

What is a Development Permit?

Communities in B.C. can designate **Development Permit Areas** to set objectives and guidelines for development within those areas. No building construction, demolition, land alteration, or subdivision of land may occur in a Development Permit Area without a **development permit** first being issued by Council.

Development Permit Areas (DPA) on Bowen Island are designated under Section 919.1 of the *Local Government Act* to:

- establish objectives for the form and character of commercial, industrial, or multi-family residential development (Village Periphery DPA; Tourist Commercial (Accommodation) DPA),
- protect the natural environment, its ecosystems and biological diversity (Watershed and Stream DPA; Cape Roger Curtis DPA); and
- revitalize specific commercial areas (Village Revitalization DPA).

Development permits are not meant to prohibit the type of buildings and land uses that are permitted by local zoning. What they provide is an opportunity to carefully guide the way in which permitted development actually takes place. To that end permits contain conditions regarding development, land alteration and subdivision. They can vary or supplement zoning regulations such as siting, but cannot vary use or density.

A development permit is not a building permit. You will still need to apply for a building permit before you can build on the land.

Lands are designated as Development Permit Areas in the Official Community Plan; maps show these areas. Guidelines used to evaluate an application can be found in the Land Use Bylaw. Projects within Development Permit Areas do not require permits if the Land Use Bylaw specifically exempts them.

When Do You Need to Apply For a Development Permit?

You need to apply for a development permit in the following cases:

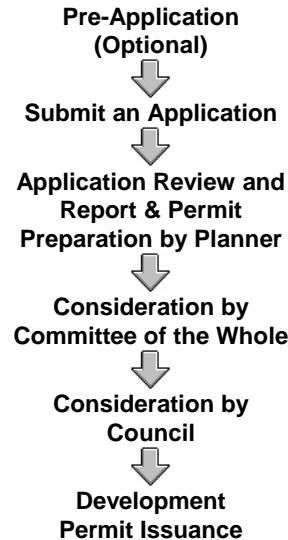
- when you propose to subdivide, build, add to or alter a building, structure or land on property within a development permit area, unless that activity is specifically exempted by provisions of

the *Local Government Act* or Official Community Plan, and

- when you want to amend an existing development permit.

The Development Permit Application Process

The major stages in the development permit application process are:



Step 1 — Pre-Application (Optional)

Before submitting your development proposal, you may wish to contact or meet with planning staff to review bylaws, policies, and regulations that may affect your project. Before submitting a development permit application, review of the following regulations will be useful:

- **Official Community Plan and Land Use Bylaw** Identify the Development Permit Area in which your property is located by looking at maps in the Official Community Plan. Each property within Bowen Island Municipality is subject to specific zoning regulations, some of which may impact your proposal. These regulations are contained in the Land Use Bylaw. It may also be useful to review the applicable Official Community Plan policies for the area and the Islands Trust Policy Statement.

- **Development Permit Area Guidelines** Review the DPA guidelines contained in the Land Use Bylaw to consider how they may affect your project
- **Other Regulations** It may be necessary to contact additional municipal staff to take care of other matters, such as adequate services to the site, access to a highway, or building code requirements
- **Specific Requirements** In some cases, you may need to hire a qualified consultant to address specific concerns with your application. Such consultants may include biologists, architects, engineers or planners, depending on the location of your property and the nature of your proposal.
- **Existing Development Permit(s)** In some cases there will already be a development permit on the title of the property. Such permits should be reviewed and amendments to the conditions or new development proposals identified on the application form.

Step 2 — Submit an Application

Once you have reviewed all applicable regulations and completed your project plans, you must complete an application form and submit it to Municipal Hall, **with the applicable fee**. Planning staff will be available to assist you; however you must provide the following information with your application. The application checklist provides more detailed information.

- A recent Certificate of Title indicating the owner(s) name. If the applicant is an agent of the owner, then a letter of authorization is required from the owner(s). The Certificate of Title will also indicate if there are any covenants or easements that may affect the proposed development. Provide any covenants or easements.
- A written description of the proposed development.
- Two sets of suitably scaled plans. Your drawings should be titled and contain pertinent information about setbacks, building heights, the number of parking stalls, etc. as detailed on the Application Checklist.

- Please see the appropriate fees bylaw or contact the Planning Department for information on fees. Most development permit fees are \$175, which may vary depending on the complexity of the application. The fee for a DP amendment application is \$150.
- Staff will not begin processing your application until all fees and information required in the application form have been provided.

Your efforts to provide a complete application with all the necessary information will help expedite the processing of your application.

Step 3 — Application Review

Once a complete application is received, planning staff will evaluate your proposed development against DPA guidelines, zoning regulations, and policies contained in the Official Community Plan and the Islands Trust Policy Statement. The application review may involve other municipal staff and referral to the Advisory Design Panel (form and character development permits).

Step 4 — Consideration by Committee of the Whole

Staff will prepare a report and permit for consideration by Committee of the Whole. The report will include supporting documentation and a staff evaluation and recommendations. The Committee will either recommend that the permit be issued by Council, table the application pending receipt of additional information, or recommend that the permit be denied. Consideration of permit issuance is based on the DPA guidelines, and conformity with local zoning.

Approval of a development permit may be subject to certain conditions such as environmental monitoring by a professional environmental consultant. In these cases a contract for service is required before permit issuance, and reports to the Municipality would be required.

Some development permit applications may skip Step 4 if review by the Committee of the Whole is not needed prior to Council consideration. Planning staff can advise you about this.

Step 5 — Consideration by Council

Council will consider the recommendation of the Committee of the Whole. Council will then approve the application and issue the permit, table the application pending receipt of additional information, or deny the permit.

Council must have regard to the object and policy statement of the Islands Trust in issuing a permit.

A development permit will be approved and issued if Council is satisfied that the project meets the applicable guidelines for the Development Permit Area. Once approved, the conditions of the development permit are binding on current and future owners.

Step 6 — Development Permit Issuance

When a permit is issued, Municipal staff will file a notice with the Land Titles Office that a development permit has been issued and it will be registered on the title of the property. A copy of the permit will be sent to the owner and a copy will be maintained on file at Municipal Hall.

During any required final building or site inspections, the development permit will be compared with the actual development to ensure that all conditions of the permit have been met. Timing of environmental monitoring may be similar to stages in the building permit process.

A development permit will state that if construction does not substantially commence within two years of the development permit issue date, the permit will lapse. After this two-year period, you will be required to submit a new development permit application if you wish to proceed with the development.

For Further Information...

This information is intended to provide guidance only and should not be interpreted as a right to development approval if the steps indicated are followed. Please consult Bowen Island Municipality bylaws for the definitive requirements and procedures. For further

information, please contact the Planning Department, Bowen Island Municipality at 604-947-4255.

Applying for a Development Permit

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