

CITY OF WEST KELOWNA

BYLAW NO. 0028.59

A BYLAW TO AMEND THE DISTRICT OF WEST KELOWNA FEES AND CHARGES BYLAW

WHEREAS the Council of the City of West Kelowna desires to amend "DISTRICT OF WEST KELOWNA FEES AND CHARGES BYLAW 2009 NO. 0028" under the provisions of the *Community Charter*,

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as the "CITY OF WEST KELOWNA FEES AND CHARGES AMENDMENT BYLAW NO. 0028.59, 2021."

2. Amendments

The "DISTRICT OF WEST KELOWNA FEES AND CHARGES BYLAW 2009 No. 0028", is hereby amended as follows:

- 2.1 By deleting Schedule 2 BUILDING PERMIT FEES, in its entirety and replacing it with Schedule 2 BUILDING PERMIT FEES attached to and forming part of this Bylaw.
- 2.2 By deleting Schedule 3 APPROVING OFFICER FEES, in its entirety and replacing it with Schedule 3 SUBDIVISION, DEVELOPMENT ENGINEERING AND APPROVING OFFICER FEES attached to and forming part of this Bylaw.
- 2.3 By deleting Schedule 4 ENGINEERING FEES, Sections 1, 3, and 4 in their entirety and replacing it with Sections 1, 3, and 4 attached to and forming part of this Bylaw.
- 2.4 By deleting Schedule 5 DEVELOPMENT SERVICES, in its entirety and replacing it with Schedule 5 PLANNING FEES attached to and forming part of this Bylaw.

READ A FIRST, SECOND AND THIRD TIME THIS 27TH DAY OF JULY, 2021
ADOPTED THIS

MAYOR

CORPORATE OFFICER

SCHEDULE 2 BUILDING PERMIT FEES

Definition: Actual Construction Value

The value of construction declared on the application for the permit shall be the total current monetary worth of all construction or work related to the building or structure, and shall include but is not limited to:

- a) Site preparation and civil work including excavation and the use of hoisting, pile driving, compaction or erection devices and blasting;
- b) All design documents, labour and fees involved in the design, material, investigative testing, consulting services, construction labour and management, even if provided by the owner, or donated by others, contractors profit and overhead, sales tax and construction insurance; and
- c) All mechanical, electrical, plumbing, drainage and gas installations necessary for the carrying out of the construction to its completed form.

Where the declared value of construction is disputed, the building official may place a value on the construction. An appraisal may be submitted to determine the value of the construction permit.

1. Non-Refundable Application Fees (charged for the review of building permits) shall be:

Type of Fee	Fee
Building Permit Application Fees (Based on Actual Construction Value)	
Actual Construction Value	
\$1.00 - \$50,000.99	\$150.00
\$50,001.00 - \$200,000.99	\$250.00
\$200,001.00 - \$750,000.99	\$350.00
\$750,001.00 - \$2,000,000.99	\$500.00
\$2,000,001.00 and greater*	\$5500.00*
*For projects \$2,000,001.00 and greater the non-refundable application fee will be credited towards the permit fee.	
Other Application Fees	
Strata title conversion (existing building)	\$750.00 plus \$100.00 per unit.
Relocation of a building or placement of a mobile home (CSA Z240)	\$400.00 plus applicable foundation or assembly costs (actual construction value).
Notice on title (S. 57 or 58) Removal	\$500.00
Demolition permit	\$500.00 plus disconnection fees.
Installation of a chimney/solid fuel burning appliance	\$200.00
Property information report or letter	\$100.00
WestMap information request	\$50.00
NOTE: Any additional application costs which are required in the processing of any of the applications listed in this Application Fee Schedule will be borne by the applicant.	

2. Permit Fees (charged for the issuance of building permits) shall be:

Type of Fee	Fee
Building Permit Fees	
For construction, addition, alteration, repair, retaining walls, pool fences, sign structures, mobile home parks, campgrounds, and other construction projects or part thereof.	1.14 percent of actual construction value (\$11.40 per \$1,000) with a minimum \$100.00 permit fee.

