

PLANNING AND DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: PROPOSED BURNABY DEVELOPMENT PROCEDURES BYLAW AND
AMENDMENTS TO BURNABY PLANNING AND BUILDING FEES
BYLAW TO IMPLEMENT TEMPORARY USE PERMITS**

RECOMMENDATIONS:

1. **THAT** Council authorize the City Solicitor to bring forward a Burnaby Development Procedures Bylaw, substantially in the form set out in Appendix A of the report, to establish procedures for the review and issuance of temporary use permits, as outlined in Section 3.0 of this report.
2. **THAT** Council authorize the City Solicitor to bring forward a bylaw amending the Burnaby Planning and Building Fees Bylaw 2017, to establish fees for temporary use permit applications, as outlined in Section 4.0 and Appendix B of this report.

REPORT

The Planning and Development Committee, at its meeting held on 2022 February 02, received and adopted the *attached* report establishing the Burnaby Development Procedures Bylaw and proposing amendments to Burnaby Planning and Building Fees Bylaw to establish procedures and fees for temporary use permits.

Respectfully submitted,

Councillor P. Calendino
Chair

Councillor S. Dhaliwal
Vice Chair

Copied to: Chief Administrative Officer Deputy CAO / CFO GM Corporate Services GM Engineering GM Planning and Development GM Public Safety Chief Building Inspector City Solicitor Chief Building Inspector

TO: CHAIR AND MEMBERS
PLANNING AND DEVELOPMENT
COMMITTEE

DATE: 2022 January 27

FROM: GENERAL MANAGER PLANNING AND
DEVELOPMENT

FILE: 42000 20
Reference: Bylaw Amendments

**SUBJECT: PROPOSED BURNABY DEVELOPMENT PROCEDURES BYLAW AND
AMENDMENTS TO BURNABY PLANNING AND BUILDING FEES
BYLAW TO IMPLEMENT TEMPORARY USE PERMITS**

PURPOSE: To establish the Burnaby Development Procedures Bylaw and propose amendments to Burnaby Planning and Building Fees Bylaw to establish procedures and fees for temporary use permits.

RECOMMENDATIONS:

1. **THAT** Committee request Council to authorize the City Solicitor to bring forward a *Burnaby Development Procedures Bylaw*, substantially in the form set out in **Appendix A** of the report, to establish procedures for the review and issuance of temporary use permits, as outlined in Section 3.0 of this report; and
2. **THAT** Committee request Council to authorize the City Solicitor to bring forward a bylaw amending the *Burnaby Planning and Building Fees Bylaw 2017*, to establish fees for temporary use permit applications, as outlined in Section 4.0 and **Appendix B** of this report.

REPORT**1.0 BACKGROUND INFORMATION**

On 2021 August 30, Council adopted a report proposing a framework to establish temporary use permits (TUPs) in Burnaby. Council also authorized staff to prepare the *Burnaby Development Procedures Bylaw* to define a procedure for the review and issuance of TUPs, and a bylaw amending the *Burnaby Planning and Building Fees Bylaw* to establish application fees for TUP applications.

This report follows up on that direction.

To: *Chairs and Members Planning and Development Committee*
From: *General Manager Planning and Development*
Re: *Proposed Burnaby Development Procedures Bylaw
and Amendments to Burnaby Planning and Building Fees Bylaw
to Implement Temporary Use Permits*
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2.0 POLICY CONTEXT

Establishing TUPs in Burnaby aligns with the following Council-adopted policies: *Corporate Strategic Plan (2017)*, *Official Community Plan (1998)*, *Economic Development Strategy (2007)*, and *Social Sustainability Strategy (2011)*.

3.0 BURNABY DEVELOPMENT PROCEDURES BYLAW

The proposed *Burnaby Development Procedures Bylaw*, as outlined below and as attached in Appendix A, establishes the development approval procedure and the requirements for the review and issuance of TUPs, in accordance with Local Government Act (*LGA*) requirements.

