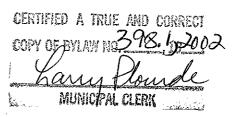
Amendment Bylaw No. 398.1, 2002



Amendment Number 3 to "Subdivision Regulation Bylaw No. 187, 1976"

The Council of the Village of Gold River, in open meeting assembled, enacts as follows:

- A. The Village of Gold River Subdivision Regulation Bylaw No. 187, 1976 is amended as follows:
- 1. Delete section 1. and revise to read:
 - 1.1 "The regulations of this bylaw apply to all land and buildings within the Village of Gold River.
 - 1.2 All applications must comply with this bylaw.
 - 1.3 Nothing in this bylaw binds the Approving Officer to approve a plan of subdivision that complies with the minimum requirements of any municipal bylaw or regulation if, in the opinion of the Approving Officer, the requirements or standards would not be adequate for the subdivision.
 - 1.4 No parcel of land, or new or never occupied building, shall be subdivided within the Village of Gold River unless the plan of subdivision has received the approval of the Approving Officer.
 - 1.5 No previously occupied building shall be subdivided within the Village of Gold River unless the plan of subdivision has received the approval of the Council of the Village of Gold River.
 - 1.6 If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, that portion of this bylaw may be severed without affecting the remaining portions of this bylaw.
 - 1.7 The schedules attached to this bylaw form a part of this bylaw and are enforceable in the same manner as this bylaw.
 - 1.8 The form of a Letter of Credit required by the Village of Gold River is included in Schedule "B" to this bylaw.
- 2. Delete section 2. and revise to read:
 - 2.1 Applications under this bylaw shall be made in the form provided by the Village of Gold River.

- 2.2 For a Strata Subdivision of a previously occupied building, the Owner must provide a report to the Village, prepared by a Consulting Engineer, that confirms the building is in substantial compliance with the current B.C. Building Code.
- 2.3 For the purposes of providing the Works and Services, the Village of Gold River is divided into different service areas as shown in Schedules "C-1, C-2, C-3, C-4" to this bylaw.
- 2.4 The Service Area and the Works and Services required for each parcel, within each Service Area are prescribed in accordance with Schedules "C-1, C-2, C-3, C-4" and "D" of this bylaw.
- 2.5 An application must be complete, signed by the Owner, and tendered to the Approving Officer together with the applicable fee prescribed by this bylaw before being considered for approval. Where applicable, an Agent must be authorized in writing by the Owner on the application form.
- 2.6 The application fee is non-refundable, except as provided in this bylaw.
- 2.7 The fees payable to the Village under this bylaw are prescribed in accordance with Schedule "E".
- 2.8 The Approving Officer may reject any incomplete application and where applicable, must:
 - (a) notify the Owner in writing briefly stating the reasons why, in the opinion of the Approving Officer, the application is incomplete;
 - (b) return the incomplete application and application fee less 15% to the Owner.
- 2.9 The Owner is responsible for all costs of obtaining subdivision approval.
- 2.10 Unless otherwise provided in this bylaw, all highways shall be constructed with a mountable concrete curb on the edge of the asphalt surface.
- 2.11 (1) The Municipal Engineer shall determine the classification of the highways to be provided within the Village in accordance with the anticipated traffic volumes which, in the opinion of the Municipal Engineer, will result from the use proposed, the future land use identified in the OCP, and the zoning.

(2) The minimum standards for each class of highway or private road, are prescribed according to the following table:

Functional Road Classification	Minimum Highway Width (m)	Design Speed (km/hr)	Asphalt Width (m)	Shoulder Width (m)
Cul-de-sac (residential)	16.5	40	8.0	1.0
Local Road	20.0	50	8.0	1.0
Minor Collector	20.0	50	8.0	1.0
Collector	25.0	50	12.0	1.0
Arterial	30.0	70	14.0	2.0
Industrial (private road)	20.0 (12.0)	50	14.0 paved (10.0 gravel)	2.0 1.0

