

THE CORPORATION OF THE DISTRICT OF PEACHLAND

BYLAW NUMBER 2277, 2020

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THE CORPORATION OF THE DISTRICT OF PEACHLAND

BYLAW NUMBER 2277, 2020

A Bylaw to establish fees for the processing of development applications including Subdivisions, amendments to the Official Community Plan Bylaw, Zoning Bylaw, or Phased Development Agreements, as well as Building Permit and Business Licence fees.

Amended by: Bylaw No. 2306 Adopted December 8, 2020
Bylaw No. 2335 Adopted February 22, 2022
Bylaw No. 2406 Adopted January 23, 2024

WHEREAS the Council of the District of Peachland deems it expedient to provide for fees and charges for services and information;

AND WHEREAS Section 194 of the *Community Charter* authorizes municipalities by bylaw to impose fees in respect of a service of the municipality, the exercise of municipal authority to regulate, prohibit or impose requirements, as well as the provision of information;

AND WHEREAS Council deems it necessary and desirable to exercise the authority provided by the *Community Charter* to cover costs of exercising municipal authority, as well as the provision of services and information;

NOW THEREFORE, the Council of the District of Peachland, in an open meeting assembled, ENACTS AS FOLLOWS:

PART 1 – CITATION

1.1 This Bylaw may be cited as “Development Application & Licence Fees Bylaw No. 2277, 2020”.

PART 2 – REPEAL

2.1 District of Peachland Development Application Fees Bylaw No. 2106, 2015, including all amendments thereto, is hereby repealed.

PART 3 – APPLICATION & LICENCE FEES

3.1 The District of Peachland imposes fees for the provision of services and information as specified in Schedules 1 to 4 attached to and forming part of this bylaw.

3.2 Fees or charges imposed under this Bylaw for the provision of services or information apply instead of fees or charges imposed under other bylaws for the same services or information.

PART 4 – LIST OF SCHEDULES

- Schedule 1 – Building Permit Fees
- Schedule 2 – Approving Officer Fees
- Schedule 3 – Development Services Fees
- Schedule 4 – Business Licence Fees
- Schedule 5 – Tree Cutting Permit Fees

This Bylaw shall take effect upon its adoption by the Council of the District of Peachland.

READ A FIRST TIME, this 11th day of August, 2020.

READ A SECOND TIME, this 11th day of August, 2020.

READ A THIRD TIME, this 11th day of August, 2020.

FINALLY RECONSIDERED AND ADOPTED, this 8th day of September, 2020.

Mayor

Corporate Officer

Dated at Peachland, B.C.

This day of , 2020.

SCHEDULE 1 – BUILDING PERMIT FEES

1. The application fee for a building permit shall be one-hundred dollars (\$100).
2. The fees charged for the issuance of permits under this bylaw shall be in conformance with the following:
 - a. For construction, addition, alteration, repair, removal or demolition of a building or part thereof, the building inspection fees shall be 1.2 percent (1.2 %) of the actual construction value of the project (i.e., \$12.00 per \$1, 000) plus a surcharge of:
 - i. fifty dollars (\$50) – where the construction value is less than ten-thousand dollars (\$10,000), or;
 - ii. one-hundred dollars (\$100) – where the construction value is from ten-thousand (\$10,000.00) to twenty - two thousand dollars (\$22,000), or;
 - iii. two-hundred dollars (\$200) – where the construction value is in excess of twenty – two thousand dollars (\$22,000).
 - b. Where a project includes plumbing, an additional fee of ten dollars (\$10) per plumbing fixture shall be paid. Each trap, roof drain, floor drain and yard or parking lot drain shall be considered to be a plumbing fixture.
 - c. For placing a manufactured dwelling (CSA Z240, CSA A277) on a property, or relocating dwelling to a property, the cost of the building permit fee shall be four-hundred dollars (\$400), plus 1.2 percent (1.2 %) of the construction cost of those other portions of the project which are necessary for final completion.
 - d. For placing a temporary building on the property, the cost of the non-refundable building permit fee shall be four-hundred dollars (\$400) plus security in the form of cash or a letter of credit for ten percent (10%) of the value of the temporary building, which security:
 - i. may be used by the District to remove the building after one (1) year of the date if the final inspection required under the District's Building Bylaw, as amended from time to time; or
 - ii. must be returned to the owner if the owner removes the temporary building within one (1) year of the date for the final inspection of the temporary building required under the District's Building Bylaw, as amended from time to time.
 - e. For construction of retaining walls, swimming pools, pool fences, sign structures, mobile home parks, campgrounds, site services and other projects, the building permit fee shall conform to article 1(a) of this schedule.
 - f. For the installation of a fire protection system and equipment, a fee of:
 - i. forty dollars (\$40) for the first sprinkler head;
 - ii. one dollar (\$1) for each sprinkler head thereafter; and
 - iii. ten dollars (\$10) for each fire hydrant, hose cabinet, hose outlet, and stand pipe.