3.1 TUP Application and Application Approval Process

The proposed *Burnaby Development Procedures Bylaw* includes submission requirements for TUP applications. These requirements are also applicable to TUP renewal and reapplications.

To ensure efficiency and reduce processing times of TUP applications, it is recommended that the applicant be required to complete the process within one (1) year of the application being made, including approval or refusal of the application by Council. The General Manager Planning and Development may approve an extension of up to one (1) year provided that the applicant submit a written request including the reasons for the extension. Further, the General Manager Planning and Development may cancel inactive applications for which an applicant has not provided requested information or documents within six (6) months of the request. If cancelled, the applicant will need to submit a new application and restart the process.

The *LGA* notes that TUPs may be issued by resolution of Council where there is an Official Community Plan or Zoning Bylaw that designates areas where TUPs may be allowed. On 2021 October 4, Council received a Zoning Bylaw amendment report proposing the TUP designated areas. The proposed Zoning Bylaw amendment was granted Second Reading on 2021 December 6 and is scheduled for Final Adoption concurrent with the proposed *Burnaby Development Procedures Bylaw* and amendment to *Burnaby Planning and Building Fees Bylaw*, which are discussed in this report.

With the approval of the subject bylaws, applicants may advance TUP applications through the Planning and Development Department, whereby a report to Council with the relevant information relating to the TUP application will be submitted for review and approval. Following review of the report, Council may:

- approve the issuance of the TUP, as proposed in the report, or with additional terms and conditions;
- refer the application with direction for further review to the General Manager Planning and Development; or
- refuse the application.

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If Council refuses the application, the proposed *Burnaby Development Procedures Bylaw* includes a provision which will prohibit reapplication for the same TUP for one year unless at least 2/3 of Council members approve allowing the reapplication. This prohibition is authorized by the *LGA*.

3.2 Public Notice and Hearing Requirements

A series of public notice and hearing requirements are outlined in the *LGA* and the proposed *Burnaby Development Procedures Bylaw*, including the following.

- Publishing a notice of the permit in a newspaper at least three (3) days, and not more than 14 days, before the adoption of the resolution. The public notice shall be mailed or otherwise delivered at least 10 days before the Council meeting at which the TUP will be considered, to the owners and any tenants of all parcels, any part of which is the subject of the permit or is within a distance specified by bylaw from that part of the area that is subject of the permit.
- The proposed *Burnaby Development Procedures Bylaw* specifies a distance of 30 m (98.4) as the minimum distance for the mail out or delivery of public notices for TUP applications. The proposed distance is consistent with the public notice mail out distance for rezoning applications, but may be amended in the future should notification requirements change.
- A copy of all the correspondence received in response to the public notification for a TUP application shall be provided to Council at the meeting at which the application will be considered.
- The applicant will be required to post sign(s) on the site at least thirty (30) days prior to Council meeting at which the application will be considered. The sign specification, number of signs, and the information posted on the sign(s) are to be established and approved by the General Manager Planning and Development.
- The applicant will be required to remove the sign(s) within ten (10) days after Council's decision to approve or refuse an application. If the applicant fails to do so, the City would have the ability to enter the site and remove the sign(s) and charge a removal fee of \$250, which will be set out in the *Burnaby Planning and Building Fees Bylaw* (see Section 4.0 of this report).

3.3 Security Requirements

The City may as a condition of issuance of a TUP require security in an amount stated in the permit for the following purposes:

- a condition in the permit respecting landscaping which has not been satisfied; and
- an unsafe condition, or damage to the natural environment which has resulted as a consequence of a contravention of a condition in the permit.

If the applicant fails to meet the landscaping requirements, or resolve an unsafe condition or damage to the natural environment caused due to contravention of a condition in the permit, the City, at its sole discretion, may undertake the required works to resolve these conditions and apply

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the security in payment of the cost of such works. The City, will also at its sole discretion determine any default under the permit, and in specifying the form of the security, determine the amount of the security that is forfeited in the event of a default.

