

The Provincial Ministry of Transportation and Infrastructure (MOTI) is the authorizing agency for subdivision approval for lands within the Regional District of Nanaimo that are located outside of the municipalities. Upon submission of an application for subdivision to MOTI, a referral request is forwarded from MOTI on behalf of the applicant to the Regional District. A RDN subdivision application may then be submitted by the applicant to the Regional District. This application must include, at a minimum, the information listed on the subdivision application form, including the required application fee.

Upon receipt of a completed application, Planning staff will review the application for compliance with RDN land use related bylaws and regulations and forward a subdivision review report to MOTI and the applicant. The subdivision review report summarizes the requirements and recommendations of the Regional District for the consideration of the Approving Officer (MOTI). Once the Ministry has received all referral agency comments, MOTI staff will review the subdivision proposal and issue a Preliminary Layout Approval of Subdivision letter (PLA) or a Non-Preliminary Layout Approval of Subdivision letter (Non-PLA). This information will provide direction to the applicant as to how to proceed with the subdivision proposal.

Other Related Approval Processes

A subdivision proposal will often trigger other approval-related processes such the requirement for a development permit, approval of a request to vary a land use bylaw provision, approval of the relaxation of a minimum frontage requirement or approval of the consideration of park land or cash-in-lieu of park land.

The majority of these processes involve the consideration and approval from the Regional Board. For those subdivision applications, where in order to achieve bylaw compliance, approval is required from the Regional Board, an applicant would make a separate application for other related approval processes. Such approval must be in place in order to achieve bylaw compliance for subdivision approval. Please refer to the applicable application package for details on other related approval processes.

Parcels situated in the Provincial Agricultural Land Reserve (ALR) require approval from the Agricultural Land Commission prior to submitting an application to the RDN for subdivision.

Please note that an application for building strata conversion is a separate application process.

Board Policy

The RDN Directors have adopted a policy which sets out evaluation criteria to be used in the consideration of development variance permit applications. These include policies for the consideration of park land, variance requests, and frontage requests. This policy is attached for information.

Submission Requirements

An application for a development variance permit must be submitted with the following information in order to be accepted by the Regional

The completed application shall be delivered to the Regional District together with plans and information as the Regional District may require including, but not limited to, the following:

- a) names, mailing addresses, telephone numbers, and fax numbers of all registered owners and their agent if applicable;
- b) a letter of authorization from all registered owners, if an agent is representing the registered owners;
- c) a copy of state of title certificate(s) dated within 30 days of the date of application;
- d) a copy of Land Reserve Commission approval, if applicable;

- e) a minimum of two (2) copies of detailed site plans drawn to a scale not larger than 1:500 showing all applicable information including¹:
- f) boundaries and dimensions of the parent parcel(s),
- g) proposed type and subdivision of the parcel(s),
- h) location of existing and future roads,
- i) location of existing and proposed easements and covenants,
- j) location of watercourses, environmentally sensitive areas, natural hazard areas, and their associated setbacks¹,
- k) size, location, and setbacks of all existing buildings, structures, and uses, and
- l) location of existing and proposed on-site services proposed including type and location of each service
- m) electronic copies of all plans¹,
- n) Riparian Areas Regulation Property Declaration Form¹,
- o) Site Profile Form¹,
- p) additional information as may be required by "Regional District of Nanaimo Impact Assessment Bylaw No. 1165, 1999" ¹, and
- q) the required application fee¹.

Submission Requirements

The following documentation and information is to be included in a RDN subdivision application:

- ✓ A completed subdivision application form as specified in Schedule '6' of the RDN Development Procedures and Notification Bylaw No. 1432, 2005;
- ✓ A letter of authorization from the property owner(s) is required if an agent is representing the owner(s);
- ✓ A State of Title Certificate dated within 30 days of the date of submission;
- ✓ A copy of the Provincial Agricultural Land Commission approval (if applicable);
- ✓ The required application fee as set out in the RDN Planning Services Fees and Charges Bylaw No. 1259, 2002;
- ✓ a minimum of two (2) copies of detailed proposed plan of subdivision drawn to a scale not larger than 1:500 showing all applicable information including, but not limited to the following:
 - the location of all proposed parcels, including the proposed remainder parcel, clearly labeled and with boundary dimensions and size,
 - the location of all existing and future roads,
 - the size and location of all existing buildings, structures, and uses, including setback information from existing and proposed lot lines;
 - The location of existing and proposed on-site services including type and location of each service,
 - the location of all watercourses and other environmentally sensitive features,
 - the location of all existing and proposed statutory rights-of-way, easements, and covenants;
 - the location of all topographical features and natural hazardous areas, such as steep banks and floodplains.
- ✓ In addition please include the following information if applicable:
 - the proposed buildable site areas for each proposed parcel;
 - the location of existing and/or proposed park lands; and
 - parcel averaging calculations.