- 2.12 If the Owner wishes to obtain Subdivision Approval, or a Building Permit from the Village before a Certificate of Substantial Performance has been issued in respect of the Works and Services required under this bylaw, the Owner must first provide the Village with a Performance Bond.
- 2.13 Before tendering a Performance Bond to provide the incomplete Works and Services, the Owner must provide or complete:
 - (a) all the off-site Works and Services to the satisfaction of the Engineer;
 - (b) land title registration of all easements, rights-of-way, and covenants required by the Village;
 - (c) all geotechnical remediation works required to make the land safe for the use intended;
 - (d) any Works and Services within a watercourse, hazard area, or Environmentally Sensitive Areas.
- 2.14 The Performance Bond must be not less than 125% of the estimated cost of constructing the incomplete Works and Services as confirmed in writing by the Consulting Engineer, and verified by the Municipal Engineer.

- 2.15 The Village may release or draw upon the Performance Bond, in whole or in part, at any time without notice to the Owner prior to the issuance of a Certificate of Substantial Performance.
- 2.16 Upon the issuance of the Certificate of Substantial Performance, the Owner must provide the Village with a Maintenance Bond equal to:
 - (a) 5% of the cost of the Works and Services; or
 - (b) \$1,000.00,

whichever is the greater.

- 2.17 The Maintenance Bond may be withheld by the Village from the balance of the Performance Bond otherwise payable to the Owner. The Village may draw upon the Maintenance Bond, in whole or in part, at any time without notice to the Owner, prior to the issuance of a Certificate of Acceptance.
- 2.18 The Works and Services for a subdivision become the property of the Village when installed within:
 - (a) a registered statutory right-of-way, upon the issuance of Certificate of Substantial Completion;
 - (b) an area to be dedicated for highway, upon the registration of the plan of subdivision in Land Titles.
- 2.19 The Approving Officer is not obliged to approve any plan of subdivision unless the requirements of this bylaw have been met or provided.
- 2.20 This bylaw does not create a duty of care on the Village, Council, the Approving Officer, or any of its employees, agents, or contractors retained or employed by the Village in respect of the acceptance of an application, the issuance of a letter listing the known requirements for subdivision approval, inspection of the parcels to be subdivided, or the Works and Services.
- 2.21 The Certificate of Substantial Completion will not in any way constitute a representation, warranty, or statement by the Village that the Works and Services have met all the requirements required by the Village to issue a Certificate of Acceptance.
- 2.22 A person must not subdivide land, or a building, except in conformity to this bylaw.
- 2.23 Every person must comply with any order or notice issued pursuant to this bylaw.

- 2.24 A person must not authorize or allow the construction or installation of any servicing, drainage, utility, access, or highway in connection with a proposed subdivision until the Village has issued a permit or the owner has received statutory authority to proceed with the Works and Services.
- 2.25 Any person who violates any of the provisions of this bylaw or who permits any act to be done in contravention of this bylaw, or who neglects to or refrains from doing any act or things that are required by this bylaw commits an offence.
- 2.26 Every day that a violation occurs constitutes a new offence.
- 2.27 A person who violates any of the provisions of this bylaw is liable upon conviction to the maximum penalties prescribed by the Offence Act, plus costs.
- 2.28 Add to section 3.
- "Access" means a road or driveway that connects a building or building site on a parcel to a highway.
- "Agent" means the person authorized in writing by the Owner to tender an application to the Village.
- "Applicant" means the Owner or Agent that tenders an application to the Village.
- "Application for Building Permit" means the information, fee, security, plan, certificate, forms, and agreements provided to the Village for examination, approval and issuance of a Building Permit.
- "Application for Preliminary Review" means the information, fee, and a copy of a proposed plan of subdivision provided to the Village for examination and review of that plan of subdivision.
- "Application for Subdivision Approval" means the information, fee, security, plan, certificate, forms, and agreements provided to the Village for examination and approval of a plan of subdivision.
- "Application Fee" means a non-refundable fee paid to the Village for the examination and review, or approval, of an application.
- "Arterial" means an existing or proposed arterial highway as designated in the OCP.

