



Rural Municipality of Eastern Kings
Where the sun rises and the tides meet

Guide for the Public

85 Munn's Rd, Route 301,
Kingsboro, PEI, CoA 2B0

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This is a public guide for applicants seeking a **Development Permit** with the Rural Municipality of Eastern Kings. It will take you through:

- Where to find municipal requirements for a Development Permit
- Development Permit Application Process
- Other Provincial Approvals you may need

All questions and clarifications with municipal staff are considered informal until a completed application is submitted.

For Subdivision or Consolidation, see the Subdivision and Consolidation Application Guide.

Before You Begin

Before You Begin

Application Form

General Provisions

Zone Standards

Environmental Setbacks

External Factors

Site Plan

Example Site Plan

Submission

Approval

Development Permits

- Issued by the Municipality
- Evaluated by the Development Officer against criteria in the:
 - Official Plan
 - describes the priorities and intentions of the municipality
 - Subdivision and Development Control Bylaw (the Bylaw)
 - describes the details of what is allowed in each zone
- Building any new structure or addition requires a Development Permit
 - See sections 2.5 – 2.13 of the Bylaw for more details

Building Permits

- Issued by the Province of PEI, applications found here:
 - https://www.princeedwardisland.ca/sites/default/files/forms/build_development_permit.pdf
- PEI adopted the National Building Code in 2022
 - All new buildings now require a provincial building permit

Application Form

Before You Begin

Application Form

General Provisions

Zone Standards

Environmental Setbacks

External Factors

Site Plan

Example Site Plan

Submission

Approval

Complete the Development Permit Application Form

- Found online or at the Municipal office
- Fill in all applicable fields
- Submit with fee – see Fee Schedule on Municipal website

Property information

- If applicant is not the Property Owner, written permission is required.
- The Property Owner is responsible for ensuring proper title to the parcel
- Enforcement of covenants (special restrictions) on the deed is not the responsibility of the Municipality and does not affect the Municipality's decision on an application

General Provisions

Before You Begin
Application Form

General Provisions

Zone Standards

Environmental Setbacks

External Factors

Site Plan

Example Site Plan

Submission

Approval

General Provisions are rules or standards that apply to all zones

- See section 5 of the Bylaw
- Except where stated, the general provisions apply, even if a permit is not required
- Development must occur on a parcel with road frontage
- Older parcels may not meet new requirements
(Each case will be evaluated individually)

Use-specific regulations are set out for uses that have their own unique criteria such as wind and solar, home-based businesses, and others.

- See section 6 of the Bylaw



Rural Municipality of Eastern Kings
Where the sun rises and the tides meet

Zone Standards

Before You Begin
Application Form
General Provisions

Zone Standards

Environmental Setbacks

External Factors

Site Plan

Example Site Plan

Submission

Approval

Each zone in the Municipality has a different set of standards related to lot size, permitted uses, and other factors.

- The Zoning Map in the Bylaw shows the zone boundaries and zones for each property.
- The Bylaw has the provisions for each zone in section 8.

“Special Permitted Uses” are uses that must be considered by Council based on a set of rules (see section 9 of the Bylaw).

Uses include:

Multi-unit residential; grouped dwellings; shops in the Parks/Conservation zone; resource-related industrial or commercial uses; golf courses; campgrounds; utility structures; solar uses; and cemeteries.

Environmental Setbacks

Environmental setbacks are required for all developments near watercourses or wetlands. See section 5.2 of the Bylaw for more detail.

