

SUBDIVISION APPLICATION GUIDE



TOWN OF GIBSONS
www.gibsons.ca
September 2022

This brochure provides an overview of the steps involved in the Subdivision 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 Approving Officer as well as staff in the Planning Department and Infrastructure Services Department to discuss their application.

WHAT IS A SUBDIVISION?

Subdivision is the process of altering legal property boundaries. Subdivisions can involve:

- Dividing larger tracts of land or parcels into smaller lots or properties;
- Adjusting or moving a lot line between two properties;
- Consolidating existing lots; and
- Strata plan subdivisions which may involve a strata plan for a specific apartment or town home project, a phasing plan for a phased development or a bare land strata.

WHY DO I NEED APPROVAL FOR SUBDIVISION?

The *Local Government Act*, the *Land Title Act* and the *Strata Property Act* of British Columbia require that all subdivisions be approved by a legally appointed Approving Officer. This approval is needed to ensure that:

- The size and shape of lots allow adequate building area;
- Open space is adequate;
- Sewer, drainage, water, street lights and other services are fully provided;
- Adequate road, lane and emergency vehicle access are provided;
- Natural features such as ravines, streams and trees are protected; and
- Subdivision patterns are compatible with surrounding neighbourhoods.

WHO APPROVES SUBDIVISIONS?

Approval for the following types of subdivision is required through the Approving Officer:

- Adjusting or realigning an existing property line;
- Creating several lots from one or more existing lot(s);
- Creating several strata lots from one or more existing lots (bare land strata);
- Phased strata plans – where either a building strata or a bare land strata is created in phases; and
- Leases of lands for periods of greater than three years.

The following types of subdivision must be processed through the Planning Department and do not require involvement from the Approving Officer:

- Strata title conversion – where a previously occupied building may be converted into strata titled “lots”.

The following types of subdivision do not require involvement from the Town of Gibsons:

- Strata title subdivision of a previously unoccupied building;
- Consolidation of parcels within the same plan number;
- Land leases of less than three years; and
- Leases of all or part of a building.

APPLICATION FEES

At the time of submitting your application, you are required to pay the applicable fee(s), which are detailed in the Town's *Rates, Fees and Charges Bylaw No. 1196, 2014*.

STEPS TO SUBDIVISION APPROVAL

STEP 1 – PRE-APPLICATION MEETING

Before submitting an application, you are advised to meet with the Approving Officer and staff from the Planning and Infrastructure Services Departments to review your proposed plans to establish zoning requirements for minimum lot size and dimensions, building location, setbacks, and frontage requirements.

At this meeting it will be determined whether any other development applications need to be completed concurrently or prior to the subdivision. A Rezoning, Official Community Plan (OCP) Amendment, Development Variance Permit, or Development Permit could be required. The OCP will also be reviewed to ensure your proposal meets any Development Permit Area (DPA) criteria. If the property is in a DPA, you must obtain a Development Permit prior to final subdivision approval.

You will also need to:

- Provide all necessary servicing upgrades (eg. roads, water, sewer, drainage, street lighting, curb, gutter and sidewalk) to the current Subdivision & Development Services Bylaw standards;
- Hire an independent civil engineering firm to design the servicing and assist with the application requirements (for certain applications this may not be necessary);
- Pay Development Cost Charges (Bylaw No. 1218, 2016) prior to final approval of the subdivision: it is important to be clear on the calculation of these charges as they can be significant; and,
- If the application creates more than two new lots or if the parent parcel was created by subdivision within the past five years, you are required to dedicate 5% of the gross area of the land as park, or pay for the equivalent of 5% of the market value of all the land proposed for the subdivision (you would be responsible for hiring a land appraiser to determine this amount). The Approving Officer will determine if land or payment is to be provided.

- As of February 1, 2021, the Contaminated Sites Regulation under BC's Environmental Management Act requires that all development applications to the Town include a completed [Site Disclosure Statement](#).
 - A Site Disclosure Statement is a form that requires readily available information about the past and present [Schedule 2](#) uses of a site, as well as basic land descriptions. The site owner, operator or agent can fill out the form, but only the site owner or operator can sign the form.
 - The Town will review the statement prior to proceeding with the application to determine if further review is required by the Province.