For site servicing permits, the Subdivision, Development Engineering and Approving Officer Fee Schedule applies.	Fees as applicable in Schedule 3.
Work without a permit or as a result of bylaw enforcement infraction with a permit value of construction less than or equal to \$2,000,000.	Double all applicable fees to a maximum additional fee of \$25,000.
Work without a permit or as a result of bylaw enforcement infraction with a permit value of construction more than \$2,000,000.	Double all applicable fees to a maximum additional fee of \$50,000 (subject to Director Review).
Additional Building Permit Fees	
Damage to Municipal Infrastructure.	Actual Cost: damage to City owned infrastructure will be replaced at the actual cost of replacement/repair.
Plumbing	\$10.00 per fixture
Fire protection system and equipment.	\$150.00 for the first sprinkler head plus \$2.00 for each sprinkler head thereafter plus \$25.00 for each fire hydrant, hose cabinet, hose outlet, and stand pipe.
Re-inspection fee (where more than two inspections have been called for).	\$150.00
Subsequent re-inspection fee or premature inspection fee.	\$300.00
Additional plan review fee for minor* revisions to plans (applies to each iteration of a revised plan) *Minor revisions include revisions which require two hours or less of additional review time as determined by the building inspector.	\$250.00
Additional plan review fee for major* revisions to plans (applies to each iteration of a revised plan) *Major revisions include revisions which require more than two hours of additional review time as determined by the building inspector.	\$500.00 plus cost of the added or revised actual construction value 1.14% (\$11.40 per \$1000).
Where a project over \$2,000,001.00 has been substantially revised and warrants a new plan check and/or review by other departments (subject to Director review).	An additional application fee will be required and the original/ previous application fee will not be credited towards the Building Permit.
Permit transfer fee.	\$150.00
Alternative solution review.	\$250.00 per submission
Non-standard building permit review or inspections Note: e.g. A S. 57 Notice on Title, or Life and Safety or Emergency Works.	\$100.00 per hour with a minimum of one hour charged.
Permit extension (prior to expiry).	\$100.00
Reductions and Refunds	
The City of West Kelowna acknowledges reliance on the certification of a Professional Engineer or Architect for the noted portions of work for which Schedules "A" and "B" of the BC Building Code has been issued.	Where a Professional Engineer or Architect registered as such under Provincial legislation that is certified and is representing themselves or acting on behalf of an applicant for the permit, the City shall reduce the building permit value by 10%.
Permit cancellation or expiry after issuance (construction has not commenced).	75% refund of the permit fee, there is no refund of the building permit application fees noted in table 1.

Permit cancellation after work has started.

There will be no refund of permit fees where construction has started.

SCHEDULE 3 SUBDIVISION, DEVELOPMENT ENGINEERING AND APPROVING OFFICER FEES

Annual Fee Increase

- An annual fee increase shall be permitted until this bylaw is further amended or replaced.
- The fees and charges, as noted in Schedule 3, shall increase annually by two percent (2%) on January 1 of each year. The fees in Schedule 3 marked with an asterisk (*) shall be exempt from this fee increase.
- All fees and charges shall be rounded to the nearest ten (10) dollars.

1. Non-Refundable Preliminary Layout Review Fees (Fee Simple, Bare Land Strata, Phased Strata, and Boundary Adjustment)

The following non-refundable fees (base fee plus applicable per parcel fees) shall be charged for the submission and review of subdivision applications:

Type of Fee	2021 Fee	2022 Fee	2023 Fee
Base Fee			
Base Fee (applies to all applications)	\$500.00	\$510.00	\$530.00
Per Parcel Fees (in addition to the base fee)			
2-20 Parcels (\$350.00+)	\$350.00	\$360.00	\$370.00
21- 30 Parcels (\$6650.00+)	\$250.00 in excess of 20	\$260.00 in excess of 20	\$270.00 in excess of 20
31- 40 Parcels (\$9150.00+)	\$200.00 in excess of 30	\$210.00 in excess of 30	\$210.00 in excess of 30
Over 40 Parcels (\$11,150.00+)	\$150.00 in excess of 40	\$160.00 in excess of 40	\$160.00 in excess of 40
Other Fees			
Form "P" review	\$250.00	\$260.00	\$270.00
Site Disclosure Statement review*	\$100.00		

2. Subdivision and Development Engineering Fees (Administration and Engineering Fees)

The following fees shall be charged for final subdivision approval or issuance of a Building Permit:

