

**VILLAGE OF QUEEN CHARLOTTE
BYLAW No. 102-2017**

Siting and Use Permits

Section 8 – Building Regulation, of the *Community Charter* provides Council with general authority in relation to buildings and other structures for the purposes of the health, safety or protection of persons or property. Under this authority, the Council of the Village of Queen Charlotte in open meeting assembled enacts as follows:

1. Purpose

This Bylaw is intended to protect future owners and current neighbors by ensuring that the provisions of the Zoning Bylaw 64-2013, its amendments and successors, are followed. This will be done by *permitting* the *construction* of buildings and/or structures for the applicable zone. Proposed buildings and/or structures must be an allowed use, must be within height limitations, floor area limitations, and setbacks from lot lines, wells, geotechnical or floodplain hazards, riparian zones and all other provisions of zoning or other land use bylaws.

2. Definitions

In this Bylaw, unless the context otherwise requires, the following words and expressions shall have the following meaning assigned to them:

APPROVE means *approval* in writing from the person specified in Section 5 as authorized to issue *permits*;

CONSTRUCTION means new *construction* of a permanent building or structure, including land clearing/preparation work, and includes additions to an existing building or structure, but does not include the repair or renovation of an existing building or structure;

SITING AND USE PERMIT means a *permit* issued by the municipality providing authorization to begin *construction*;

VILLAGE means the *Village* of Queen Charlotte, inclusive of any responsibilities it may assign to employees or to agents acting on its behalf;

3. Siting and Use Permits

3.1 Owners of land within the municipal boundaries of the *Village* are required to obtain a *Siting and Use Permit* for new *Construction* of a building or structure or any addition to an existing building or structure in accordance with this bylaw before construction begins on the land.

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4. Application Procedures

- 4.1 An application for a *Siting and Use Permit* shall be made by the owner of the land involved or by a person authorized by the owner.
- 4.2 An application for a *permit* shall:
- a) be submitted to the *Village* on the form prescribed in Appendix A of this bylaw;
 - b) not be considered a valid application until it contains all the information required by the form; and
 - c) include the fees required in Appendix B, attached to and forming part of this Bylaw.
- 4.3 A *permit* may be issued only if the *construction* and use of land and structures to which it relates complies with the Zoning Bylaw 64-2013 and its amendments and successors.
- 4.4 The *Siting and Use Permit* will be issued on the form prescribed in Appendix C of this bylaw.

5. Administration

- 5.1 This bylaw shall be administered by the Chief Administrative Officer, the Superintendent of Public Works, or a designate specified by the Chief Administrative Officer.
- 5.2 Only those authorized in 5.1 can approve *permits* under this bylaw.
- 5.3 A violation of any of the provisions identified in Appendix B, attached to and forming part of this Bylaw, may be enforced by means of a ticket in the form prescribed by Regulation.
- 5.4 The persons appointed to the positions listed in Column 1 of Appendix B, attached to and forming part of this Bylaw, under the heading “Designated Bylaw Enforcement Officers” are named, as prescribed by Regulation, for the purpose of enforcing this Bylaw.
- 5.5 No owner, lessee, tenant, occupant or agent for the owner shall do any act, or suffer or allow any act or thing to be done in contravention of this bylaw.
- 5.6 Any person who violates any of the provisions of this bylaw shall, upon summary conviction thereof, be liable to a penalty of not more than \$10,000.00.

6. Severability

- 6.1 If any provision of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid provision shall be severed and the remaining sections and procedures remain valid.

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READ A FIRST TIME the 17 day of July, 2017.


READ A SECOND TIME the 18 day of September, 2017.

READ A THIRD TIME the 2 day of October, 2017.

ADOPTED ON the 16 day of October, 2017.




Mayor



Corporate Officer

Certified Correct



Corporate Officer



Siting and Use Permit Application Form

Bylaw 102-2017 Siting and Use Permits – Appendix A

Office Use Only

Fee Paid: _____ Receipt No.: _____ File No.: _____

Have previous Siting and Use Permits been issued for the property subject to this application? Yes No

If "yes", please list the permit numbers: _____

SECTION 1: DESCRIPTION OF THE PROPERTY

(AS INDICATED ON STATE OF TITLE CERTIFICATE)

Lot/Parcel _____ Plan _____ Block _____ District Lot/Section _____

Other Description _____

Street Address or General Location _____ Queen Charlotte, BC V0T 1S0

Folio Number _____ (from Property Assessment/Tax Notice)

Parcel Identifier (PID) _____ (from State of Title Certificate)

SECTION 2: OWNER INFORMATION

(ADD ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

First Owner Information

Name _____

Street Address _____

Telephone _____

Email _____

Second Owner Information

Name _____

Street Address _____

Telephone _____

Email _____

SECTION 3: APPLICANT INFORMATION

(IF DIFFERENT FROM OWNER – MUST COMPLETE AN APPOINTMENT OF AGENT FORM)

Name _____ Street Address _____

Telephone _____ Email _____

Freedom of Information and Protection of Privacy

Personal information contained on this form is collected under the *Local Government Act* for the purpose of responding to this application, or for purposes directly connected with this application. Information on your application form may be available to the public upon request under the *Freedom of Information and Protection of Privacy Act*. Please contact the Chief Administrative Officer of the Village of Queen Charlotte at cao@queencharlotte.ca or 250 559-4765 ext 3, if you have any questions.