STEP 2 – SUBMISSION OF APPLICATION

Once you have refined your project proposal, submit a completed application form together with all the necessary attachments. (See attached Subdivision Application Form)

STEP 3 – PRELIMINARY APPLICATION REVIEW AND REFERRAL TO AGENCIES

Applicants may be requested to post a sign on the property advising of the subdivision application and hold a neighbourhood information meeting to discuss the proposed development.

The preliminary application will be reviewed in detail by the Approving Officer who will refer the application for comment to Planning, Infrastructure Services, and Public Works staff. The application will also be sent to any relevant outside agencies such as the Gibsons and District Volunteer Fire Department, Ministry of Transportation and Infrastructure, and utility agencies such as B.C. Hydro, Telus, and FortisBC. During this step, the majority of the Town's review takes place and you can expect a period of 4-6 weeks processing time. Major subdivisions can take longer to review and process.

Following this initial review the Approving Officer will contact you to inform you of the status of your application. The Approving Officer may also ask for clarification, further information, or plan revisions if your proposal does not meet required standards.

STEP 4 – PRELIMINARY LAYOUT APPROVAL

The Preliminary Layout Approval (PLA) is a letter stating that your proposed subdivision layout is acceptable to the Town's Approving Officer and generally meets the Town's bylaw requirements. Requesting a PLA is optional but recommended. The PLA specifies conditions that must be met prior to final approval of the subdivision by the Approving Officer.

The term of the PLA will be stated in the document, during which time all requirements and conditions must be completed. Typical requirements of the PLA could include:

- Requirements for any layout changes (lot dimensions, road patterns);

- Dedication of park land, linear open space and walkways;
- Requirements of outside agencies (eg. Ministry of Transportation and Infrastructure or B.C. Hydro);
- Completion of a Development Permit where applicable;
- Submission of detailed geotechnical engineering report where applicable;
- Submission of detailed on & off-site engineering design plans and cost estimate;
- Completion of a Servicing Agreement with the Town (see Step 5);
- Preparation of legal subdivision plan by a B.C. Land Surveyor;
- Preparation by a lawyer and a B.C. Land Surveyor of all legal documents and explanatory plans for rights-of-way, easements and covenants; and,
- A tree cutting and replacement plan drawn to approximate scale identifying:
 - the boundaries of the subject lot;
 - any abutting streets, lanes or public access rights of way;
 - the location of existing buildings and structures;
 - the location, species and diameter at breast height (DBH) of those trees proposed to be cut or removed;
 - the location, species and DBH of those trees proposed to be retained and protected;
 - the location, species and DBH of proposed replacement trees;
 - the location of significant topographic and hydrographic features and other pertinent site information; and,
 - the location of proposed tree protection barriers.

STEP 5 – SERVICING AGREEMENT

A) APPROVED PLANS

Once the PLA is issued to the applicant, applicants are required to prepare detailed servicing plans providing design and location of extensions or connections for sanitary and storm sewers, water service, roads, sidewalks, street lighting, drainage plans, and infrastructure extensions for outside agency utilities such as B.C. Hydro, Telus and FortisBC.

You must hire a Professional Engineer (registered in B.C.) to prepare your servicing plans according to the specifications of the Town's *Subdivision and Development Servicing and Stormwater Management Bylaw No. 1175, 2012*. Both the plans and cost estimate must be reviewed and approved by the Director of Infrastructure Services before the Servicing Agreement can be prepared.

B) SERVICING AGREEMENT

Upon approval of servicing plans you will be required to enter into a Servicing Agreement with the Town. The Servicing Agreement is prepared by Town staff (see Bylaw No. 1175) and specifies:

- The necessary works that the developer will construct for the subdivision;
- The Security Deposit required for these works;
- Any easements, rights-of-ways, or covenants required;
- The Administration Fees to be paid; and
- Conditions of construction or services.

The following items are required prior to executing the Servicing Agreement by the Town:

- Three sets of approved servicing plans. One of these sets will be returned to the applicant as an attachment to a signed copy of the Servicing Agreement;
- A copy of the contractor's liability insurance as specified by the Servicing Agreement;
- A copy of the contractor's Business Licence;
- A clearance letter from WorkSafeBC;
- Payment of the Administration Fee (plus applicable taxes);
- Payment of the Security Deposit; and
- Signature of the Servicing Agreement by the applicant(s) as well as a witness.

