



Victoria Office
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Galiano, Mayne, North Pender,
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Denman, Gabriola, Gambier, Hornby,
Lasqueti, Thetis, Ballenas-
Winchelsea Islands

Schedule G: Siting & Use Permits

Information about Siting and Use Permits

A Siting and Use Permit is required prior to undertaking construction on Denman Island and on Hornby Island. A Siting and Use Permit is intended to ensure that new construction, siting and use comply with the Land Use Bylaw. Siting and Use Permits are used by the Denman and Hornby Island Local Trust Committees because the Comox Valley Regional District does not provide building inspection services to the islands.

Before you apply:

Before applying for a Siting and Use Permit, it is important to review the applicable Official Community Plan (OCP) and Land Use Bylaw. Land Use Bylaw requirements are expressed in both General Regulations that apply to all land and Specific Regulations that apply to individual zones. A permit can only be issued if all aspects of the proposal comply with the applicable land use regulations.

For further information, visit the Islands Trust website at www.islandstrust.bc.ca and review the bylaws:

Notes:

1. A Siting and Use Permit is valid for two years or as specified in the permit; if construction is not irrevocably commenced within two years of the date of permit issuance, the permit lapses. Irrevocably commenced means:
 - in the case of a building or structure whose height is regulated by the Denman or Hornby Island Land Use Bylaw, completion of the foundation and the framing and structural roof elements such that the height may be ascertained;
 - in the case of a building or structure with a permanent foundation and no roof, completion of construction of the foundation such that it is capable of supporting the building or structure without further modification; and
 - in the case of a building or structure with neither a roof nor a permanent foundation, assembly at the construction site of all required building materials and prior issuance of all necessary approvals.
2. If the proposed development is located within a Development Permit Area, as identified in the Official Community Plan, a Development Permit may also be required. If it is not possible to comply with all bylaw requirements, the application will need to be modified, or an application will need to be made for a bylaw amendment or one or more variances.
3. All new construction of buildings and structures or alterations to existing buildings and structures are legally required to comply with the BC Building Code, even in areas where no building inspection services are provided. Responsibility for BC Building Code compliance rests entirely with the property owner.
4. In accordance with the Home Owner Protection Act and Regulation, anyone building a new home in BC is required to obtain a builder licence from BC Housing, unless exempt because they are acting as a general contractor to build their own home and have an Owner Builder Authorization from BC Housing. These requirements apply regardless of whether or not building permits are required.
5. The applicant is solely responsible for determining the safety of construction/siting and the existence of any potential hazard to development, including the stability of the land on which the building or structure is to be located.
6. The applicant should also ensure that the planned construction/siting and use(s) comply with all other relevant provincial regulations including, but not limited to: road access requirements, potable water and sewage disposal requirements, and provincial water licensing requirements.
7. Only Authorized Persons as defined by the BC Sewerage System Regulation may construct or maintain a sewerage system, or supervise an owner constructing or maintaining a sewerage system on his/her own land.
8. Other provincial regulations may apply and it is the responsibility of the applicant to obtain all necessary approvals.

Application Process

Pre-Application

- Review applicable local trust committee policies and regulations, including:
 - **Official Community Plan**
 - Determine whether or not proposed uses, buildings or structures are located within a Development Permit Area; if so, an application for a Development Permit may be required. Contact the Islands Trust to confirm.
 - **Land Use Bylaw**
 - Confirm that the subject property zoning permits the proposed use and density.
 - Confirm that uses, buildings and structures comply with siting, size and dimension requirements.
- Confirm requirements of other government agencies.

Application Submission

- Submit a complete application and fee; ***incomplete applications will not be accepted.***
- **A BC Contaminated Sites Regulation Site Disclosure Statement (Schedule 1) must be completed**
- The Islands Trust will contact you to request missing application materials

Application Review

- An Islands Trust planner will review your application
- Supplementary information may be requested by the planner if needed.
- If the application does not comply with applicable local trust committee bylaws, the planner will request that the application be modified or that an additional application be made for a development permit, variance or bylaw amendment.

Application Decision

- If the application is approved, a Siting and Use Permit will be issued and notification will be sent to the applicant and copied to various government agencies.
- Construction must substantially commence within two years of the permit issue date or the permit will lapse.

Application Requirements

Please provide the following information in addition to the completed application form, fee, title search and title charges:

- A written description of the existing and proposed uses, buildings and structures on the subject property including a description of any home occupation (if applicable);
- A Site Survey completed by a registered BC Land Surveyor (BCLS), unless the Islands Trust confirms a survey is not needed;
- An 11x17 Site Plan, drawn to scale, showing the following:
 - a. The location, dimensions and floor area of existing and proposed buildings and structures;
 - b. The location of existing and proposed water infrastructure (e.g. septic tanks, disposal fields, wells, water lines, cisterns, retention ponds, etc.) on both the subject property and neighbouring properties (if applicable);
 - c. The location of existing and proposed driveways, off-street parking, loading, outdoor storage, stream crossings, pathways, decks and patios;
 - d. The location of all watercourses (including streams, ditches, lakes and wetlands);
 - e. The location, dimensions and area of existing and proposed covenant areas, easements and utility corridors;
 - f. Setbacks of existing and proposed buildings, structures and water infrastructure to lot lines, the natural boundaries of watercourses and the sea, and, where applicable, the edge of any cliff on the subject property;
 - g. The area of the subject property;
 - h. The height of existing and proposed buildings and structures.
- Elevation drawings.
- A BC Contaminated Sites Regulation Site Disclosure Statement (Schedule 1) must be completed**

NOTE: 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 the Islands Trust.



