



CLEARWATER COUNTY COMBINED PROCESSING OF AN APPLICATION FOR A LAND USE AMENDMENT AND AN APPLICATION FOR SUBDIVISION APPROVAL

EFFECTIVE DATE: April 1995
REVISED: February 2014
SECTION: Planning and Development

POLICY STATEMENT: To establish the procedures and fee structure for the processing of the aforementioned applications in a simultaneous manner when deemed prudent to do so by the Municipality.

POLICY APPLICATION: The combined processing of the separate applications shall be limited to those situations where the potential net effect would be the creation of a parcel or parcels, from an existing parcel of land which bears the land use district designation Agricultural District "A".

PROCEDURE:

1. Initial consultation with applicant by Development Officer. Consultation should cover the process, overall time-line, fee structure, refund policy, criteria to be evaluated, parcel size, merits, weak points, etc.
2. Upon submission of both applications, complete with assigned fees for the same, placed on the next available Council agenda for first reading. Schedule appointment with applicant if required. Obtain signed agreement from applicant to the effect that the Subdivision Approving Authority can legally deem the application for subdivision formally withdrawn by the applicant should the amendment bylaw fail to achieve first, second, or third reading. Obtain a signed consent from applicant as to an extension of time for making a decision on the application for subdivision approval. (The Municipal Government Act currently allows a maximum of 60 days for the Subdivision Approving Authority to make a decision; if there is no extension of time agreement in place, the application is deemed to be refused, and as such, leaves the decision open for appeal to the Municipal Government Board or Subdivision and Development Appeal Board, as the case may be).
3. Initiate basic research, inclusive of land title if required.
4. Conduct on-site inspection, if required, and prepare background report for Council.
5. Present amendment proposal and recommendation to Council.
6. Initiate refund of application portion of fees if bylaw fails to achieve first reading. Inform applicant, in writing, that the land use amendment application failed and the application for subdivision is considered to be formally withdrawn. If the bylaw receives first reading, schedule a Public Hearing for a date which

coincides with a regular meeting of Council, and allows for a minimum span of 30 days to allow for referral response.

7. Prepare and mail referral packages to all known affected parties and agencies. In addition to the land use amendment referral, the application for subdivision shall be clearly referenced as being the objective of the amendment. Indicate to affected parties and agencies that there will be no further referral opportunity commensurate with the application for subdivision.
8. Municipal Planning Commission (MPC) tour and meeting. (Generally conducted on the second Thursday of the month following first reading). Prepare and submit to MPC and request a recommendation to Council as to second reading. (Applicant will be required to attend if the Development Officer feels that the needs of MPC would be better served by the applicant's attendance. Applicant is advised that he/she may request an appointed time with MPC.
9. Assemble referral responses and prepare Public Hearing presentation. Advertise notification of the Public Hearing in local newspapers for two consecutive weeks prior to the Public Hearing.
10. Present background report and referral responses to Council at Public Hearing. Respond to questions or concerns as required.
11. Initiate refund or applicable portion of fees should the amending bylaw fail to achieve a second or a third reading. Inform applicant, in writing, that the amendment application has failed, and further, that the application for subdivision has been considered to have been formally withdrawn.

OR

Inform applicant, in writing, that the amending bylaw has been adopted by Council, and a brief outline as to how the Subdivision Approving Authority intends on proceeding with the application for subdivision.

12. Prepare subdivision report and staff recommendation as to conditional approval.
13. Place on next scheduled MPC Agenda and schedule appointment for applicant, if deemed necessary.
14. Present report and staff recommendation to MPC for review and authorization to issue letter of conditional approval.
15. Issue letter or conditional approval to applicant.
16. Advertise conditional approval in local newspapers.
17. Provide advice to applicant, if required, as to meeting the conditions of subdivision approval.
18. Update file as conditions are satisfied i.e.
 - a. Surveyor's sketch
 - b. Road widening agreement
 - c. Money-in-lieu payment
 - d. Development agreement
 - e. Registration of caveat
 - f. Off-site levy
 - g. Etc.
19. Endorse Descriptive Plan or Plan of Subdivision and process fee for same.

**Combined Processing of an Application for a Land
Use Amendment and an Application for Subdivision Approval**

FEE AND REFUND STRUCTURE FOR COMBINED APPLICATIONS:

The fee and refund structure attached to this Policy shall be as outlined on the attached “Schedule A”, which forms part of this Policy.



**SCHEDULE A
FEE AND REFUND STRUCTURE
PLANNING AND DEVELOPMENT**

DEVELOPMENT PERMITS

Standard Permitted	\$150
Standard Discretionary	\$250
Commercial - Communication Tower	\$300
- Resort/Campground	\$500
- Recreation/Golf Course	\$500
Industrial - Natural Resource/ Aggregate Extraction	\$1,000

REAL PROPERTY REPORT

Real Property Report – Compliance Request	\$80
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SUBDIVISION

Boundary Adjustment	\$500
First Parcel Out	\$600
Fragmented Parcel	\$500 + Lot Fees
Multi-Lot Subdivision	\$500 + Lot Fees
Lot Fees – Per Parcel	\$150

Subdivision Endorsement Fees

Single Residential Parcel & Boundary Adjustment	\$150
Fragmented Parcel	\$150 (+\$100 per additional lot)
Single Industrial/Commercial	\$200
Multi-Lot Residential	\$100 per lot
Multi-Lot Industrial/Commercial	\$150 per lot

Subdivision Offsite Levy

Off-Site Levy – Per Parcel	\$200
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Subdivision Time Extension

First Time Request	\$100
Additional Requests	\$200

Subdivision Refunds

Prior to Circulation	100% refund of fee
After Circulation	75% refund of fee
After Site Inspection	No Refund

APPEALS

Development Permit Appeal	\$300
Subdivision Permit Appeal	\$300

Appeal fees are non-refundable.

However, should the appeal be withdrawn before six working days (i.e. working days do not include Saturdays, Sundays or holidays) of the scheduled date of appeal where the date of the appeal is deemed to be one of the six days, the appeal fee will be 75 percent refunded.

LAND USE AMENDMENT

REZONE TO:

"A" "CR" "CRA" "CRMI" "HR" "LR" "RR" "RE"	\$500 + \$100 per lot
"P" "LI" "IA"	\$500 + \$35 per acre
"I" "HD" "HC" "RF" "MHP"	\$1000 + \$35 per acre

Land Use Amendment Refunds

After First Reading	50% refund of fee
After Second Reading	25% refund of fee

DISCHARGE OF CAVEAT

Discharge of Caveat on Title	No Fee
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PRINTING/ DOCUMENT FEES

Land Use Bylaw (Text Only)	\$20 per copy (plus G.S.T.)
Land Use Bylaw (Text and Color Maps)	\$50 per copy (plus G.S.T.)
Municipal Development Plan (Text Only)	\$5 per copy (plus G.S.T.)