Type of Fee	2021 Fee	2022 Fee	2023 Fee
Boundary adjustment.	\$550.00 per application	\$570.00 per application	\$580.00 per application
Fee simple subdivision.	\$550.00 base fee plus \$550.00 per new parcel	\$570.00 base fee plus \$570.00 per new parcel	\$580.00 base fee plus \$580.00 per new parcel
Bare land strata.	\$410.00 base fee plus \$410.00 per new parcel	\$420.00 base fee plus \$420.00 per new parcel	\$430.00 base fee plus \$430.00 per new parcel
Preliminary layout review renewal.	\$250.00	\$260.00	\$270.00
Final plan or legal document signing.	\$250.00	\$260.00	\$270.00
Document retrieval (title, title documents, corporate registry, etc.).*	Actual Cost		
Latecomer Agreement Fee.	\$1500.00 per application.	\$1530.00 per application.	\$1570.00 per application.
Development (excluding asphalt and concrete).*	1.8% onsite and/or 3.0% offsite works.		

Note: the exclusion shall only apply to the 1.8% of onsite works.		
Offsite works not abutting the subdivision or development.*		3.0% of offsite works.
Legal costs.*	Any additional City legal costs which are required in the processing of any of the applications listed in this Application Fee Schedule will be borne by the applicant, including but not limited to the preparation and registration of restrictive covenants, Land Use Contract Amendments, Phased Development Agreements, etc.	
Performance and Warranty Security		Security Amount
Works and Services Agreement (Performance).*		125% of off-site works and 10% engineering.
Fee simple subdivision.*		5.0% of City works or \$1000, whichever is greater.
Bare land strata/development.*		5.0% of City works.
Offsite works not abutting subdivision or development.*		5.0% of offsite works.
Deficiencies and/or defects.*		200% of the cost to repair.
As-built drawing.*		\$1000.00 per as-built drawing.
NOTE: Development Cost Charges, if applicable, for Subdivision or Development shall be established and collected by a separate Bylaw.		

SCHEDULE 4 ENGINEERING FEES

1. SANITARY SEWER-USE

The following fees shall apply in relation to the provision of municipal sanitary sewer-use services.

Type of Fee	Fee
Application Fees	
Residential sanitary service	\$100.00 per service
Industrial, commercial or institutional sanitary service	\$250.00 per service
NOTE: Application fees shall apply to each and every service connection application, regardless of whether previous connection fees have been paid for the same parcel.	
Service Installation	
Residential service - Owner is responsible for all capital costs to construct or extend sanitary service to the subject parcel.	Actual Cost
Industrial, commercial or institutional service - Owner is responsible for all capital costs to construct or extend sanitary service to the subject parcel.	Actual Cost
NOTE: The aforementioned service installation fees apply solely to the construction of any sanitary sewer service lateral from the mainline sanitary sewer (located within the municipal right-of-way) to the Owners service connection at the parcel boundary. All installation/construction works within the municipal right-of-way shall be undertaken by the Owner's forces, at the Owners sole cost, including but not solely limited to, any additional costs to complete the works due to unforeseen circumstances, site conditions, conflicts with existing utilities, or any such condition that requires additional effort to complete said installation. A municipal highway permit is required for any work on municipal property or right-of-way.	
The Owner is further advised that the physical connection from the municipal service lateral at the property line to the dwelling/facility shall be the sole responsibility of the Owner, with all works and appurtenances thereto installed in accordance with the provisions of the BC Building Code and any costs associated with the physical connection to the service lateral shall be the Owner's responsibility.	
Performance Security	
Residential service	125% of Actual Cost
Industrial, commercial or institutional service	125% of Actual Cost
NOTE: The Owner shall deposit security (in a form acceptable to the City) to warranty satisfactory completion (performance) of the proposed sewer connection. Any and all additional costs incurred shall be the sole responsibility of the Owner. No reduction in security shall be granted until such time as the works are completed in their entirety (to the satisfaction of the General Manager of Engineering and Public Works) and all requisite fees have been paid by the Owner.	
Service Terminations	
Residential service	\$150.00 per service
Industrial, commercial or institutional service	\$300.00 per service
NOTE: Debt Servicing, Parcel Taxes & Development Cost Charges if applicable, for sewer service areas shall be established and collected by a separate Bylaw.	
New Sanitary Sewer Connection Capital Fee for Properties & Existing Structures	
5.1 Single Family Residential (per unit)	\$85.21
5.2 Carriage house (per m ² of floor area)	\$0.27
5.3 Small residential (per unit)	\$63.91
5.4 Commercial (per m ² of floor area)	\$0.21
5.5 Industrial (per m ² of parcel area)	\$0.47
5.6 Institutional (per m ² of parcel area)	\$0.28
5.7 Campground (per site)	\$0.00
5.8 Golf Course (per ha)	\$0.00
5.9 Agricultural (per ha)	\$0.00