3. Notwithstanding articles 1(a) to (f) of this schedule, the minimum building inspection permit fee shall be one-hundred dollars (\$100).

4. A refundable damage deposit is required as follows:

a.

Construction Value (\$)	Damage Deposit (\$)
0 – 10,000	100
10,001 – 30,000	500
30,001 – 80,000	750
80,001 – 200,000	1,000
200,001 – 2,000,000	1,500
2,000,001 and over	2,000

b. The damage deposit sum set out in section 4(a) of this Schedule:

- i. covers the cost borne by the District to maintain, restore or replace any public works or public lands which are destroyed, damaged or otherwise impaired in the carrying out of the work referred to in any building permit held by the applicant;
- ii. covers the cost borne by the District to make the site safe if the permit holder abandons or fails to complete the work as designated on the permit;
- iii. serves as the security deposit for provisional occupancy when the final inspection notice makes provision for a security deposit; or
- iv. serves as a security deposit to effect compliance with any condition under which the permit was issued.

c. The damage deposit shall be refunded in whole or in part if it has not been used by the District after:

- i. when the building official is satisfied that no further damage to public works or public lands will occur;
- ii. when the inspections required by the District's Building Bylaw, as amended from time to time, are complete and acceptable to the building official; and
- iii. when the conditions or provisions of a provisional certificate of occupancy are completed to the satisfaction of the building official;

only if the permit holder has submitted a written request for the return of the damage deposit.

d. Any damage deposit remaining in excess of any amounts used by the District for the purposes described in section 4(b) of this Schedule will be returned to the permit holder unless otherwise so directed by the permit holder. Any amount in excess of the damage deposit required by the District to complete corrective work to public lands, public works, or the site is recoverable by the District from the permit holder, the constructor or the owner of the property.

5. The fee for processing a strata title conversion of an existing building shall be one-hundred fifty dollars (\$150) per unit of occupancy on the property.

6. The fee for renewal of a temporary permit shall be one-hundred dollars (\$100) per year, plus an additional fee of one-hundred dollars (\$100) for a renewal of the permit.
7. The fee for evaluating an existing building to be moved in accordance with this bylaw, shall be a minimum of fifty dollars (\$50), plus fifty dollars (\$50) per hour for each additional hour beyond the first hour, plus all travel costs where it is necessary to travel outside the District of Peachland.
8. The pre-inspection fee shall be one-hundred dollars (\$100).
9. The re-inspection fee shall be fifty dollars (\$50).
10. The fee for special inspections, or required inspections, occurring outside of the District's normal business hours shall be the actual cost to the District plus a fifteen percent (15%) administration fee.
11. An application deposit is required upon application for a building permit shall be one-hundred dollars (\$100) for projects with an estimated value of less than two-hundred thousand dollars (\$200,000) and five-hundred dollars (\$500) for projects with an estimated value over two-hundred thousand dollars (\$200,000). The application deposit will be credited towards the fees for issuance of the building permit.
12. For the purposes of determining the construction value of a project for calculating permit fees, the following shall be used:
 - a. for single family dwellings, residential additions and accessory buildings, the value shall be based on the District of Peachland Valuation Schedule (Table 1.1 below), or as quoted by the applicant, whichever is greater.
 - b. for other than single family dwellings, residential additions or accessory buildings, a firm contract price including all aspects of construction including excavation, driveways and site services, or as determined by the Marshall Valuation System, whichever is greater.
13. An additional fee of two-hundred dollars (\$200) is required where new plans are submitted for a project subsequent to a plan check being completed.
14. The fee for providing a property status letter shall be fifty dollars (\$50).
15. The fee for transferring a permit to a new owner shall be fifty dollars (\$50).
16. Where a project authorized by a permit is not started and the permit is cancelled or expired, the District will refund fees as follows:
 - a. permits having a total permit fee of two-hundred dollars (\$200) or less – no refund shall be allowed; or
 - b. permits having a total permit fee of two-hundred one dollars (\$201) – five-hundred thousand dollars (\$500,000) – 50% of the permit fee in excess of two-hundred dollars (\$200) shall be refunded; or
 - c. permits having a total permit fee of five-hundred thousand one dollars (\$500,001) or more – 75% of the permit fee in excess of two-hundred dollars (\$200) shall be refunded.

