

ABOUT THE CITY OF PORT ALBERNI OFFICIAL COMMUNITY PLAN DEVELOPMENT PERMIT AREAS

What is a Development Permit?

The City of Port Alberni has three Development Permit Areas at this time (Multi-Family Residential, Commercial (includes two types – general and highway) and Industrial). The areas and accompanying regulations are established by Official Community Plan Bylaw No.4602. In a Development Permit Area a permit is required prior to the development or redevelopment of the site or area. There are specific goals for each Development Permit Area and guidelines which development proposals are expected to comply with before a Permit can be issued.

Why do we have Development Permit Areas?

As provided in the *Local Government Act*, **Section 919.1**, Development Permit Areas may be designated for the following purposes:

- (a) protection of the natural environment, its ecosystems and biological diversity;
- (b) protection of development from hazardous conditions;
- (c) protection of farming;
- (d) revitalization of an area in which a commercial use is permitted;
- (e) establishment of objectives for the form and character of intensive residential development;
- (f) establishment of objectives for the form and character of commercial, industrial or multi-family residential development.

The Official Community Plan must:

- (a) describe the special conditions or objectives that justify the designation
- (b) specify guidelines respecting the manner by which the special conditions or objectives will be addressed

What conditions can be specified in a Development Permit?

For land designated under section **919.1 (1) (a)**, a development permit may do one or more of the following:

- (a) specify areas of land that must remain free of development, except in accordance with any conditions contained in the permit;
- (b) require specified natural features or areas to be preserved, protected, restored or enhanced in accordance with the permit;
- (c) require natural water courses to be dedicated;

- (d) require works to be constructed to preserve, protect, restore or enhance natural water courses or other specified natural features of the environment;
- (e) require protection measures, including that vegetation or trees be planted or retained in order to
 - i) preserve, protect, restore or enhance fish habitat or riparian areas,
 - ii) control drainage, or
 - iii) control erosion or protect banks.

For land designated under section **919.1 (1) (b)**, a development permit may do one or more of the following:

- (a) specify areas of land that may be subject to flooding, mud flows, torrents of debris, erosion, land slip, rock falls, subsidence, tsunami, avalanche or wildfire, or to another hazard if this other hazard is specified under section 919.1 (1) (b), as areas that must remain free of development, except in accordance with any conditions contained in the permit;
- (b) require, in an area that the permit designates as containing unstable soil or water which is subject to degradation, that no septic tank, drainage and deposit fields or irrigation or water systems be constructed;
- (c) in relation to wildfire hazard, include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and structures;
- (d) in relation to wildfire hazard, establish restrictions on the type and placement of trees and other vegetation in proximity to the development.

If land has been designated under section **919.1 (1) (d), (e) or (f)**, a development permit may include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and structures.

If land has been designated under section **919.1 (1) (f)**, a development permit may include requirements respecting the character of the development, but only in relation to the general character of the development and not to particulars of the landscaping or of the exterior design and finish of buildings and structures.

A development permit for land that has been designated under section **919.1 (1) (c)** may include requirements for screening, landscaping, fencing and siting of buildings or structures, in order to provide for the buffering or separation of development from farming on adjoining or reasonably adjacent land.

NOTE:

Before issuing a development permit under this section, a local government may require the applicant to provide, at the applicant's expense, a report, certified by a professional engineer with experience relevant to the applicable matter, to assist the local government in determining what conditions or requirements it will impose in the permit.

Application Process and Fees:

A developer or individual who is proposing a change to the Official Community Plan Bylaw should note the following explanation of the process:

- Applicant should consult with the City Planner.
- Applicant must file an application for a Development Permit at City Hall and pay the administration fees. The application must be accompanied by a written description of the project and drawings detailing proposed changes. All registered owners of pertinent property must sign the application.
- The City Planner prepares a report with recommendations to City Council.
- If the proposed amendment is acceptable to Council, City staff will be directed to prepare the Permit.
- The Permit is introduced to City Council at a regular Council meeting.
- Council will approve or deny the Development Permit at the next regular Council meeting.

**For more information contact:
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