The provisions in the proposed *Burnaby Development Procedures Bylaw* relating to security reflect the above authorities under the *LGA*. The actual amount(s) of security that will be required for each TUP will be determined and recommended to Council as part of the TUP review and approval process.

3.4 Undertaking Requirements

The proposed *Burnaby Development Procedures Bylaw* includes the authority to require the applicant to give undertakings by the City, as a condition of issuance of a TUP, to ensure:

- a building or other structure will be demolished or removed; and
- the land will be restored to a condition and by a date specified in the permit.

The undertaking provided by the owner of land must be attached to the permit and form part of it. If the owner fails to comply with all of the undertakings, the proposed *Burnaby Development Procedures Bylaw* will allow the City to carry out the demolition, removal or restoration and apply any security provided by the applicant against the costs of the works.

3.5 Term, Renewal, and Lapse of Permit

A TUP may be issued for uses described in the permit for a period of up to three (3) years, with a potential three (3) year renewal subject to the restriction that it may be renewed only once. It should be noted that the requirements related to undertakings and security may apply to the TUP renewal applications.

If the construction with respect to the TUP does not substantially start within two (2) years of the permit being issued, the permit shall lapse. In this circumstance, a new application will be required if the applicant requests to pursue the construction.

4.0 PLANNING AND BUILDING FEES BYLAW AMENDMENTS

As noted, the *LGA* authorizes the City to impose application fees for the issuance of TUPs, as well as fees to cover the costs of administration and inspection of the works and services that are required as conditions of TUPs. According to the *LGA*, the imposed fees must not exceed the estimated average costs of processing, inspection, advertising and administration that are usually related to the type of application or other matter to which the fee relates.

The recommended amendments to the *Burnaby Planning and Building Fees Bylaw* related to TUPs are discussed in this Section 4.0 and *attached* in *Appendix B*.

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4.1 Application Fees for TUP Applications

It is recommended that the minimum application fee of \$2,604 be applied to TUP applications. This is in consideration that the review and approval of TUP applications, including the necessary public notifications, will be comparable to rezoning applications in terms of cost recovery to the City.

On 2021 October 4, Council received a report recommending the exemption of the developments permitted under TUPs from the PPA requirements, in order to expedite the TUP review and approval process. If Council adopts this recommendation, staff will still be required to review the proposal for compliance with the *Zoning Bylaw* as part of the TUP process. The review for TUP applications that include the construction of a new building, extension of an existing building, or further development of land will require additional staff time compared to applications that do not involve further construction or development of land. As such, to cover the costs related to the additional staff time, it is recommended that additional fees of \$293, or \$2.80 per \$1,000 estimated construction value if it exceeds \$293, be applied to specific TUP applications. These additional fees will only apply to TUP applications that include the construction or extension of a building/structure, or development of land. This fee is consistent with the fee charged for processing PPAs.

As noted, TUPs may only be renewed once, subject to Council approval. While the review and approval process and public notification requirements for the issuance and renewal of TUPs are similar, staff generally require less time to review the renewal applications. Generally, a comprehensive review of the application is not necessary for renewal, as the proposal has been reviewed in detail during the processing of the original TUP application. It should be noted that a TUP is valid for up to three (3) years and the permit should be renewed prior to expiration of the permit. Process of the TUP renewal applications generally includes an overall review of the proposal by appropriate City Departments to ensure compliance with City requirements, and terms and conditions of the permit, as well as to impose any further requirements.

Given a shorter review time for renewal applications, it is recommended that a \$1,600 application fee be applied to the TUP renewal applications. The fees would generally cover the average costs associated with the administration, processing, advertisement, and clerical tasks related to the permit's renewal.