The processing of your application will be delayed if it is incomplete. Please read the guide before you complete the application form. Keep the guide for your reference during the application process. Feel free to contact a staff person for assistance.

Mail or deliver the completed application form, fee, and supporting material to the Village of Queen Charlotte office. The fee is \$50 and should be made payable to the Village of Queen Charlotte.

If the space provided below for each section is not sufficient, please attach additional information using a Microsoft Word, Excel, Text or a separate PDF document.

SECTION 4: Describe the present use of the property, including a description of any home occupation:

SECTION 5: Describe any existing building(s) and/or structure(s) on the property and their present use:

SECTION 6: Describe the proposed use of the property including a description of any home occupation(s):

SECTION 7: Describe the type, number, dimensions and height of all proposed building(s) and structure(s):

SECTION 8: Provide a single copy of a site plan (8.5 x 11) with this application, drawn to a suitable scale, showing lot dimensions as shown on the Land Title Office Plan including the following:

- The location, dimensions, floor area and uses of existing buildings and structures
- Existing uses of the land and buildings
- Any land clearing/preparation that will be required on the property
- Height of proposed building(s) and/or structure(s)
- The location of any existing and proposed septic tanks and fields, and of any existing and proposed wells and water lines on both the subject property and all immediately adjacent neighboring properties (if applicable)
- The locations, dimensions and uses of the proposed building(s)
- The locations and requirements of any easements, covenants or rights-of-way
- The locations of all watercourses, oceans, ponds, lakes and wetlands
- The locations of any known archeological or culturally sensitive features
- The minimum setback distances from each existing and proposed building or structure to any wells, disposal fields, property lines and natural features such as a cliff edge or the natural boundary of the ocean, creek, etc.
- Setback of all existing and proposed septic field(s) from the natural boundaries of watercourses and the ocean, and where applicable from the edge of any cliffs on the property
- Setback of privy from property lines (where applicable)
- Setbacks of all existing and proposed building(s) from any park boundary (where applicable)

SECTION 9: APPLICATION COMPLETION CHECKLIST

- I have completed all sections of this application form
- I have included detailed site plans and elevation drawings as required in Section 8 of this application form
- I have included a recent State of Title Certificate (not more than 30 days old)
- I have included copies of all covenants, rights-of-way, or easements registered against this title
- All owners listed on the title have signed the application form, and a notice of agent form (if applicable)
- I have included the correct fee
- I have included a Contaminated Site Regulation Site Profile (if applicable*)

IMPORTANT: Your application will not be considered complete unless it contains all of the information above.

A note about obtaining a State of Title Certificate and Covenants/ROW/Easements: State of Title Certificates, covenants, rights-of-way and easements may be obtained from the Village office or through your local government agent office for a fee.

SECTION 10: OWNER'S CONSENT AND AUTHORIZATION

(Signature of all registered owners is required. For additional owners, attach a separate sheet)

In order to assist the Village of Queen Charlotte's review and evaluation of my application, by signing below, I authorize the staff assigned to this application to enter onto the land at reasonable times, after making reasonable efforts to arrange to schedule a convenient time for such a visit, to inspect the land. I acknowledge a right, if a convenient time can be scheduled, to accompany the staff person on the site visit.

By signing below, I authorize the Applicant named in Section 3 on this application to represent this application.

First Consent and Authorization	Second Consent and Authorization
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Consent and Authorization Signature	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Consent and Authorization Signature
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Date	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Date

COMPLETED APPLICATIONS SHOULD BE SUBMITTED TO:

Village of Queen Charlotte – Development Approvals Department
 PO Box 580, 903A Oceanview Drive
 Queen Charlotte BC V0T 1S0
 Telephone: 250 559-4765 Fax: 250 559-4742
office@queencharlotte.ca - www.QueenCharlotte.ca

***Contaminated Sites Regulation**

The Provincial Contaminated Sites Regulation, BC Reg. 375/96, applies to any demolition, zoning, development, subdivision, development variance or soil removal on any commercial or industrial zoned properties, or those that have been used for commercial and industrial purposes through pre-existing non-conforming uses. In these cases the property owner is required to complete and submit a site profile, which will be referred to the Province and no Siting and Use Permit will be issued until the property is compliant with any provincial requirements.