- "Certificate of Acceptance" means a letter issued by the Village that confirms the maintenance period for the Works and Services, or a portion defined in the Certificate of the Works and Services is satisfactorily completed.
- "Common Driveway" means an access for two or more adjoining parcels.
- "Collector Road" means an existing or proposed highway as designated in the OCP.
- "Cul-de-sac" means a highway with only one point of intersection with a highway, that terminates in a vehicle turning area.
- "Consulting Engineer" means a professional engineer, registered or licensed under the *Engineers and Geoscientists Act*, who is employed or retained by the Owner.
- "Certificate of Substantial Performance" means a certificate issued by a Consulting Engineer certifying that Substantial Performance of all of the Works and Services has been achieved.
- "Driveway" means a private road that connects a parcel to a highway.
- "Frontage" means that length of a parcel boundary that abuts a highway, but does not include a walkway.
- "Local Road" means a highway that is primarily intended for residential traffic that may connect with a minor collector or major road.
- "Lane" means a highway that is more than 6.0 meters and less than 7.5 meters wide, and intended to provide secondary access to a parcel.

"Maintenance Bond" means:

- a) a deposit in the form of cash or a certified cheque; or,
- b) a surety bond or an unconditional irrevocable standby letter of credit in a form satisfactory to the Village, expiring no earlier than one year from the date of issuance and providing for a right of renewal unless the bond or letter of credit is perpetual, and issued to the Village by a branch of a chartered bank, credit union, or trust company.
- "Maintenance Period" means the length of time that the Works and Services installed in connection with a subdivision, or a building permit, are to be maintained free of any defects by the Owner, at his or her expense.

"Municipal Engineer" means a professional engineer appointed by the Council to act for the Municipality in that capacity from time to time.

"Official Community Plan" and "OCP" means the "VILLAGE OF GOLD RIVER OFFICIAL COMMUNITY PLAN BYLAW NO. 513, 1994".

"Panhandle Lot" means any parcel that has highway frontage on the access strip.

"Performance Bond" means:

- a) a deposit in the form of cash or a certified cheque; or,
- b) a surety bond or an unconditional irrevocable standby letter of credit in a form satisfactory to the Village, expiring no earlier than one year from the date of issuance and providing for a right of renewal unless the bond or letter of credit is perpetual, and issued to the Village by a branch of a chartered bank, credit union, or trust company.

"Preliminary Layout Review" means a letter issued by the Approving Officer, that includes a copy of the proposed plan of subdivision, and lists the known requirements that the Owner must provide prior to tendering an application for subdivision approval.

"Provide" means to design, supply, construct, install, erect, test, repair, alter, add, enlarge, move, locate, re-locate, re-construct, upgrade, demolish, remove, excavate, shore, and complete the Works and Services in accordance with the standards of this bylaw, and at the expense of the Owner.

"Potable Water Supply" means a source of potable water that has been proven to be available to the satisfaction of the Medical Health Officer.

"Road" means the portion of a highway constructed for vehicular traffic.

"Security" means a cash deposit, certified cheque made payable to the Village, or an irrevocable letter of credit received and approved by the Village.

"Standards" means the Engineering Design, Installation, and Construction Specifications for the Works and Services prescribed in this bylaw.

"Substantial Performance" means the stage of completion of all of the Works and Services when the Works and Services are ready to be used for their intended purpose, as certified by the Owner's Consulting Engineer.

"Village" means the Village of Gold River.

"Walkway" means a highway intended for the use of pedestrians, wheelchair, and cycle traffic.

"Works and Services" includes highway, sidewalk, walkway, street lighting, Internet, cable TV., telephone and electrical wiring, water distribution systems, fire hydrant systems, sewage collection and disposal systems, storm drainage collection and disposal systems, and such other infrastructure or systems as may be provided within the Village from time to time.

"Zoning Bylaw" means the "VILLAGE OF GOLD RIVER ZONING BYLAW NO. 558, 1997".

- 2.29 Delete sections 1.0, 1.0, and 1.02 in their entirety from Specification "E".
- 2.30 Delete section 13 and revise to read:

Every application submitted for subdivision approval shall tender an examination fee as prescribed in this bylaw.

B. This bylaw shall be cited for all purposes as the "Village of Gold River Subdivision Regulation Bylaw No. 187,1 976, Amendment Bylaw No. 398.1, 2002.

