

A GUIDE TO THE DEVELOPMENT PERMIT PROCESS Environmental Protection / Natural Hazards

INTRODUCTION

What is a Development Permit (DP)?

A Development Permit outlines conditions or design requirements for certain types of development. Development Permit Areas are outlined in the Official Community Plan. There are two main types of Development Permits:

- A form and character Development Permit outlines design requirements for new construction (except for regular single family construction).
- An environmental Development Permit outlines requirements for protection of the environment (creek habitat) or requirements to deal with natural hazards (flooding, slope instability).

Where is an environmental Development Permit required?

Depending on the development location one or more Development Permit Area's may apply. The boundaries on the OCP maps provide only general indications. Site specific investigations may be needed to establish the exact boundary of the DP areas. The Official Community Plan outlines guidelines and requirements for each of the following environmental Development Permit areas:

- DPA 1 (former) Gravel Pit Areas
- DPA 2 Watercourses (habitat protection and creek hazards)
- DPA 3 Marine, Foreshore and Shoreline Areas
- DPA 4 Rocky beach front / escarpment, Rockfall and Upland Slope Hazards
- DPA 5 Steep Slopes (any slopes > 20%)

When do you need an environmental Development Permit?

On locations in the DP Areas an environmental Development Permit is required for:

- Subdivision approval
- Most types of construction of a building or structure (including additions or alterations)
- Alteration of the land, including, but not limited to, the following activities:
 - Site clearing or site grading
 - Removal, alteration or cutting of trees or vegetation
 - Disturbance of soils, rocks or other native site materials
 - Creation of non-structural impervious or semi-impervious surfaces (such as driveways or patios)
 - Flood protection or erosion protection works
 - Construction of roads, trails, docks, wharves or bridges
 - Installation of drainage, hydro, water, sewer or other utilities

Why is an environmental Development Permit required?

The objectives of the environmental DP areas are:

- To direct development away from hazardous land or portions of sites, and ensure safety of properties and residents;
- To require that appropriate measures, such as adequate building setbacks or cut and fill precautions be taken where potential geotechnical or flood hazards exist;
- To provide protection of sensitive terrestrial sites and upland areas, including visually sensitive areas;
- To provide protection of the aquatic resources associated with creeks, marshes and wetlands, and marine/foreshore areas;

Minor Environmental Development Permit

The Minor Development Permit applies to applications with limited impact. Minor Development Permits are issued by staff following the guidelines of the OCP. A Minor DP does not need to be approved by Council. Environmental Development Permit applications are considered minor (see also bylaw 350) when:

- (a) the floor area of new construction is less than 100m²; or
- (b) not more than 1 additional single family residential lot is created; or
- (c) alteration of land is being undertaken in association with a single family residential building permit; or
- (d) the development permit is for construction or alteration of a single family residence

Exemptions for environmental Development Permits

Development or uses that occur outside the DPA or with negligible impact may be exempted from the Development Permit requirements. The District may require detailed plans and/or legal survey before granting an exemption. For a full description of exemptions please consult the Official Community Plan. Generally, an environmental development permit will not be required for the following:

- If a Qualified Professional confirms the absence of riparian habitat or geotechnical hazards within the area that would be affected by the proposed work;
- Repairs, renovations, alterations and additions to existing legal or legal non-conforming buildings located:
 - within the original footprint; or
 - where the addition or alteration provides no further encroachment into the DPA. (unless there is a reasonable opportunity to incorporate measures like floodproofing)
- Routine maintenance of existing yards and gardens, provided no removal of vegetation or placement of fill with the DPA occurs;
- For any exemptions under this section, the District of Sechelt may require registration of a covenant under S.219 of the Land Title Act to ensure long-term compliance with geotechnical or environmental report recommendations.

APPLICATION PROCESS

1. Pre-Application Meeting

Meet with the Planning Department to discuss the development requirements and how your project may fit within OCP policies, DPA requirements, and other relevant bylaws. Staff will discuss potential issues regarding your proposal and may offer suggestions to address these. Staff will also be able to advise if other agencies need to be involved. Furthermore, staff will advise what type of Qualified Professional may be needed to provide expert advice. Based in this information you may want to consider contacting these parties before applying and determine their issues and requirements. Lastly, the Planning Department will inform you of tentative development costs, and the process required to complete the DP application.

