



Development Permit Process

"A General Public Guide to Development and Permits"

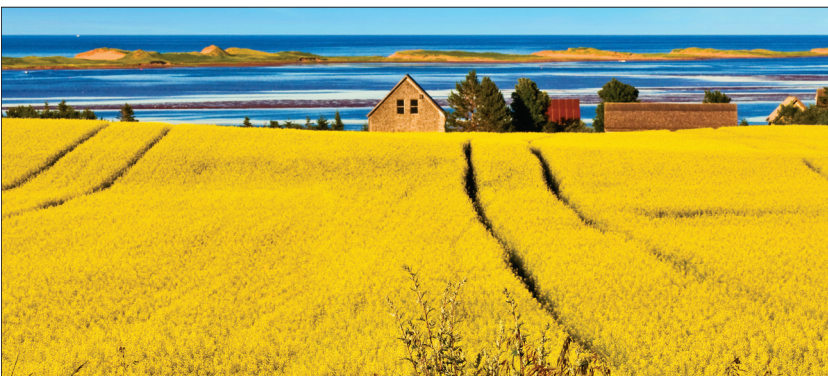


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Department of Housing, Land and Communities

Development Control Section

Introduction

The purpose of this booklet is to provide a basic guide to the application process for obtaining a development permit; however, it is not a substitute for the requirements in the regulations. Prior to planning any development, please read this guide to help you navigate the process of obtaining a development permit.

This General Public Guide to the Development Permit Process is designed to help you through the process of Development and to help answer any questions you may have prior to making an application.

Permit Coordinators are available province wide as the first point of contact for all permit and property related requests and to provide one-on-one support by answering questions and assisting with the permit application process.

To book an appointment with a Permit Coordinator in your area,
please visit LetsBuildTogetherPEI.ca

Municipalities

The municipalities listed below have their own official plans & bylaws. If you live in one of these municipalities, you must contact their administrative office regarding development.

- Abram's 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 permit to:

- commence the construction of any building or structure;
- locate any building or structure, or change the location of any building or structure on a lot;
- make any structural alterations that will change the exterior dimensions of any building or structure;
- change the use of any building or structure or land or part thereof;
- any intensification of use;
- locate a travel trailer on any lot as the main or accessory use, other than in a travel trailer park where utility services are provided;
- create a mobile home park.

How do I access a Development Permit?

When the decision is made to develop your property, you must submit an application for a development decision to the appropriate office for your area. (See page 13 for office addresses)

