	Town of Qualicum Beach	Policy Manual
	Subject: Administration - Planning Development Procedures and Protocol	
	Policy Number: 3008-6	

Purpose To provide direction to Town staff, Council, and development applicants regarding the accepted procedures, communication protocol and appeal mechanisms for development application processes in Qualicum Beach.

Policy The Town of Qualicum Beach expects that Town staff and applicants will adhere to the attached development procedures flowchart. The chart identifies the responsible decision-making authorities for development applications. Particular attention should be given to the defined stages at which Town Council is involved in the review of development applications.

Procedure After the submission of a formal development application, applicants shall refrain from discussing their applications with members of Council except during meetings that are open to the public as identified in the attached flow charts.

Staff may not take part in a meeting with a development applicant if a member of Council is present except during meetings that are open to the public as identified in the attached flow charts.

Staff will provide applicants with information regarding the decision-making process as well as any opportunities for appealing those decisions.

Responsibility Development Applicants
Planning Department staff
Council

References

Distribution Planning Department
Administration
Council

Attachment Development Procedures

Approved: March 12, 2012 Approved By: Council	Amended: n/a
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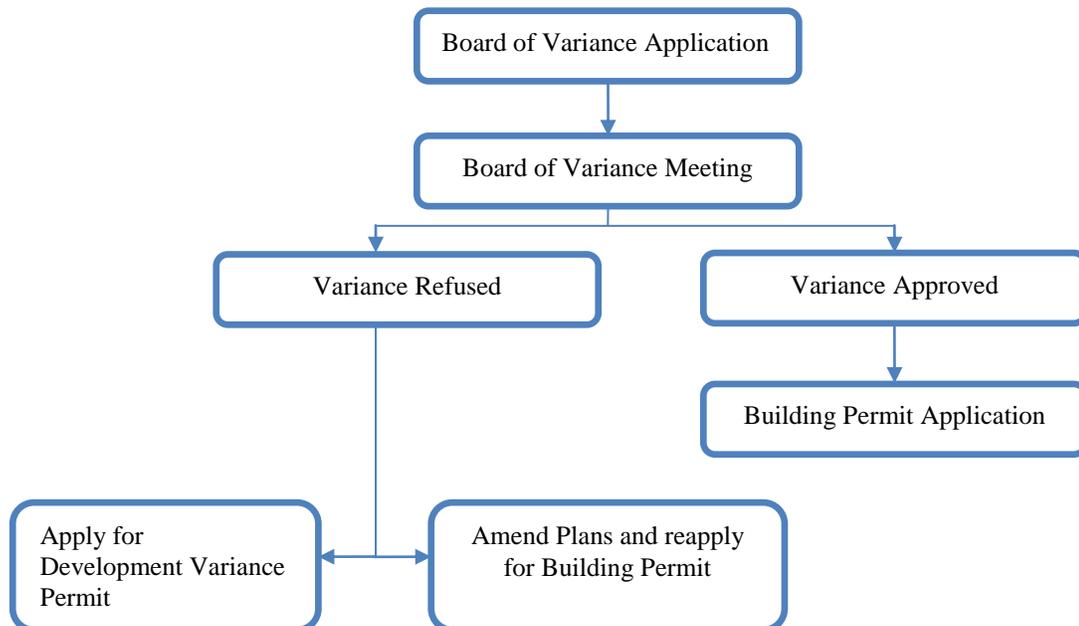
Attachment 1: Development Procedures

Development Procedures: *Board of Variance*

A person may apply to the Board of Variance for a minor variance if they feel compliance with the zoning bylaw would cause them a hardship. The BOV may grant a variance if they have considered the following factors and are of the opinion that the variance does not:

- result in inappropriate development of the site;
- adversely affect the natural environment;
- substantially affect the use and enjoyment of the adjacent land; or
- vary the permitted uses and densities or defeat the intent of the bylaw.

Municipal appeal mechanism: Development Variance Permit.

