

# A Guide to Development Permit Applications

## About Development Permits

In certain parts of the Municipality, there are areas designated as Development Permit Areas. Development Permits allow the Municipality to manage the types of development that occur in specific areas. Unique development guidelines apply in each of these development permit areas. These guidelines reflect certain objectives, including:

- To regulate the form and character of commercial, industrial, and multi-family developments
- To protect the natural environment
- To prevent hazardous conditions
- To revitalize specific commercial areas

You may apply for a building permit and begin construction in a development permit area only after obtaining a development permit. Council will issue a development permit for a proposed project when satisfied it meets all guidelines and conditions. These guidelines and conditions appear in the official community plan.

## When to Apply for a Development Permit

You should apply for a development permit for either of these two purposes.

1. to change or modify an existing development permit
2. to develop a property located within a development permit area, as with:
  - any multi-family zoned property (i.e. R6, R7, or R8) Seniors' or congregate care housing in a P1 zone
  - any commercial-zoned property fronting onto a highway
  - any site zoned for industrial use when that use is visible from a public road
  - any commercial-zoned property in Chemainus or Crofton
  - any subdivision abutting the Municipal Forest Reserve

## Period of Validity

A development permit lapses when construction has not substantially commenced within two years of its date of issue. If your permit lapses, you must submit a new development permit application, and repeat the process.

## Applying for a Development Variance Permit - Summary

### 1. Pre-Application Check

Before submitting your application, review the pertinent development regulations.

### 2. Submitting an Application

Submit your plan and application along with the application fee.

### 3. Application Review

Your proposal is reviewed by staff and a report is prepared for the Technical Planning Committee's evaluation.

### 4. Technical Planning Committee Review

The Technical Planning Committee (TPC) holds a review meeting at which you can present your proposal and answer questions. The committee makes a recommendation to Council or its delegate.

### 5. Public Meeting and Council Decision

The Council considers the TPC's recommendations, and decides either to approve or deny the application. When approved, a development variance permit will be issued with conditions stipulated by Council.

### 6. Approval Delegation

If there are no variances to Municipal bylaws, the approval authority for development permits has been delegated to the District's Administrator. Property owners may appeal a decision made by Council's delegate, as outlined in Delegation Bylaw 2001.



## Application Guidelines

### Step 1: Pre-application Check

Before submitting a development permit application, plan your development proposal thoroughly and carefully. In preparing your proposal, you should be aware of the Municipality's plans, policies, and regulations that may affect your property, including:

- **Official Community Plan:**  
North Cowichan's official community plan (OCP) divides the municipality into designated land use areas. Check the OCP for your property's designation. If the OCP does not permit the activity you propose, then you must apply for an OCP amendment and receive approval before your development permit application can be considered by Council. You may apply for an OCP amendment concurrently with your development variance permit application.
- **Development Permit Area Guidelines:**  
The OCP contains specific design guidelines that affect your application. You may review development permit area maps and guidelines at the Planning Department office.
- **Works and Services:**  
All developments must include utilities (e.g. sewer and water) at the developer's expense. Check with the Planning and Engineering departments on the availability of the required services, and whether additional servicing is necessary.
- **Zoning Bylaws:**  
Zoning regulations apply to every property in the municipality. In each zone, specific uses and activities are permitted. Check the bylaw to determine the zoning regulations that apply to your proposed development. If you require an amendment to the zoning bylaw, you may apply for a zoning amendment concurrently with your development permit application.

### Step 2: Submitting an Application

Once you have prepared your proposal, you can complete an application form and pay the application fee (\$400). For your application to be processed without delay, you must provide all of the required information:

- The property owner's name and address. If, as the property owner, you designate an agent to apply on your behalf, fill out the provided consent form. You and your agent must both sign this form.
- The civic address and legal description of the property.
- A location sketch showing the property in relation to the surrounding neighbourhood.
- A site plan diagram showing:
  - lot dimensions and all property lines, with the scale and date indicated
  - dimensions, elevations, and setbacks of proposed and existing buildings
  - off-street parking and loading spaces
  - access points to the site, plus rights-of-way or easements
  - any significant natural features (e.g. slopes, watercourses, tree cover).
- Concept plans and drawings including grading and landscape plans. These should clearly illustrate the proposed development so that Council can assess the impact of the project.