Following the issuance of a TUP, if an applicant requests amendments to the proposal that require further review, an additional \$1,600 TUP amendment fee should apply. The TUP amendment fee would cover the costs of further review of the proposal, public notification, review and approval of any additional terms and conditions of the permit, and a report of any amendment to Council.

Staff conducted a review of the TUP application fees in other municipalities, including the City of Coquitlam, Delta, North Vancouver, Port Coquitlam, Richmond, White Rock, and Surrey. The application fees in these municipalities (2022 fees) are ranging from \$2,687 to \$2,040 for TUP applications, and from \$2,040 to \$1,020 for the TUP renewal applications. The proposed minimum

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applications fees for TUP and TUP renewal applications in Burnaby are in line with the application fees in other municipalities.

4.2 Administration Fees for Security Deposits

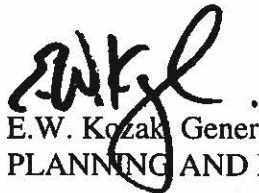
A local government may require security deposits as a conditions of issuing a TUP, as discussed in section 3.4 of this report. The security deposits may be returned to the holder of the permit once staff’s inspection confirms that the work is completed to the satisfaction of the City. To cover the costs of the administration and inspection related to security deposits for TUPs, it is recommended that an administration fee equal to 1% of the required security deposits be applied to these applications.

4.3 Public Notification Sign Removal Fee

As discussed in section 3.2 of this report, it is recommended that public notification sign(s) be posted on the site at least thirty (30) days prior to Council meeting, and be removed from the site within ten (10) days after Council decision to approve or refuse the application. If the applicant fails to remove the sign(s), as noted, it is recommended that a \$250 public notification sign removal fee be charged if the City removes the sign.

5.0 CONCLUSION

The proposed *Burnaby Development Procedures Bylaw* establishes the development approval procedure and the requirements for the review and issuance of TUPs, in accordance with the requirements and provisions of the *LGA*. In addition, an amendment to the *Burnaby Planning and Building Fees Bylaw* is required to establish fees related to TUPs. It is recommended that Committee request Council to authorize the City Solicitor to bring forward the *Burnaby Development Procedures Bylaw*, substantially in the form attached to **Appendix A** of this report and as outlined in section 3.0 of this report, and a bylaw amending the *Burnaby Planning and Building Fees Bylaw*, as outlined in section 4.0 and **Appendix B** of this report.



E.W. Kozak
PLANNING AND DEVELOPMENT

PS:sa

Attachment

Copied to: Chief Administrative Officer
Engineering
Deputy CAO/CFO
Director Public Safety and Community Services
City Solicitor
Director Corporate Services
Chief Building Inspector
City Clerk

CITY OF BURNABY

BYLAW NO. XXXXX

A bylaw to implement procedures for review
and approval of certain development applications

The Council of the City of Burnaby ENACTS as follows:

PART 1: CITATION

- 1.1 This Bylaw may be cited as **BURNABY DEVELOPMENT PROCEDURES BYLAW 2022**.

PART 2: DEFINITIONS

- 2.1 In this Bylaw, unless the context otherwise requires,

“agent”	means the person, firm or corporation representing the owner of a site designated by an owner’s authorization form
“applicant”	means the owner , or agent , of a site that is the subject of an application for a permit under this bylaw
“application form”	means a form for an application for a permit under this bylaw , in form and content established by the General Manager Planning and Development
“bylaw”	means this bylaw, including all schedules attached hereto
“City”	means the City of Burnaby
“Council”	means the council of the City
“General Manager Planning and Development”	means the head of the City’s Planning and Development Department, or designate
“Local Government Act”	means the <i>Local Government Act</i> , R.S.B.C. 2015, c. 1, as amended or replaced from time to time
“lot”	means an area of land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the Land Title Office

