

RESORT MUNICIPALITY OF WHISTLER

LAND USE PROCEDURES AND FEES AMENDMENT BYLAW (DEVELOPMENT APPLICATION FEES) NO. 2377, 2022

A BYLAW TO AMEND THE LAND USE PROCEDURES AND FEES BYLAW NO. 2205, 2022

WHEREAS the Council of the Resort Municipality of Whistler may, by bylaw, impose fees for an application to initiate changes to an official community plan or zoning bylaw, for the issuance of a permit under Part 14 of the *Local Government Act*, for an amendment to a land use contract, for a service of the municipality, for the use of municipal property and for the exercise of regulation powers;

AND WHEREAS the Council deems it necessary and expedient to amend the Resort Municipality of Whistler “Land Use Procedures and Fees Bylaw No. 2205, 2022”;

NOW THEREFORE the Council of the Resort Municipality of Whistler in open meeting assembled, **ENACTS AS FOLLOWS:**

CITATION

1. This Bylaw may be cited for all purposes as the Resort Municipality of Whistler “Land Use Procedures and Fees Amendment Bylaw (Development Application Fees) No. 2377, 2022.”

AMENDMENTS

2. “Land Use Procedures and Fees Bylaw No. 2205, 2022” is amended as follows:

- a) Section 2 is amended by adding the following:

“*Complex site rezoning*” means an amendment to a zoning bylaw for a parcel or set of parcels that comprise at least 45,000 square metres in area and for which the proposed rezoning requires an amenity zoning or phased development agreement with the exception of a proposed rezoning for residential land use only and any associated new public roads, park or other dedications;

- b) Section 2 is amended by deleting and replacing the definition of “*General Manager*” with the following:

“*General Manager*” means the General Manager of Climate Action, Planning and Development Services or any other person appointed from time to time to act in the place of the General Manager of Climate Action, Planning and Development Services;

- c) Section 4 is amended by replacing subsection (j) with the following text, deleting subsection (k), and renumbering the remaining subsections accordingly:

A licence or other form of permission to use or occupy municipal land, or land over which the *Resort Municipality* holds a statutory right of way;

- d) Section 31 is deleted and replaced with the following:

31. The notification sign must conform generally to specifications issued by the *General Manager, Director of Planning or Manager of Planning* for such signs and must include the following information:

- (a) the application type and number;
- (b) the applicant's name;
- (c) the civic address of the subject property;
- (d) a brief description of the proposal including proposed uses, number and type of units, proposed gross floor area and proposed building heights in metric units;
- (e) any proposed variances;
- (f) the phone number and e-mail of the contact department for more details;
- (g) where information about the application may be inspected at the Resort Municipality hall and website;
- (h) a map of the site containing a North Arrow, with all the roads adjoining the development site labelled;
- (i) a rendering of the proposed development (for more complex projects) and
- (j) a statement that details of the proposed development may be revised during the application process.

- e) Section 38 is amended by adding the following new subsection:

(f) on behalf of the *Resort Municipality*, execute any modification of a section 219 covenant that requires the preservation of trees, provided the modification results in no net loss to the size of the tree preservation area.

- f) The following new section is inserted as section 40, and the existing section 40 and all subsequent sections are re-numbered accordingly:

If this bylaw delegates authority to issue a development permit, temporary use permit or development variance permit, and the application for the permit also involves the use or occupancy of adjacent municipal land, or of adjacent land over which the *Resort Municipality* holds a statutory right of way, the delegation also includes the authority to grant a licence or other form of permission authorizing the use or occupancy, including the installation of improvements.

- g) The section that is to be renumbered to section 41 on adoption of this amendment bylaw is amended by adding the following new subsections:
 - (c) on behalf of the *Resort Municipality*, execute any modification of a section 219 covenant that establishes flood construction levels or flood setbacks, or both, if the covenant was registered after the enactment of the *Flood Hazard Statutes Amendment Act, 2003*
 - (d) grant a, licence or other form of permission to use or occupy municipal land or land over which the *Resort Municipality* holds a statutory right of way, including permission for the installation of improvements, other than where the authority is delegated under section 40.
- h) Schedule A is deleted and replaced with Schedule A attached to this Bylaw.
- i) Schedule B is amended by deleting and replacing section 14 with the following:
 - 14. comprehensive sign plans and amendments to a comprehensive sign plan.