PRIOR TO MAKING A SUBDIVISION APPLICATION

As part of your process of preparing your subdivision application, please consider the following:

- Does your subdivision proposal conform to the current land use bylaw requirements?
- Is your property within the Provincial Agricultural Land Reserve? If so, has the Agricultural Land Commission approved your subdivision proposal?
- Does your subdivision proposal meet the requirements for the provision of park land?
- Does your subdivision proposal meet the minimum parcel frontage requirements?
- Is your property designated within applicable development permit area?
- How do you intend to service the proposed parcels? Have you obtained the necessary approvals for the provision of water service and septic disposal?

Subdivision Application Form

OFFICE USE ONLY

Application Fee: _____

Receipt No. _____

File No. _____

SECTION 1: DESCRIPTION OF PROPERTY (AS INDICATED ON THE STATE OF TITLE CERTIFICATE)

Legal Description _____

Civic Address _____

Electoral Area _____ Parcel Identifier (P I D) _____

SECTION 2: OWNER INFORMATION (ATTACH ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

1) _____	2) _____
Name _____	Name _____
Mailing Address _____	Mailing Address _____
Town / Province _____ Postal Code _____	Town / Province _____ Postal Code _____
Telephone/ Cell _____ Fax _____	Telephone/ Cell _____ Fax _____
Email _____	Email _____

SECTION 3: AGENT INFORMATION (TO BE COMPLETED IF THE APPLICANT IS NOT THE OWNER)

Name _____	Mailing Address _____	Town/Province _____
Postal Code _____	Telephone/ Cell _____	Fax _____ Email _____

*NOTE: IF THE APPLICANT IS NOT THE REGISTERED OWNER A LETTER OF AUTHORIZATION WILL BE REQUIRED

SECTION 4: DESCRIPTION OF PROPOSAL

The proposed subdivision will create _____ parcels (including remainders) and the intended use of the land and/or buildings and structures is _____

Is this property within a Development Permit Area? ☐ Yes ☐ No

Has a development permit, development variance permit or Board of Variance decision been made on this property? ☐ Yes ☐ No

If yes indicate File # _____

For each lot created by the subdivision, the required minimum frontage onto a public roadway must be greater than 1/10th of each lots perimeter. Will you require a relaxation? ☐ Yes ☐ No

The property currently occupies a total area of _____ hectares.

SECTION 5: APPLICATION COMPLETION CHECKLIST:

ALL MEASUREMENTS TO BE IN METRIC

- ☐ A copy of Certificate of Indefeasible Title and a corporate registry search if applicable (dated within past 30 days)
- ☐ Application fee as required by Bylaw No. 1259, 2002
- ☐ Two (2) survey plans certified by a BC Land Surveyor to a maximum scale of 1:500, showing: location of existing and proposed buildings and structures and parts thereof, address, legal description, name of applicant, date, property lines, scale, north arrow, all easements and right of ways, restrictive covenant areas, location of all watercourses and associated setbacks, and building setbacks as per Zoning and Floodplain Bylaws
- ☐ Electronic copies of all plans
- ☐ A copy of the Provincial Land Reserve Commission approval (ALR) if applicable
- ☐ Riparian Areas Regulation Property Declaration Form
- ☐ A copy of development permit, development variance permit or Board of Variance decision (if applicable)

Additional information may be required, such as:

- ☐ Two (2) survey plans certified by a BC Land Surveyor including topographical information
- ☐ Professional Engineer's Report
- ☐ A letter of authorization
- ☐ Riparian Area Assessment
- ☐ Other _____

SECTION 6: Applicant Signature

I hereby declare that all the above noted statements and information contained in this application and supporting documents are true and correct.

Applicant Signature

Date

Applicant Name (Please Print)

I would prefer all correspondence via: ☐ email ☐ regular mail ☐ fax

In order to process your application, please provide all necessary documentation with your application. Please retain a copy of the submitted application for your records. Contact the RDN Planning Department for assistance.

Submit the completed application form, required fee, plans, and supporting material to the Regional District of Nanaimo. The fee is payable to the "Regional District of Nanaimo".



Planning Department
6300 Hammond Bay Road, Nanaimo BC V9T 6N2
Phone: (250) 390-6510 or (250) 954-3798 (in District 69)
or 1-877-607-4111 toll free in BC Fax: (250) 390-7511
Email: planning@rdn.bc.ca web: www.rdn.bc.ca

Date: _____

LETTER OF AUTHORIZATION

(Representative / Agent)

As the registered owner(s) of the following property:

Civic Address: _____

Legal Description: _____

I / We hereby authorize the following person to act as agent on my / our behalf in all matters pertaining to the application for development on the above noted property and by doing so will be deemed to know of and to understand the contents of the applications and associated documents. I / We acknowledge the authority of the agent to bind me/us in all matters relating to the work to be performed under the following applications (please check all applicable):

- | | | |
|---|--|--|
| <input type="checkbox"/> OCP Amendment | <input type="checkbox"/> Rezoning | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Development Permit | <input type="checkbox"/> Development Variance Permit | <input type="checkbox"/> Board of Variance |
| <input type="checkbox"/> Temporary Use Permit | <input type="checkbox"/> Agricultural Land Reserve | <input type="checkbox"/> Other |

Owner Name (please print)

Owner Name (please print)

Signature of Owner

Signature of Owner

Agents Information

Agent's Name

Company Name

(Address)

City

Postal Code

Telephone

Fax No.

