



---

## Part 4 PROCESS

---

Section 16 DEVELOPMENT APPLICATION  
PROCESS

---



## Section 16 - DEVELOPMENT APPLICATION PROCESS

---

### 16.1 APPLICATION FOR DEVELOPMENT PERMIT

16.1.1 An application for a development permit shall include all items noted below.

- (a) A completed application form signed by the applicant (registered owner of the land or their representative or agent certified as such).
- (b) The application fee in accordance with the Fees Policy, as adopted by resolution of Council.
- (c) An accurate and complete statement of the proposed uses and scope of work.
- (d) A site plan for the land to be developed, drawn to scale, showing such information deemed necessary by the Development Officer which may include the following:
  - (i) Shape and dimensions of the lot
  - (ii) Identification of all abutting roads and existing and/or proposed access to the development
  - (iii) Identification of all rights-of-way and easements within the subject property
  - (iv) Identification of all watercourses
  - (v) Location and dimensions of existing and proposed buildings including distances from lot boundaries
  - (vi) Proposed parking spaces and traffic aisles including dimensions
  - (vii) Location of garbage storage areas or enclosures
  - (viii) Location of any required vegetation, fences, or buffering
  - (ix) Location of any required amenity areas and pedestrian pathways
  - (x) Sign location and details
  - (xi) North arrow and date of drawing
- (e) Floor plans and elevations of the proposed development, drawn to a scale acceptable to the Development Officer.
- (f) Any additional information as required by the Development Officer in order to evaluate any application in accordance with this By-law and in accordance with policy 5.2.1 of the Municipal Planning Strategy.

### 16.2 DECISIONS OF DEVELOPMENT OFFICER

16.2.1 A development permit shall be issued by the Development Officer in accordance with the Act provided:

- (a) the proposed development is in conformance with this By-law;
- (b) the Development Officer has granted a variance pursuant to Section 235 of the Act; or

- (c) the proposed development is in conformance with an approved development agreement pursuant to Section 228 of the Act.

16.2.2 The Development Officer shall refuse a development permit application in accordance with the Act where the proposed use is not permitted and/or if it does not meet the requirements of this By-law.

16.2.3 The Development Officer may revoke a development permit where information provided on the application is found to be inaccurate or if the development is not in compliance with the scope of work approved on the development permit.

16.2.4 A location certificate prepared by a registered member in good standing of the Association of Nova Scotia Surveyors shall be required for the following developments:

- (a) New buildings containing main uses;
- (b) Any development where the Development Officer is unable to determine whether the proposed development conforms to this By-law and other by-laws and regulations in force which affect the proposed development; and
- (c) Notwithstanding (a) and (b) above, new buildings containing agricultural, forestry or fishing use may be exempted provided they are not the first building on the lot.

*(Section added October 1, 2024, File P21-01)*

### **16.3 VARIANCE AUTHORITY**

16.3.1 The Development Officer may grant a variance pursuant to Section 235 of the Act and in accordance with policy 5.2.3 of the Municipal Planning Strategy.

16.3.2 In the event that a variance is granted, the Development Officer shall specify the nature of the approved variance in the development permit approval.

### **16.4 TIMEFRAME OF DEVELOPMENT PERMITS**

16.4.1 Every development permit issued under this By-law shall automatically lapse, and become null and void if the development to which it relates has not commenced and 12 months have passed since its issuance, in accordance with policy 5.2.2 of the Municipal Planning Strategy.

16.4.2 A development permit may be renewed provided the proposed development is in conformance with the By-law that is in force at the time of application for renewal in accordance with the Act.