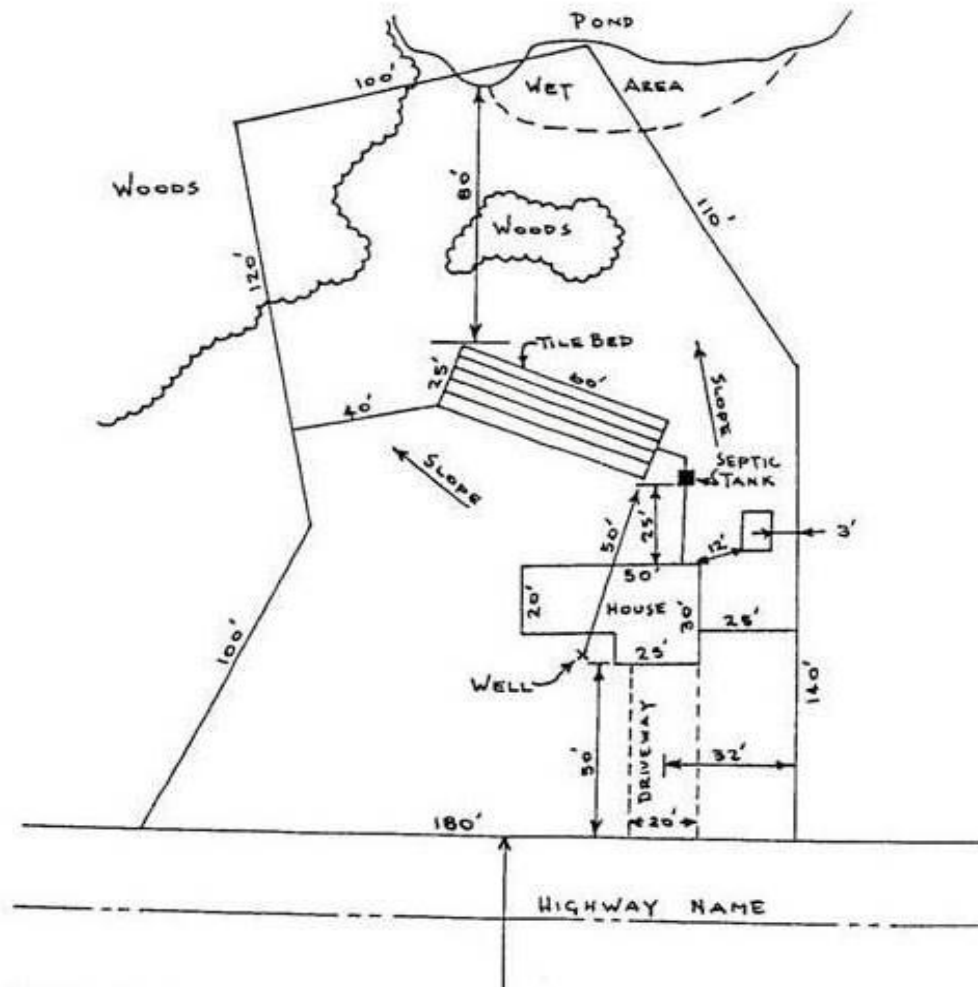
Development Permit Applications can also be submitted online at LetsBuildTogetherPEI.ca.

The development application must be filled out entirely containing your property identification number (your PID number is located on your property tax statement), mailing address, subdivision lot number (if applicable), what your intentions are for the development, the square footage of the structure to be built, servicing for water and sewer, access, building setbacks, as well as, a detailed property sketch map.

The Site Plan Must Illustrate the Following:

- dimensions of the lot;
- property boundaries;
- show roads;
- distance of the proposed structure from the center of road(s) and property boundary;
- separation distance between well and septic system;
- location of the well, septic tank, and show distances from all structures (may require information from Sewage Disposal Contractor);
- distance from wetlands/watercourses, top of bank, sand dune (if applicable);
- natural slope(s) of the land; and
- all structures currently on the parcel.

“An Example of a Site Plan”.
(For illustration purposes only)



Development Fees
(Fee Schedules subject to change)

To view the fee schedule, please refer to Section 68 of the *Planning Act* Subdivision and Development Regulations at:

https://www.princeedwardisland.ca/sites/default/files/legislation/p08-3-planning_act_subdivision_and_development_regulations_1.pdf

Section-2-Review of Basic Process

It is important to recognize that a Building Permit and a Development Permit are two separate permits, despite being used interchangeably by the public.

Development Permit – specifies land use, servicing aspects, highway access, environmentally sensitive areas, and how a structure is situated on a given parcel of land. This permit is issued in accordance with the provincial *Planning Act*.

Building Permit – ensures that a structure is designed and constructed in compliance with construction codes, e.g. the National Building Code of Canada. This permit is issued in accordance with the provincial *Building Codes Act*.

In almost all instances both a development permit and a building permit will be required before construction can begin on a project. The building permit is typically only issued following development permit approval, however, both permits may be applied for at the same time.

Applicants are required to confirm if a Building Permit is required BEFORE any construction can begin. Most often this permit can be applied for at the same time as the Development Permit Application. If you are unsure of the Building Permit requirements, please inquire with Inspection Services at 1-800-370-3977.

Development Permit Process

Contact any of our regional offices for details on the lot. Here are some important questions to consider while discussing your proposed development:

- Has the lot been approved?
 - o If no, a Subdivision Application may be required and you may be asked to have the lot surveyed by a qualified surveyor for “final approval.”
- Does the lot require a Site Suitability Assessment? Has one been done in the past?
- Am I ready to begin development on this land?
 - o If yes, has your licensed septic contractor submitted a Sewage Disposal System Registered Document?