GIVEN FIRST, SECOND and THIRD READINGS this ____ day of _____, 2022.

ADOPTED this ____ day of _____, 2022.

J. Crompton,
Mayor

P. Lysaght,
Corporate Officer

I HEREBY CERTIFY that this is a true copy of "Land Use Procedures and Fees Amendment Bylaw (Development Application Fees) No. 2377, 2022".

SCHEDULE A APPLICATION FEES

| Application Type | Application Fee |
|---|--|
| Amendments to the Zoning Bylaw, Amendment to a Land Use Contract by bylaw and Amendments to the Official Community Plan | |
| Amendment to the Zoning Bylaw, Amendment to a Land Use Contract by bylaw – change in permitted uses and/or change in density up to 465 square metres | \$15,000.00 |
| Amendment to the Zoning Bylaw, Amendment to a Land Use Contract by bylaw – change in permitted uses and/or change in density greater than 465 square metres | \$30,000.00 |
| Amendment to a Zoning Bylaw, Amendment to a Land Use Contract by bylaw - for a Complex Site Rezoning | A minimum fee of \$150,000 for the first 10,000 m2 of site area plus \$350 per additional 100 m2 of site area or portion thereof, to a maximum fee of \$750,000` |
| Requiring an amendment to the Official Community Plan – Additional Fee | \$2,200.00 |
| Requiring Public Hearing – Additional Fee | \$3,500.00 |
| Requiring Advisory Design Panel Review – Additional Fee | \$1,500.00 |
| Legal Services | At cost |
| Development Applications | |
| Development Permit, Approval of Development Plan or Development Approval under the Blackcomb Land Use Contract, Development Permit under Land Use Contract – delegated | \$3,000.00 |
| Development Permit, Approval of Development Plan or Development Approval under the Blackcomb Land Use Contract, Development Permit under Land Use Contract – requiring Council consideration of issuance | \$10,000.00 |
| Development Permit, Approval of Development Plan or Development Approval under the Blackcomb Land Use Contract, Development Permit under Land Use Contract – requiring Council consideration of issuance and involving multiple buildings | \$15,000.00 |
| Legal Services | At cost |
| Development Variance Permits | |
| Development Variance Permit – delegated (except for Variances to Sign Bylaw No. 558, 1987) | \$3,500.00 |
| Development Variance Permit – delegated (variance to Sign Bylaw No. 558, 1987) | \$2,000.00 |
| Development Variance Permit - requiring Council consideration of issuance | \$5,300.00 |
| Temporary Use Permits | |
| Temporary Use Permit – delegated | \$3,000.00 |
| Temporary Use Permit – requiring Council consideration of issuance | \$4,700.00 |
| Temporary Use Permit – amendments or renewals | 75% of Original Fee |

| Other Application Services | |
|---|-------------------------------|
| Exemption from a Bylaw Establishing a Flood Construction Level or Floodplain Setback | \$4,100.00 |
| Covenant Modification – delegated | \$4,300.00 |
| Covenant Modification - requiring Council Consideration | \$5,500.00 |
| Antenna System Letter of Concurrence or Non-Concurrence – no consultation required | \$4,200.00 |
| Antenna System Letter of Concurrence or Non-Concurrence – consultation required | \$18,000.00 |
| Licence to use or occupy municipal land | \$1,200.00 |
| Permission to use or occupy land over which the <i>Resort Municipality</i> holds a statutory right of way | \$600.00 |
| Other Services By Request | |
| Land Title Searches by Request | \$35.00 |
| Site inspection for security drawdown | \$375.00 per inspection |
| Property Zoning Inquiry | \$250.00 per property request |