIS TO BE A TRUE
CONSOLIDATED COPY OF BYLAW NO.
8034 WHICH INCLUDES AMENDING
BYLAW NOS. 8154, 8201, 8244, 8202,
8266, 8440, 8326, 8452, 8351, 8644, 8717,
8741, 8749, 8766, 8877, 8889, 8983 and
9039

City Clerk, City of Kelowna

Date

BL8266 replaced Schedule "A":

BYLAW NO. 8034 SCHEDULE 'A' – DEVELOPMENT FEES

TABLE 1 – Page 1

DEVELOPMENT CATEGORY	APPLICATION FEE	APC	G.S.T.	TOTAL COST ¹
AREA STRUCTURE PLANS	\$5000.00 base application fee + \$75.00/ha			Up to \$25000.00 Max.
OCP AMENDMENTS	\$1617.00	\$525.00 ³	\$36.75	\$2178.75
COMPREHENSIVE DEVELOPMENT ZONE	\$2965.00	\$525.00 ³	\$36.75	\$3526.75
ZONING AMENDMENTS				
Text Amendments	\$1260.00	\$525.00 ³	\$36.75	\$1821.75
BL8766 replaced the following: A1, RR1, RR2, RR3	\$1260.00	\$525.00 ³	\$36.75	\$1821.75
RU1 to RU6	\$1260.00	\$525.00 ³	\$36.75	\$1821.75
Rezoning to Add "S" Designation for Secondary Suite	\$578.00	0	0	\$578.00
BL8326 added the following category: Rezoning to Add "b" Designation for Boarding or Lodging Houses	\$578.00	0	0	\$578.00
BL8741 added the following category: Rezoning to Add "H" Designation for Hillside Areas	\$1260.00	\$525.00 ³	\$36.75	\$1821.75
BL8983 added the following category: Rezoning to Add "LP" Designation for Liquor Primary Establishment, major	\$578.00	0	0	\$578.00
BL8983 added the following category: Rezoning to Add "RLS" Designation for Retail Liquor Sales All Other Zones	\$578.00 \$1617.00	0 \$525.00 ³	0 \$36.75	\$578.00 \$2178.75
DEVELOPMENT PERMITS				
With APC Review	\$578.00	\$525.00 ³	\$36.75	\$1139.75
Without APC Review	\$578.00	0	0	\$578.00
DEVELOPMENT VARIANCE PERMIT				
With APC Review	\$578.00	\$525.00 ³	\$36.75	\$1139.75
Without APC Review	\$578.00	0	0	\$578.00
DEVELOPMENT APPLICATION RENEWAL FEE	\$126.00	0	0	\$126.00
PUBLIC HEARING READVERTISING (for hearing cancelled by applicant)	ACTUAL COST (\$500.00 MINIMUM)			
DISCHARGE OF LUC	\$1260.00	0	0	\$1260.00
LUC AMENDMENTS	\$2965.00	\$525.00 ³	\$36.75	\$3526.75
LUC AMENDMENTS (No change in use or density)	\$578.00	0	0	\$578.00
TEMPORARY COMMERCIAL OR INDUSTRIAL PERMIT	\$1617.00	\$525.00 ³	\$36.75	\$2178.75
BL8749 replaced the HERITAGE category with the following: HERITAGE				
BL8877 replaced the following: Heritage Revitalization Agreement	\$1617.00	\$525.00 ³	\$36.75	\$2178.75
Heritage Alteration Permit (Council approval required with APC review)	\$550.00	\$525.00 ³	\$36.75	\$1111.75
Heritage Alteration Permit (Council approval required without APC review)	\$550.00	0	0	\$550.00
Heritage Conservation Covenant	\$100.00	0	0	\$100.00
Heritage Alteration Permits (Director of Planning and Development Services approval required)	\$0.00	0	0	\$0.00
Heritage Designation ²	\$100.00	0	0	\$100.00