C) INSTALLATION OF WORKS AND SERVICES

Once the Servicing Agreement has been signed, the contractor must arrange a pre-construction meeting with the Director of Infrastructure Services to review the construction requirements.

Prior to commencing any construction of off-site works, in the public right-of-way or road, applicants or their contractors must receive a written permission to construct from the Director of Infrastructure Services.

Applicants are advised that their civil engineer must submit a Letter of Assurance of Professional Design and Commitment for Field Review to the Town confirming that they are responsible throughout the construction period for inspection of all works and ensuring that all works meet required standards.

STEP 6 – FINAL APPROVAL

Applicants are to submit plans for Final Approval by the Approving Officer; the following documents will be required:

- The signed Servicing Agreement (with approved plans, Security Deposit payment, & Administration fee) has been submitted to the Infrastructure Services Department;
- Development Cost Charges have been paid;
- Legal survey plans of the subdivision are submitted to the Town;
- All covenants, rights of way and easement documents are submitted; and,
- All other conditions of the PLA are met, and any payments for cash-in-lieu of park land or other specific requirements are completed.

When the subdivision and any right-of-way plans have been signed by the Approving Officer, the applicant is required to register the plans and legal agreements at the Land Title Office, along with other documentation which may have been required for the subdivision plan.

WHAT'S NEXT

As you develop your subdivision it will be inspected to ensure compliance with the servicing plan requirements. When works and services are completed to the satisfaction of the Infrastructure Services Department, a Certificate of Substantial Completion will be issued by the Director of Infrastructure Services. The Security Deposit for servicing (submitted as part of your Servicing Agreement) will be released, less the value of any deficiencies plus a "Maintenance Holdback" that is held for a minimum period of 12 months from the date of issuance.

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

A Certificate of Substantial Completion must be issued by the Director of Infrastructure Services before Building Permits can be issued.

CONTACTS

- Town of Gibsons Approving Officer: 604-886-2274
- 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
- Town of Gibsons Public Works: 604-886-8488
- Gibsons and District Volunteer Fire Department: 604-886-7777
- Ministry of Transportation and Infrastructure: 604-740-8985
- Department of Fisheries and Oceans (Riparian): 604-666-3363
- Department of Fisheries and Oceans (Marine Shore): 604-666-6140

This brochure is meant for guidance only and is not intended to replace the requirements of the *Local Government Act*, the *Land Title Act* or the *Strata property Act*. Applicants should obtain copies of relevant bylaws before proceeding with development applications. For specific information, please contact the Approving Officer at 604-886-2274.

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



Approving Officer

474 South Fletcher Road, Box 340, Gibsons, BC V0N 1V0
Phone 604-886-2274, Fax: 604-886-9735

www.gibsons.ca

SUBDIVISION PRELIMINARY APPLICATION

Please read the *Subdivision Application Guide* before filling out this application form. If you have any questions or require assistance in filling out this form contact the Approving Officer. The processing of your application will be delayed if it is incomplete. Mail or deliver the completed application form, fee, plans and supporting material to the Town of Gibsons' Approving Officer and make your fee payable to the Town of Gibsons. Contact the Approving Officer or consult the *Rates, Fees and Charges Bylaw* for the current fee(s) prior to submitting your applications.

SECTION 1: DESCRIPTION OF PROPERTY

Lot/Parcel	Plan	Block
District Lot/Section	Range	
Other Description		
Street Address		
Jurisdiction and Folio Number (From Property Assessment/Tax Notice)		
Parcel Identifier (PID) (From State of Title Certificate)		

SECTION 2: OWNER INFORMATION (ADD PAGES IF MORE THAN TWO OWNERS)

First Owner Information	Second Owner Information
Name	Name
Address	Address
City	City
Province/State	Province/State
Postal/Zip	Postal/Zip
Telephone/Fax	Telephone/Fax
Email	Email

SECTION 3: APPLICANT INFORMATION (IF DIFFERENT THAN OWNER)*

Name

Address

City

State/Province

Postal/Zip

Telephone

Cell

Fax

Email

*Note authorization in Section 6

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 or the Information and Privacy Commissioner at 1.800.663.7867.