Once you have identified the next steps in your development process, and you are ready to apply for your building and development permits, please visit one of our Land offices, listed at the back of this booklet.

How do I know if a Building Permit is required?

Unless otherwise exempted within the *Building Codes Act Regulations*, Building Permits are required for: the construction, alteration, relocation and change of use for both new and existing structures.

Please be advised, your electrical contractor will be unable to connect to electrical services without first obtaining information from your approved building, and/or development permits.

As part of the evaluation and review of your development proposal, it may be necessary to take into consideration regulatory requirements that could impact your proposal. These can include identified properties under the *Lands Protection Act*, road classifications, special planning areas, environmentally sensitive features such as wetlands, watercourses, and buffers, etc. Sections 3 through 5 may provide some clarity on these considerations.

Section-3-Identified Properties

The **Island Regulatory and Appeals Commission (IRAC)** is responsible for the general administration of the *Lands Protection Act* and makes recommendations to the Government on applications for land purchases governed by the *Act*.

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

When the Department is processing applications for subdivision of a lot(s) or any use other than residential or agriculture related development, the property **may** have been identified under the *Lands Protection Act*. If property is identified, a subdivision or development application cannot receive final approval until the Government has made a decision.

Development Permit Process

If your parcel is, in fact, identified, the landowner is required to make an application with the Island Regulatory and Appeals Commission for an amendment to the identification agreement prior to any further approvals from this Department for the proposed subdivision or development (if required).

How do I de-identify my property under the *Lands Protection Act*?

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 their website at www.irac.pe.ca.

Section-4-Road Access

Road access on Prince Edward Island is regulated through the *Roads Act Highway Access Regulations* https://www.princeedwardisland.ca/sites/default/files/legislation/r15-2-roads_act_highway_access_regulations.pdf

This Regulation includes **Sight Distance Standards** which can be found on page 126 of the regulations.

(Pages 4-7) provides directions on entrance ways. All applications must meet the minimum safe stopping distance.

Once your application is submitted, a Property Development Officer may request, on your behalf, that the Department of Transportation and Infrastructure perform a safe access evaluation.

Section-5-Special Planning Area

On July 9, 1994, the **Special Planning Area** regulations came into force with a moratorium on residential, commercial, and industrial development within approximately 5 km of the cities of Charlottetown, Summerside, and the Towns of Cornwall and Stratford.

The Special Planning Area was created to sustain the rural community by limiting urban or suburban development.

If you own property within the Special Planning Area, there may be restrictions on the use of the parcel and/or the number of lots that can be subdivided.

How do I know if I live in a Special Planning Area?

Refer to Sections 55-63 of the *Planning Act* Subdivision and Development Regulations:

https://www.princeedwardisland.ca/sites/default/files/legislation/p08-3-planning_act_subdivision_and_development_regulations_1.pdf

The Property Development Officer will assist you in determining whether a parcel of land is eligible for the subdivision of a lot(s).

Section-6-Site Suitability Assessment

Often it is necessary to acquire a site suitability assessment of your property prior to development occurring. This is to ensure an on-site sewage disposal system can function properly.

What is a Site Suitability Assessment?

It is an evaluation of the capabilities of the soil to handle effluent for an on-site sewage disposal system and how well the soil will sustain the on-site sewage disposal system over a period of time.

If a new on-site sewage disposal system or replacement of an old on-site sewage disposal system is required, ***YOU MUST*** have a site suitability assessment conducted on the property.

When do I need a Site Suitability Assessment?

- To categorize a lot for municipal lot approval;
- For a proposed subdivision of a lot or lots;
- For a proposed development of a lot; or
- For a new or replacement of a sewage disposal system.

Who can do a Site Suitability Assessment?

A Site Suitability Assessment can be done by a qualified site assessor or a 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 listed at the back of this booklet for a list of qualified site assessors and consulting engineers or go to our website at: LetsBuildTogetherPEI.ca.