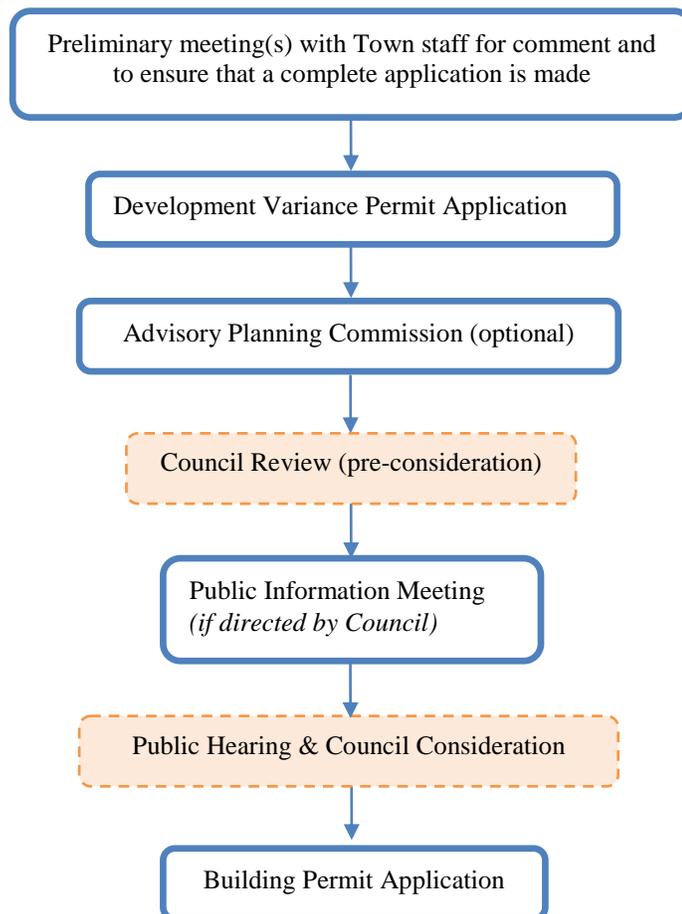


Development Procedures: *Development Variance Permits*

A Development Variance Permit is a permit granted by the Town to vary a section of a Bylaw as permitted by the *Local Government Act*. For example, a Development Variance Permit may vary sections of the Town's zoning bylaw:

- Setbacks to property lines;
- Maximum building heights;
- any provision of a land use bylaw NOT related to use or density; and
- Works and Services related to a building permit or subdivision.

