



Islands Trust

# APPLICATION GUIDE

## Siting and Use Permit

### *Introduction*

The Denman Island Local Trust Area and Hornby Island Local Trust Area are subject to land use bylaws that regulate: (i) the use of land and (ii) the use, location and size of buildings and structures permitted on the land. Pursuant to Section 31 of the Islands Trust Act, both Denman and Hornby Island Local Trust Committees have adopted Siting and Use Permit Bylaws.

Siting and Use Permits are required prior to any construction, except as exempted in the relevant Siting and Use Permit Bylaw. Siting and Use Permits specify that any proposed construction/siting/use would comply with requirements of the relevant land use bylaw. There is no building permit function for Denman and Hornby islands.

The requirements of the Denman Island Land Use Bylaw and Hornby Island Land Use Bylaw are expressed in both the General Regulations that apply to all land within the local trust area and in the zone-specific regulations that apply to land within each zone. It is recommended that, prior to seeking a siting and use permit, the applicant obtain and read copies of the Official Community Plan and Land Use Bylaw and establishes a potable water supply. For any planned development within a Development Permit Area as identified in the Official Community Plan, a Development Permit will be required in addition to a Siting and Use Permit. Applicable bylaws are available on our website at [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca).

### *What is a Siting and Use Permit?*

Property owners on Denman and Hornby Islands are required to obtain a Siting and Use Permit before beginning any new construction or altering the use of the land. Construction includes any buildings or structures not specifically exempted in the Siting and Use Permit Bylaw. A Siting and Use Permit is intended to insure that new construction and land use comply with all provisions of the applicable Land Use Bylaw. A permit can only be issued if all aspects of the proposal comply with the applicable Land Use Bylaw.

### *When Do You Need to Apply For a Siting and Use Permit?*

You are required to apply for a Siting and Use Permit before:

- erecting a new building or structure; or
- adding to an existing building or structure.

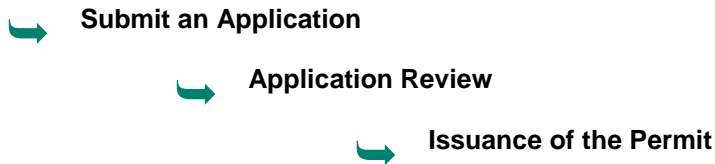
A permit is valid for two years or as specified in the permit; if the permit lapses before you begin construction, you will need to apply for a new permit.

If you are unsure whether your proposed construction or use of the land requires a permit, call the Islands Trust Northern Office at (250) 247-2063.

## ***The Siting and Use Permit Application Process***

The major stages in the Siting and Use Permit Application Process are:

### **Pre Application**



### ***Step 1 — Pre-Application***

Before submitting your application, you may wish to contact local planning staff to review the bylaws, policies and regulations that may affect your project. You need to consider the following:

- **Official Community Plans** - Including Development Permit Areas. Check relevant Official Community Plan Policies for your designation(s) of land. You need to determine if the proposed building(s) and use(s) will be located within a Development Permit Area as indicated on maps attached to the Official Community Plans. If so, you are required to obtain a Development Permit first. A Siting and Use Permit will be required in addition to any required Development Permit.
- **Land Use Bylaw** - Each property in the Trust area is subject to both general and specific zoning regulations regarding siting, use, height and dimensions of buildings and structures.
- **Other Agency Regulations** - Your proposal may also require approvals from other agencies such as the Ministry of Transportation; the Ministry of Environment; the Agricultural Land Commission; and the Vancouver Island Health Authority. While the issuance of a Siting and Use Permit is not conditional upon your obtaining approval from these agencies, you should be aware that other approvals may be necessary for any planned development on Denman and Hornby Islands.

### ***Step 2 — Submit an Application***

When submitting your application you must provide the following:

- a State of Title Certificate issued within the past 90 days;
- copies of any covenants and easements on the property;
- a completed application form;
- three copies of a site plan (see the application checklist for site plan requirements); and,
- an application fee for Siting and Use Permit (contact staff for the current fee).

### ***Step 3 — Application Review***

Once a complete application is received, staff will review your proposal. A Siting and Use Permit will only be issued if the proposed construction and land use comply with the applicable Land Use Bylaw. If the proposal does not comply, staff will notify you to determine if the issues can be resolved.

### ***Step 6 — Issuance of Permit***

When a Siting and Use Permit is issued, a copy will be sent to you and other appropriate agencies. The permit will state that construction must substantially commence within two years of the permit issue date or the permit will lapse. After two years you will be required to apply for a renewal if you wish to proceed with your proposal.

### ***For Further Information. . .***

This information is intended to provide guidance only and should not be interpreted as a right to a development approval if the steps indicated are followed. Please consult the *Local Government Act* and its regulations, as well as the other Islands Trust applicable bylaws for the definitive requirements and procedures. For any further information, please contact your Islands Trust Office (see next page).

### ***Contact Information***

#### **Northern Office**

*Email*

northinfo@islandstrust.bc.ca

*Address*

700 North Road  
Gabriola Island, BC V0R 1X3

*Telephone*

250.247.2063

*Fax*

250.247.7514

*Calls can be made toll-free via Enquiry BC:*

In Victoria call: 250.387.6121

In Vancouver call: 604.660.2421

Elsewhere in BC call: 1.800.663.7867