“owner”	includes the registered owner of an estate in fee simple of land, and also where the context or circumstances so require: (a) a tenant for life under a registered life estate; (b) a registered holder of an agreement for sale; (c) a holder or occupier of land held in the manner mentioned in sections 228 and 229 of the Community Charter; (d) a lessee with the permission of the registered owner(s); and in respect of water includes an occupier, tenant or holder of an interest in respect of the surface of the water
“owner’s authorization form”	means a form, in form and content established by the General Manager Planning and Development , by which an owner designates an agent as the representative of the owner in respect to an application for a permit under this bylaw
“permit”	means a temporary use permit
“security”	means cash, a certified cheque, bank draft or a clean, unconditional, irrevocable letter of credit satisfactory to the City
“site”	means the land or lands that is the subject of an application for permit under this bylaw
“temporary use permit”	means a temporary use permit authorized under the <i>Local Government Act</i>

PART 3: APPLICATION

- 3.1 An application for a **permit**, or renewal of a **permit**, shall:
- (a) be made on an **application form** signed by the **applicant**;
 - (b) if the **applicant** is not the **owner** of each **lot** comprising the **site**, be accompanied by an **owner’s authorization form** signed by the **owner**;
 - (c) be accompanied by the fees for the application as set out in the *Burnaby Planning and Building Fees Bylaw*;
 - (d) be accompanied by a title search for each **lot** comprising the **site**, that is obtained not more than fourteen (14) days prior to the date of the application, together with copies of all non-financial charges, including covenants, statutory rights of way and easements; and

- (e) be accompanied by such other information and documents as may be required by the **General Manager Planning and Development** which, in the opinion of the **General Manager Planning and Development**, are required to process the application, at the sole cost of the **applicant**.
- 3.2 The completed **application form** and all documents accompanying an application for a **permit** under this **bylaw** become the property of the **City**, and are subject to the *Freedom of Information and Protection of Privacy Act* (BC).
- 3.3 If an **applicant** does not provide, or show any action to provide information or documents requested by the **City** in respect to an application within six (6) months of the request, the application may be cancelled at the discretion of the **General Manager Planning and Development** and the **applicant** will be required to submit a new application in accordance with this **bylaw**.
- 3.4 If an **applicant** withdraws an application, this **bylaw** applies to any reapplication for the same **permit** as it were a new application.
- 3.5 If **Council** refuses an application for a **permit** in accordance with section 4.3(c) of this **bylaw**, the **applicant** shall not reapply for the same **permit** for one (1) year after the date of the open **Council** meeting at which the application was considered, except that the time limit may be varied in relation to a specific reapplication with an affirmative vote of at least 2/3 of members of **Council** eligible to vote on the reapplication and this **bylaw** applies to the reapplication as if it were a new application.

PART 4: APPROVAL PROCESS

- 4.1 Prior to the **Council** meeting at which issuance of a **permit** will be considered, the **General Manager Planning and Development** shall prepare a report that includes the following:
 - (a) a review and analysis of the application;
 - (b) comments from any referrals to **City** departments and/or external agencies;
 - (c) if approval from a Provincial Ministry is required, confirmation that such approval has been obtained;
 - (d) if applicable, a copy of undertakings signed by the **applicant**;
 - (e) if applicable, the amount of **security** required to be provided and the form of the **security**;
 - (f) if applicable, the expiration date for the **permit**;
 - (g) a copy of the proposed **permit**;

- (h) a recommendation as to whether to approve the application, with or without conditions, or refuse the application.
- 4.2 Following public notification in accordance with Part 5 of this **bylaw**, the report of the **General Manager Planning and Development** under section 4.1 of this **bylaw** shall be placed on the agenda of an open **Council** meeting and all correspondence in relation to the application received prior to the meeting shall be provided to **Council**.
- 4.3 At the open **Council** meeting at which the application for a **permit** is considered, **Council** may:
- (a) approve the issuance of the **permit**, as proposed or with additional terms or conditions;
 - (b) refer the application with direction for further review to the **General Manager Planning and Development**; or
 - (c) refuse the application.