Municipal appeal mechanism: n/a

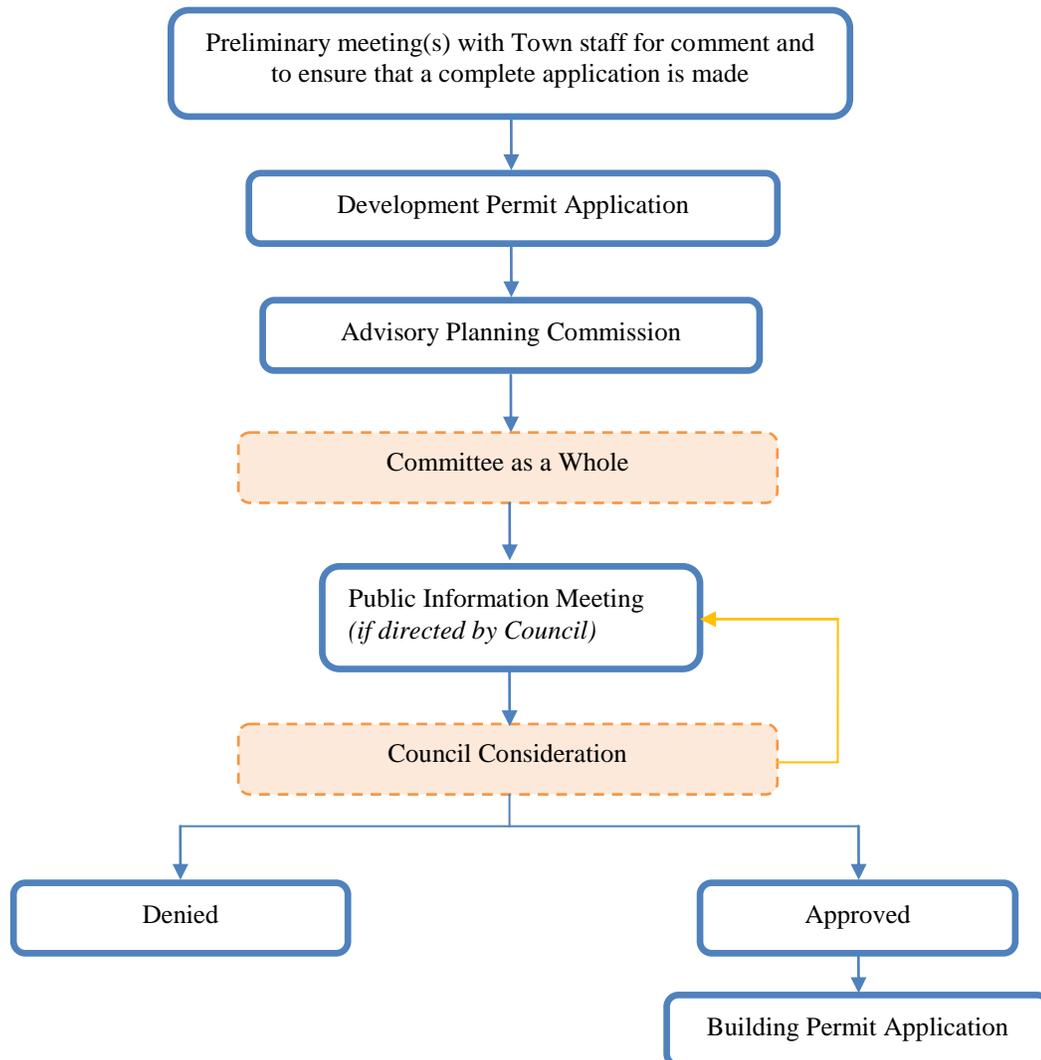


Development Procedures: *Development Permits*

The *Local Government Act* allows municipalities to require development permits to supplement or vary certain land use regulations. Within specified areas of the Town, development permits are required to ensure that development is consistent with the objectives outlined within the Official Community Plan. Development Permit Areas are established for one, or more, of the following purposes:

1. Environmental - Protection of the natural environment, its ecosystems and biological diversity;
2. Hazard - Protection from development in hazardous conditions; and
3. Form and Character - Establishment of objectives for the form and character of commercial, industrial or multifamily and intensive residential development.

