

OCP AMENDMENT APPLICATION GUIDE



TOWN OF GIBSONS

www.gibsons.ca

April 2019

This brochure provides an overview of the steps involved in the Official Community Plan Amendment Application process. This is a general guide only. It is not meant to replace bylaws or other legal documents. Applicants are advised to meet with the Planning Department to discuss their application.

WHAT IS AN OCP

The Official Community Plan (OCP) provides a policy framework and clear vision of the Town's intentions with regard to future land uses and servicing across the community. Each property in the Town of Gibsons has a future land use designation as specified in the Official Community Plan.

WHEN IS AN OCP AMENDMENT REQUIRED?

An OCP Amendment is required to change the future land use designation for a subject property that is being rezoned to a land use that is not reflected under the current OCP designation.

If the use you are proposing in a particular area is not permitted by the OCP, then you must submit an application to change the OCP designation. The OCP Amendment application must be accompanied by a rezoning application if the rezoning application is not consistent with the future land use designation.

APPLICATION FEES

Current fees are:

\$2,500 base fee per application, plus

- \$100 per dwelling unit
- \$100 per 300 m² for commercial, industrial, and non-residential zoned site area to a maximum of \$15,000

Applicants should be aware of other costs involved in the process, which may include professional services such as lawyer, architect, civil engineer, landscape architect, and/or B.C. Land Surveyor.

STEPS TO ADOPTION OF AN OCP AMENDMENT

STEP 1 – PRE-APPLICATION MEETING

Before proceeding with an OCP Amendment Application, owners are encouraged to meet with staff to gather information on processes, policy and regulation interpretation, and potential impacts and constraints on the proposal. These include:

- Application costs;
- Official Community Plan designations and whether the proposed development fits with the Official Community Plan;

- Review the OCP to ensure your proposal meets with the land use plan. If the property is in a Development Permit Area (DPA), it is usually recommended that you apply for a Development Permit concurrently with the rezoning application;
- Approvals that may be required from other agencies such as the Ministry of Transportation and Infrastructure, Vancouver Coastal Health, SD-46, the Ministry of Environment and Climate Change Strategy, Forests, Lands, Natural Resource Operations and Rural Development, the Federal Department of Fisheries, and/or the Gibsons and District Volunteer Fire Department;
- Neighbourhood issues and requirement to consult surrounding property owners; and,
- The need to hire consultants, such as an independent civil engineering firm, to design the servicing and assist with the application requirements (for certain applications this may not be necessary).

STEP 2 – APPLICATION SUBMISSION

Applications for amendment of the OCP must be accompanied by a detailed description and drawings of the proposed land use. Application forms are available from the Planning Department that indicate the specific attachments needed, including:

- **Completed application form** signed by registered owner of the property. If applicable, written authorization for an agent to act on behalf of the registered owner(s) of the subject property may be required;
- **Payment** of Application Fee;
- **Certificate of Title.** Must be dated within 30 days of application, or will obtain from the Town for a fee;
- **Site Plan**;
- **Proposal Summary** outlining the nature of the proposed development, how the development fits within the neighbourhood, and the design character of the housing, neighbourhood, or commercial use proposed. The proposal should also be justified in terms of its benefit to the community and impact on the land use pattern. Where a Development Variance Permit is requested, justification for the variance is to be provided;
- **Development Plans.** Detailed drawings of the proposed development, including building sections and elevations, parking layout and access, proposed means of servicing, existing vegetation and landscaped areas. Must also include a project summary sheet outlining gross site area, density and number of dwelling units, site coverage, heights, setbacks and other relevant data. One set of fully dimensioned plans required, one set of reduced drawings (maximum size 11" x 17") required plus one set of high resolution digital copies (in PDF format) including;
 - Dimensions of the property, existing and proposed roads;
 - Location and dimensions (including setbacks) of existing and proposed buildings on site (a recent survey plan is required);
 - The location of any watercourses, steep banks or slopes; and,
 - Any easements or statutory Rights-of-Way.

STEP 3 – APPLICATION REVIEW

Before review begins, applications are checked for completeness and will be returned without review if any required items are missing. The proposal is referred to other staff and outside agencies for comment.

Applicants will be requested to post a notification sign on the property indicating the type of proposed development as per the Town's Development Application Procedures Bylaw No. 1166.

Upon receipt of all referral comments, a detailed staff report is prepared. The Planning Department report summarizes the proposal, includes staff comments and analysis, and makes a recommendation.