3. ROADS

The following fees shall apply in relation to access, alteration, or construction upon municipal roads.

Type of Fee	Fee
Permits	
Access permit	\$100.00 per application
Municipal highway permit application	\$75.00 per application
Utility crossing permit	\$75.00 per application
Inspection permit	\$75.00 per application
NOTE: Includes permits for construction access and works on municipal rights-of-ways.	
Road Closure	
Road closure application	\$1,000.00 per application
Road closure security deposit	\$2,500.00 per application
NOTE: The Owner shall deposit security (in a form acceptable to the City) to cover associated administrative costs for any proposed road closure. Any and all associated costs incurred shall be the sole responsibility of the Owner. No reduction in security shall be granted until such time as the proposed road closure application has been approved and all requisite fees have been paid by the Owner.	
Miscellaneous Fees	
Removal of chattel or obstructions	Actual Cost
NOTE: Development Cost Charges if applicable, for a Subdivision or Development shall be established and collected by a separate Bylaw.	

4. MISCELLANEOUS

The following fees shall apply in relation to access, alteration, or construction upon municipal rights-of-way.

Type of Fee	Fee
Miscellaneous Fees	
Impoundment of vehicle	Actual Cost
Removal of chattel or obstructions	Actual Cost
Blasting permit	\$250.00 per application

SCHEDULE 5 PLANNING FEES

Annual Fee Increase

- An annual fee increase shall be permitted until this bylaw is further amended or replaced.
- The fees and charges, as noted in Schedule 5, shall increase annually by two percent (2%) on January 1 each year.
- All fees and charges shall be rounded up to the nearest ten (10) dollars.

1. The following fees shall be charged for the review of development applications:

Application Type	2021 Fee	2022 Fee	2023 Fee
Zoning Bylaw, Land Use Contract, Comprehensive Development Zone, Text Amendments			
One to three additional residential parcels.	\$1500.00	\$1530.00	\$1570.00
More than three potential additional residential parcels.	\$2500.00	\$2550.00	\$2610.00
Text amendment.	\$1500.00	\$1530.00	\$1570.00
All commercial, industrial, multiple residential zones.	\$2500.00	\$2550.00	\$2610.00
Comprehensive development zones.	\$3500.00	\$3570.00	\$3650.00
Amend a land use contract.	\$500.00	\$510.00	\$530.00
NOTE: All fees in this section include one \$500.00 public hearing fee. Should an additional public hearing be required, an additional fee for the actual cost of the public hearing or a minimum of \$500.00 may apply.			
Official Community Plan Amendment			
Standalone amendment/ text amendment.	\$2000.00	\$2040.00	\$2090.00
In conjunction with another bylaw amendment (Zoning, Land Use Contract, Comprehensive Development Zone).	\$1500.00	\$1530.00	\$1570.00
NOTE: All fees in this section include one \$500.00 public hearing fee. Should an additional public hearing be required, an additional fee for the actual cost of the public hearing or a minimum of \$500.00 may apply.			
Development Permit			
Where land is subject to more than one Development Permit Area, the applicant will be required to pay each applicable fee.			
Minor.	\$250.00	\$260.00	\$270.00
Commercial or Industrial.	\$1500.00	\$1530.00	\$1570.00
Multiple Residential and Intensive Residential Note: Where residential and commercial would be combined to form a 'mixed-use' building, the Multiple Residential and Intensive Residential Fee shall apply.	\$2000.00	\$2040.00	\$2090.00
Sensitive Terrestrial Ecosystem and/ or Aquatic Ecosystem.	\$1000.00	\$1020.00	\$1050.00
Hillside and/ or Wildfire Interface.	\$1000.00	\$1020.00	\$1050.00
Development Variance Permit			
Development Variance Permit.	\$1000.00	\$1020.00	\$1050.00
Variances in conjunction with other applications.	\$700.00	\$720.00	\$730.00
Temporary Use Permit			
Temporary Use Permit.	\$1000.00	\$1020.00	\$1050.00
Liquor and Cannabis Licensing Applications or Referrals			
For a Liquor-Primary License.	\$1500.00	\$1530.00	\$1570.00
For a Temporary or Permanent amendment to an existing License.	\$750.00	\$770.00	\$790.00
For a Liquor License Endorsement.	\$1000.00	\$1020.00	\$1050.00
For a Special Occasion License.	\$100.00	\$110.00	\$110.00
For a Special Occasion License requiring a Council resolution.	\$500.00	\$510.00	\$530.00
Zoning Bylaw text amendment for non-medical cannabis retail store.	\$7500.00	\$7650.00	\$7810.00
Amendments to existing non-medical cannabis retail licenses.	\$1000.00	\$1020.00	\$1050.00

