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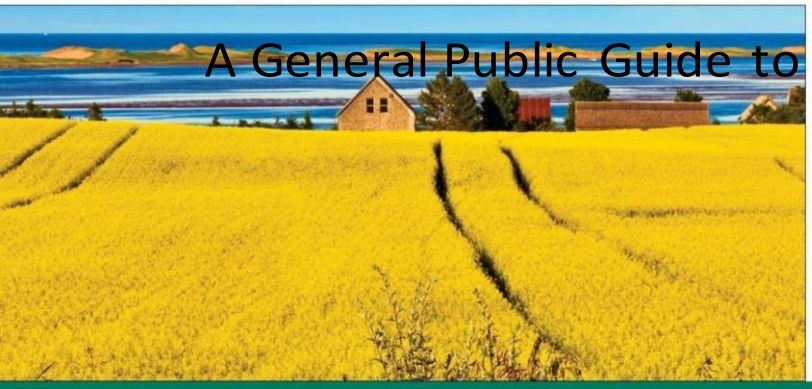
Development Permit Process

A General Public Guide to Development and Permits



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INTRODUCTION

About this Guide

The *Development Permit Process* is a simple overview of how to apply for a development permit in Prince Edward Island. It helps you understand the steps involved, but it doesn't replace the official rules. Before you start planning any development, this guide explains how the application process works and answers common questions before applying.

Need Help?

Permit Coordinators are available across the province. They are your first contact for questions about permits and properties.

If you have questions about a development permit, subdivision, or change of use, you can book one-on-one support with a Permit Coordinator in your area. Meetings can be virtual or in-person in Charlottetown, Montague, O'Leary, or Summerside.

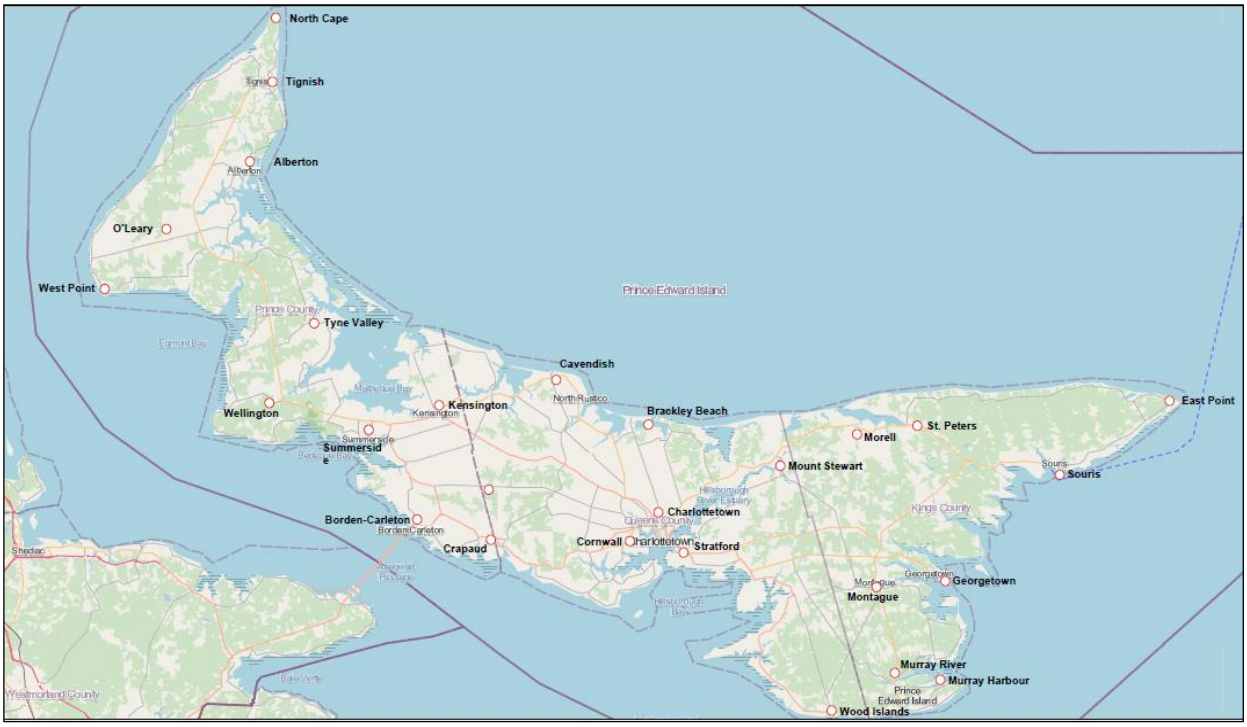
To book an appointment with a Permit Coordinator visit: Building and Development in PEI

