

# DEVELOPMENT PERMIT GUIDE

## Introduction

A Development Permit (DP) issued by the Village of Cumberland is required before development can begin on properties within a designated Development Permit Area (DPA). The DP outlines how a specific piece of land can be developed and is issued based on a specific development plan submitted by the owner, such as a subdivision or construction of buildings. In many cases, a DP is required before any land alteration such as tree removal or soil disturbance can begin. Each DPA outlines what types of development requires a DP. Once issued, the DP is registered against the title of the land and becomes binding on both current and future landowners.

Depending on where the property is located and which DPAs apply, the DP may include specific requirements for the development's overall appearance, such as landscaping, location, exterior design, and finish of buildings and structures. It may also cover environmental protection and measures to ensure safety from hazardous conditions. It's important to note that a DP is different from a building permit. Before starting any construction, you must also obtain a separate building permit.

## When is a Development Permit Needed?

A DP is required when the property to be developed is located within a DPA, as designated in the Village's Official Community Plan. The Village's [Interactive Map](#) identifies the established DPAs within Village boundaries. When such a designation exists, a DP typically must be obtained prior to:

- Subdividing land;
- Obtaining a building permit for constructing, adding, or altering a building or structure; or
- Altering land within an area designated for the protection of the natural environment or hazardous area.

In accordance with the Village's OCP, some development and building activities do not require a DP depending on the type of DPA. See list of exemptions under each individual DPA in the Official Community Plan.

## Delegated Development Permits

In some cases, the issuance of a DP may be delegated to the Manager of Development Services. These delegated DPs do not require Council approval if they meet the criteria set out in the *Development Application Procedures Bylaw*. A DP may be delegated for the following development:



- Any residential developments that do not exceed four (4) units.
- Any industrial and commercial development outside of Heritage Conservation Area 1 – Historic Village Commercial Core that does not unduly impact the character of the streetscape or surrounding neighbourhood.
- Any accessory building(s).
- Any Wildfire Urban Interface and Farmland Protection DPs where there are no, or only minor, variances requested.

The Manager of Development Services will refer a delegated DP to Council if they deem it to be in the public interest to instead have the application considered by Council.

## Prior To Making An Application

Applicants should ensure they understand the Village of Cumberland’s policies, procedures, and regulations before preparing a DP application. Prior to applying, the applicant should review the following:

- **Confirm the [Official Community Plan \(OCP\)](#) – DPAs**– Check the [Village’s Interactive Map](#) online to determine if your property is located in one or more DPAs.
  - Policies and guidelines pertaining to DPAs can be found within *Part D Section 10: Development Permit Areas* of the OCP
- **Zoning Maps and [Zoning Bylaw](#)** – Check the [Village's Interactive Map online](#) to find the zoning designation and zoning requirements for the property. This will help you determine if the proposal aligns with the zoning and if the zoning will need to be amended or varied (which would require a rezoning or development variance permit application).
- **[Development Application Procedures Bylaw](#)** – Review to section 12.6 to understand the evaluation criteria and guidelines for what type of DP can be delegated to the Manger of Development Services and Schedule 4 – *Development Permit Applications* to get a general understanding of the processing procedure.
- **Contact the Development Services Department** – Contact the development services department to discuss your proposed development and determine if a formal pre-application meeting is required. If it is determined that a pre-application meeting is required, submission requirements can be found in the Pre-Application Meeting Guide. Staff will provide guidance throughout the application process and determine if any revisions are required prior to submission.



## Development Permit Costs

The cost of a DP can vary depending upon the complexity of the application. Where land is subject to more than one DPA designation the applicant must pay the application fees for each DPA in the amount set out in the Village of Cumberland [Fees Bylaw](#). An application fee will always be required, however other costs can include:

- Actual cost of any third-party professional review of applications.
- Any plans needed to meet the application requirements (i.e., site plan, landscape plans, elevations, Surveyors Certificate).
- Village of Cumberland Development Cost Charges, as per the [Development Cost Charges Bylaw](#), at time of building permit or subdivision approval.
- Professional reports (i.e. geotechnical assessment, engineered stormwater management plan, planning rationale).
- Village bonding requirements for landscaping agreements, remediation, or performance security.
- Legal fees (i.e. Land Title registry, covenants).