Cellular Phone

Email



Property Declaration Form

for Riparian Areas, Nesting Trees,
Coastal Floodplain, and Site Profiles

Subject Property Legal Description: _____

Subject Property Civic Address: _____

Subject Property ID (9 digit PID number): _____

Riparian Areas

I (we) acknowledge that the province of British Columbia enacted the *Riparian Areas Regulation* to protect the critical features, functions, and conditions required to sustain fish habitat. Furthermore, this legislation prohibits the Regional District of Nanaimo (RDN) from approving or allowing a development to proceed adjacent to a watercourse until it has received notice that a report prepared by a Qualified Environmental Professional has been received by the Ministry of Environment & Climate Change Strategy.

I (we) understand that a water feature includes any of the following:

- a) any watercourse, whether it usually contains water or not;
- b) any pond, lake, river, creek or brook; and/or,
- c) any ditch, culvert, spring, or wetland.

I (we) declare that I (we) are familiar with the property and area, and have inspected the property and immediate area for the existence of any water features. I (we) declare that (***please check the one that applies***):

☐

that there are no water features located on the subject property; or

☐

there are water features located on the subject property.

I (we) declare that all proposed development including land alteration, vegetation removal, alteration or construction of a building or structure (***please check the one that applies***):

☐

is greater than 30.0 metres from a water feature; or

☐

is less than 30.0 metres from a water feature.

Coastal Floodplain

I (we) acknowledge that a building located in a marine coastal area may be subject to flooding as a result of high tides, storm surges and wave effects.

I (we) declare that we are familiar with the property and area, and have inspected the property and immediate area for the existence of the marine coast.

I (we) declare that (***please check the one that applies***):

☐

the property is located more than 100 metres from the marine coast; or

☐

the property is located less than 100 metres from the marine coast.

Eagle and Heron Nesting Trees

I (we) acknowledge that the *Wildlife Act* protects Bald Eagles and Great Blue Herons, their eggs and nests. Bald Eagles and Great Blue Herons are sensitive to development near their nesting sites and may return to a nest that has been unused for a number of years.

While the provincial government and the RDN undertake mapping of nesting sites from time to time, not all are mapped. Some on private property may have been undetected, and new nests are continually being built. Typically, a 60 metre radius for an eagle nesting tree and depending on the level of development in an area, a 60 - 300 metre radius for a heron nesting tree (or trees) is considered to be sensitive to disturbance. Electoral Areas A, E, G and H require that a development permit be obtained prior to development near an eagle or heron nest.

Mapped eagle and heron nest trees can be found on the Community Mapping Network at www.cmnmaps.ca/WITS/ and www.cmnmaps.ca/GBHE/.

I (we) declare that I (we) are familiar with the property and area, and have inspected the property and immediate area for the existence of eagle or heron nests prior to completing this form. I (we) declare that (***please check the one that applies***):

- ☐ there are no eagle or heron nesting trees on or within 100 metres of the subject property; or
- ☐ there is an eagle or heron nesting tree on or within 100 metres of the subject property.

Site Profile - section to be completed for demolition, subdivision, rezoning, development or development variance permit

I (we) acknowledge that when an application is made to the RDN, Section 40(1) of the *Environmental Management Act* requires that a Site Profile be completed when the applicant knows, or reasonably should know, that the land is being used or has been used for industrial or commercial purposes of the type listed in Schedule 2 of the *Contaminated Sites Regulation*, unless otherwise exempt under the Regulation. Please find the Site Profile Form and Schedule 2 on the Government of BC website at www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-profiles or on the RDN's website. Please contact the RDN Planning Department if any of the activities listed in Schedule 2 apply to the subject property.

I (we) declare that (***please check the one that applies***):

- ☐ I (we) have read the *Contaminated Sites Regulation* Schedule 2 document, and determined that the subject property has been used for purposes listed in Schedule 2, and filled out the Site Profile Form; or
- ☐ I (we) have read the *Contaminated Sites Regulation* Schedule 2 document and am (are) not required to submit a Site Profile Form as to my (our) knowledge, the subject property has not been used for any of the activities listed in Schedule 2; or
- ☐ I (we) have read the *Contaminated Sites Regulation* Schedule 2 document and am (are) exempted from being required to submit a Site Profile Form under Section 4 of the *Contaminated Sites Regulation*. I (we) have provided the following information in support of this exemption: (List information below, use additional pages as required)

DECLARATION SIGNATURE

Please provide an additional page with owners' names and signatures if required.

I (we) declare that I (we) have read and filled out the above form.

Owner/Agent 1 _____ Signature _____

Owner 2 _____ Signature _____

Owner 3 _____ Signature _____

Applicant Mailing Address: _____

Email: _____ Phone: _____

Date: _____

Witnessed By Name: _____ Witnessed By Signature: _____