SECTION 4: PLANS AND SUPPORTING MATERIALS CHECKLIST

Please indicate below the type of Subdivision you are applying for and review the submission requirements (see page 4 for detailed descriptions of each submission requirement).

Conventional Subdivision (creation of new lots)

1. Fee(s)
2. Certificate of Title
3. Subdivision Plans
4. Proposal Summary

Lot Boundary Adjustment (no net increase in number of lots)

1. Fee(s)
2. Certificate of Title
3. Subdivision Plans
4. Proposal Summary

Strata – Phased

1. Fee(s)
2. Certificate of Title
3. Subdivision Plans
4. Proposal Summary
5. Completed Form 'P'

Strata – Bare Land

1. Fee(s)
2. Certificate of Title
3. Subdivision Plans
4. Proposal Summary

Strata – Title Conversion

1. Fee(s)
2. Certificate of Title
3. Subdivision Plans
4. Proposal Summary
5. N/A
6. Declaration/Certificates

Air Space Parcel

1. Fee(s)
2. Certificate of Title
3. Subdivision Plans
4. Proposal Summary

Land Lease in Excess of Three Years

1. Fee(s)
2. Certificate of Title
3. Subdivision Plans
4. Proposal Summary

Petition to Cancel a Plan (including Road Closure)

1. Fee(s)
2. Certificate of Title
3. Subdivision Plans

Road Dedication

1. Fee(s)
2. Certificate of Title
3. Subdivision Plans

Details of Submission Requirements:

1. **Fee(s)**
 - Consult the Rates, Fees and Charges Bylaw for a list of applicable fees and charges associated with your Subdivision.

2. Certificate of Title

- Obtained from the B.C. Land Title Office, the Local Government Agent, or the Town can provide for a fee.
- Must be dated within 30 days of application.

3. Subdivision Plans

- Drawings to scale of the proposed subdivision. (One set of fully dimensioned metric plans required) one set of reduced drawings required (maximum size 11" x 17") plus one set of high resolution digital copies in PDF format including;
 - Gross site area and dimensions for all proposed lots, with orientation indicated by a North arrow;
 - Location of existing and proposed roads, lanes, walkways, including internal access routes for bare land strata plans;
 - All bodies of water and drainage courses;
 - Topographical information;
 - contour lines at one-metre intervals for areas of the parcel with slopes equal to or greater than 10%;
 - contour lines at two meter intervals for areas of the parcel with slopes less than 10%;
 - Surrounding properties with their land use;
 - Jurisdictional boundaries;
 - Preliminary engineering plans for water, sanitary, and storm sewer services;
 - Location and dimensions (including setbacks from proposed lot lines) of existing buildings on the site and notes to indicate which structures are to remain;
 - Location and purpose of proposed easements, statutory rights-of-ways, and covenants on the proposed lot(s);
 - Adjacent roads and access to lands beyond the subdivision; and
 - A sketch plan showing the possible future subdivision of adjacent land(s) where it is reasonable to expect further subdivision of adjacent properties.

4. Proposal Summary

- Outline the nature of the proposed development, how the development fits within the neighbourhood, the design character of the housing, neighbourhood, or commercial use proposed, and indicate clearly any proposed variance and the bylaw provision that is required to be varied.

5. Form P Declaration and Schedule of Unit Entitlement

- Two copies of a signed Form P (one copy to be retained by the Municipality)
- Mylar and paper copies required by the Provincial Land Titles Office

6. Declaration/Certificates (Strata Conversions only)

- A notarized declaration stating that each person occupying the building has been given notice of the intent to convert the building to strata lots; and,
- For buildings over 5 years old, a certificate from a qualified engineer or architect regarding the condition of the building(s).

SECTION 5: SUBDIVISION TYPE AND DESCRIPTION

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

Describe the features and intent of the proposed subdivision in the space provided below.

SECTION 6: 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 any Town staff 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 staff on the site visit.