Municipal appeal mechanism: n/a



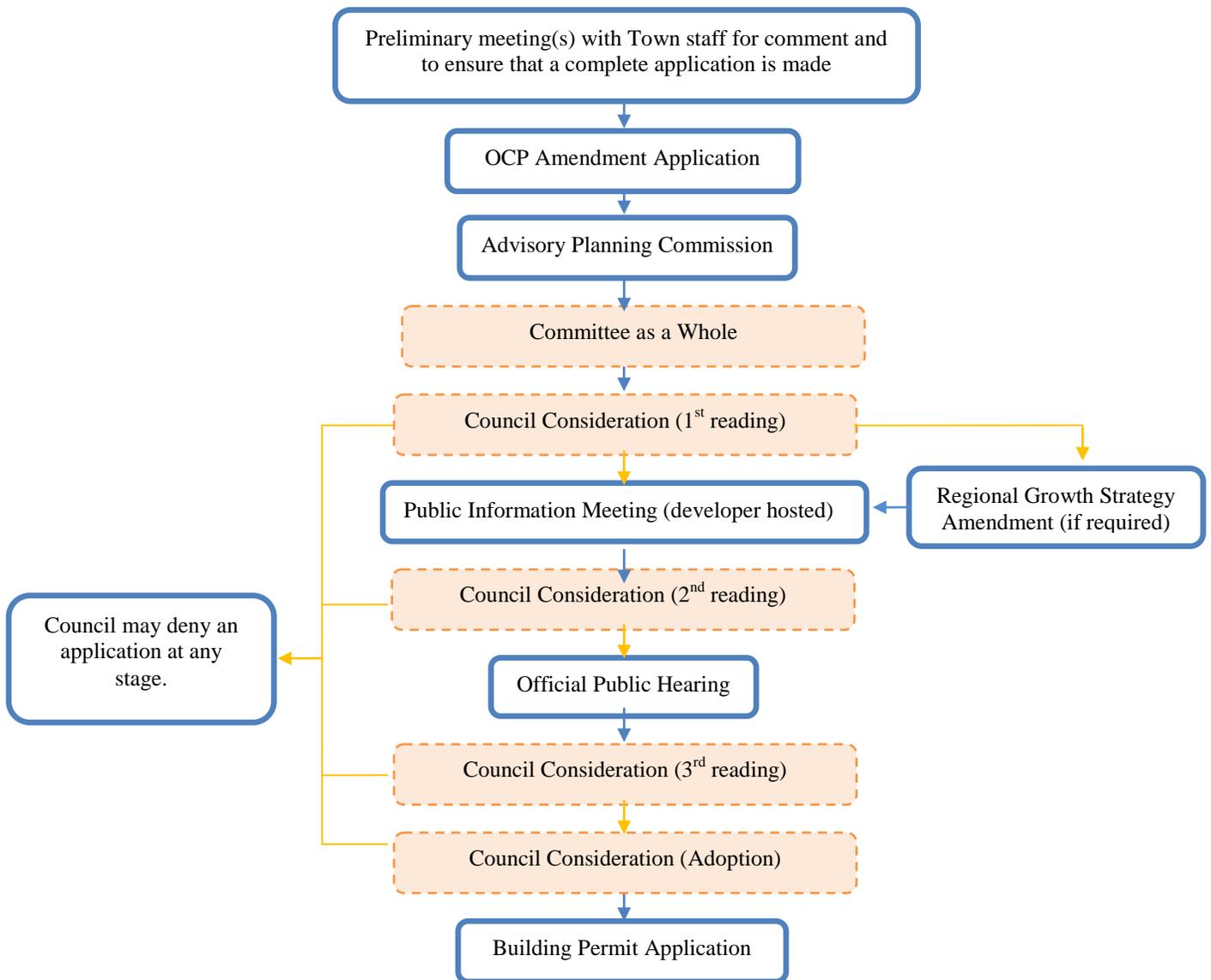
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Approved By: Council

Amended: n/a

Development Procedures: **Official Community Plan**

The Official community Plan (OCP) provides a policy framework and clear vision of the Town's intentions with regard to future land uses and servicing across the community. Each property in Qualicum Beach has a future land use designation as specified in the Official Community Plan. Amendments to the Official Community are commonly made during comprehensive reviews that happen once every six years. However, Council may choose to consider an OCP amendment application at any time.