Comprehensive Development Plan			
Step A: Consideration and submission of a terms of reference.	\$2500.00	\$2550.00	\$2610.00
Step B: Submission of Comprehensive Development Plan (plus an additional fee of \$80.00per hectare of the planning area to a maximum Step B fee of \$30,000.00).	\$5000.00 plus \$80.00 per hectare	\$5100.00 plus \$90.00 per hectare	\$5210.00 plus \$90.00 per hectare
Agricultural Land Commission Applications			
Application for a Non-Adhering Residential Use.* Note: \$450.00 to be paid to the ALC if the City forwards the application to the ALC.		\$450.00	
Application for Inclusion.*		No Fee.	
Application for Non-Farm Use or Subdivision.* Note: \$750.00 to be paid to the ALC if the City forwards the application to the ALC.		\$750.00	
Soil Use for Placement of Fill or Removal of Soil.* Note: \$750.00 to be paid to the ALC if the City forwards the application to the ALC.		\$750.00	
Extensions, Renewal, Amendments			
Application extension request (prior to an application lapsing)	\$250.00	\$260.00	\$270.00
Renewal of issued development permit (no change in conditions)	\$250.00	\$260.00	\$270.00
Amendment to issued Development Permit (General Manager or Council consideration)	\$500.00	\$510.00	\$530.00
Temporary Use Permit Extension	\$500.00	\$510.00	\$530.00
Other Application Fees			
Board of variance	\$700.00	\$720.00	\$730.00
Floodplain or other exemptions	\$700.00	\$720.00	\$730.00
Site Disclosure Statement review		\$100.00	
Antenna siting and design application requiring Council resolution	\$1500.00	\$1530.00	\$1570.00
Additional title registration required	\$25.00 per document.	\$30.00 per document.	\$30.00 per document.
Development Related Report Requiring Council Resolution	\$500.00	\$510.00	\$530.00
Development Related Report Not Requiring Council Resolution	\$250.00	\$260.00	\$270.00
Legal Fees	Any additional City legal costs which are required in the processing of any of the applications listed in this Application Fee Schedule will be borne by the applicant, including but not limited to the preparation and registration of restrictive covenants, Land Use Contract Amendments, Phased Development Agreements, etc.		

2. Refund of Application Fees

Step in the Process	Refund Amount
Official Community Plan, Zoning Bylaw, Land Use Contract Bylaw, Comprehensive Development Zone, Agricultural Land Commission and Text Amendment Applications	
If an application is withdrawn prior to being assigned to staff.	100%
Prior to preparation of a report to Council.	50%
Development Permit, Development Variance Permit, Board of Variance, Floodplain Exemption, Antenna Siting, Temporary Use Permit and Liquor or Cannabis License Applications (not including text amendments)	
If an application is withdrawn prior to being assigned to staff.	100%
Prior to preparation of a comprehensive response or following review by the Development Review Committee.	50%
Comprehensive Development Plan Application	

Part A - Prior to the internal referral of the Draft Terms of Reference	50%
Part B - Prior to the first public consultation session	50%
NOTE: In extenuating circumstances, Council may consider refunds of up to 100% of an application fee.	