READ A FIRST AND SECOND TIME THIS	29 [™]	DAY OF	November	2002.
READ A THIRD TIME THIS	29^{TH}	DAY OF	November	2002.
ADOPTED THIS	2^{ND}	DAY OF	DECEMBER	2002.

D. Lewis

MAYOR

L. Plourde

CLERK

Schedule "B"

(Bank Letterhead)

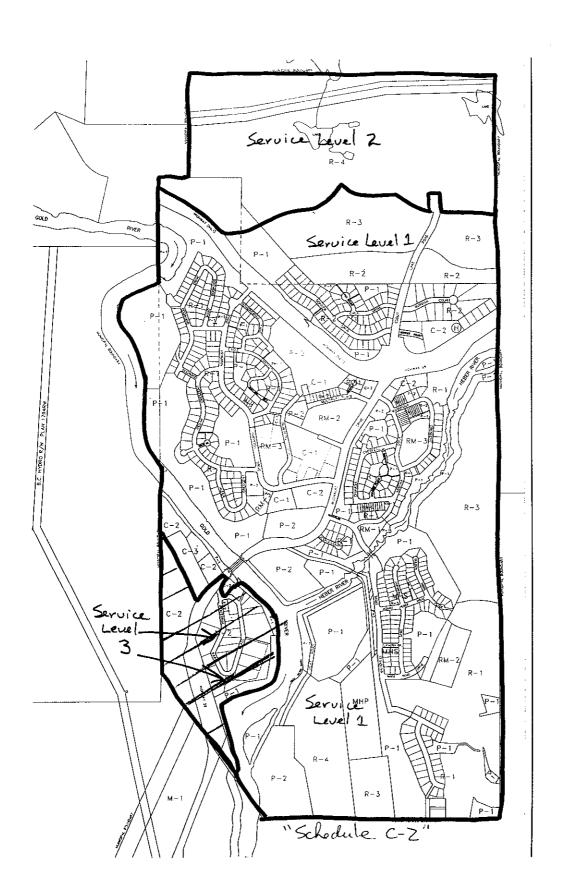
		Amount:	_
Letter of Credit No		Initial Expiry Date:	_
Village of Gold River 499 Muchalat Drive P.O. Box 610			
Gold River, British Columbia V0P 1G0			
Dear Sir:			
We hereby authorize you to draw [amount in writing] dollars (\$		ount of [name of owner/developer] up to an aggregate	: amount of
Irrevocable Standing Letter of Cre time, upon written demand for pa	dit in your favour in the above an syment made upon us by you, whelf and the said customer to make	per], we the [name of bank] hereby establish and gount which may be drawn on by you at any time and find demand shall we shall honour without inquiring versuch demand, and without recognizing any claim	rom time to vhether you
All demands shall be delivered to mail at least 30 days prior to the p		lage of Gold River is notified of a change of address by	y registered
You may make partial or full drav	rings at any time.		
The Letter of Credit relates to the and the Municipality and briefly of		ancial obligations set out in an Agreement between th	e customer
	[name of projec	(development].	
The amount of this Letter of Cre Village of Gold River.	dit may be reduced from time to	time as advised by notice in writing to the undersign	ned by the
This Letter of Credit will continue	in force for a period of one year,	out shall be subject to the condition hereinafter set forth	h.
from the present or any future ex	piration date hereof, unless at le	be automatically extended without amendment from yest 30 days prior to the present or any future expirational this Letter of Credit to be renewable for any additional	on date, we
DATED at	, British Columbia, this	day of, 200	
		[NAME OF BANK] [ADDRESS OF BANK]	
		Per:	
		Authorized Signature	
		Authorized Signature	

Schedule "C-1"