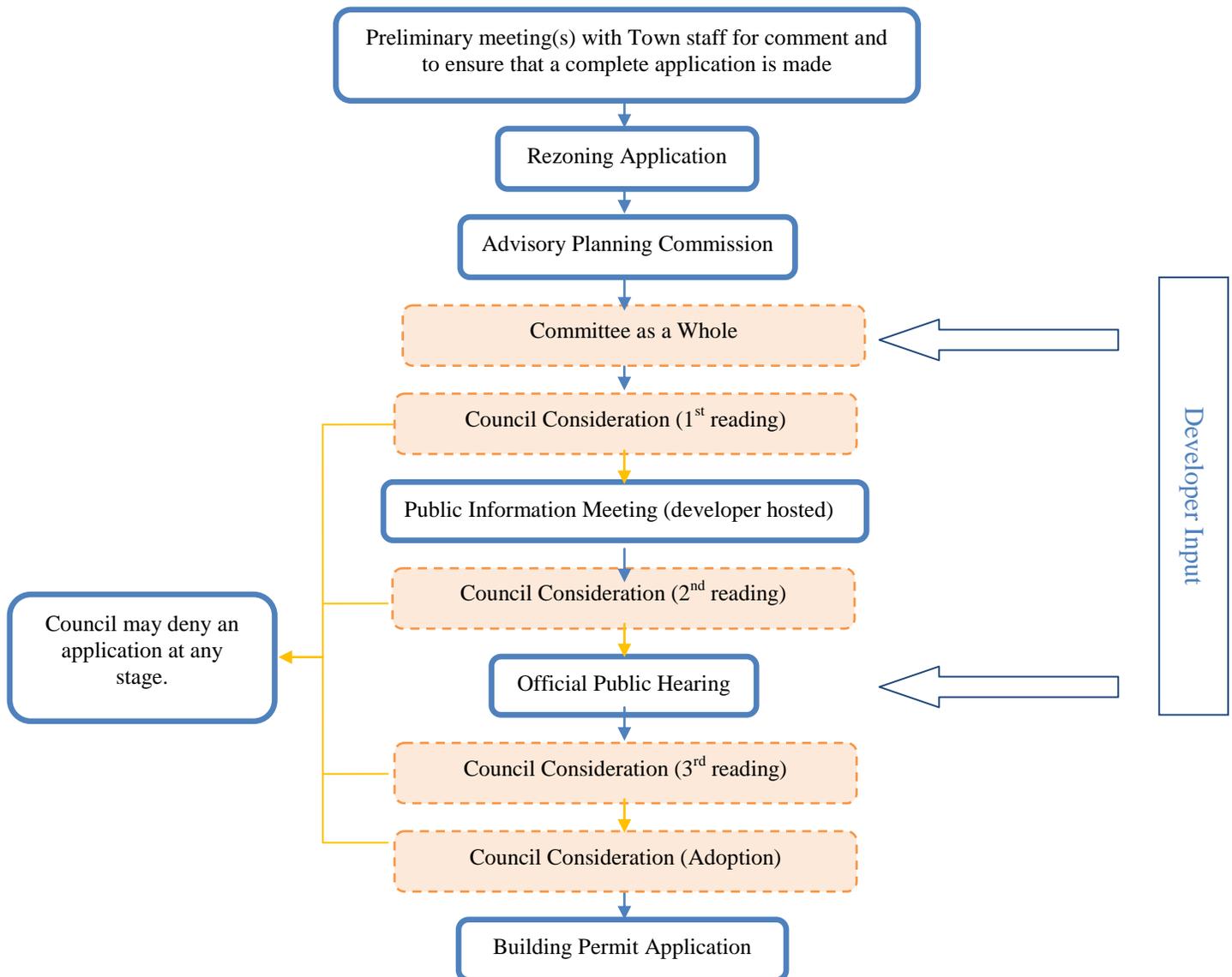
Municipal appeal mechanism: Input to Council during process identified below



Development Procedures: **Zoning Amendments (Rezoning)**

Zoning is one of the ways the Town regulates the density and use of land. Each property has a legal zoning classification that regulates the types of buildings and activities allowed on that property. These zones and regulations are contained in “*Land Use and Subdivision Bylaw No. 580*” and control such items as permitted uses, density, lot coverage, lot size, setbacks, building height, frontages, off-street parking, and landscaping. If the existing zoning on your property does not permit a desired land use or density, the property owner (or agent) may apply to change the zoning of that property. Rezoning Applications may also require Subdivision, Development Permit or other approval.

