



STAFF REPORT TO COMMITTEE

DATE OF REPORT November 24, 2023
MEETING TYPE & DATE Electoral Area Services Committee of December 6, 2023
FROM: Development Services Division
Land Use Services Department
SUBJECT: Development Applications Procedures Bylaw Amendment Bylaw
No. 4529
FILE: 3900-30

PURPOSE/INTRODUCTION

The purpose of this report is to present proposed amendments to CVRD Bylaw No. 4483 – Development Application Procedures Bylaw, 2023, Schedule A – Development Application Fees.

RECOMMENDED RESOLUTION

That it be recommended to the Board that Development Applications Procedures Bylaw Amendment Bylaw No. 4529, 2023, be forwarded to the Board for consideration of three readings and adoption.

BACKGROUND

The Development Applications Procedures Bylaw has been updated three times since the 2020 Development Services Modernization Project and Service Enhancement Plan were developed. The current [Development Applications Procedures Bylaw No. 4483](#) was adopted in June 2023 and introduced delegation of authority to the General Manager for minor Development Variance Permit applications. At that time, the Electoral Area Services Committee was informed that Development Services was reviewing development application fees.

Bylaw No. 4529 (Attachment A) contains a new proposed fee schedule. Proposed changes from Bylaw 4483 are summarized in the Analysis section of this report and illustrated are shown as marked changes in Attachment B. Comparisons of fees with the following local governments (the same local governments compared for the building permit fee review) are shown in Attachment C.

ANALYSIS

Key changes to development application fees are summarized below and were considered against other local government fees where possible, the amount of staff resources required for processing, and affordability for applicants. It is noted that there is a large amount of variation in fee structures across local governments, and many fees were difficult to compare, as shown in Attachment C.

Table 1 – Administrative & Inspection Fees:

- Added a fee for development activities conducted without a Development Permit to the existing Inspections & Enforcement Fee for applications arising from bylaw enforcement, and increased the fee to \$1,000 for commercial and industrial uses; fee remains \$500 for residential or agricultural uses.
 - Often applications where development has occurred require additional coordination and communication and reports such as Condition and Impact Assessments for work within riparian areas.
- Property file review reduced from \$100/hour to \$50/hour, with a \$50 minimum fee.
 - Same hourly fee proposed by Building Inspection for “realtor request” building file reviews.
- Reduced “Land Use Confirmation Letter” fee from \$150 to \$25 and changed to “Routine Information Release Fee”.
 - Same fee as Building Inspection’s proposed routine release of records; typically made by realtors or homeowners.

Table 2 – Bylaw Amendment Fees:

- Added a Combined OCP Amendment & Zoning Bylaw Amendment fee of \$5,500.
 - Currently a separate OCP and Zoning Bylaw amendment fee is charged, for a combined total of \$6,000.

Table 3 – Land Use Permit Fees:

- Increased Development Permit (DP) fee – environmental and hazard from \$300 to \$500.
 - Applies to DPA 1 Riparian Protection, DPA 2 Environmentally Sensitive Areas Protection, DPA 3 Marine Uplands and Foreshore Protection, DPA 4 Aquifer Protection, DPA 5 Wildfire Hazard, DPA 6 Floodplain Hazard, and DPA 7 Slope Stability.
 - Fee is only charged once if multiple DPAs apply.
- Increased DP fee – agricultural from \$150 to \$250.
 - Applies to DPA 8 Protection of Farming.
- Increased DP fee – conservation/GHG reduction from \$300 to \$500.
 - Applies to DPA 13 Energy and Water Conservation; Greenhouse Gas Emissions Reduction.
- Form and Character DP fees remain the same.
- Increased DP amendment or extension fee from \$300 to \$500.
- Increased Temporary Use Permit (TUP) amend or renew fee from \$200 to \$600.

Table 6 – Miscellaneous

- Increased covenant amendment or discharge fee from \$300 to \$750 for applications requiring Board consideration.
- Added covenant discharge requiring General Manager consideration in the amount of \$300.

Table 7 – Subdivision Application Review Fees:

- Included “PLR Extension” with Revisions to CVRD Subdivision Referral Report; changed from “Revised Bylaw Compliance Review Letter”.

- Updated for clarity; often when a Preliminary Layout Review (PLR) extension request is received two or more years have passed and the application needs to be reviewed with current bylaws or changes to the proposed layout.
- Specified a maximum of \$1,500 for PLR Extension or Revision to CVRD Subdivision Referral Report; fee is 25% of the original subdivision application fee.

The proposed increases to fees are modest but may lead to increased revenue for Function 325. Recent and upcoming changes to Provincial legislation and development-related bylaws also affect the number and types of development applications, in addition to market-related conditions.

FINANCIAL CONSIDERATIONS

Fees received under Function 325 Community Planning Operating Revenue may increase under this bylaw amendment.

COMMUNICATION CONSIDERATIONS

Development Services will update the Planning & Development and development application resources. The land management software implementation is underway and will allow applications and fees to be submitted online.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

The Board 2020-2022 Strategic Plan provides direction to:

- Modernize the CVRD's development approval function by ... enhancing policies, procedures.

Referred to (upon completion):

- ☐ Community Services (*Cowichan Community Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Facilities & Transit*)
- ☐ Corporate Services (*Finance, Human Resources, Information Technology, Legislative Services*)
- ☐ Operations (*Utilities, Parks & Trails, Recycling & Waste Management*)
- ☐ Land Use Services (*Community Planning, Strategic Initiatives, Development Services, Building Inspection & Bylaw Enforcement*)
- ☐ Strategic Services (*Communications & Engagement, Economic Development, Emergency Management, Environmental Services*)

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Reviewed for form and content and approved for submission to the Committee:

Resolution:

☒ Corporate Officer

Financial Considerations:

☒ Chief Financial Officer

ATTACHMENTS:

Attachment A – Development Applications Procedures Bylaw Amendment Bylaw No. 4529

Attachment B – Proposed changes to Bylaw No. 4483 Schedule A

Attachment C – Fee Comparisons