PART 5: PUBLIC NOTIFICATION

- 5.1 Where notice is required to be provided in accordance with section 466 of the *Local Government Act* for an application for a **permit** under this **bylaw**, the distance for the mailing or delivery of notices for the purpose of section 466(4)(b) is 30 m (98.4 ft.) from that part of the area that is subject to the **permit**.
- 5.2 For an application for a **temporary use permit**, the **City** shall give notice in accordance with section 494 of the *Local Government Act*.
- 5.3 In addition to all statutory notice requirements, an **applicant** shall post a sign on the **site** in respect to an application under this **bylaw** at least thirty (30) days prior to the date of the **Council** meeting at which the application will be considered, in accordance with requirements established by the **General Manager Planning and Development**.
- 5.4 The sign(s) required to be posted in accordance with section 5.3 shall be removed from the **site** within ten (10) days after **Council** approves the issuance of the **permit** or refuse the application. If the **owner** fails to do so, the **City**, by its employees or contractors, may enter the **site** and remove the sign(s) at the expense of the **owner** and all expenses for doing so, if unpaid by the 31st day of December of the year in which the expenses were incurred, shall be added to and form part of the property taxes payable in respect of the **site** as taxes in arrears.

PART 6: SECURITY AND UNDERTAKINGS

- 6.1 As a condition of the issuance of a **permit**, **Council** may require that the **applicant**

provide **security**, in an amount stated in the **permit**, in the event that:

- (a) a condition in a **permit** respecting landscaping is not satisfied;
- (b) an unsafe condition results as a consequence of a contravention of a condition in a **permit**;
- (c) damage to the natural environment results as a consequence of a contravention of a condition in a **permit**.

6.2 If the **City** considers that any of the conditions in section 6.1(a), (b) or (c) of this **bylaw** applies, the **City** may:

- (a) undertake, at the expense of the holder of the **permit**, the works, construction or other activities required to satisfy the landscaping condition, correct the unsafe condition or correct the damage to the environment; and
- (b) apply the **security** provided under section 6.1 of **bylaw** in payment of the cost of the works, construction or other activities, with any excess to be returned to the holder of the **permit**.

6.3 Interest earned on the **security** provided under section 6.1 of this **bylaw** accrues to the holder of the **permit** and must be paid to the holder immediately on return of the **security** or, on default, becomes part of the amount of the **security**.

6.4 In addition to any **security** required under section 6.1 of this **bylaw**, **Council** may require, as a condition of issuing a **temporary use permit**, that the **owner** provide **security** to guarantee the performance of the terms of the **temporary use permit**.

6.5 If **security** is required pursuant to section 6.4 of this **bylaw**, the **temporary use permit** may provide for the means for determining:

- (a) when there is default under the **temporary use permit**; and
- (b) the amount of the **security** that forfeits to the **City** in the event of default.

6.6 As a condition of issuing a **temporary use permit**, **Council** may require the **owner** to give an undertaking to:

- (a) demolish or remove a building or other structure; and
- (b) restore the **site**, or a portion of the **site**, to a condition and by the date specified in the **temporary use permit**

6.7 An undertaking under section 6.6 must be attached to and forms part of the **temporary use permit**, and if the **owner** fails to comply with all of the undertakings given, the **City**

may enter onto the **site** and carry out the demolition, removal or restoration at the expense of the **owner** and apply any **security** provided under Part 6 of this **bylaw** in payment of the cost of the demolition, removal or restoration.

PART 7: TERM, RENEWAL AND LAPSE

- 7.1 A **permit** is valid until the expiry date or for the period of time specified in the **permit**, except that a **temporary use permit** shall expire no later than three (3) years after the **temporary use permit** was issued.
- 7.2 Subject to an application in accordance with section 3.1 of this **bylaw**, a **permit** may be renewed on terms and conditions approved by **Council**, except that a **temporary use permit** may be renewed only once.
- 7.3 Subject to the terms of the **permit**, a **permit** lapses if the holder of the **permit** does not substantially start any construction with respect to which the **permit** was issued within two (2) years after the date of issuance of the **permit**.
- 7.4 An application for a **permit** shall be approved or refused by **Council** within one (1) year after the date the application was made, except that the time limit may be extended by the **General Manager of Planning and Development** for up to one (1) year upon receive of a written request from the **applicant**.

