



Development Permit Application Guide

Environmental, Geohazard and Aquifer DP Areas

This brochure provides an overview of the steps involved in the Development Permit 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 specific development proposal and to consult the relevant bylaws referenced in this document prior to submitting an application.

WHAT IS A DEVELOPMENT PERMIT?

A Development Permit regulates development in hazardous or environmentally sensitive areas. A Development Permit is required before any changes can be made to properties that are within Development Permit Areas (including the removal of trees and vegetation). Development Permits help to ensure that growth and development is consistent with the Town's goals and objectives.

Specific areas of Gibsons have been designated as Development Permit Areas and each of these areas has a set of development guidelines which outline the Town's development objectives for that area. The guidelines for each Development Permit Area are outlined in Section 18, Schedule C of the Official Community Plan (OCP).

A Development Permit for Environmentally sensitive areas, geohazard areas or aquifer permit areas, are approved and issued by the Director of Planning or the Director of Infrastructure Services once they are satisfied that the project meets the guidelines and conditions for the Development Permit Area. Once approved, the conditions of the Development Permit are binding on both the Town and existing and future owners of the property. Development Permits are registered at the Land Titles Office, appear on the title of the property, and are kept on record at Municipal Hall. A Development Permit is not a Building Permit and you still need to apply for a Building Permit after the Development Permit has been issued.

WHEN DO YOU NEED A DEVELOPMENT PERMIT?

The Local Government Act enables Municipalities to designate Development Permit Areas (DPAs) for the following purposes:

- To protect development from hazardous conditions;
- To protect the natural environment, its ecosystems and biological diversity;
- To protect the Gibsons Aquifer.

Maps showing the location of all Development Permit areas in Gibsons are contained within Section 18 of the OCP. Some minor developments are exempted as outlined in Section 18 Schedule C of the Official Community Plan Guidelines. Development Permits are required prior to subdivision approval, land clearing, disturbance of soil, or Building Permit approval in Geotechnical Hazards or Environmentally Sensitive Development Permit Areas.

APPLICATION FEE

At the time of submitting the application, you are required to pay the application fee, which is based on the size and scale of the project. This fee is non-refundable and is intended to recover a portion of the costs of processing the application. Current fees are:

Geohazard

- \$1000.00 fee

Environmental

- \$1000.00 fee

Gibsons Aquifer

- \$1000.00 fee, plus at cost fee, per review, if a drilling program is required.

Combined Geohazard and Environmental

- \$1500.00 fee

If work has commenced without an authorized permit

- Double permit fee

Fees are subject to change: please check with the Planning Department to confirm the correct amount.

STEPS TO DEVELOPMENT PERMIT ISSUANCE

□ **STEP 1 – PRE-APPLICATION MEETING**

Before submitting an application, you are advised to contact the Planning Department to review your proposed plans to:

- Review the zoning of the property and the requirements for land use, building setbacks, parking, and landscaping requirements;
- Determine whether any other development applications need to be completed concurrently with the Development Permit application (i.e. Rezoning, OCP Amendment, Development Variance Permit, or another type of Development Permit); and,
- Review the Official Community Plan to ensure your proposal meets with the guidelines of each Development Permit Area (DPA) within which the subject property is contained.

Applicants are advised to consult with the Ministry of Transportation and Infrastructure early in the process for development in close proximity to highway 101.

□ STEP 2 – SUBMISSION OF APPLICATION

Please note that during a pre-application meeting, staff will be able to advise applicants of the material needed. Some of the materials specified above may not be applicable for all application submissions.

Once you have refined your project proposal, submit a completed application that includes:

- A completed application form signed by registered owner(s) 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.
- Site Plan: Showing the dimensions of the proposed development in metric scale.
- Set of dimensioned metric plans prepared by a B.C. Land Surveyor if applicable.
Must include:
 - gross site area, dimensions, and proposed use of all lots;
 - all existing structures on the property and distances from existing or proposed lot lines;
 - location of roads, lanes, walkways, and park dedications;
 - location and purpose of existing easements, rights-of-way or covenants on the property; and,
 - contour Plan from a topographic survey.
- Proposal Summary: Table summary of how the proposed development conforms to each of the applicable Development Permit Area Guidelines listed in the OCP. In the proposal summary, use the headings under the “Guidelines” section of the applicable Development Permit Area in the OCP (Sections 18) as headings in your summary to ensure that you are stating how the proposal meets each guideline, or where it is not possible to meet a guideline explain why it is not possible.
- Proposal Details: One set of high resolution digital reduced drawings (in PDF format) including:
 - scaled development plans to indicate slopes, streams, watercourses, top of ravine or slope banks, vegetation, rock outcroppings or other natural features; and,
 - an assessment report by a qualified professional regarding the proposed development.
- Where required by BC Building Code, Professional Governance Act or where determined necessary by the Building Official, plans must be sealed by a Registered Architect
- Landscaping Plan and Estimate, if applicable.
- Per Tree Protection Bylaw 1282; a tree cutting and replacement plan drawn to approximate scale identifying:
 - 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; and,

- the location of proposed tree protection barriers.
- Pursuant to the BC Contaminated Sites Regulation; 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 3 – APPLICATION REVIEW**

Before review begins, applications are checked for completeness and will be returned without review if any required items are missing. Completed applications are referred to the Planning Department, Infrastructure Services Department and Building Official.

One or more of the following agencies may also be involved in the review process:

- Gibsons and District Volunteer Fire Department
- Ministry of Transportation and Infrastructure
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development
- Federal Department of Fisheries and Oceans

Upon receipt of all staff and referral comments, staff will analyze the application for consistency with the Town's Official Community Plan and, if approved, issue the Development Permit, or ask for additional information.

□ **STEP 4 – REGISTRATION OF COVENANT**

Prior to issuance, a covenant must be registered on the Title of the property for all geotechnical Development Permits. The Town will provide a template covenant for execution. The covenant indemnities the Town from liability associated with developing in an identified geotechnically hazardous area.

□ **STEP 5 - REGISTRATION AT LAND TITLES OFFICE**

Once approved, Development Permits are registered by the Town at the Land Titles Office, which means that the Development Permit is registered on the title of the property. Applicants will receive a copy of the Permit in the mail.

WHAT'S NEXT?

Most applications will require a security deposit for the value of the proposed landscaping works.

Apply for a Building Permit. At the time of the Building Permit application, you may need to hire consultants, such as an independent civil engineering firm to design the on-site servicing when it is not in place and assist with the application requirements.

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:

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