

VILLAGE OF PORT CLEMENTS
BYLAW NO. 185

BYLAW TO ESTABLISH PROCEDURES AND PROVIDE
FOR THE APPLICATION FEE TO AMEND AN
OFFICIAL COMMUNITY PLAN OR THE ZONING BYLAW

VILLAGE OF PORT CLEMENTS
BYLAW NO. 185

A bylaw to establish procedures and to provide for the form and application fee to amend an Official Community Plan, or a Zoning Bylaw.

WHEREAS THE Council has adopted an Official Community Plan and/or Zoning Bylaw;

AND WHEREAS THE Council shall, under Section 954(1) of the Municipal Act, by bylaw establish procedures to amend a plan or bylaw;

NOW THEREFORE THE Council of the Village of Port Clements in open meeting assembled HEREBY ENACTS AS FOLLOWS:

1. TITLE

This bylaw may be cited for all purposes as "The Village of Port Clements Rezoning, and Amendments to the Official Community Plan Procedures, Form, and Application Fee Bylaw No. 185, 1990".

2. SCOPE

This bylaw shall apply to the amendments to the following:

- a) the official community plan, and
- b) the zoning bylaw.

3. APPLICATION

- 1) Applications for amendments described in Section 2 of this Bylaw shall be made to the Clerk of the Village of Port Clements on the applicable application form attached hereto as Schedule "A1" or "A2".
- 2) Applications for an amendment to an Official Community Plan map or a zoning map shall be made by the owner of the land involved or by a person authorized by the owner.
- 3) All applications shall be accompanied with the applicable information form attached hereto as Schedule "A1" or "A2".

4. FEE

At the time of application for an amendment the applicant shall pay to the Village of Port Clements an application fee in the amount as follows:

- a) Any application to amend the Zoning Bylaw shall at the time of application, pay to the Clerk, as a fee for application:
 - i) for processing and inspection - \$250.00
 - ii) for public hearing advertising - \$150.00.

b) An application to amend the Official Community Plan adopted by the Village of Port Clements shall at the time of application, pay to the Clerk, as a fee for application:

- i) for processing and inspection - \$250.00
- ii) for public hearing advertising - \$150.00

c) Refunds of varying amounts will be granted depending on when an application is withdrawn. Once a report has been prepared on an amendment to the Zoning Bylaw, or Official Community Plan amendment and submitted to Council, no

refund of the processing and inspection fee shall be granted. Once the public hearing notice has been confirmed for advertising, no refund of the public hearing advertising fee shall be granted.

5. PROCESS

Every application shall be processed by the Clerk of the Village of Port Clements who shall present a report to Council for its consideration. The report shall:

- a) contain a copy of the application
- b) contain a copy of the proposed amendment bylaw and recommendations
- c) 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
- d) state the amount of fee collected; and
- e) contain additional relevant information.

6. AMENDMENTS - APPROVAL OR REFUSAL

The Council may, upon receipt of the report under Section 5 of this bylaw proceed with an amendment bylaw, or reject the application. (For evidence purposes the decision of Council to proceed with or reject an application is to be recorded in Council Minutes).

Where an application for amendment to a bylaw has been refused by Council after a public hearing no re-application for the same amendment shall be considered within six (6) months of the date of refusal.

7. REFUSAL

Where an application or amendment bylaw has been refused by the Council the Clerk shall notify the applicant in writing within 30 (thirty) days immediately following the date of refusal and shall give reasons for refusal.

8. RE-APPLICATION

Subject to Sections 954(3) and 240 of the Municipal Act, re-application for an amendment that has been refused by the Council shall not be considered within a 6 (six) month period immediately following the date of refusal.

READ A FIRST TIME THIS 29th DAY OF FEBRUARY 1988.

READ A SECOND TIME THIS 29th DAY OF FEBRUARY 1988.

READ A THIRD TIME THIS 29th DAY OF FEBRUARY 1988.

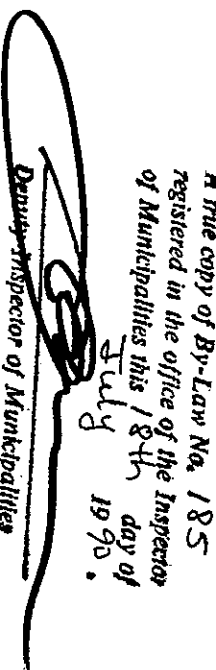
RECONSIDERED AND FINALLY ADOPTED THIS 25th DAY OF June 1990.