17. The fee to remove a “Notice on Title” under Section 57 and 58 of the *Community Charter* shall be two-hundred dollars (\$200).
18. The damage deposit for a demolition permit shall be one-thousand dollars (\$1000)
19. The registration fee for voluntary legalization of a secondary suite or garden suite is one-hundred twenty-five dollars (\$125). When legalization occurs through bylaw enforcement action the registration fee is doubled to two-hundred fifty dollars (\$250).
20. The fee for a building permit shall be doubled if work requiring a permit commences prior to a valid permit being issued.
21. The fee for a building permit extension shall be one-hundred dollars (\$100).
22. The application fee for consideration of an alternative solution shall be two-hundred dollars (\$200) for each alternative solution being considered.

Table 1.1 – Project Valuation Figures

Single Family Dwelling or Duplex	
One storey, no basement	\$115 per ft ²
One storey with crawl space	\$125 per ft ²
One storey with unfinished basement	\$130 per ft ²
Two storey, no basement	160 per ft ²
Two storey with crawl space	\$170 per ft ²
Two storey with unfinished basement	\$175 per ft ²
For each additional storey add	\$45 per ft ²
For a finished basement add	\$10 per ft ²
Suites	
Secondary Suite	\$10 per ft ²
Garden Suite	\$115 per ft ²
Accessories	
Carports excluding carports below a storey	\$25 per ft ²
Garages excluding garages below a storey	\$30 per ft ²
Sundecks	\$25 per ft ²
Accessory buildings	\$30 per ft ²
Swimming pools	\$35 per ft ²
Multi-Family and Non-Residential	
Multi-family, commercial, industrial, institutional and all other categories	Contract price or the current edition of the Marshall Valuation Service may be used to determine the value of construction for the purpose of assessing permit fees.

SCHEDULE 2 – APPROVING OFFICER FEES

1. Approving Officer fees shall be as follows:

Item	Fee
Preliminary Layout Review Application Including fee simple lots, bare land strata and phased strata subdivisions	\$260 plus \$150 for the first lot created \$105 for each additional lot
Form “P” Approval	\$50
Submission of a Contaminated Sites Profile form (if applicable)	\$100
Preliminary Layout Review Extension	\$100
Final Plan or Document Re-Signing	\$150
Document Execution Including but not limited to: <ul style="list-style-type: none"> • No build / no disturbance covenant • Wildfire interface covenant • Steep driveway covenant 	\$50

2. All costs expended as part of the District's statutory advertising obligations will be invoiced to the applicant.
3. All costs expended as part of the District's review of applications will be invoiced to the applicant plus a fifteen percent (15%) administration fee. The review may include but is not limited to legal opinions, engineering review, independent environmental review or peer review.

SCHEDULE 3 – DEVELOPMENT SERVICES FEES

Item	Application Fees	Advertising & External Review Costs	Total Application Fee
Area Sector Plan	\$4,000 + \$25 per hectare	Actual	\$4,000 + \$25 per hectare + Advertising & External Review Costs
Official Community Plan Amendment	\$1,000	Actual	\$1,000 + Advertising & External Review Costs
Zoning Bylaw Amendment: Comprehensive Development Zone Map (Rezoning) Text (Site specific)	\$1,000	Actual	\$1,000 + Advertising & External Review Costs
Development Permit – Technical	\$300		\$300
Amendment to issued Development Permit (Minor change that is staff issuable)	\$100		\$100
Development Permit – Form & Character (Council consideration)	\$600	Actual	\$600 + Advertising & External Review Costs
Development Variance Permit	\$500	Actual	\$500 + Advertising & External Review Costs
Phased Development Agreement	N/A	Actual	Advertising & External Review Costs
Road Closure Application	\$750	Actual	\$750 + Advertising & External Review Costs
Board of Variance	\$500	Actual	\$500 + Advertising & External Review Costs
Temporary Use Permit	\$1000	Actual	\$1000 + Advertising & External Review Costs
Renewal of Temporary Use Permit (maximum of one renewal per LGA)	\$500	Actual	\$500 + Advertising & External Review Costs
Application Renewal (due prior to lapse) or Renewal of Issued Permit	\$100		\$100
Submission of a Contaminated Sites Profile form (if applicable)	\$100		\$100
Agricultural Land Commission Application	As set by the Agricultural Land Commission		