MUNICIPALITIES

The municipalities listed below have their own official plans and bylaws. If you live in one of these municipalities, you must contact an administrative office regarding development at one of the following:

- Abram-Village
- Alberton
- Borden-Carleton
- Brackley
- Charlottetown
- Cornwall
- Eastern Kings
- Hazelbrook
- Kensington
- Kingston
- Kinkora
- Linkletter
- Miltonvale Park
- Miscouche
- North Rustico
- North Shore
- O'Leary
- Resort Municipality
- Sherbrooke
- Stratford
- Summerside
- Souris
- Three Rivers
- Tignish
- Union Road
- Victoria
- Warren Grove
- Wellington
- West River

In these communities, the only *Provincial Government* involvement would be for the **Sewage Disposal System**, **Site Suitability Assessment,** and possibly a **Building Permit.**



SECTION 1 – DEVELOPMENT PERMITS

When do I need a Permit?

You need a Development Permit before you:

- start construction on any type of building or structure;
- place a building or structure on a lot, or move it to a new spot;
- make changes to a building that affect its outside size or shape;
- change how a building, structure, or land is used;
- increase how much a building or land is used;
- put a travel trailer on a lot as the main or extra use (unless it's in a trailer park with utility services); or
- build a mobile home park.

How do I access a Development Permit?

When the decision is made to develop your property, you must apply to the appropriate office for your area (see page 14 for our office addresses). Development Permit applications can also be submitted online at: Apply for a Development Permit | Government of Prince Edward Island

What should be included in your application?

- Property Identification Number (PID) — found on your property tax bill;
- mailing address;
- subdivision lot number (if you have one);
- short description of what you plan to build or change;
- the size of the building or structure (in square feet);
- details about water and sewer services;
- how you will access the property (driveway, road, etc.);
- building setbacks (distance from property lines); and
- site plan showing your property and the planned development.

What are the fees?