STEP 4 – COMMITTEE

The Committee receives the staff report. The Committee gives thorough consideration to the issues and forwards a recommendation to Council and either authorizes proceeding, rejects the application, or refers it to the applicant for further revision.

At the next Council meeting the bylaw is given First Reading. The bylaw is often read a second time before a Public Hearing date is set. If required, the bylaw is referred to the Ministry of Transportation and Infrastructure or other agencies with interest in the application.

STEP 5 – PUBLIC HEARING

- All OCP Amendment applications are subject to a statutory Public Hearing held before Town Council, as per the *Local Government Act*;
- Any person who deems their interests may be affected by the proposed development may express their concerns to Council;
- The Town prepares the required newspaper advertising. Written notification is delivered to surrounding properties located within 50 metres of the subject property, as per Section 466 of the *Local Government Act*;
- The Public Hearing is a formal hearing subject to *Local Government Act* procedures. Applicants are requested to attend the Public Hearing to be available to answer questions; and,
- The Public Hearing is the last opportunity for Council to receive input from the public before making a final decision on the application. Applications should be fully prepared and detailed prior to Public Hearing.

STEP 6 - THIRD READING

After the Public Hearing, the bylaw is referred to Council for consideration of next steps or to the Committee for further discussion. Council either gives Second and Third Readings to the bylaw or defeats it.

STEP 7 - REFERRAL TO MOTI (IF REQUIRED)

The bylaw is referred to the Ministry of Transportation and Infrastructure for signature if the property is within 800 metres of a controlled access highway.

STEP 8 - FINAL ADOPTION OF OCP AMENDMENT

If the majority of Council members are satisfied that the development proposal is beneficial to the community, and that all legal requirements and conditions are met, Council may vote in favour of Adoption of the OCP Amendment. You are notified when this is complete.

APPLICATION TIMING

- The OCP Amendment process timeline varies from project to project. Applicants are advised that timing is most affected by the adequacy of the submission and dependent upon the complexity of the issue, current workload of staff and Council, and timing of Council meetings;
- Applications that address the policy issues, support the principles of the OCP, provide a high standard of urban design, and address neighbourhood concerns proceed more quickly;
- Applicants are advised to meet directly with other relevant agencies, early in their project, prior to their formal application;
- Considerable time is spent if numerous revisions are required, plans are incomplete or if the concerns of the surrounding neighbourhood are not addressed; and,
- Council and Committee meetings are held the 1st and 3rd Tuesday of each month. Agendas for these meetings are completed the Wednesday prior to each meeting. These dates should be kept in mind when creating timelines for your application.

WHAT'S NEXT?

As you develop your property it will be inspected to ensure compliance with the servicing plan requirements. When services are completed to the satisfaction of the Infrastructure Services Department, the Security Deposit for servicing (submitted as part of your Servicing Agreement during the Development Permit process) will be released, less a "Maintenance Holdback" that is held for a period of 12 months from the date of issuance of the Certificate of Substantial Completion.

As-built drawings for services installed as part of the development are required in both electronic and paper format.

All required services must be completed and approved before Building Permits will be issued (See Subdivision and Development Servicing and Stormwater Management Bylaw).

CONTACTS

Town of Gibsons Planning Department: 604-886-2274

Town of Gibsons Infrastructure Services Department: 604-886-2274

Town of Gibsons Building Department: 604-886-2274

Gibsons and District Volunteer Fire Department: 604-885-6870

Ministry of Transportation and Infrastructure: 604-740-8987

This brochure is meant for guidance only and is not intended to replace the requirements of the *Local Government Act* and applicants should obtain copies of the relevant bylaws before proceeding with development applications. For specific information, please contact the staff at:

Town of Gibsons
474 South Fletcher Road, Box 340
Gibsons, B.C. V0N 1V0

SECTION 3: APPLICANT INFORMATION (IF DIFFERENT THAN OWNER)

Name

Address

City

State/Province

Postal/Zip

Telephone

Fax

Cell

Email

This information is collected in compliance with the Freedom of Information and Protection of Privacy Act (FOIPOP). If you require further information regarding the FOIPOP Act please contact the FOI Coordinator at 604.886.2274(<http://www.gibsons.ca/freedom-of-information-a-protection-of-privacy.html>) or the Information and Privacy Commissioner at 1.800.663.7867 (www.oipc.bc.ca).