Section-7-Subdivision

As part of the evaluation process for Development, it may be necessary, under certain circumstances, to also obtain subdivision approval for the lot or parcel. Some may refer to a subdivision as a large, multi-lot urban style subdivision with streets and central water and sewer services, but in fact, it can mean a one lot subdivision, multi-lot subdivision, appendage of a small parcel of land to another, consolidation of two or more lots/parcels or even a change of land use from one class to another.

Definition

“Subdivide” means:

- (i) to divide a parcel of land to create two or more new parcels of land,
- (ii) to consolidate two or more contiguous parcels of land to create a new parcel of land,
or
- (iii) to attach a part of a parcel of land to another parcel of land contiguous to that part to create a new parcel of land, by means of a plan of subdivision, a plan of survey, an agreement, a deed, or any other instrument, including a caveat, that transfers or creates an estate or interest in the new parcels of land created by the division, or in the new parcel of land created by the consolidation or the attachment, as the case may be.

Person(s) interested in subdividing a piece of land should contact any of our offices prior to any agreement on the land and a Property Development Officer will assist you with any questions you may have.

Section-8-Answers to Commonly Asked Questions

Do I require a Development Permit?

- 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. Applicants should contact a Building Official at Inspection Services to verify if they 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 is dependent on a variety of factors, as each application is unique. For more information and to track the status of a development permit visit: www.PrinceEdwardIsland.ca/Building

Who should obtain the Development Permit?

Development Permits may be obtained by whoever is developing. Ownership of the land is not mandatory at the time of application, however, permission from the current landowner to act on their behalf must be provided.

How much do Development Permits cost?

Please refer to the back of this booklet for a list of permits, subdivisions, and other fees.

Where can I get a Development permit?

Please refer to the back of this booklet for a list of our offices and phone numbers.

What are other items to take into consideration?

- Civic address;
- Driveway culvert(s);
- Private road name;
- Sewage disposal systems (on-site, central or municipal);
- Water supply (on-site, central or municipal);
- Mailbox (mail service – Canada Post);
- Garbage collection (IWMC);
- Water quality testing; and
- Other Trades permits (electrical, plumbing, etc.)

For further information please contact staff from our offices below:

J. Elmer Blanchard Building - Charlottetown

Address: 31 Gordon Drive, Charlottetown, PE C1A 6B8
Tel: 902-368-5280
Fax: 902-368-5526
Email: landsdivision@gov.pe.ca

Access PEI - Montague

Address: 41 Wood Islands Rd, Montague, PE C0A 1R0
Tel: 902-838-0605
Fax: 902-838-0696
Email: landsdivision@gov.pe.ca

Access PEI - O'Leary

Address: 45 East Drive, O'Leary, PE C0B 1V0
Tel: 902-859-8854
Fax: 902-859-8709
Email: landsdivision@gov.pe.ca

Access PEI - Summerside

Address: 120 Heather Moyse Drive, Summerside, PE C1N 5Y8
Tel: 902-432-2802
Fax: 902-888-8059
Email: landsdivision@gov.pe.ca

Table of Fees

Type of Use/Application	Fee
RESIDENTIAL DEVELOPMENT	
New/Additions/Moving/Accessory	\$250
INDUSTRIAL-COMMERCIAL-INSTITUTIONAL and RECREATIONAL DEVELOPMENT	
New/Additions/Renovations	\$600
RESOURCE DEVELOPMENT	
New/Additions/Renovations	\$500
SUBDIVISION OF LAND	
One or more lots or changes of use	\$110 for the first lot plus \$55 for each additional lot
Preliminary approval extensions	\$30
WIND ENERGY SYSTEMS	
Capacity of 1-20kw	\$100
Capacity of greater than 20kw but less than 50kw	\$200
Capacity of 50kw or greater but less than 100kw	\$300
Capacity of 100kw or greater	\$1,100
GENERAL	
Campground/Mobile Home Park	\$220
Travel Trailer as Primary/Accessory Use on a Lot	\$220
Permit/Approval After-the-Fact	Double the Fee (Min. \$100)