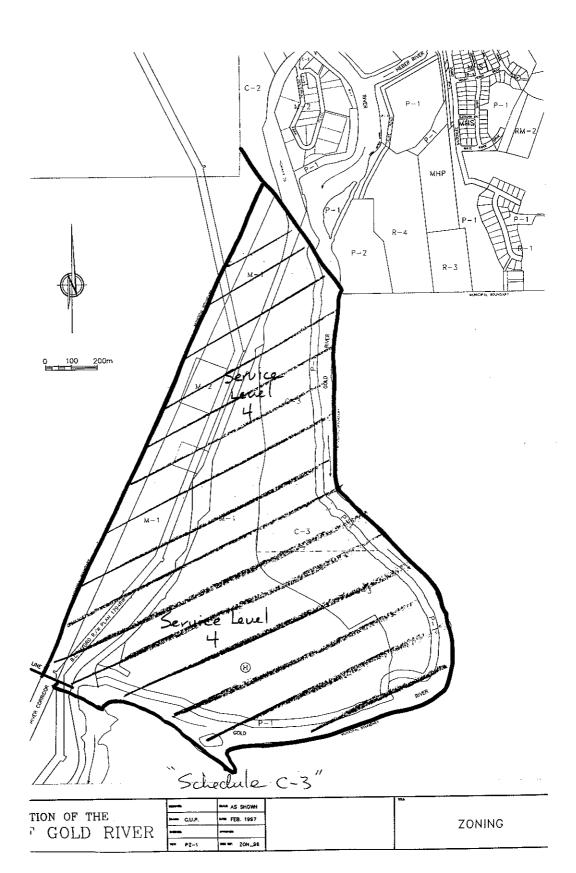
	SERVICE AREA			
REQUIRED SERVICES	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4
Paved Highway	•	•	•	
Water Main and Fire Hydrant	•		•	
Sanitary Main	•		•	
Storm Drain	•		•	
Serviced Lot Connections	•		•	
Underground Hydro, Phone, Cable (New Residential Developments)	•			
Overhead Hydro, Phone		•	•	•
Concrete, curb and gutter	•			
Concrete Sidewalks	•		7.4	
Potable Water Supply and approved on-site sewage disposal system		•		•
Open Ditch & Culverts		•		•
Gravel Highway				•
Street Lighting	•	•	•	•

• = WORKS & SERVICES REQUIRED

Schedule "C-2"

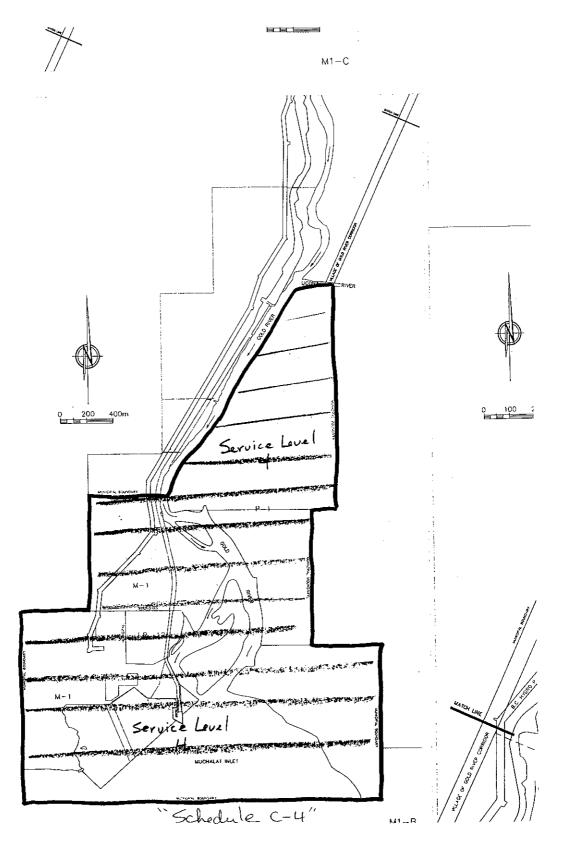


Schedule "C-3"



Schedule "C-4"

Service Level 4



Schedule "D"

