

CORPORATION OF THE CITY OF NEW WESTMINSTER



**DOWNTOWN NEW WESTMINSTER REDEVELOPMENT BYLAW NO. 5859,
1989**

EFFECTIVE DATE: JULY 24, 1989

CONSOLIDATED FOR CONVENIENCE ONLY
(December 16, 2009)

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>EFFECTIVE DATE</u>
6275, 1995 (Sch "A")	August 17, 1995
6330, 1996 (Sch "A")	June 10, 1996
6396, 1997 (Sch "A" & Sec 4)	June 16, 1997
6787, 2002 (Sch "A")	December 16, 2002
6884, 2003 (Sch "A")	November 17, 2003
6969, 2004 (Sch "A")	November 8, 2004
7065, 2005 (Sch "A")	November 28, 2005
7132, 2006 (Sch "A")	November 20, 2006
7188, 2007 (Sch "A")	November 5, 2007
7283, 2008 (Sch "A")	November 24, 2008
7353, 2009 (Sch "A")	December 14, 2009

The bylaw numbers highlighted in this consolidation refer to the bylaws that amended the principal Bylaw No. 5859, 1989. The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Obtainable from the City Clerk's Office

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 5859, 1989

A Bylaw to impose special development permits application fees and procedures

WHEREAS Section 8 of the New Westminster Redevelopment Act, 1989 repealed the New Westminster Redevelopment Act, 1979;

AND WHEREAS the New Westminster Redevelopment Act, 1989 empowers Council by bylaw to require that an owner of land within the development area obtain a special development permit in place of a development permit under the Municipal Act before beginning development on the land, impose rates or levels of application fees for special development permits and establish procedures respecting the issue of special development permits;

NOW THEREFORE THE CITY COUNCIL of the Corporation of the City of New Westminster ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "Downtown New Westminster Redevelopment Bylaw No. 5859, 1989".
2. Owners within the development area defined by the New Westminster Redevelopment Act, 1989 are hereby required to obtain a special development permit from the City pursuant to that Act, in place of a development permit under the Municipal Act, before beginning development on that land.
3. The City hereby imposes the rates or levels of application fees for special development permits that are set out in Schedule "A" which is attached to and forms part of this bylaw, these application fees being hereby imposed in order to recover the costs to the City of processing, inspecting and advertising that are related to the permits.
4. The procedures respecting the issue of special development permits are:
 - (a) the applicant for a special development permit making application to the City Planner in the form of Schedule "B" which is attached to and forms part of this bylaw;
 - (b) the applicant providing the City with all documentation and information required by the New Westminster Redevelopment Act, 1989 and all other applicable enactments; and

- (c) if the City Planner issues the special development permit being applied for, he or she shall issue it in the form of Schedule "C" which is attached to and forms part of this bylaw.

Bylaw No. 6396, 1997

- (d) where an applicant has not been issued a special development permit within one year of the date of application, the application is deemed to have expired and requires reapplication.
1. Council shall by resolution appoint three persons to serve as a design review panel for the period ending on November 30, 1989 and annually thereafter.

BYLAW NOS. 7283, 2008; 7353, 2009

Schedule "A"

Schedule of Fees

<u>Special Development Permit</u>	<ul style="list-style-type: none">• \$30.50 per 1,000 sq. ft., or portion thereof, of Improved Site Area with a minimum of \$1,100.00 or \$110.00 per housing unit, whichever is greater• \$30 registration fee
<u>Special Development Permit</u> Façade Improvement Only	<ul style="list-style-type: none">• \$6.25 per 1,000 sq. ft., or portion thereof, of Improved Site Area (with a minimum of \$243.00)• \$30 registration fee
<u>Amendment to Special Development Permit</u> <i>Downtown/North Arm North</i>	<ul style="list-style-type: none">• \$18.50 per 1,000 sq. ft., or portion thereof, of Improved Site Area (with a minimum of \$485.00)• \$30 registration fee
<u>Special Development Permit</u> Application Time Extension (at end of 12 months from date of last application)	<ul style="list-style-type: none">• 50% of application fee
<u>Special Development Permit</u> Non-Basic Services	<ul style="list-style-type: none">• At cost

"Improved Site Area shall be defined as the whole or portion of the parcel to be improved as part of the development authorized by a building permit and all buildings, vehicular and pedestrian circulation areas, loading, parking, storage, works, decorative areas and landscaped areas required by the development permit".

SCHEDULE "B" TO BYLAW NO. 5859, 1989

Application for Special Development Permit and Amendment of Special
Development Permit

NUMBER _____

Site Particulars:

1. Street Address: _____
2. Legal Description: _____
3. Attached is current, date-stamped State of Title Certificate _____
3. Attached is a letter of consent from owner (if different from applicant/agent) _____

I/We hereby make application for a Special Development Permit on the above noted site. In support of the application,

I/We submit a plan showing the site in question, the existing or proposed building or structures on this site, and a non-refundable application fee of \$_____, as well as any other pertinent information to support this application.

I/We hereby make application to use _____ of the _____ parking credits allocated to this site (if applicable).

Name of Applicant or Agent: _____

Signature of Applicant or Agent: _____

Address: _____

Telephone Number: _____

Received by: _____ Date: _____ Fee Payable: _____

SCHEDULE "C" TO BYLAW NO. 5859, 1989

Corporation of the City of New Westminster

Special Development Permit

Number _____

1. This Special Development Permit is issued subject to compliance with all the bylaws of the City and the New Westminster Redevelopment Act, 1989.
2. This Special Development Permit applies to, and only to, those lands within the City described below, and any or all building, structures and other development thereon:

Legal Description: _____

3. The lands described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.
4. If the holder of this Permit does not commence the development permitted by this Permit within _____ months of the date of this Permit, this Permit shall lapse.
5. This Permit is not a Building Permit.
6. As a condition of this issuance of this Permit, the Corporation of the City of New Westminster is holding the security set out below in order to provide for the completion of onsite and offsite works, services and landscaping in accordance with the terms and conditions of this Permit. Interest earned on any security shall become part of the security. The security shall be returned to the holder of this Permit upon completion of the onsite and offsite works, services and landscaping as specified in this permit or retained by the City on default, as the case may be. If the holder of this Permit fails to carry out the development hereby authorized according to the terms and conditions of this Permit within the time provided, the City may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid to the holder of this Permit.

There is filed accordingly:

- (a) _____ an Irrevocable Letter of Credit in the amount of \$_____.