SECTION 4: PLANS AND SUPPORTING MATERIALS CHECKLIST

All applicants must provide one full-scale (not less than 1:100 metric) detailed site plan, and one set of high resolution digital copies (in PDF format) that must include the following:

Completed application form signed by registered owner of the property. If applicable, written authorization for an agent to act on behalf of the registered owner(s) of the subject property may be required;

Payment of Application Fee;

Certificate of Title: Must be dated within 30 days of application. The Town can obtain this for a fee;

Site Plan;

Proposal Summary outlining the nature of the proposed development, how the development fits within the neighbourhood, and the design character of the housing, neighbourhood, or commercial use proposed. The proposal should also be justified in terms of its benefit to the community and impact on the land use pattern. Where a Development Variance is requested, a separate Development Variance Permit application is to be provided;

Development Plans: Detailed drawings of the proposed development, including building sections and elevations, parking layout and access, proposed means of servicing, existing vegetation and landscaped areas. Must also include a project summary sheet outlining gross site area, density and number of dwelling units, site coverage, heights, setbacks and other relevant data. One set of fully dimensioned plans required, one set of reduced drawings (maximum size 11" x 17") required plus one set of high resolution digital copies (in PDF format) including:

- Dimensions of the property, existing and proposed roads;
- Location and dimensions (including setbacks) of existing and proposed buildings on site (a recent survey plan is required);
- The location of any watercourses, steep banks or slopes; and,
- Any easements or statutory Rights-of-Way.

ADDITIONAL INFORMATION

If the space provided below for each section is not sufficient, please attach additional information using a Microsoft Word, Microsoft Excel, or a separate PDF document.

SECTION 5: PLAN DESIGNATION OR ZONE CHANGES

Official Community Plan amendment requested:

Concurrent Applications - Zoning, Subdivision and Development Permit requested (if applicable and be specific):

SECTION 6: DESCRIBE THE CURRENT USE(S) OF THE LAND AND STRUCTURES ON THE PROPERTY.

SECTION 7: DESCRIBE THE PROPOSED USES OF THE LAND AND BUILDINGS, AND SHOW ON YOUR SITE PLAN, THE LOCATION OF ANY PROPOSED BUILDINGS OR STRUCTURES.

SECTION 8: DESCRIBE THE CURRENT USES OF THE LAND AND BUILDINGS ON ADJACENT PROPERTIES. YOU MAY BE REQUIRED TO SUBMIT A SITE PLAN SHOWING EXISTING FEATURES OF ADJACENT PROPERTIES.

SECTION 9: DESCRIBE THE REASONS IN SUPPORT OF THE BYLAW AMENDMENT. ATTACH ADDITIONAL COMMENTS ON A SEPARATE PAGE. SUBMIT ANY TECHNICAL REPORTS, STUDIES OR APPRAISALS OF THE PROPERTY AND COMMENT ON ANY COMMUNITY CONSULTATION YOU HAVE UNDERTAKEN.

SECTION 10: APPLICATION COMPLETION

(initial or check each of the following)

I have completed all sections of this application form.

I have included detailed site plans and elevation drawings as required in section 4 of this application form.

I have included the additional documentation and reports required in Section 4 of this application form.

I have included recent State of Title Certificate (not more than 30 days old), or will obtain from the Town for a fee.

I have included copies of all covenants registered against the title.

All owners listed on the title have signed the application.

I have verified as to whether my property falls within a Development Permit Area.

I have included the correct fee (contact the Town of Gibsons Planning Department or consult the Rates, Fees and Charges Bylaw for correct fees).

Please note: your application will not be considered complete and cannot be processed unless it contains all of the information above. Please also review all relevant bylaws including the Official Community Plan (Bylaw 985 and associated amendments), and the Development Cost Charges Bylaw.

SECTION 11: OWNER'S CONSENT AND AUTHORIZATION

To process the application the signature of all registered owners is required. For additional owners, including Strata Corporations, attach a separate sheet.

In order to assist the Town of Gibsons in the review and evaluation of my application, by signing below, I authorize the Planner(s) assigned to this application to enter into the land at reasonable times, after making reasonable efforts to arrange a schedule a convenient time for such a visit, to inspect the land. I acknowledge a right, if a convenient time can be scheduled, to accompany the Planner on the site visit.

By signing below, I authorize the Applicant named in Section 3 of this application to represent this application.

Owner One, Full Name

Owner Two, Full Name

Authorization Signature

Authorization Signature

Date

Date