Municipal appeal mechanism: Input to Council during process identified below



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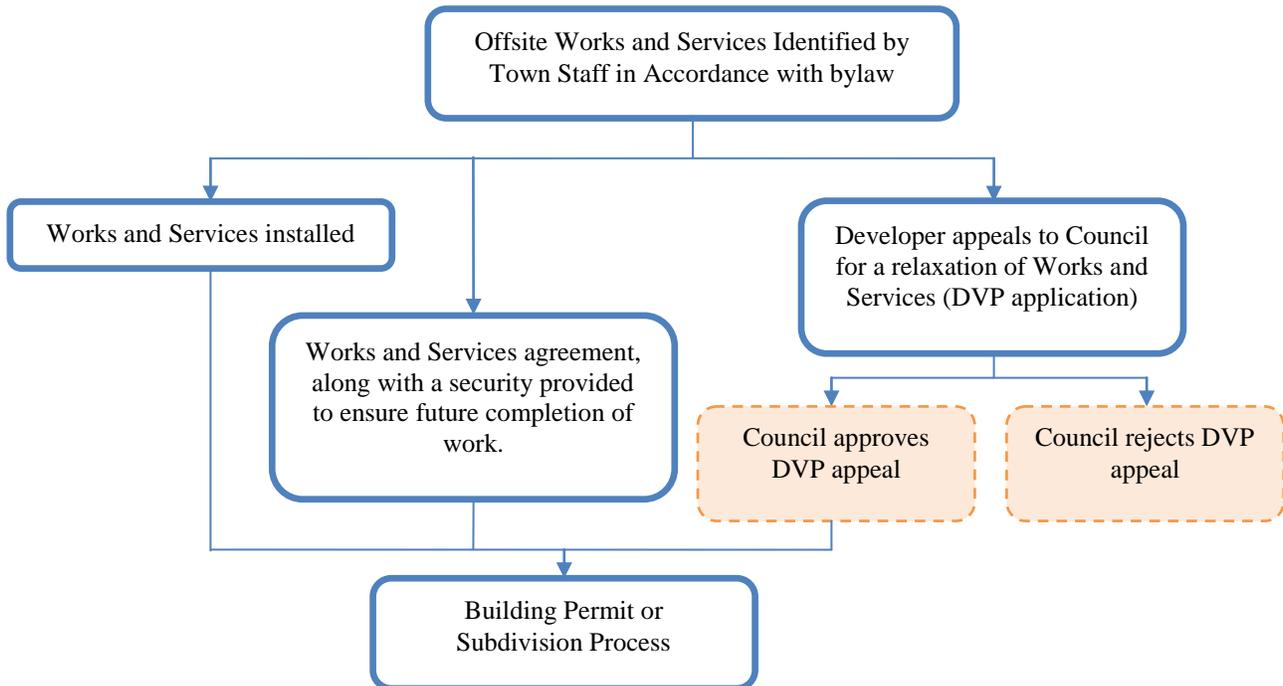
Development Procedures: Works and Services related to a building permit or subdivision

The intent of offsite works and services is to improve adjacent utilities and servicing to offset the demand that results from development and to ensure that servicing is up to current standards. The Town of Qualicum Beach is granted the authority to require off-site works and services under the *Local Government Act*. Should a development application be successful, please be advised that completion of specified offsite works and services will be a condition of approval. Offsite works and services related to a simple building permit or subdivision process are usually limited to the area of the development, and typically do not include improvements that are not adjacent to the development. Required works and services related to rezoning may also include works and services that are not adjacent to the development, either as an amenity bonus contribution or as extended works and services.

Examples of offsite works and services include:

- ◆ Storm sewer, water, and sanitary sewer upgrades;
- ◆ Hydro, telephone, and cable improvements;
- ◆ Constructing sidewalks and boulevards; and
- ◆ Improving roads.

Municipal appeal mechanism: Development Variance Permit (see below)