2. Submit Application

- a. Submit a completed application** and supporting documentation together with non-refundable application fee. A checklist of application requirements is attached to this brochure.
- b. Application Fees**
Sechelt Bylaw No. 333-6 (Fee Bylaw) outlines fees for Development Permit applications. The fee for a regular environmental DP is \$1,000 (plus the cost of any peer review required) and \$ 300 for minor applications.

3. Planning Department Review

The Planning Department reviews the application to ensure it is complete and prepares an application summary for the referral. If the application is minor in scope, staff may issue the Development Permit in accordance with District of Sechelt Bylaw No. 350, 1999.

4. Government, Agency And Community Referral

Referrals to government agencies and community groups (Council Community Referral Policy #12007) should be distributed as appropriate. Possible referrals include:

a. Government and Agency (may or may not apply for Minor DP)

District of Sechelt Engineering and Public Works	Archaeology Branch
District of Sechelt Building Department	Sechelt Volunteer Fire Department
Department of Fisheries & Oceans	FortisBC
Ministry of Environment	Telus
Ministry of Transportation & Infrastructure	BC Hydro

a. Community Associations (not for Minor DP)

Downtown Village Residents	East Porpoise Bay	West Sechelt	Tuwanek
West Porpoise Bay	Sandy Hook	SHORA	
Selma Park/Davis Bay/Wilson Creek	Chamber of Commerce	S.D.B.A.	

5. Consideration By Planning Committee & Advisory Planning Commission (Not For Minor Dp)

The Advisory Planning Commission, made up of 9 citizens, appointed by Council, will review the application and make a recommendation to Council. The Planning Department prepares a staff report that outlines the nature of the project, the purpose of the development permit, the referral response, and finally makes recommendation to the Planning Committee as whether to proceed, proceed with conditions, or deny. The Planning Committee makes its recommendation for consideration by Council.

6. Consideration By Council (Not For Minor Dp)

If Council adopts the recommendation of the Committee of the Whole, the DP is issued, or modified and issued, or denied. A landscaping bond equal to the total cost of the landscaping works is required as a condition of the DP.

7. Registration

All Development Permits are registered on title at the Land Title Office by the District of Sechelt.

Term

Once approved, a Development Permit is registered on title. A Development Permit works must be completed within 24 months or another Development Permit may be required.

Relation To Other Permits

Once the Development Permit has been approved, a Building Permit is required for construction of any buildings and possibly a Servicing Agreement for construction of off-site services. A condition of issuing a Building Permit may be payment of Development Cost Charges in accordance with Sechelt's Development Cost Charge Bylaws and the Local Government Act. Staff can advise what applies in your specific situation.

APPLICATION REQUIREMENTS

While specific requirements will depend on the nature of the application, typical requirements are listed below. Drawings submitted should be provided on full size paper as well as on 11"x17" reductions.

Typical documents that may be required:

- **Application form** outlining the proposed development and how it addresses relevant Development Permit requirements
- **Scaled site plan** (prepared by a registered BC Land Surveyor) indicating: lot size(s), lot dimensions, location of all buildings (existing and proposed), setbacks to all property lines, north arrow, existing and proposed driveways, existing and proposed septic fields, topographical features (streams, shorelines, slopes, banks, including contours in 1-m intervals that show relevant features of the development site and adjacent area.
- **Title search** (less than ninety days old). If there are any covenants, right-of-ways, easements, etc. on title, please provide copies.
- **Four elevations** of each building (existing and proposed) including natural and finished grades. **Floor Plans** for each level of the building.
- **Report from a Qualified Professional**, for example, regarding environmental impact or slope stability.
- **Landscaping plan** including plant list that identifies sizes, species, and number of plants.

CONTACT INFORMATION

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Disclaimer

This is a summary of the Environmental Development Permit (DP) application process intended to assist you with the application. While every care has been taken in the preparation of this brochure, the District of Sechelt assumes no liability for its contents. This brochure is intended as a guide only and is not a legal document. You are advised to review the applicable legislation and bylaws and conduct your own inquiries with staff and other agencies. Specific procedures, requirements, and costs for the proposal will be determined at the time of application.