

# SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT

## BYLAW NO. 492

(Consolidated with Bylaws 230 and 302)

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**Being a Bylaw to establish procedures to amend an Official Community Plan, or a Zoning Bylaw under Part 29 of the *Municipal Act*.**

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**WHEREAS** the Regional Board has adopted Official Community Plan and Zoning Bylaws;

**AND WHEREAS** the Regional Board has designated areas within which Temporary Commercial and Industrial Permits, or Development Permits are required;

**AND WHEREAS** the Regional Board shall, under Section 954(1) of the *Municipal Act*, by bylaw establish procedures to amend a plan, bylaw or issue a permit;

**NOW THEREFORE** the Board of the Skeena-Queen Charlotte Regional District in open meeting assembled **HEREBY ENACTS AS FOLLOWS:**

### **TITLE**

1. This Bylaw may be cited for all purposes as the Skeena-Queen Charlotte Regional District Development Approval Procedures Bylaw No. 492, 2006.

### **SCOPE**

2. This Bylaw shall apply to the following:
  - (1) Amendments to:
    - (a) an official community plan, and
    - (b) a zoning bylaw.
  - (2) Issuance of:
    - (b) temporary commercial and industrial permits.

### **APPLICATION**

3.
  - (1) Applications for an amendments or permits shall be made by the owner of the land involved or by a person authorized by the owner.
  - (2) Applications for amendments or permits shall be made to the Secretary of the Skeena-Queen Charlotte Regional District on the applicable form attached hereto as Schedule "A1-A4".

### **FEE**

4. At the time of application for an amendment or a permit the applicant shall pay to the Skeena-Queen Charlotte Regional District an application fee in the amount as set out in Schedule "B" of this Bylaw.

### **PROCESS**

5. Every application shall be processed by the Secretary of the Skeena-Queen Charlotte Regional District who shall present a report to the Regional Board for its consideration. The report shall:

- required;
- (1)
    - a. contain a copy of the application;
    - b. contain a copy of the proposed amendment bylaw or proposed permit and recommendations;
    - c. contain minutes of a public hearing if such a hearing is required;
    - d. contain the recommendation of the local advisory planning commission;
    - e. specify whether or not the approval of the Minister of Transportation and Highways under Section 57(2) of the Highway Act or Section 979(1) of the Municipal Act is required;
    - f. state the amount of fee collected;
    - g. state the proposed security to be posed by the permittee if any; and
    - h. additional relevant information.
  - (2) Property owners adjacent to or opposite the parcel being considered shall be invited to comment on the application. Where applicable, the appropriate Local Advisory Planning Commission will also be asked to comment on the application. Comments received within 15 days of delivery will be included in the Secretary's report.
  - (3) Upon receipt of an application, the secretary will determine whether not a public hearing is required according to Section 956 of the Municipal Act. If a public hearing is required, the secretary shall:
    - a. arrange for necessary advertising;
    - b. invite property owners adjacent to and opposite the parcel being consider to make a written or oral presentation at the hearing and;
    - c. make all arrangements for holding the public hearing as required in Sections 956 to 959.
  - (4) *When a hearing is required written submissions will be accepted at the Regional District Office until 2:00 pm on the day of the hearing. Any submissions received after that time must be read into the record by the author or their agent. Only signed submissions will be read into the record by the secretary.*
  - (5) *The Secretary may group similar letters and refer to them as a group rather than read individual submissions, as long as individual signatories are mentioned.*
  - (6) *No written submissions received will be released prior to the hearing date without the expressed permission of the author or their agent.*  
**(amended by Bylaw 302)**

#### **AMENDMENTS - APPROVAL OR REFUSAL**

6. The Skeena-Queen Charlotte Regional Board may, upon receipt of the report under Section 5 of this bylaw, proceed with an amendment bylaw, or reject the application.

**PERMITS - ISSUANCE OR REFUSAL**

- 7. The Skeena-Queen Charlotte Regional Board may, upon receipt of the report under Section 5 of this bylaw:
  - (a) authorize the issuance of the permit;
  - (b) authorize the issuance of the proposed permit as amended by the Skeena-Queen Charlotte Regional Board in its resolution;
  - (c) refuse to authorize the issuance of the permit.

**REFUSAL - AMENDMENTS AND PERMITS**

- 8. Where an applications, amendment bylaw or a permit has been refused by the Skeena-Queen Charlotte Regional Board the Secretary shall notify the applicant in writing within 15 (fifteen) days immediately following the date of refusal and shall give reasons for refusal.

**RE-APPLICATION**

- 9. Subject to Section 954(3) of the *Municipal Act*, re-application for a amendment or permit that has been refused by the Regional Board shall not be considered with a 6 (six) month period immediately following the date of refusal.

**READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.**

**READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.**

**READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.**

**RECONSIDERED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.**

\_\_\_\_\_  
B. Pages  
Chair

\_\_\_\_\_  
J. Beil  
Secretary

Certified a true and correct copy of Bylaw No. 492, 2006.  
Dated at Prince Rupert, British Columbia, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
J. Beil, CMC  
Secretary

**SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT  
BYLAW 492, 2006  
DEVELOPMENT APPROVALS PROCEDURE BYLAW  
(amendment to Bylaw 230)**

**SCHEDULE "B"**

*Schedule of fees for Re-zoning & Community Plan Amendments*

**1. FEES REQUIRED.**

<i>To AMEND:</i>	<i>FEE:</i>
<i>Official Community Plan</i>	<i>\$550.00 (plus advertising)</i>
<i>Zoning Bylaw</i>	<i>\$450.00 (plus advertising)</i>
<i>Combined Official Community Plan &amp; Zoning Bylaw</i>	<i>\$700.00 (plus advertising)</i>
<i>Commercial &amp; Industrial Permits</i>	<i>\$250.00</i>

**2. Payment Due.** *All fees are to be paid in full when the application is submitted.*

**3. Advertising Costs.** *Advertising costs are costs incurred to give sufficient public notice for any public hearings required under Section 5.3 of this Bylaw. These costs, as determined by the Administrator, are payable when the application is submitted. If the application is withdrawn prior to public notification, any funds received for advertising will be refunded.*

**SKEENA-QUEEN CHARLOTTE REGIONAL DISTRICT**

**BYLAW NO. 492, 2006**

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**Being a Bylaw to amend Development approval procedures Bylaw 230, 1993**

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**WHEREAS** *the Board deems it advisable to amend Schedule "B" to Bylaw 230, 1993; (amendment Bylaw 300)*

**NOW THEREFORE**, the Board of the Skeena-Queen Charlotte Regional District, in open meeting assembled, enacts as follows:

1. *Rescind Schedule "B" and replace with Schedule "B" attached; and*
2. This By-Law may be cited as "Development Approval Procedures amendment By-Law No. 492, 2006."

READ A FIRST TIME THIS 21<sup>st</sup> DAY OF April  
2006.

READ A SECOND TIME THIS 21<sup>st</sup> DAY OF April  
2006.

READ A THIRD TIME THIS 21<sup>st</sup> DAY OF April  
2006.

**RECONSIDERED, PASSED AND FINALLY ADOPTED**

this 21<sup>st</sup> day of April,  
2006.

\_\_\_\_\_  
B. Pages  
Chair

\_\_\_\_\_  
J. Beil  
Secretary

I hereby certify that the foregoing is a true and correct copy of the Development Approval Procedures amendment Bylaw No. 492, 2006.

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date