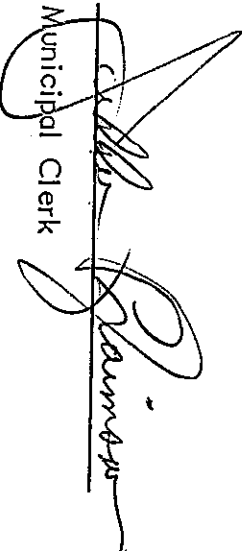

Mayor


Clerk

CERTIFIED TO BE a true and correct copy of Bylaw No. 185, being the Village of Port Clements "Bylaw to Establish Procedures and Provide for the Application Fee to Amend an Official Community Plan on the Zoning Bylaw".

*A true copy of By-Law No. 185
registered in the office of the Inspector
of Municipalities this 18th
day of July 1990.*


Deputy Inspector of Municipalities


Municipal Clerk

SCHEDULE "A1"

As Referred to in Section 3 of Bylaw No. 185
of the Village of Port Clements

APPLICATION FOR OFFICIAL COMMUNITY PLAN AMENDMENT

Application/File No. _____

I/We hereby apply for: (check where applicable)

_____ an amendment to the text of Official Community Plan Bylaw No. _____
_____ the change in Land Use Designation on part or all of the property described as
(legal description): _____

_____ and located at (street address or general location) _____

_____ from (current designation): _____
_____ to (proposed designation): _____

The required application fee of \$ _____ and the completed Official Community
Plan Amendment Information Form are attached.

_____ (Date) _____ (Applicant's Signature)

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT

_____ (Date) _____ (Registered Owner's Signature)

Where the Applicant is NOT the REGISTERED OWNER the Application must be signed by
the REGISTERED OWNER or his SOLICITOR.

FOR OFFICE USE ONLY

APPLICATION FEE \$ _____ RECEIVED. Receipt No. _____

_____ (Date) _____ (Signature of Official)

SCHEDULE "A1" (CONTINUED)
REZONING INFORMATION FORM

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION.

This form is to be completed in full and submitted with all requested information, Official Community Plan Amendment Application, Application Fee and Certificate of State of Title or of Indefeasible Title for the subject property.

1. APPLICANT AND REGISTERED OWNER

(1) Applicant's Name _____ Postal Code _____
Address _____ Home _____
Telephone: Business _____ Home _____

(2) Registered Owner's Name _____
Address _____ Postal Code _____
Telephone: Business _____ Home _____

2. APPLICATION FEE

REQUIRED APPLICATION FEE: _____

3. TEXT AMENDMENT

Described the Proposed Text Amendment _____

4. REDESIGNATION - PROPERTY TO BE REDESIGNATED

- (1) Size of Property (area, number of parcels) _____
- (2) redesignation to apply to _____ part _____ all _____ of the property described above.
- (3) Present Designation _____
- (4) Proposed Designation _____
- (5) Description of the Existing Use/Development _____
- (6) Description of the Proposed Use/Development (use separate sheet if necessary)

SCHEDULE "A2"

As Referred to in Section 3 of Bylaw No. 185
of the Village of Port Clements

APPLICATION FOR REZONING

Application/File No. _____

I/We hereby apply for: (check where applicable)

_____ an amendment to the text of Zoning Bylaw No. _____,
_____ the rezoning of part or all of the property described as (legal description):

_____ and located at (street address or general location) _____
_____ from _____ zone, to _____ zone.

The required application fee of \$ _____ and the completed Rezoning Information Form are attached.

_____ (Date) _____ (Applicant's Signature)

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT

_____ (Date) _____ (Registered Owner's Signature)

Where the Applicant is NOT the REGISTERED OWNER the Application must be signed by the REGISTERED OWNER or his SOLICITOR.

FOR OFFICE USE ONLY

APPLICATION FEE \$ _____ RECEIVED. Receipt No. _____

_____ (Date) _____ (Signature of Official)