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Land Use Application

Application Type: *Check all that apply*

See Associated Schedules for Information and Application Requirements

| | | |
|--|--|------------|
| <input type="checkbox"/> Bylaw Amendment | <input type="checkbox"/> OCP <input type="checkbox"/> Land Use / Rezoning <input type="checkbox"/> Land Use Contract | Schedule A |
| <input type="checkbox"/> Development Permit | <input type="checkbox"/> Renewal or Amendment | Schedule B |
| <input type="checkbox"/> Development Variance Permit | <input type="checkbox"/> Renewal | Schedule C |
| <input type="checkbox"/> Heritage Alteration Permit | | Schedule D |
| <input type="checkbox"/> LCRB License | <input type="checkbox"/> Liquor <input type="checkbox"/> Temporary Change <input type="checkbox"/> Cannabis Retail | Schedule E |
| <input type="checkbox"/> Order - Board of Variance | | Schedule F |
| <input type="checkbox"/> Siting & Use Permit | | Schedule G |
| <input type="checkbox"/> Soil Deposit / Removal | <input type="checkbox"/> Registration <input type="checkbox"/> Permit | Schedule H |
| <input type="checkbox"/> Strata Conversion | | Schedule I |
| <input type="checkbox"/> Subdivision Review | <input type="checkbox"/> Boundary Adjustment | Schedule J |
| <input type="checkbox"/> Temporary Use Permit | <input type="checkbox"/> Renewal | Schedule K |

Description of Subject Property:

| | |
|-------------------|-----|
| Civic Address | PID |
| Legal Description | |

Purpose of Application: *Provide a brief description (attached additional pages if needed)*

Applicant:

| | |
|------------------------|----------------|
| <i>Name</i> | <i>Company</i> |
| <i>Mailing Address</i> | |
| <i>Phone</i> | <i>Email</i> |

Declaration:

As the owner or agent authorized to act on behalf of the owner(s) of the subject property, I declare the information submitted in support of this application is true and correct in all respects.

Signature

Office Use Only:

| | | | |
|---------------|-----------|-------------|-----------|
| Date Received | Fees Paid | Receipt No. | TAPIS No. |
|---------------|-----------|-------------|-----------|

Owner Authorization:

As the registered owner(s) of the subject property, I/we declare that the information submitted in support of this application is true and correct in all respects. I/we hereby authorize Islands Trust staff or their contractors to conduct site inspections of the subject property for the purpose of processing this application, and hereby authorize and appoint:

Print Name (Complete if applicant is not the owner(s))

... to serve as the agent for this application, and communicate with Islands Trust staff and Islands Trust bodies on our behalf.

All registered owners on title must be listed on and sign the application. Corporations must include a list of directors.

| | |
|-------------------|------------|
| Name/Company Name | Signature |
| Mailing Address | |
| | |
| | |
| Phone | Print Name |
| | |
| Email | Date |
| | |

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|-------------------|------------|
| Name/Company Name | Signature |
| Mailing Address | |
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| Phone | Print Name |
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| Email | Date |
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| | |
|-------------------|------------|
| Name/Company Name | Signature |
| Mailing Address | |
| | |
| | |
| Phone | Print Name |
| | |
| Email | Date |
| | |

Application Checklist The following materials must accompany the application:

- Completed application form
- Current title search (issued within 30 days)
- Copies of all title charges (restrictive covenants, rights-of-way, etc.)
- Application fee (see applicable Local Trust Committee Fees Bylaw for current fees)
- If applicable, [a BC Contaminated Sites Regulation Disclosure Statement \(Schedule 1\)](#) must be completed
- If applicable, QEP Report registered in Province of BC Riparian Areas Regulation (RAR) Notification System
- Required plans, drawings, reports and other information as noted on the applicable schedules and DAI Bylaws**

NOTE A complete application and fee must be received before the application will be processed. Fees may be paid using cash, cheque or interac e-transfer (contact Islands Trust for e-transfer procedure). Applicants are advised that processing times may depend on applications volumes and timing of local trust committee meetings. Applicants are encouraged to apply for permission well in advance of scheduled development.

Freedom of Information

The collection of personal information, for the purpose of processing this application, is authorized under the Local Government Act, Community Charter and section 26(c) of the Freedom of Information and Protection and Privacy Act. Enquiries may be directed to a Deputy Secretary at any of the Islands Trust Offices, as noted on page 1 of this form. A request for information, under the Freedom of Information and Protection of Privacy Act may be made to: FOI Coordinator, Islands Trust, 200-1627 Fort Street, Victoria, BC V8R 1H8, Tel. (250) 405-5151, Fax (250) 405-5155.