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**APPENDIX B
Siting and Use Permit Fees and Fines**

Fee Description	Amount
Siting and Use Permit Application Fee	\$50.00 per application

Designated Bylaw Enforcement Officers	Offence	Bylaw Section	Fine
Chief Administrative Officer Superintendent of Public Works	Failure to obtain a Siting and Use Permit prior to starting land clearing/preparation, construction or renovation	3.1	\$100 per offence Reduced to \$75 on receipt of application with the application fee A separate offence shall be deemed to be committed on each day during, or on which, a violation occurs or continues
Chief Administrative Officer Superintendent of Public Works	Failure to comply with the conditions of a Siting and Use Permit	4.3	\$200 per offence A separate offence shall be deemed to be committed on each day during, or on which, a violation occurs or continues



Siting and Use Permit

Bylaw 102-2017 Siting and Use Permits – Appendix C

Office Use Only

Permit No.: _____ Permit Date: _____ File No.: _____

This Siting and Use Permit (SUP) has been issued for the property listed in Section 1. The property owner(s) identified in Section 2 are responsible to ensure that the building(s) and/or structure(s) are constructed/sited and used in accordance with the information provided in the submitted application only. No variations are authorized by this permit. Any change in use, land clearing/preparation, or construction/siting will require a new application. Village staff will conduct a minimum of two (2) site inspections to confirm compliance with the SUP. Infractions of municipal bylaws can result in fines or other action up to and including prosecution.

SECTION 1: DESCRIPTION OF THE PROPERTY (AS INDICATED ON STATE OF TITLE CERTIFICATE)

Lot/Parcel _____ Plan _____ Block _____ District Lot/Section _____
Other Description _____
Street Address or General Location _____ Queen Charlotte, BC V0T 1S0
Jurisdiction and Folio Number _____ (from Property Assessment/Tax Notice)
Parcel Identifier (PID) _____ (from State of Title Certificate)

SECTION 2: OWNER INFORMATION (ADD ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

First Owner Information	Second Owner Information
Name _____	Name _____
Street Address _____	Street Address _____
Telephone _____	Telephone _____
Email _____	Email _____

SECTION 3: APPLICANT INFORMATION (IF DIFFERENT FROM OWNER)

Name _____ Street Address _____
Telephone _____ Email _____

SECTION 4: INITIAL INSPECTION ON APPLICATION (TO BE COMPLETED BY AUTHORIZED APPROVAL OFFICIAL AS PART OF THE APPLICATION REVIEW)

Inspection Date/Time _____ Completed by _____
 PASSED INSPECTION SCHEDULE FOLLOW UP Signature of Official _____
Comments _____

INSPECTION PHOTOS TO BE ATTACHED TO THE PROPERTY FILE

SECTION 5: PERMIT APPROVAL

(TO BE COMPLETED BY AUTHORIZED APPROVAL OFFICIAL)

The issuance of this Permit certifies only that the proposed construction/siting and use proposed in the permit application and initial site visit and shown on the attached SITE PLAN as Schedule "A" to this permit, would comply with the requirements of the Village's land use bylaws.

SITING AND USE PERMIT APPROVED Signature of Official _____

SITING AND USE PERMIT DENIED Name and Title: _____

Reason for Denial _____

SECTION 6: FINAL INSPECTION

(TO BE COMPLETED BY AUTHORIZED APPROVAL OFFICIAL ONCE CONCRETE FORMS OR FOOTINGS ARE IN PLACE)

Inspection Date/Time _____ Completed by _____

PASSED INSPECTION CONSTRUCTION CAN PROCEED Signature of Official _____

FURTHER INSPECTION REQUIRED ON _____ at Time _____

Comments _____

INSPECTION PHOTOS TO BE ATTACHED TO THE PROPERTY FILE

Notes:

1. If construction of the building(s) and/or structure(s) for which this permit is issued is not irrevocably commenced within 2 years of the date of issuance of this permit, the permit lapses on the second anniversary of the date of issuance.
2. For the purposes of this permit, irrevocably commenced means:
 - a. In the case of a building or structure whose height is regulated by the Village Zoning Bylaw, completion of the foundation and the framing and structural roof elements such that the height of the building or structure, as regulated, may be ascertained;
 - b. 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
 - c. In the case of a building or structures with neither roof nor permanent foundation, assembly at the construction site of all building materials required to construct it and the obtaining of all authorizations to construct required by any authority having jurisdiction, including any right to occupy Crown land, as evidenced by the provision of a true copy of such authorization to the Village.
3. Provincial legislation requires that all new construction of buildings and structures or alterations to existing buildings and structures must comply with the latest edition of the *BC Building Code*. Responsibility for compliance with the *BC Building Code* rests entirely with the property owner and applies even in areas where there is no building permit or inspection requirement.
4. The property owner is solely responsible for determining the safety of construction/siting and the existence of any potential hazard to development including the ability of the land on which the building or structure is to be located. The property owner should also ensure that the planned construction/siting and use(s) comply with all relevant provincial regulations including, but not limited to:
 - a. Road access requirements of the Ministry of Transportation and Infrastructure;
 - b. Sewage disposal and health requirements of the Northern Health Authority;
 - c. The protection of archeological or culturally sensitive areas; and
 - d. The Homeowner Protection Office.
5. Other provincial regulations may apply and it is the responsibility of the property owner to obtain all necessary approvals.