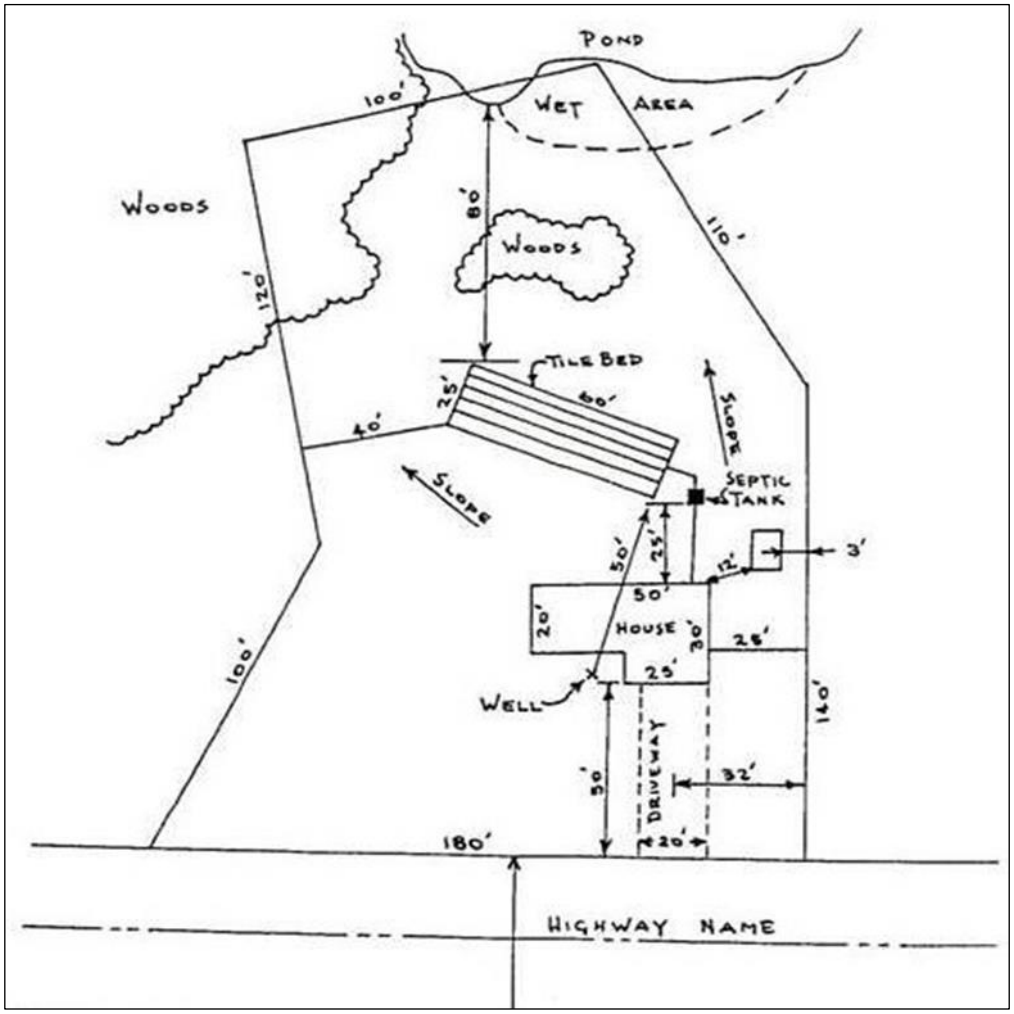
Fee schedule is in Section 68 of the *Planning Act Subdivision and Development Regulations*: Planning Act Subdivision and Development Regulations

What is a Site Plan?

The site plan should illustrate the following:

- size of your lot including the dimensions of each side;
- property lines;
- any roads near or on the property;
- how far the new building or structure is from the road and property lines;
- the space between the well and septic system;
- where the well and septic tank are located, and how far they are from buildings (you may need help from a sewage disposal contractor);
- how close the property is to wetlands, rivers, sand dunes, or steep banks (if any);
- the natural slopes of the land; and
- all buildings or structures already on the property.

Example of a Site Plan:



SECTION 2 – REVIEW OF BASIC PROCESS

It is important to know that a **Development Permit** and a **Building Permit** are two different permits. In most cases, you need both permits before you start. Usually, the Building Permit is only given after the Development Permit is approved, but you can apply for both at the same time.

Development Permit – This permit deals with how land is used. It includes things like water and sewer services, road access, environmental concerns, and where buildings are placed. It follows the rules of the *Planning Act*.

Building Permit – This permit makes sure buildings are safe and follow construction rules, like the *National Building Code of Canada.* It also follows the rules of the *Building Codes Act.*

Important:
You must check if a Building Permit is needed **before** starting any construction. If you're not sure, contact Inspection Services at 1-800-370-3977.

What do you need before applying?

Before starting an application, ask yourself these questions:

Has the lot been approved? If not, you may need to submit a Subdivision Application and hire a surveyor to get final approval.

Does the lot need a Site Suitability Assessment? Has one already been done?

Are you ready to start development? If yes, has your licensed septic contractor submitted a Sewage Disposal System document?

Are there protected environmental features nearby? These could affect where you can build. Not all protected areas are shown on provincial maps.

Is a Building Permit required?

Unless your project is specifically exempt under the *Building Codes Act r*egulations, you will need a Building Permit to:

- build something new;
- make changes to an existing building;
- move a building to a new location; or
- change how a building is used.

Are there other rules to consider?

When reviewing your development plan, there may be other rules that affect your project. These could include:

- land protected under the *Lands Protection Act;*
- road types and classifications;
- special planning areas; and
- environmental features like wetlands, rivers, and buffer zones.