Protected Feature	Buffer Distance
Wetland, watercourse or waterbody	15m (50 ft)
Ordinary highwater mark of North Lake and South Lake, or a marine shoreline	30 m (100 ft)
North Lake Creek, Priest Pond Creek south of Route 16, the Basin Head area; or East Lake Creek	60m (200ft)
Steep embankments (more than 33 degrees)	23m (75 ft)
The inland boundary of any sand dune	50m (164 ft)

**the above buffers do not apply to fishing buildings*

All requirements of the Province's *Environmental Protection Act* apply

- Before You Begin
- Application Form
- General Provisions
- Zone Standards
- Environmental Setbacks**
- External Factors
- Site Plan
- Example Site Plan
- Submission
- Approval



Rural Municipality of Eastern Kings
Where the sun rises and the tides meet

External Factors

Before approving a development permit application, other Provincial approvals may be required:

- **Driveway access / Entrance way Permit**
 - Call: Transportation, Infrastructure and Energy: (902) 368-5100
- **Septic/Sewage**
 - Requires Site Assessment Suitability Test (Percolation test) (usually the responsibility of your contractor to obtain)
- **Well water tests**
 - *Water Act* regulations (usually the responsibility of your contractor to obtain)
- **Civic Number**
 - Call 911 administration office: (902) 894-0385

Before You Begin

Application Form

General Provisions

Zone Standards

Environmental Setbacks

External Factors

Site Plan

Example Site Plan

Submission

Approval



Rural Municipality of Eastern Kings
Where the sun rises and the tides meet

Site Plan

On the permit application, draw a site plan to scale that must include:

- a) the shape and dimensions of the lot to be used;
- b) the existing and proposed grade elevations relative to the adjoining property or properties, showing the pattern and allowing for surface water run off on the lot so as not to cause damage or water run off onto adjacent lots;
- c) the distance from the lot boundaries, dimension, and height of the building or structure proposed to be erected;
- d) the distance from the lot boundaries and size of every building or structure already erected on the lot and the general location of the buildings on abutting lots;
- e) the proposed location and dimension of any well, sewerage systems, parking space, loading space, driveway, and landscaped area on the subject lot as well as within a minimum of 30 m on abutting lots;
- f) the proposed use of the lot and any building or structure; and
- g) any other information as requested by the Development Officer.