Additional Costs to All Applications

- 1. Re-advertising of a Public Hearing: Five-hundred dollars (\$500) or actual cost whichever is greater.**

Most applications typically require statutory advertising under the *Local Government Act*. The cost of advertising one public hearing is included in the application fee. If a public hearing is re-scheduled after the initial advertising has been carried out, or if an additional Public Hearing is required, **an additional minimum charge of \$500.00 or cost will be required.**

- 2. \$30.00 per Additional Title**

Application fees include the cost of registering a Development Permit, Development Variance Permit or Phased Development Agreement against one title. An additional cost of thirty dollars (\$30) per title will be required for registration of such permits on any additional titles, prior to registering the permit on title.

- 3. Legal Fees**

Any additional District legal costs which are required in the processing of any of the applications listed in this Application Fee Schedule will be borne by the applicant, including but not limited to the preparation and registration of restrictive covenants, Phased Development Agreements, Statutory Right-of-Way.

Refund of Application Fees

- 4. Official Community Plan, Zoning, Land Use Contract, Comprehensive Development Zone, Temporary Use Permit and Agricultural Land Commission Applications:**

Step in the Process	% District Fee Refund
Prior to the preparation of the technical report to Council	50 %

- 5. Development Permit, Development Variance Permit or Board of Variance:**

Step in the Process	% District Fee Refund
Prior to preparation of the technical report to Council, Board of Variance, Director of Planning & Development Services or Designee	50%

Note: No refund provision applies to Minor Development Permits

Full or Partial Refunds

- 6. If an application is withdrawn prior to any work being completed on the application by staff, a refund of 100% of an application fee will be provided.**

SCHEDULE 4 – BUSINESS LICENCE FEES

1. Business licence application fees shall be as follows:

Type	Fee
Standard business licence	\$112
Seasonal business licence	\$56
Intercommunity (mobile) licence	\$150
Suite licence (garden and secondary suites)	\$125
Non-medicinal cannabis retail store	\$5,000
Cannabis cultivation or processing (micro)	\$2,500
Cannabis cultivation or processing (standard)	\$5,000
Cannabis cultivation or processing on non-residential lands under an ACMPR licence	\$500
Itinerant show or entertainment, including: <ul style="list-style-type: none"> • Theatre • Concert • Beer garden • Concession • Flea market • Film production 	\$50
Outdoor vending – meets policy	\$56
Outdoor vending – Council consideration	\$435

1.1 Application fees are credited towards the business licence fee for the first licence period.

1.2 Notwithstanding section 1.1 above, when an application fee exceeds the annual licence fee, the credit for the application fee will be applied to the first licence period only and any balance shall not carry forward as a credit towards the business licence fee for future licence periods.

2. Business licence fees shall be as follows:

Type	Fee
Standard business licence	\$112 per year
Seasonal business licence	\$56 per year
Intercommunity (mobile) licence	\$150 per year
Suite licence (garden and secondary suites)	\$56 per year
Non-medicinal cannabis retail store	\$250 per year
Cannabis cultivation or production (micro)	\$250 per year
Cannabis cultivation or production (standard)	\$500 per year
Cannabis cultivation or production on non-residential lands under a ACMPR licence	\$112 per year
Changes to an existing licence (including ownership and location)	\$20 per occurrence
Itinerant show or entertainment, including: <ul style="list-style-type: none"> • Theatre • Concert • Beer garden • Concession • Flea market • Film production 	\$50 per day

Outdoor vending (summer season) – encroachment agreement	\$400 per month (or part thereof)
Outdoor vending (summer season) – washroom charge	\$100 per month (or part thereof)
Outdoor vending (any season) – damage deposit	\$500
Outdoor vending (winter season) – encroachment agreement	\$100 per month (or part thereof)

- 2.1 The washroom charge applies to all vendors regardless of the vending location.
- 2.2 The District reserves the right to provide temporary washrooms at a vending location based on anticipated demand and site utilization characteristics.

SCHEDULE 5 – TREE CUTTING PERMIT FEES

1. Tree cutting permit fees shall be as follows:

Item	Fee
Application for tree cutting permit	\$0
Issuance of tree cutting permit	\$50

2. The Director, as defined in the Tree Protection Bylaw, may exempt an application from the Tree Cutting Permit issuance fee when a FireSmart Assessment has been completed.