

VILLAGE OF PEMBERTON

BYLAW No. 775, 2014

Being a bylaw to amend the Village of Pemberton Development Procedures Bylaw No. 725, 2013

WHEREAS Council may amend its Development Procedures Bylaw from time to time;

AND WHEREAS the Council of the Village of Pemberton deems it necessary to amend the Development Procedures Bylaw to amend certain application procedures.

NOW THEREFORE the Council of the Village of Pemberton in open meeting assembled **ENACTS AS FOLLOWS:**

1. CITATION

This Bylaw may be cited for all purposes as "Village of Pemberton Development Procedures (Antenna and Patio Approvals) Bylaw No.775, 2014."

2. VILLAGE OF PEMBERTON DEVELOPMENT PROCEDURE BYLAW NO. 725, 2013 IS AMENDED AS FOLLOWS:

a) Section 3.1(b) is amended by adding in numerical order the following:

(vi) Patio and Display Area Permit

b) Section 3.1 is amended by adding in numerical order:

(d) Review of Antenna System Siting

c) Section 4.1 and 4.2 are amended by respectively deleting each of the paragraphs and replacing with the following:

4.1 Applications for amendments, permits, subdivisions /bare land strata plan approvals strata title conversions and antenna system siting review, shall be made by the owner of the parcel that is the subject of the application, or by a person authorized in writing by the owner. The Village shall be notified in writing if the ownership of the parcel or the authorized agent has changed.

4.2 Applications for amendments, permits, strata title conversions and review of antenna system siting shall be made to the Manager of Development Services.

d) Section 5.1 and 5.2 are amended by deleting each of the paragraphs and replacing with the following:

5.1 At the time of and as part of the application for a: bylaw amendment, issuance of a permit or subdivision/bare land strata plan approval, the applicant shall pay to the Village an application fee in the amount set out in Schedule "A", "B", "C", "D", "E", "F" "G" and "H" attached hereto and forming

a part of this bylaw. The non-payment of the required fees will deem the application incomplete.

Schedule "A"	Zoning and/or Official Community Plan Bylaw Amendments
Schedule "B"	Major, Development Variance and Minor Development Permits
Schedule "C"	Temporary Use Permit
Schedule "D"	Permit Renewals
Schedule "E"	Subdivision and Bare Land Strata Plans
Schedule "F"	Strata Title Conversions
Schedule "G"	Antenna System Siting
Schedule "H"	Patio and Open Space Permit

5.2 Payment of any fees imposed in this bylaw shall not obligate Council to approve an application and where the Council decides not to amend a bylaw, issue a permit or grant a strata conversion, the application fee paid by such applicant shall not be refunded by the Village, except as outlined in Schedule "A", "B", "C", "D and "G".

e) Section 9.2 is amended by deleting the paragraph and replacing with the following:

9.2 The processes under which an owner of land may apply for an amendment to the plan or bylaw or for the issue of a permit are outlined in the following Appendices to this bylaw:

Schedule "J"	Amendment to Official Community Plan and/or Zoning Bylaw
Schedule "K"	Major Development Permit
Schedule "L"	Development Variance Permit
Schedule "M"	Minor Development Permit
Schedule "N"	Temporary Use Permit
Schedule "O"	Permit Renewals
Schedule "P"	Subdivision and Bare Land Strata Approval
Schedule "Q"	Strata Title Conversions

f) Schedule C is amended by adding the following:

g) Temporary Use Permit Applications shall be reviewed in accordance with the Village of Pemberton's Temporary Use Permit Guidelines Policy.

g) Schedule G is amended by deleting the following paragraph:

Specifications:

Village

Template: The sign shall be consistent with the "Have Your Say" template as provided by the Village's Communications Coordinator.

Sign Size: Minimum 4" (100 mm) white border around outside edge of the sign Installed Minimum 4'0" (1220 mm) above grade.

Posts to be driven into ground and braced; Rigid free-standing frame is acceptable for winter installation;

Lettering: BLOCK CAPITALS
 Black lettering on white background;

- h) Schedule G is amended by changing the title to Schedule I Information Signs.
- i) Schedule H is amended by changing the title to Schedule J Official Community Plan or Zoning Bylaw Approval Process.
- j) Schedule I is amended by changing the title to Schedule K Major Development Permit Approval Process.
- k) Schedule J is amended by changing the title to Schedule L Development Variance Permit Approval Process.
- l) Schedule K is amended by changing the title to Schedule M Minor Development Permit Approval Process.
- m) Schedule L is amended by changing the title to Schedule N Temporary Use Permit Approval Process.
- n) Schedule M is amended by changing the title to Schedule O Permit Renewals.
- o) Schedule N is amended by changing the title to Schedule P Subdivision and Bare Land Strata Approval Process.
- p) Schedule O is amended by changing the title to Schedule Q Strata Title Conversions Approval Process.
- q) Schedule G is amended by adding the following:

SCHEDULE G
Antenna Siting Review Fees

All costs incurred by the Village of Pemberton to review the proposed antenna siting application shall be entirely at the expense of the applicant. Every application made to the Village for the siting of an antenna shall comply with the following:

- a) The following application fee for an Antenna siting review application is required:

Non-refundable deposit \$750.00
- b) The Antenna System Siting Protocol Policy
- b) In submitting an application for antenna siting review the applicant should recognize that the non-refundable fees set out above in Paragraph a) of this Schedule are minimum fees payable. If the Village determines that the cost

to process the application is greater than the non-refundable deposit, then these additional costs shall be recovered from the applicant based on actual Village of Pemberton staff and/or consultant costs directly related to the processing of the application. The calculation of these recoverable costs will be based on an hourly rate of \$100.00 per hour for senior staff, \$75.00 for technical staff and \$45.00 per hour for clerical staff. The fees shall be payable prior to notification to Industry Canada of the Village's decision.

- c) If the application requires additional public notification, then payment of an additional \$500.00 shall be required prior to the scheduling the meeting. If it is later deemed that public notification is not required, then these costs shall be returned to the applicant, upon written request.
 - e) The Village of Pemberton intends to recover processing fees by invoicing ongoing costs. The Village reserves the right to withhold the review of the application in the event that the account is in arrears.
 - f) Any applicant that has commenced work requiring a Village review without first obtaining such approval shall pay an additional charge equal to 50% of the non-refundable application fee prior to the Village processing the application.
- r) Schedule H is amended by adding the following:

SCHEDULE "H"
Patio and Open Space Permit

All costs incurred by the Village of Pemberton to review the proposed antenna siting application shall be entirely at the expense of the applicant. Every application made to the Village for a Patio and Open Space Permit shall comply with the following:

- a) The Patio and Open Space Permit Policy
- b) All applications for new outdoor seating and display areas shall include a non-refundable \$50 *application fee*, payable to the Village of Pemberton.
- c) Any applicant that has commenced work requiring a Village review without first obtaining such approval shall pay an additional charge equal to 50% of the non-refundable application fee prior to the Village processing the application.

READ A FIRST TIME this 2nd day of September, 2014.

READ A SECOND TIME this 2nd day of September, 2014.

READ A THIRD TIME this 2nd day of September, 2014.

RESCIND THIRD READING this 16th day of September, 2014.

RE-READ A THIRD TIME this 16th day of September, 2014.

ADOPTED this 7th day October of, 2014.

Mike Richman
Acting Mayor

Sheena Fraser
Corporate Officer