# Developments Permit Applications

- Development data. Include site area, site coverage, total floor space, floor space ratio, parking requirements, number of units, height of building, and details of open spaces.
- Servicing information. Indicate existing and proposed water, sanitary and storm sewer services on site, as well as off-site connection points. Information on the capacity of existing services to the proposed development may also be required.
- Legal Information. Provide a copy of the current Certificate of Title and copies of all statutory rights-of-way and covenants. Also indicate whether the land lies within the Agricultural Reserve.

Please provide five sets of plans with all dimensions in a metric scale, and include one set reduced to letter size. All must be legible.

### Step 3: Application Review

Once the Planning department receives your application, it circulates copies to other departments and agencies for review. During this process, you may be asked for clarification, further information, or plan revisions if your proposal is considered incomplete. After this initial review, you will be notified of the status of your application, and a staff report will be prepared for the Technical Planning Committee (TPC). This report will include an assessment of the application, a recommendation for the application to proceed or be denied, and notes on any issues that must be addressed.

### Step 4: Technical Planning Committee Review

The report from stage three will go to the next TPC meeting. You will have an opportunity to present your proposal and answer any questions at that meeting. After reviewing your proposal, the TPC will decide whether to recommend to Council that the application be approved, tabled pending further information, or denied. A planner will review the committee's recommendation with you.

### Step 5: Council Decision

At the first opportunity, Council will consider the TPC recommendations, and decide whether to accept or modify those recommendations. If Council approves your application with conditions, a planner will again review the conditions with you before the development permit is issued.

### Step 6: Approval Delegation

If the development permit application does not propose any variances to Municipal bylaws, the approval authority for development permits has been delegated to the District's Administrator. Property owners may appeal a decision made by Council's delegate, as outlined Delegation Bylaw 2001.

### Permit Issuance

Once Council approves your development variance permit, you must demonstrate that you can meet all of its conditions (e.g. submitting a Letter of Credit to secure landscaping obligations). Your permit can then be signed by the Municipal Clerk and a copy sent to you. The Clerk will file the permit with the Land Title office. The title of the property will then carry a notice stating that a development variance permit applies to your property. The permit will refer to all plans associated with your project. Plans are filed in the Municipal office and referred to when you apply for your building permit.

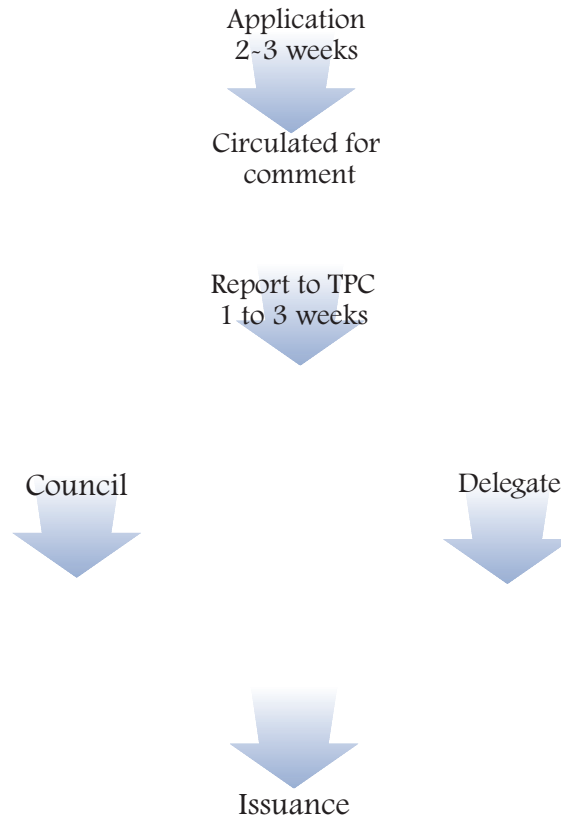


# A Guide to Development Permit Applications

## How Long It Takes

An application that is correct and complete can be processed in three to six weeks, depending on Council and TPC meeting schedules.

### Time Line



Planning Department, District of North Cowichan  
7030 Trans Canada Highway, Box 278, Duncan, BC V9L 3X4  
Tel: 250-746-3100, 8:30 AM to 4:30 PM, Monday to Friday  
Fax: 250-746-3154  
[www.northcowichan.bc.ca](http://www.northcowichan.bc.ca)