Before You Begin

Application Form

General Provisions

Zone Standards

Environmental Setbacks

External Factors

Site Plan

Example Site Plan

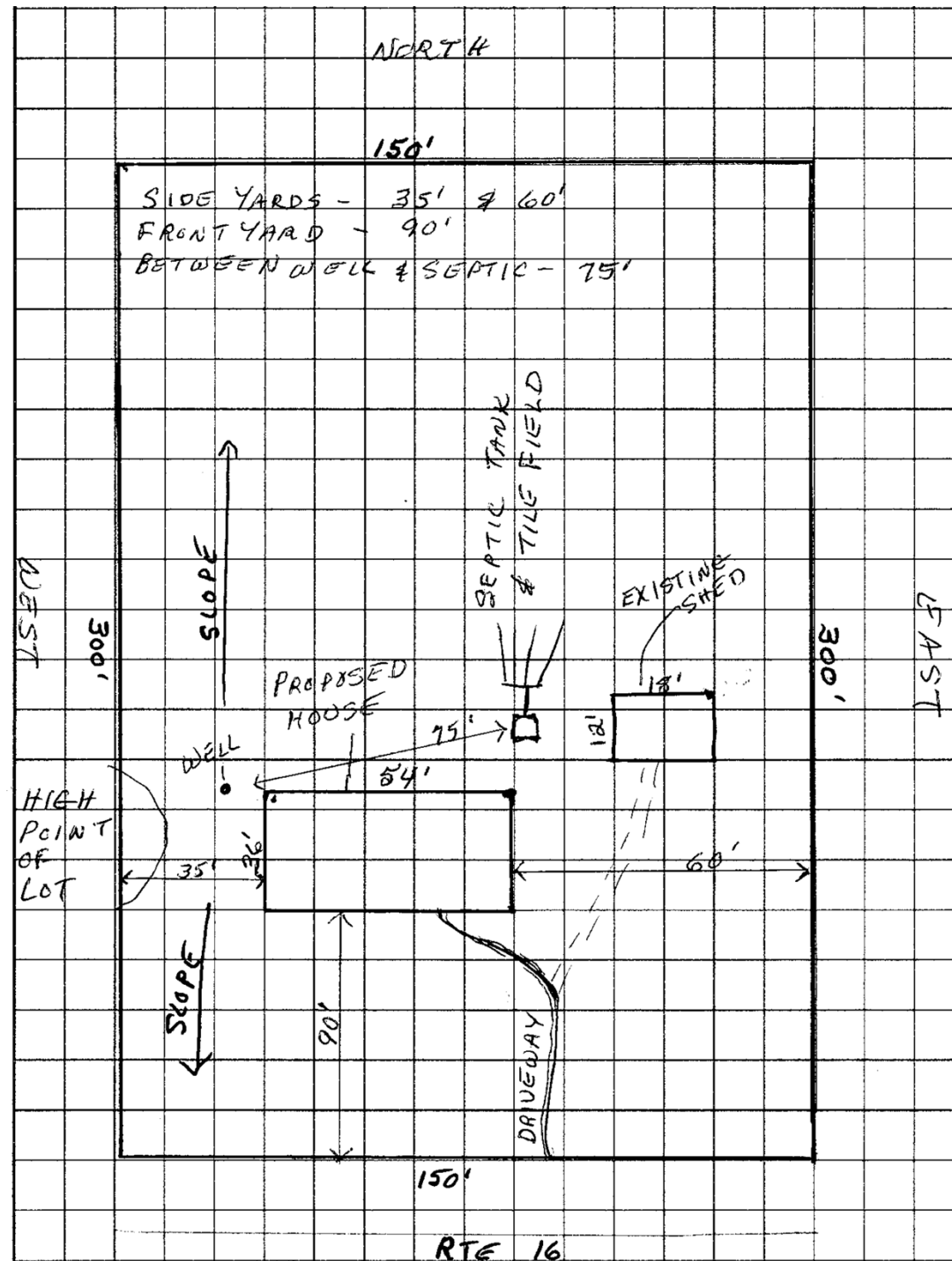
Submission

Approval



Rural Municipality of Eastern Kings
Where the sun rises and the tides meet

- Before You Begin
- Application Form
- General Provisions
- Zone Standards
- Environmental Setbacks
- External Factors
- Site Plan
- Example Site Plan**
- Submission
- Approval



Example Site Plan

Use the graph sheet on the Application for Development Permit or another sheet.

Development Officer may require a site plan prepared by a licensed professional (Section 2.13.2)



Rural Municipality of Eastern Kings
Where the sun rises and the tides meet

Submission

Before You Begin

Application Form

General Provisions

Zone Standards

Environmental Setbacks

External Factors

Site Plan

Example Site Plan

Submission

Approval

Submit to Development Officer

- 85 Munn's Rd, Route 301, Kingsboro, PEI, C0A 2B0, Or
- developmentofficer.rmek@bellaliant.com

Your submission should include:

- Completed Development Permit Application Form with site plan
- Fee, as per the Fee Schedule
- Any external permits, such as well, septic, entranceway, etc.

A decision on a complete application may take a number of weeks, depending on the complexity of the application

- Some applications must be reviewed by Council
- See section 2 of the Bylaw for more details



Rural Municipality of Eastern Kings
Where the sun rises and the tides meet

Approval

Before You Begin

Application Form

General Provisions

Zone Standards

Environmental Setbacks

External Factors

Site Plan

Example Site Plan

Submission

Approval

Applications will lead to one of the following:

- Approval
- Denial with reasons
- Requirement for a variance
- Request for additional information
- Approval with Development Agreement

An approved Development Permit must be posted within 7 days on the

- Rural Municipality of Eastern Kings website and/or the PEI Planning Decisions site
- Bulletin board in the Eastern Kings Municipal Office

Any appeal must be submitted to the Island Regulatory and Appeals Commission (IRAC) with 21 days of the date of the decision regarding the application. See the Planning Act for more information on who may file an appeal.