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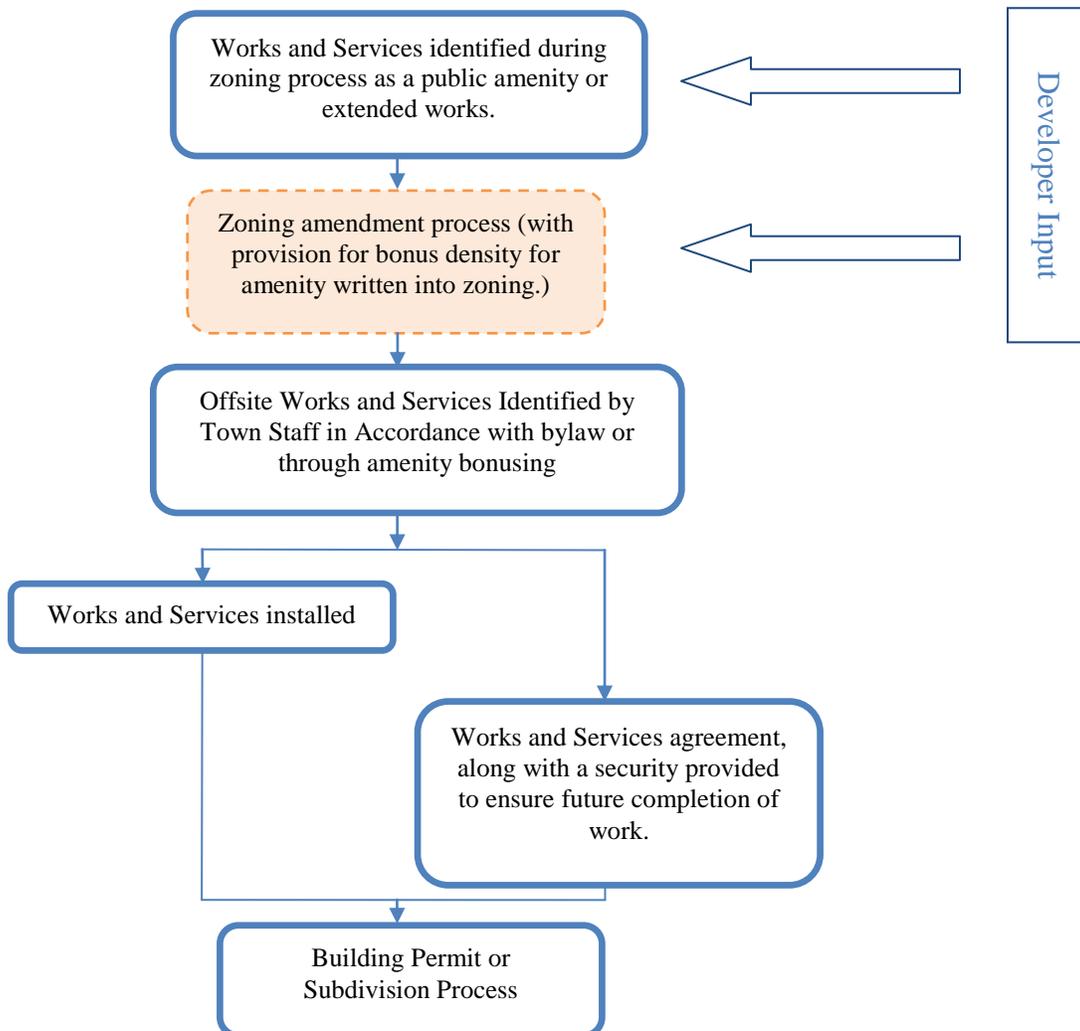
Amended: n/a

Development Procedures: Works and Services related to a rezoning

Required works and services related to rezoning may include works and services that are not adjacent to the development, either as an amenity bonus contribution or as extended works and services. Required works and services related to a rezoning may *also* include works and services related to a building permit and subdivision. Refer to the previous page for works and services procedures at the building permit stage.

There is no appeal process for works and services that are written into the zoning as amenity bonus provisions. However, the developer has numerous opportunities during the rezoning process to appeal for a change to the zoning.