**BYLAW NO. 8034 SCHEDULE 'A' – DEVELOPMENT FEES
TABLE 1 – Page 2**

BL9039 replaced ALR category with the following: ALR APPLICATIONS (City retains \$250.00 of permit fees)				
Subdivision/Non-Farming	\$600.00	0	0	\$600.00
Application for Exclusion	\$600.00	0	0	\$600.00

BOARD OF VARIANCE APPLICATION FEE	\$250.00	0	0	\$250.00
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BL8440 replaced the following Category:

DOCUMENT ADMINISTRATION FEE⁴ (Restrictive covenants, utility right-of-ways, road reservation agreements, road exchanges, road closures, servicing agreements, developer initiated road name changes, quit claim documents excluding land use contracts, written response to inquiry etc.) (Not applicable for documents forming part of a subdivision application)	\$150.00		\$150.00
SITE PROFILE FEES	N/A		\$50.00

BL8351 added the following Category and BL8717 amended the following category:

CATEGORY	APPLICATION FEE
LIQUOR LICENSE APPLICATIONS REQUIRING PUBLIC MEETING	\$500.00 ⁵ plus the Actual Costs for Public Meeting
BL8644 added the following:	
LIQUOR LICENSE APPLICATIONS REQUIRING COUNCIL RESOLUTION TO EXPAND LICENSED CAPACITY	\$500.00
LIQUOR LICENSE APPLICATIONS (No Council Resolution)	\$50.00

SCHEDULE 'A' – DEVELOPMENT FEES – Page 3.

Note: These footnotes only apply to Table 1

1. REFUNDABLE AMOUNTS:

- (a) Development Fees which are refunded prior to file circulation are eligible for the cost of the Development Fee less 10% for administration.
 - (b) Development Fees which are refunded prior to application advertisement to the Advisory Planning Commission are eligible for the cost of the Development Fee less 20% for administrative costs.
 - (c) Development Fees which are refunded prior to Planning Department report to Council for consideration are eligible for the cost of the Development Fee less 30% administrative costs and \$525.00 for APC, where applicable.
 - (d) No development fees will be refunded if the application has been submitted to Council.
 - (e) Subdivision fees are non-refundable.
 - (f) Board of Variance Fees for appeals withdrawn prior to the Secretary preparing the appeal for advertising and circulation to City staff and Board of Variance members are eligible for a \$200.00 refund.
2. An application fee for heritage designation will not be required if processed in conjunction with a Heritage Revitalization Agreement.
3. Concurrent development applications considered at the same APC meeting will be charged the sum of each appropriate application fees, plus one APC meeting fee (plus G.S.T.)
4. Requests for information not available in published form requiring research will be charged a fee of \$30.00 per hour.

BL8351 added the following footnote:

5. This application fee does not eliminate the need to pay for rezoning and/or development permit application fees where required.

SCHEDULE 'A' – DEVELOPMENT FEES – Page 4.

TABLE 2

FEES PURSUANT TO SUBDIVISION, DEVELOPMENT, AND SERVICING BYLAW NO. 7900 AND LAND TITLE ACT

SUBDIVISION APPLICATIONS	APPLICATION FEE	LTO FEE	TOTAL COST
Fee Simple Subdivision (Preliminary Layout Review) Base Fee	\$500.00 for first 0.4 ha plus \$75.00/ha up to \$3500.00 Max.	N/A	Varies
Fee Simple Subdivision - 2 Lots or less in Agricultural Land Reserve (Preliminary Layout Review) Base Fee	\$500.00 for first 0.4 ha plus \$75.00/ha up to \$1000.00 Max.	N/A	Varies
Bare Land Strata Subdivision (Preliminary Layout Review) Base Fee	\$500.00 for first 0.4 ha plus \$75.00/ha up to \$3500.00 Max.	N/A	Varies
Subdivision Approval Base Fee	\$260.00	\$50.00	\$310.00 + \$105.00 per Lot created
Technical Subdivision Approval	\$260.00	\$50.00	\$310.00
Phased Strata Development	\$100.00	\$50.00	\$150.00
Form "P" Approval	\$100.00	N/A	\$100.00
Preliminary Layout Review Renewal	\$100.00	N/A	\$100.00
Subdivision, Bare Land Strata, Phased Strata & Form "E" Final Re-Approval Fee	\$50.00	N/A	\$50.00