SECTION 3 – IDENTIFIED PROPERTIES

The **Island Regulatory and Appeals Commission (IRAC)** manages the *Lands Protection Act.* IRAC reviews applications for land purchases and makes recommendations to the Government of PEI.

The Government makes final decisions on applications based on these recommendations and may decide to approve with identification for non-development use or may approve with special conditions, or the application may be denied.

How This Affects Your Development Plans?

If your property is identified under the *Lands Protection Act*, and you want to subdivide the land or use it for something other than residential or agricultural purposes, you cannot get final approval until the Government has made a decision.

What to Do If Your Land Is Identified?

If your parcel is identified, you must apply to the *Island Regulatory and Appeals Commission* for an amendment to the identification agreement. This must happen before getting any further approvals for the proposed subdivision or development (if required).

For further information on identified parcels under the *Lands Protection Act*, please contact the **Island Regulatory and Appeals Commission** at 902-892-3501 or visit IRAC website

SECTION 4 – PROTECTED ENVIRONMENTAL FEATURES OR PROTECTED AREAS

Watercourses, wetlands, buffer zones and sand dunes are protected under the *Environmental Protection Act*. If any of these features are found on or near your property, they can limit where and how you can build. A Property Development Officer will forward your application to the Department of Environment, Energy and Climate Action (DEECA) for review.

Do you suspect there are protected features on your property?

If you suspect that you have a protected environmental feature(s) on your property you can contact the DEECA at ELM@gov.pe.ca to request a site inspection.

Are there protected environmental features on your property?

For information on wetland identification contact the DEECA at 902-368-5700 or visit the Wetland Identification website at: Prince Edward Island Wetland Identification

Additional resources:

Prince Edward Island Information Mapping

Wetland Identification Mapping Guide

Wetland Identification Brochure

Wetland Identification Checklist

SECTION 5 – ROAD ACCESS

After you submit your application, a Property Development Officer may ask the Department of Transportation and Infrastructure to check if your property has safe access to a public road.

Road access is regulated through the Prince Edward Island *Roads Act Highway Access Regulations*: Roads Act Highway Access Regulations

Sight Distance Standards are listed in Table G-1 of the highway access regulations. Rules for driveways and access points to public roads are explained in Sections 3 to 7.

SECTION 6 – SPECIAL PLANNING AREA

On July 9, 1994, the **Special Planning Area** regulations came into effect and placed a moratorium (a temporary stop) on residential, commercial, and industrial development within approximately 5 km of the cities of Charlottetown, Summerside, and the towns of Cornwall and Stratford.

Special planning areas were set up to protect rural communities and limit urban and suburban sprawl. If your land is inside a Special Planning Area, there may be limits on how you can use your property, and you may be restricted in how many lots you can divide or develop.

Do you live in a Special Planning Area?

A Property Development Officer will help you figure out if a parcel of land is eligible for the subdivision of lot(s). Refer to Section 55-63 of the *Planning Act* Subdivision and Development Regulations: Prince Edward Island Subdivision and Development Regulations

SECTION 7 – SITE SUITABILITY ASSESSMENT

A Site Suitability Assessment ensures your land can support a safe and working on-site sewage disposal system. It checks how well the soil on your property can handle wastewater from a septic system. It helps to make sure the system will work properly over time.

If you are installing a new septic system or replacing an old septic system, **you must** have a Site Suitability Assessment done before you start building.

Do you need a Site Suitability Assessment?

You need a Site Suitability Assessment if you are:

- trying to get municipal lot approval;
- planning to subdivide a lot or multiple lots;
- planning to develop a lot; or
- installing a new septic system or replacing an old one.

Who can do a Site Suitability Assessment?

Site Suitability Assessment can be done by a qualified site assessor or consulting engineer. The assessment must be done in the area on the property where the **sewage disposal system** is to be installed. Please contact any of our offices for a list of qualified site assessors and consulting engineers or visit: Building & Development in PEI

SECTION 8 – SUBDIVISION

Sometimes, when you apply to develop land, you may also need **subdivision approval**.

