



Islands Trust

DEVELOPMENT PERMIT AREAS ON DENMAN ISLAND

A number of areas on Denman Island are designated as “Development Permit Areas”. If you are the owner of a property that is wholly or partly within one of the areas, you will need to obtain a development permit before beginning certain kinds of land alterations on your property.

WHAT IS A DEVELOPMENT PERMIT AREA?

A development permit area (DP Area) is an area of land or water that has been designated by the local government, at the wish of the community, to achieve protection in one form or another. At present, Denman Island has six development permit areas. Within each, certain kinds of land alterations are restricted. The restrictions vary with the DP Area.

Some DP Areas are designed to protect the natural environment. Others protect development from hazardous conditions, such as erosion. Still others address aesthetic concerns by guiding the form and character of commercial uses.

HOW DO I KNOW IF MY LAND IS IN A DP AREA?

To determine whether your land is within a DP Area refer to Schedule E in the Denman Island Official Community Plan (OCP). Schedule E consists of two maps that show clearly which lands fall within each DP Area. The full OCP is in the Dora Drinkwater Library on the island and on the Islands Trust website at www.islandstrust.bc.ca. The maps are posted in the Islands Trust notice box at the Marcus Isbister Old School Centre at 5910 Denman Road. Islands Trust planning staff will assist you if you have any questions. Contact information is at the end of this document.

HOW DO I KNOW WHETHER WHAT I'M PLANNING REQUIRES A PERMIT?

If you plan to build, log, or otherwise alter land that is within a DP Area, you may need a permit. To check, refer to Section I of the OCP. Look for the subsection entitled “When is a Development Permit Required?” Islands Trust planning staff will assist you if you have any questions. Contact information is at the end of this document.

HOW DO I APPLY FOR A PERMIT

If you need a permit, request an application form from the Islands Trust office or download the application form from our website at www.islandstrust.bc.ca. It may take several weeks after you apply for your permit to be issued, so be sure to apply early.

ARE THERE EXEMPTIONS FOR A PERMIT

Yes, but only for some areas and for some land alterations. For example, as a result of provincial regulations, land that is classified as managed forest by the BC Assessment Authority is exempt from the requirements that restrict forest harvesting activities. Other exemptions may apply depending on the DP Area. Exemptions are listed in the OCP in the text relating to the DP Area.

WHAT IF MY PROPERTY IS IN TWO DP AREAS?

You only need to submit one application and pay one fee. Planning staff always check to see whether more than one DP Area applies to a property. Where two DP Areas apply, the guidelines of both apply. In such cases, one permit is issued to cover both DP Areas.

WHAT DOES A PERMIT COST?

The application fee varies depending on the type of DP Area. For DP Areas that protect the natural environment or protect from hazardous conditions, the fee is \$400. For DP Areas that guide form and character of commercial development, the fee is \$600. Planning staff commences work on an application when the fee is received.

WHAT HAPPENS IF I DON'T APPLY OR IF I GO BEYOND THE LIMITS SET OUT IN MY PERMIT

If you need a permit for what you are planning, you must obtain the permit prior to commencing work. Work begun without a permit is a violation of the requirements of the OCP and the *Local Government Act* and could be subject to bylaw enforcement procedures, possibly resulting in a court case. You could also be subject to bylaw enforcement if you make alterations beyond those allowed by an approved permit.

DP Area No. 1: Komas Bluff

This DP Area comprises a strip of land ranging from approximately 100 to 250 metres wide along the Komas Bluff on Denman's northeast coast. The DP Area is intended to protect dwellings and other development from hazards resulting from the instability of these sandy cliffs. A permit is required for any development, subdivision or land alteration, including the cutting or removal of trees or other vegetation. Landowners applying for a permit may be required to obtain a geotechnical report from a certified professional engineer to show that the proposed level of land alteration is unlikely to cause potential erosion.

DP Area No. 2: Steep Slopes

This DP Area comprises eight strips of environmentally sensitive land where the slope is greater than 60 per cent (31 degrees from the horizontal). Most are southwest facing part of the "Denman Ridge" or the "Graham Ridge". No permit is required for the landowner to cut up to four trees smaller than 30 cm in diameter plus one larger tree in any five consecutive calendar years. However, a permit is required to cut above this level. An environmental impact assessment is required showing that the proposed cutting is unlikely to have harmful effects. A permit is also required for constructing roads or buildings.

DP Area No. 3: Lacon Road Coast

This DP Area comprises a strip of land on the west side of Lacon Road, immediately north of McFarlane Road, which is both unstable and environmentally distinctive. The requirements are much like those of DP Area No. 2, in that a permit is needed for tree cutting above a minimal level, and of DP Area No. 1, in that a geotechnical report may be required.

DP Area No. 4: Streams, Lakes and Wetlands

This DP Area restricts land alteration in most surface water and associated riparian areas (the land adjacent to the water). The restrictions are designed to protect biological diversity, preserve fish and wildlife habitat and prevent degradation of water supplies. Streams and wetlands are classified as "major" or "minor" as shown on the map in Schedule E of the OCP. Depending on the classification, permits require landowners to maintain either a "reserve area" of 30 metres where very minimal alteration can occur, or a "retention area" of 10 metres where specified minor alterations can occur.

DP Area No. 4 (continued)

Because Denman has unusually large amounts of surface water, many properties include land designated as this DP Area. The restrictions may be reduced for lots greater than 10 hectares if the owner obtains an environmental impact assessment showing that the proposed land alteration is unlikely to have harmful effects. For smaller lots, the restrictions may be reduced where there are site constraints, as long as harmful effects are unlikely.

DP Area No. 5: Commercial

This DP Area includes all properties zoned C (Commercial). As a result, all commercial properties in Denman Village require a permit. The restrictions guide the form and character of buildings so they reflect the rural character of the island and blend with the natural surroundings. Permits also regulate the form and character of signs, parking, open areas and landscaping.

DP Area No. 6: Community Boat Launch

This DP Area was created specifically for the community boat launch in the Bill Mee Park on East Road, south of Gravelly Bay. The permit was issued in 1995 and controls parking for the boat launch and limits road and beach access. As well, a vegetation buffer is required and wildlife trees are protected.

CONTACTING THE ISLANDS TRUST

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