PART 8: NOTICE ON TITLE

- 8.1 The **City** shall file in the Land Title Office a notice on each **lot** comprising a **site** that is subject to a **permit** and any amendment or cancellation of the **permit**.
- 8.2 If a notice is filed under section 8.1, the terms of the **permit** or any amendment to it are binding on all persons who acquire an interest in the **lot** affected by the **permit**.

PART 9: SEVERABILITY

- 9.1 If any definition, section, subsection, paragraph, subparagraph, clause or phrase in this **bylaw** is held invalid by a Court of competent jurisdiction, the invalid definition, section, subsection, paragraph, subparagraph, clause or phrase must be severed and the remainder of this **bylaw** is deemed to have been adopted without the severed definition, section, subsection, paragraph, subparagraph, clause or phrase.

Appendix A

Read a first time this	day of	, 2022
Read a second time this	day of	, 2022
Read a third time this	day of	, 2022
Reconsidered and adopted this	day of	, 2022

MAYOR

CLERK

Recommended Planning and Building Fees Bylaw Amendments

The following amendments to the *Burnaby Planning and Building Fees Bylaw* are recommended to establish application fees for the temporary use permit applications:

1. **THAT** the “Table of Content” be amended by adding “SCHEDULE D-1” with wording the same or similar to the following:

SCHEDULE D-1 TEMPORARY USE PERMIT APPLICATION

2. **THAT** “Schedule A” of the *Burnaby Planning and Building Fees Bylaw* be amended by adding the following wordings shown in bold under the “Administration of Servicing Requirements File” section of the bylaw :

SCHEDULE OF REZONING APPLICATION FEES
<ul style="list-style-type: none">▪ Administration of Servicing Requirements File: For a Rezoning or Preliminary Plan Approval applications that does not include a Subdivision application, or a Temporary Use Permit application; or <i>For review of Title Summary Reports and/or Applications to Deposit Strata Plan, processing Replacement Agreements or other title documents and preparation of Legal Instructions for Statutory Rights-of-Way, Covenants, Easements, or other similar legal agreements and processes.</i>

3. **THAT** “SCHEDULE D-1” be added to the *Burnaby Planning and Building Fees Bylaw* with wording the same or similar to the following:

SCHEDULE D-1 – TEMPORARY USE PERMIT (TUP) APPLICATION

**Temporary Use Permit Application Fees
Burnaby Zoning Bylaw 1965
Section 6.28**

Appendix B

SCHEDULE OF TUP APPLICATION FEES	
<ul style="list-style-type: none"> ▪ Temporary Use Permit (TUP) Applications: 	
(a) TUP application fee	\$2,604.00
(b) TUP renewal fee	\$1,600.00
(c) TUP amendment fee	\$1,600.00
(d) An additional fee based on the estimated construction value (per \$1,000), if the proposal includes the construction or extension of a building or structure, or development of land. A minimum fee of \$293.00 shall apply if the additional fee based on the estimated construction value is less than \$293.00.	\$2.80
<ul style="list-style-type: none"> ▪ Administration Fees: <i>Fees subject to all applicable taxes</i> 	
For processing and reviewing compliance bonds for required works (e.g. tree replacement, landscaping, demolition/removal of building/structure, restoration of land, etc.)	1% of estimated Compliance Bonding
<ul style="list-style-type: none"> ▪ Public Notice Sign Removal Fee: <i>For the removal of the public notice sign(s) by the City, if the applicant fails to remove the sign(s) within 10 days of Council decision.</i> 	
Sign Removal Fee	\$250.00