Municipal appeal mechanism: Input to Council during process identified below

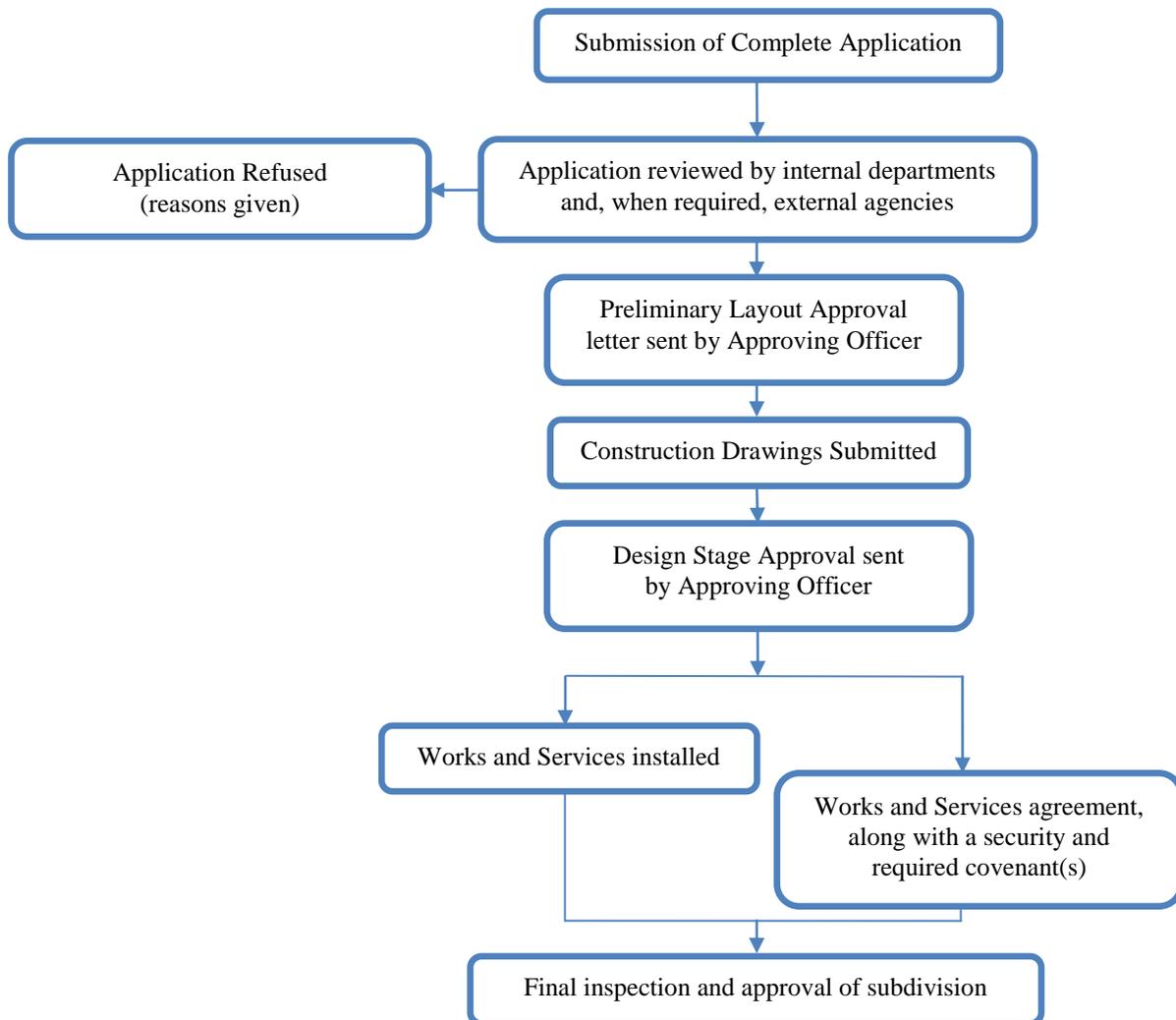


Development Procedures: **Subdivision**

Subdivision can generally be described as the legal mechanism to create new, titled parcels of land. Generally, land cannot be conveyed or subdivided without registering the changes in the Land Title Office. In almost all cases, the Land Title Office will not register new parcels that are created through subdivision without the signature of an Approving Officer on the plan of subdivision.

The *Land Title Act* requires that Municipal Council appoint an Approving Officer as the statutory official responsible to ensure that subdivisions applications comply with provincial statutes, regulations and local government bylaws regulating subdivision. Provincial statutes establish the Approving Officers role as a quasi-judicial position whose discretion is separate and independent from elected officials and municipal staff.

Municipal appeal mechanism: n/a



Approved:
Approved By: Council

Amended: n/a