



Development Permits

A guide to the Development Permit Process



This Guide Explains:

- Development Permits
- Individual Development Permit Information Handouts
- Development Permit applications
- The process for reviewing applications
- Commonly asked questions

This pamphlet is a guide only. It is general in nature, and is not a legal document. Any contradiction, dispute or difference between the contents of this brochure and applicable bylaws, plans, policies or guidelines will be resolved by reference to the bylaws or other official documents.

What is a Development Permit?

Development Permits (DP's) do not reconsider the land uses that are allowed on a site. Rather, DP's ensure that how a development is constructed responds to a set of guidelines to meet specific objectives.

In general, these guidelines aim to:

- Protect the natural environment and farming;
- Protect from hazardous conditions; and,
- Guide the form, character and landscaping of commercial, industrial, multi-residential, and intensive residential development;

Development permits regulate form and character, signage, landscaping, screening, lighting and parking.

The locations of Development Permit (DP) areas are designated within the Official Community Plan (OCP).

The objectives and guidelines to be considered for each DP area are also stated in OCP. Once a DP is issued, any development or construction must conform to the specific conditions of the DP.

In addition to this brochure, each type of DP has an individual Development Permit Information Handout to help in further understanding processes unique to each DP.

Where are the Development Permit Areas in the City of Courtenay?

The following Development Permit areas have been established in the City of Courtenay:

- Downtown
- Commercial
- Industrial
- Environmental
- Multi-residential
- Shopping Centers
- Intensive residential

What does a Development Permit contain?

A Development Permit outlines, through text and drawings, the specific conditions that a development must conform to. For example, a Development Permit may indicate a certain building form, materials and a required landscape plan for multiple unit housing developments. As another example, if the DP is for environmental concerns, it might contain setbacks, restrictions on site disturbance, or replanting requirements.

A development permit application can include requests to change or 'vary' a certain regulation (such as those in the Zoning Bylaw or the Subdivision Bylaw) as it applies to that site.

Where a decision to issue a DP will be made internally by staff, variances cannot be included and a separate variance permit application will be required. Please refer to the Development Variance Permit brochure for information on the variance process.

Regulations that affect land use (the uses permitted on a property) or density (such as the number of units permitted on a property) **cannot** be varied through a Development Permit.

When is a Development Permit application required?

The Official Community Plan (OCP) and the Zoning Bylaw indicate the conditions under which a Development Permit (DP) is required. There are maps in each document as well as text stating the conditions when a DP application is or is not necessary.

Usually a DP application is required prior to the construction of, addition to, or alteration of a building, structure, land or parking area. Additionally, a DP is required for Subdivision. In the case of land in an environmentally sensitive area or land that is subject to hazardous conditions, a DP is required prior to any site disturbance.

There may be previously issued DP's that already deal with the requirements for a certain proposal. All DP's that have been issued are registered on the legal title of the property. It is important to obtain a copy of any previously issued DP's and review them with staff to determine if a further application is required.

When is a Development Permit application not required?

There are some cases where minor changes to a building or a site are permitted without a DP.

A Development Permit is not required for:

- Subdivision involving three or less lots;
- Construction of, addition to, or alteration of and existing building if less than 25% of the existing floor area (to the maximum of 200m²) or a change to the exterior of the building on any one side is less than 25% of the building face;
- Replacing windows or a roof;
- Painting the exterior of a building; or,
- Construction of a fence

Are there different requirements for each type of DP?

Each type of DP is for a different reason and so each type has different guidelines and evaluation processes. A separate DP Information Handout for each type of DP is available in addition to this brochure.

The Information Handouts for each individual type of DP are available from the Planning Services Department or the City of Courtenay's website. The information handouts help in further understanding the processes and requirements unique to each type of DP.

What if more than one type of permit is required?

There may be occasions when there is more than one development permit area that applies to a particular property. A proposal for a new industrial building for example, may fall within both a DP for the protection of aquatic habitat as well as one for the form, character, and landscaping of the building.

All the DP's can be applied for on one application form by checking off each DP that applies.

How is an application made?

The Planning Services Department has application packages that outline the required information, drawings and fees. It is important to make an appointment with planning staff before submitting a formal application. Staff will be pleased to review requirements and provide information. This will ensure a complete application and prevent any unnecessary delays.

It is important to remember that submitting an application does not guarantee approval.

What are the application costs?

Some of the typical costs associated with a Development Permit application are:

- An application fee. Please refer to the City of Courtenay Fees and Charges Bylaw and all amendments thereto;
- Any document/plans necessary to complete application requirements. This may include: site plans, building plans, or any plans necessary to illustrate the variance being requested in the application;
- Any documents/plans or information required in order to make a decision; and,
- Any legal fees associated with the application.

In addition a DP may contain a requirement for funds to be provided as security to the City. The funds are to ensure the completion of any landscaping or re-vegetation required by the DP. Those funds are returned when the landscaping is completed to the satisfaction of the Planning Services Department.

Planning Staff can provide information regarding the specific requirements for a particular application.

The DP Application Process

Discuss the proposal with Planning Staff
Staff can provide applications and discuss the proposal as well as provide some history on the success of similar applications

Submit a complete application

Application reviewed by the Planning Department
(2-4 weeks)

If required, referrals issued to other City departments and external agencies *(4 weeks)*

If required, referrals are returned to the applicant for outstanding issues to be addressed
(2-4 weeks)

Planning Department prepares a report to council or a memo to the Director of Planning *(2-weeks)*

Consideration of the DVP application by Council or the Director of Planning

At this point the Council may:

- Issue the DP
- Defer a decision pending more information or clarification
- Direct that a public meeting be held
- Not approve the DVP

If the permit is issued:

The regulations for the subject property(ies) are changed in accordance with the wording specifically approved by the Council or the Director of Planning. The applicant is notified and the City of Courtenay registers the DP on the title of the affected property. The issued Development Permit is valid for 12 months.

If the permit is denied:

No substantially similar application will be considered by Council for 12 months.

For More Information:

You should always refer to the official copies of the Official Community Plan, Zoning Bylaw, Subdivision and Development Bylaw and other formal City of Courtenay documents if you are unsure of any procedure or requirement. Staff will be pleased to be of assistance.

For more information, please contact planning staff at the Planning Services Department (250) 334-4441. We will be pleased to help you and answer any questions that you might have.



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