DEVELOPMENT CATEGORY	FEE	TOTAL COST
STREET/TRAFFIC SIGN FEES (Installed by City)	The Owner is responsible for the purchase and installation costs of all signs required for their development. Costs will be determined by Works & Utilities Department. (Third party developer to apply for) (G.S.T. exempt)	Varies
SURVEY MONUMENT FEE	\$50.00 per newly created lot (G.S.T. exempt)	Varies
SURVEY MONUMENT REPLACEMENT (If disturbed by Construction)	\$1200.00 (G.S.T. exempt)	\$1200.00
BL8452 added the following Category: FIRE HYDRANT LEVY	For subdivisions serviced by community water distribution systems: \$250.00 per newly created lot (G.S.T. exempt) Note: In subdivisions where the developer is extending the water mains and installing fire hydrants this levy does not apply. The City shall accumulate the funds accrued from the hydrant levy and these funds shall be used to install fire hydrants as may be required.	Varies
LATECOMER AGREEMENT PROCESSING FEE	\$1000.00 (No charge for agreements of one day duration)	\$1000.00 per agreement

SCHEDULE 'A' – DEVELOPMENT FEES – Page 5.

TABLE 2 – CONTINUED

<p>BL8440 replaced the following Category: BL8889 deleted the phrase “Phased Strata Development” SUBDIVISION AND DEVELOPMENT ENGINEERING AND INSPECTION FEE ASSESSED FOR THE FOLLOWING:</p> <ul style="list-style-type: none">• Fee Simple Subdivision• Off-site Works	<p>3.0% of the total cost of off-site and on-site construction (minimum \$300.00) determined as follows:</p> <ol style="list-style-type: none">1. Full cost of construction for "on-site" (new roads) and "off-site" (existing fronting roads), including clearing, grubbing, blasting, cuts and fills, gravel, compaction, pavement, concrete work, ditches, boulevard work if applicable, etc.2. All deep utilities such as storm drainage works, sanitary sewer work if applicable and water and fire protection including water utility construction of other water irrigation districts.3. Costs of civil works only for shallow utilities such as installation costs of ducting for power, telephone and cable TV. The cost of private utility cable work, BC Gas works, service lines, street lighting etc. is <u>not</u> included in the construction cost for administration charge calculations.4. Consulting Engineering design fees are <u>not</u> included in the administration fee calculation.5. Administration charge is calculated at 3.0% of the actual construction costs as determined using the above identified items, substantiated by contractor unit prices, or payment invoices, or if levied before construction costs are in, by using the consulting engineer's construction cost estimates. These figures may be adjusted up or down by the City, if in our opinion an adjustment is warranted. This may take the form of a 10% contingency added or deletion of certain items. It is incumbent on the developer to provide actual construction costs if he does not agree with the engineers estimate.
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SCHEDULE 'A' – DEVELOPMENT FEES – Page 6.

TABLE 3

FEES PURSUANT TO SIGN BYLAW NO. 8235

CATEGORY	APPLICATION FEE
TEMPORARY PORTABLE SIGNS	For a period of 30 days or less \$30.00 per sign. For a period of 31 days to 60 days \$40.00 per sign. For a period of 61 days and 90 days \$50.00 per sign.
ALL SIGNS (Excluding temporary signs)	\$30.00 Minimum plus \$5.00 for each square meter of sign area. For the purposes of fee calculation, sign areas involving a fraction of a square meter shall be calculated to the closest whole meter, and only one side of a two-sided sign shall be counted.

Note: Sign permit fees are not refundable if the work authorized by the permit is not commenced.