

Frequently Asked Questions About Developing a Lot on Sidney Island

Q: Where does the requirement to submit a Site Documents come from?

Submitting the Site Documents is required under the Statutory Building Scheme, which was registered on the title of each lot when the strata corporation was established. These rules are incorporated into the Strata Bylaws.

Q: What is the purpose of Site Documents?

The purpose of Site Documents are:

- to ensure that the owner is aware of the rules governing development,
- to ensure that the location and dimensions of buildings and improvements comply with setbacks,
- to give the Council and the community a heads up about development of a lot as it gets underway; and
- to put the owner in touch with people in the community who can provide guidance and advice about how to navigate the rules.

Q: What is a Statutory Building Scheme?

A statutory building scheme is a charge on the title to each strata lot that contains terms limiting what an owner can do with the property. These are placed on the title under the *Land Title Act* when the strata corporation was established in 2001, and modified in 2005 at the time of subdivision. A statutory building scheme can only be changed with the support of all owners. Some building schemes are very detailed, governing many aspects of building and design. The Statutory Building Scheme registered on the title of all owners on Sidney is not very restrictive. (See more [here](#))

Statutory building schemes have been described as a community of interests under which all owners share similar restrictions, but all benefit from these restrictions. Purchasers know that the restrictions are in place and often purchase property because they want the benefits provided.

Q: What does our Statutory Building Scheme Require?

Most of the rules about development on Sidney Island are set by Islands Trust and the CRD. Our SBS has very few additional requirements and they mostly focus on maintaining the privacy of lots, the integrity of setbacks, and preserving the strata's natural environmental attributes and aesthetic values:

- Building height less than 12 meters above the average of the existing grade at the outside corners of the Building.
- All Buildings shall be located to minimize visibility from other Lots and Common Property, where practicable.

- No removal of living trees or other vegetation within front setback area, except for driveways and/or utilities
- No removal of living trees or other vegetation within side setback area, unless there is written consent by neighbour
- Antennas and satellite dishes exceeding 0.5 meters in diameter shall be located to minimize visibility from other Lots, Common Property and the water.
- Motorized power generating shall be contained in an enclosed Building or a sound dampening enclosure, located and constructed to reduce noise disturbance to adjacent Lots and Common Property
- Living trees or vegetation cannot be removed within sideyard and front (non-seaward) setbacks except as allowed under the SBS (*Note removal of vegetation from ocean-side setbacks is governed under Islands Trusts bylaws).

Q: When do I have to submit a Site Documents?

- 1) Before commencing any activity for which you require a building permit

A building permit is required before commencing:

- Site excavation or blasting
- Construction, repairing or altering a building or structure
- Moving a building
- Changing an occupancy
- Installation of any plumbing
- Construction of a masonry fireplace or installation of a solid fuel burning appliance or factory/masonry chimney
- Installation of an oil burning appliance or oil tank

- 2) You are making any improvement on the lot greater than 10sq m
- 3) You are doing any preparatory construction work

Here is a list of when you do and don't have to submit Site Documents:

	Yes	No
Before you apply for a building permit	√	
Before putting a trailer on your lot	√	
Clearing trees for a house site, trailer site accessory building site over 10 sq m	√	
Digging a test hole for a well or septic field		X
Putting in a driveway	√	

Putting in a septic field	√	
Building an accessory building that is less than 10 sq m		X
Building an accessory building that is more than 10 sq m	√	
Putting in an outhouse outside of setbacks		X
Cutting down trees outside of setbacks after you have built your house		X
Building a fence	√	
Digging ditches for utilities	√	

CUTTING TREES

***Owners are also strongly encouraged to submit a Site Documents when the are cutting trees in an area of more than 10sq metres. Respecting setbacks is an important part of maintaining good relationships with neighbours and submitting the can ensure that cutting is not done inside setbacks.**

Q: What Are Site Documents?

Site Documents include:

- a site plan showing the location and dimensions of buildings and/or other improvements and the strata lot's setbacks. The site documents must show compliance with the setbacks; and
- the Site Documents Checklist.

Q: What happens after I submit my Site Documents

Site Documents are submitted to Peter Driessen (peterdri@gmail.com) with a copy to Proline Property Management (dwight@prolinemanagement.com), the strata's property manager.

Peter Driessen and/or the Strata Council will approve, withhold approval, or offer conditional approval within 30 days of receiving Site Documents.

If approval is withheld Peter Driessen and/or the Strata Council will provide reasons in writing.

Q: When can Council not approve Site Documents?

Council can withhold approval only if the plans submitted do not follow Islands Trust Bylaws, CRD Bylaws and the statutory building scheme rules listed above.

Q: Where are the rules about trailers?

Islands Trust Land Use Bylaw 3.1. The bylaw refers to “recreational vehicles”.

Q: What are the rules about trailers?

A recreational vehicle can only be used as a temporary residence before building a permitted house.

Before putting the trailer on the lot, you must have

- (a) a valid building permit for a house on the same lot
- (b) connected the trailer to sewage disposal facilities for which a sewage disposal permit has been issued under the Health Act;
- (c) provided the trailer with a domestic water supply;
- (d) comply with other provisions of the Islands Trust bylaw; and
- (e) remove the trailer once the permitted house is occupied.

The must using the trailer to stay in once the main house is built.