People often think of subdivisions as large areas with many lots, streets, and services. But a subdivision can also mean:

- dividing one lot into two or more;
- creating multiple lots;
- adding a small piece of land to another lot
- combining two or more lots into one; or
- changing the use of land (for example, from residential to commercial).

What does “Subdivide” mean?

To subdivide land means to:

- split one parcel into two or more new parcels;
- combine two or more parcels into one; or
- attach part of one parcel to another nearby parcel.

This can be done using a plan of subdivision, survey, agreement, deed, or other legal documents.

Need help?

If you're thinking about subdividing land, contact one of our offices before making any agreements. A Property Development Officer can answer your questions about the process.

Contact any of our offices listed on page 13 of this guide or visit: Building & Development in PEI

SECTION 9 – COMMONLY ASKED QUESTIONS

Do I need a Development Permit?
Yes — you need a Development Permit for most types of new construction, including:

- Any new development including structures, additions, decks, porches, garages, storage, etc., requires an application for a Development Permit to be submitted to our office.
- No development permit is required for interior remodeling for private use; however, a Building Permit may be required. Contact Inspection Services to verify if you need to apply for a Building Permit.
- There is no permit required for fences.

How long does it take to get a Development Permit?
This depends on a variety of factors, every application is different. For more information or to track the status of your application visit: www.princeedwardisland.ca/Building

Who should obtain the Development Permit?
Anyone planning to develop a property can apply for a Development Permit. If you don't own the land, you must have written permission from the landowner to act on their behalf.

Where can I get a Development Permit?
A list of our offices and contact information is on page 13 of this guide.

How much do Development Permits cost?
A list of permits, subdivisions, and other associated fees is on page 14 of this guide.

Other things to think about before you build:
When planning your development, make sure to consider the following:

- Civic address (your property's official address)
- Driveway culvert(s) (pipes under your driveway for water flow)
- Private road name (if your property is on a private road)
- Sewage system – is it on-site, central, or municipal?
- Water supply – is it on-site, central, or municipal?
- Mailbox – will Canada Post deliver mail to your location?
- Garbage collection – is your property serviced by IWMC?
- Water quality testing – is your water safe to use?
- Other permits – do you need electrical or plumbing permits?
- Landowner signatures – do you need one for your application?
- Environmental protection – check the PEI Flood Guide for protected features.

PLANNING AND DEVELOPMENT OFFICES

For more information or to book a meeting with a Permit Coordinator in your area, please contact one of our offices:

CHARLOTTETOWN
J. Elmer Blanchard Building
31 Gordon Drive
Charlottetown, PE C1A 6B8
902-368-5280
902-368-5526 (fax)
Development@gov.pe.ca

MONTAGUE
Access PEI
41 Wood Islands Road
Montague, PE C0A 1R0
902-838-0605
902-838-0696 (fax)
development@gov.pe.ca

O'LEARY
Access PEI
45 East Drive
O'Leary, PE C0B 1V0
902-859-8854
902-859-8709 (fax)
development@gov.pe.ca

SUMMERSIDE
Access PEI
120 Heather Moyse Drive
Summerside, PE C1N 5Y8
902-432-2802
902-888-8059 (fax)
development@gov.pe.ca

DEVELOPMENT PERMIT FEES

TYPE OF USE/APPLICATION	FEE
Residential Development	
· New · Additions · Moving · Accessory	$250
Industrial, Commercial, Institutional, and Recreational	
· New · Additions · Renovations	$600
Resource Development	
· New · Additions · Renovations	$500
Subdivision of Land	
· Dividing one or more lots · Change of use	$110 for the first lot $55 for each additional lot
Wind Energy Systems	
· Capacity of 1-20 kw · Capacity greater than 20 kw, but less than 50 kw · Capacity of 50 kw, but less than 100 kw · Capacity of 100 kw or greater	$100 $200 $300 $1,100
General	
· Campground · Mobile Home Park · Travel Trailer as Primary or Accessory Use on a lot · Permit/Approval after the fact	$220 $220 $220 Double the fee (Min. $100)
Instant Permits	
· Decks within 24” off the ground · Sheds under 215 sq. ft.	$100 $100