

Development Permit Application Guide

Hazardous/Environmentally Sensitive Sites

Certain lands in Delta are designated by Bylaw No. 4040 as “Development Permit Areas”. In some designations, the primary purpose of the Development Permit is to protect persons and property from potential risk arising from hazardous conditions or to protect environmentally sensitive land as generally noted below.

Hazardous Conditions: Special protection or mitigative measures are required to protect development and occupants from potential flooding, slope instability and other hazards.

Environmental Sensitivity: Special environmental characteristics are present, such as a stand of trees, creek or waterway which should be protected from development.

Please be advised that a Development Permit:

- must be approved by Council prior to the issuance of a Building Permit in these areas, or, in the case of a subdivision, prior to the approval of the subdivision plan by the Approving Officer.
- cannot vary the use or density of the land from that permitted in the “Delta Zoning Bylaw No. 2750, 1977”.

Prior to submitting a formal Development Permit application, you are advised to discuss the proposal with the Community Planning and Development Department.

Application Requirements:

- Completed application form, signed by the registered owner(s), together with a Project Information form. These forms are available at the Community Planning and Development Department counter, or at www.corp.delta.bc.ca under Municipal Hall → Forms and Applications → Development Forms.
- Application and Public Hearing fees (there may be other required fees due later in the process which must be paid by the applicant).
- Written consent from the property owner authorizing an agent, if applicable (*Schedule D*).
- Acknowledgement and Consent Form from owner of drawings.
- Contaminated Site Profile.
- 3 copies of a sketch of the proposed development prepared by a BC Land Surveyor that includes a site plan showing the location of all proposed buildings and parking layouts, building elevations, details of all proposed signs, a landscape plan (if necessary), and setbacks of adjacent buildings, all of which clearly indicate the scope of the requested variances.
- One set of full sized plans of your proposal.
- 1 additional copy of the plans reduced to 11” X 17”.
- Reduced plans of your proposal on 8 ½” X 11” format which are readable must be submitted for report and document purposes.
- A written brief outlining the purpose of the proposal including a description of the property, an outline of the existing and proposed uses, the reasons for the request and any benefits to the community.
- For Development Permits in hazardous or environmentally sensitive sites, a geotechnical report based on Delta’s Steep Slope Guidelines will be required.
- A Certified Arborist’s Report is required if there are trees on or adjacent to the subject site that may be affected by the proposed development. The report must include the species and condition of the trees, and the location shown on a site survey plan. If any trees are to be removed, a tree replacement plan will also need to be submitted. **Note:** *The Corporation of Delta has in place a tree protection bylaw – Bylaw No. 6336.*



Processing Procedures:

The refundable portion of the Public Hearing fee is returned to the applicant if the application is withdrawn by the applicant or rejected by Council prior to a Public Hearing date established, or if the permit application is approved by Council in a situation where a Public Hearing is not required.

Following submission of the application:

- The Community Planning and Development Department refers the application to other municipal departments, government agencies and advisory bodies.
- Upon receipt of all comments from staff, government agencies and advisory bodies, a final report is prepared by the Community Planning and Development Department with recommendations to Council.
- Council considers the Development Permit application and may issue the permit, authorize a Public Hearing, or reject the application.
- Following the Public Hearing, Council may approve or reject the Development Permit application.
- The municipal solicitor will be instructed to draft the Development Permit and required legal documents upon payment of legal fees by the applicant. The cost to prepare legal documents is approximately \$400 and may increase for documents which pertain to a more complex application. Examples of legal documents that may be required include, but not limited to:
 1. A Section 219 Restrictive Covenant to be registered on title of the property which sets out approved construction techniques and requirements, and contains a “save harmless” clause absolving The Corporation of Delta from all claims and damages arising from this development.
 2. For areas subject to potential flooding, a Section 219 Covenant to be registered on title of the property of which sets out flood-proofing requirements and contains a “save harmless” clause absolving the Ministry of Environment, Lands and Parks and The Corporation of Delta from all claims and damages arising from potential flooding.

This brochure is intended as a general guide only and is not to be regarded as a right to developmental approval if the steps indicated are followed. If you have any questions about your Development Permit application, please contact the Community Planning and Development Department at (604) 946-3380 or assistance.