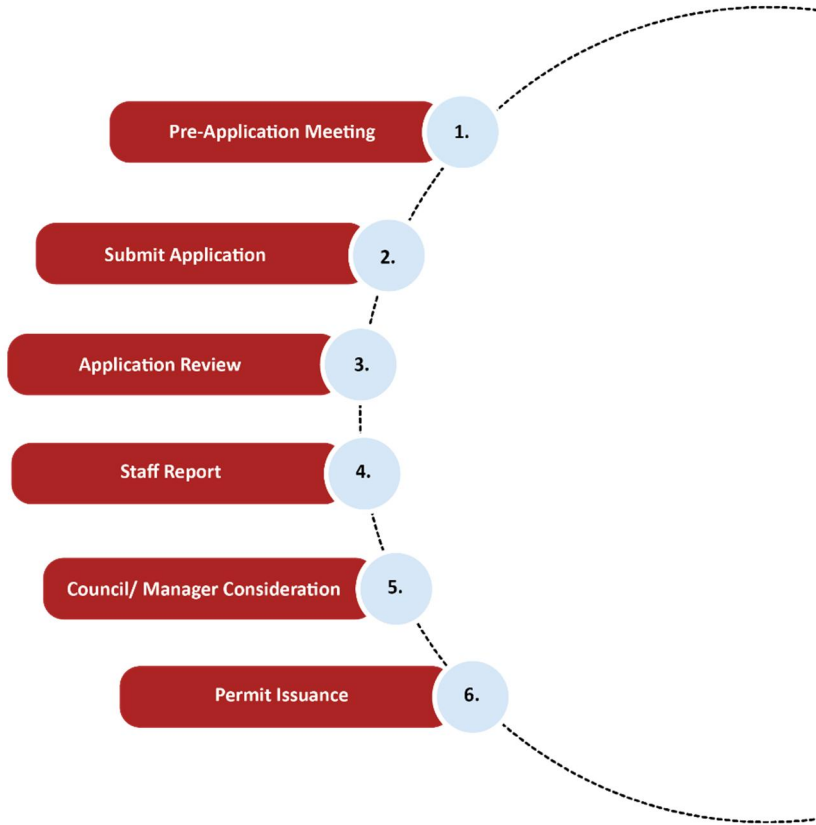
# Application Process and Processing Timelines

Applicants are encouraged to submit their application by email if possible. **Incomplete applications will not be accepted.** The following processing timelines are established from the date of receipt for a complete application.

**Delegated Development Permit:** 1-2 months

**Council Approved Development Permit:** 4-6 months

While these timelines are targets, it is understood that different circumstances (i.e. revisions, new plans, complexity of application, provincial approvals) may alter timelines to be shorter or longer than outlined below. It is essential for applicants to submit a complete application and respond to staff requests for information to ensure that it is processed in a timely manner. Applicants will be able to track their application online to view what stage of the process they are at. For more information about what to expect at each stage of the application process, see the Detailed Application Process below.



## Detailed Application Process

### Pre-Application Meeting 1.

Contact the Village to determine if a formal Pre-Application Meeting is required. If yes, schedule a Pre-Application Meeting with development services staff to discuss the proposal and application requirements. The applicant must fill out a Pre-Application Scheduling Form and is expected to come to the meeting prepared (tips for preparation are outlined in the Pre-Application Meeting Guide).



## Submit Application

2.

The applicant is encouraged to submit the application by email if possible. Once submitted, staff will review the application to determine whether it is complete at this stage (i.e. all required documents) and, if incomplete, staff will request the required information from the applicant. Once the file is considered complete, staff will advise you to proceed with payment of the application fee. Staff will issue a receipt to the applicant once the application fee has been received.

## Application Review

3.

The DP application is reviewed by the development services department, referred to all applicable Village departments, Development Review Team (DRT), government ministries, agencies, and organizations to provide the applicant with comprehensive feedback on the application. Revised plans and additional documents may be required from the applicant or the applicant's architect, engineer, or other coordinating professional. The timing of the review will depend on how quickly the applicant can provide additional information to staff as requested.

## Staff Report

4.

Once staff have received all feedback from internal and external agencies and completed their review of the application, staff will prepare a report for consideration by Council (Council approved DP) or the Manager of Development Services (delegated DP). The staff report takes into consideration any input received from other staff departments, referral agencies, policies in the Official Community Plan, and applicable regulations in the Zoning Bylaw. Staff will communicate with the applicant to ensure they are aware of the associated staff recommendation.

## Council/Manager Consideration

5.

If the staff determines the application meets the criteria for a delegated DP, the report will be referred to the Manager of Development Services for consideration. Otherwise, the report will be brought to Council for consideration.

- If it is a delegated DP, the Manager of Development Services will review the staff report and recommendations and make the final decision on the permit. If the application is denied by the Manager, the applicant may request that the application be referred to Council for consideration.



- If it is a Council approved DP, the staff report and recommendations will be considered by Council. Council may refer the application to any of the Council Commission/Committees for comment before making a final decision on the permit. If the application is referred to a committee, the report and permit will need to be presented to Council a second time for consideration.

In either scenario, the outcome may be approval to issue the permit, conditions to issuance of the permit, or amendments / revisions to the permit. If the outcome is amendments / revision to the permit, the permit will need to be revised before being presented a second time for consideration.

## Permit Issuance

6.

If authorized, staff will prepare the required DP and related schedules for signature and obtain a security deposit, if required. A Notice of Permit will be registered against the title of the property at the Land Title Office by staff. The applicant will receive a copy of the signed permit via email or post once registration on title has been confirmed.

## Questions?

If you have any questions about development permit areas or applying for a permit, please contact us.

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<https://cumberland.ca/development-permits/>

This guide is not a legal document. Any contradiction, dispute or difference between the contents of this brochure and applicable Village bylaws, plans, policies or guidelines will be resolved by reference to the bylaws or other official documents.