Owner/Agent is responsible for and agrees to:

- All aspects of work and safety conformance and bylaws;
- Obtain electrical Permit and all necessary inspections;
- All wiring to be underground and otherwise concealed; and,
- Removal of all unauthorized signs.

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

SECTION 7: APPLICATION COMPLETION

(initial or check each of the following)

I have completed all sections of this application form.

I have included detailed 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 Approving Officer or refer to the Rates, Fees and Charges Bylaw for the correct fees).

I have included a completed Site Disclosure Statement

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), Subdivision and Development Servicing and Stormwater Management Bylaw No. 1175, 2012, and the Development Application Procedures Bylaw No. 1166, 2014.



SCHEDULE 1 SITE DISCLOSURE STATEMENT

Has the site been used for any industrial or commercial purposes or activities described in [SCHEDULE 2](#) of the Contaminated Sites Regulation?

Yes No

Exemptions (See the Contaminated Sites Regulation, Division 3 of Part 2):

Does the application qualify for an exemption from submitting a site disclosure statement?

Yes No

If yes, indicate which exemption applies _____

I. CONTACT INFORMATION

A: SITE OWNER(s) or OPERATOR(s)			
LAST NAME		FIRST NAME(s)	
COMPANY (if applicable)			
ADDRESS - STREET		CITY	
PROVINCE/STATE	COUNTRY		POSTAL CODE
PHONE		E-MAIL	
B: PERSON COMPLETING SITE DISCLOSURE STATEMENT (Leave blank if same as above)			
<input type="checkbox"/> Agent authorized to complete form on behalf of the owner or operator			
LAST NAME		FIRST NAME(s)	
COMPANY (if applicable)			
C: PERSON TO CONTACT REGARDING THE SITE DISCLOSURE STATEMENT			
LAST NAME		FIRST NAME(s)	
COMPANY (if applicable)			
ADDRESS - STREET		CITY	
PROVINCE/STATE	COUNTRY		POSTAL CODE
PHONE		E-MAIL	

II. SITE INFORMATION

Coordinates (using the North American Datum 1983 convention) for the centre of the site:

Latitude			Longitude		
DEGREES	MINUTES	SECONDS	DEGREES	MINUTES	SECONDS

Attach a map of appropriate scale showing the location and boundaries of the site.

For Legally Titled, Registered Property

SITE ADDRESS (or nearest street name/intersection if no address assigned)	
CITY	POSTAL CODE

PID	Land Description	Add	Delete
		+	-

For Untitled Crown Land

PIN numbers and associated Land Description (if applicable)

PIN	Land Description	Add	Delete
		+	-

And if available

Crown Land File Numbers	Add	Delete
	+	-

III. INDUSTRIAL OR COMMERCIAL PURPOSES OR ACTIVITIES

In the format of the example provided, which of the industrial or commercial purposes or activities have occurred or are occurring on this site.

EXAMPLE

Schedule 2 Reference	Description
E1	appliance, equipment or engine maintenance, repair, reconditioning, cleaning or salvage
F10	solvent manufacturing, bulk storage, shipping or handling

Schedule 2 Reference	Description	Add	Delete
		+	-

IV. ADDITIONAL INFORMATION

- Provide a brief summary of the planned activity and proposed land use at the site.
- Indicate the information used to complete this site disclosure statement including a list of record searches completed.
- List any past or present government orders, permits, approvals, certificates or notifications pertaining to the environmental condition of the site. (Attach extra pages, if necessary):

V. DECLARATIONS

Where a municipal approval is not required, please indicate the reason for submission directly to the registrar:

- Under Order Foreclosure CCAA Proceedings BIA Proceedings
 Decommissioning Ceasing Operations

By signing below, I confirm that the information in this form is complete and accurate to the best of my knowledge:

SIGNATURE

DATE SIGNED (YYYY-MM-DD)

APPROVING AUTHORITY CONTACT INFORMATION

NAME	AGENCY
ADDRESS	
PHONE	E-MAIL

Reason for submission (Please check one or more of the following):

- Building Permit Subdivision Zoning Development Permit

DATE RECEIVED (YYYY-MM-DD)

DATE SUBMITTED TO REGISTRAR (YYYY-MM-DD)