Service Areas

Service Level	REQUIRED WORKS AND SERVICES, UTILITIES, COMMUNICATIONS & SERVICE CONNECTIONS	NUMBER ON SCHEDULE "C"
One	Asphalt road; curb and gutter; street lighting; piped storm drain, sanitary sewer, and water main; fire hydrant; underground telephone, hydro and cable TV service; parcels connected to a community water, sanitary sewer, and storm drainage systems.	1
Two	Asphalt road; gravel walking shoulder; street lighting; open-ditch storm drain; telephone, hydro; potable water and approved on site sewage disposal system.	2
Three	Asphalt road; gravel walking shoulder; street lighting; open ditch and/or piped storm drain; water main; fire hydrant; telephone, hydro; parcels connected to a community water, sanitary sewer, storm drainage system; street lighting.	3
Four	Gravel road; open-ditch storm drainage; potable water; telephone and hydro service; approved sewage disposal system; street lighting.	4

Schedule "E"

Application Fees

Application for Preliminary Review	
■ lots 1-5	\$200.00 per lot
■ lots 6-10 an additional	\$100.00 per lot
 lots 11 and above an additional 	\$50.00 per lot
payable for all lots, including the parent parcel	
Application for Subdivision Approval	```
payable for all	
	\$150.00 per lot
All other Applications	
 Strata Conversion 	\$100.00/per unit (\$250.00 minimum)
 Boundary Adjustment 	\$250.00
 Consolidation of two or more parcels 	\$250.00
 Amend an application or plan 	\$100.00
 Re-approval of a plan or certificate 	\$100.00
()	\$100.00

Provincial Fee of \$50.00 for the plan examination is in addition to the municipal fees.

The parent parcel counts as one lot for the purpose of calculating fees for Preliminary Review and for Subdivision Approval.

FILE NO:	DATE ACCEPTED:
	Subdivision (Final) Approval Form P / Form P Amendment □ Consolidation / Boundary Adjustment
APPLICANT INFORMATION	PROPERTY INFORMATION
NAME OF APPLICANT:	CIVIC ADDRESS OF THE PROPERTY:
APPLICANT'S MAILING ADDRESS:	
	LEGAL DESCRIPTION OF THE PROPERTY: (Must match the title search)
CITY: POSTAL CODE:	
PHONE: FAX:	
PU	RPOSE OF SUBDIVISION
PURPOSE OF SUBDIVISION	3
ZONING	
	TION REQUIRED FOR ANY SUBDIVISION APPLICATION
1. STATE OF TITLE CERTIFICATE Copy of Land Title Search (dated within 2 weeks of application) for each parcel of land proposed to be subdivided, along with copies of any Building Scheme Right-of-Way, Covenant, Easement or encumbrance registered on the title of the parcels.	ee,
3. PAPER PRINTS OF THE PROPOSED LOT LAYOUT TEN (10) paper prints of the proposed lot layout and FIV (5) reduced copies (no larger than 14" x 17"). The Subdivision Plan should identify: - metric scale and North arrow; - legal description of the parcel(s); - heavy or bold outline of the parcels included in your application; - the present use and location of all existing / proposed buildings and structures on the parcel(s) showing measurements to the existing and proposed lot lines; - the location and size of septic disposal fields; - the location of potable wells within 30 metres of a proposed septic field; - the location, dimensions, area, and boundaries of both the existing parcel(s) and proposed parcel(s); - a number assigned to each proposed parcel; - the location and dimensions of any highway, public access, road, lane, walkway, trail or park existing on or reasonably adjacent to the parcel(s) included in the application; - the location and name of any bodies of water; - the location and dimensions of any rights-of-way or easement existing on or adjacent to the lands being subdivided; - existing street and road names.	PRELIMINARY REVIEW: a) Preliminary Review
subdivided; - existing street and road names.	

ADDITIONAL INFORMATION THAT MAY BE NECESSARY TO REVIEW AN APPLICATION

Do not complete any of these requirements without prior confirmation by the Approving Officer

You may be required to tender additional information, plans, and studies to complete the review of your application:

- Authorization & Appointment of an Agent form (see page 5).
- Approval of the Ministry of Health for on-site septic approval.
- Declaration when subdividing for a family member pursuant to Section 946 of the Local Government Act.
- Plan showing the location of a watercourse and the applicable setbacks for environmental and flood prevention.
- Plan showing the location of any significant natural features and Environmentally Sensitive Areas.
- Plan showing the location of any unstable soils, hazard areas, steep slopes, and any areas subject to flooding.
- Servicing Report that identifies the access and shows how each of the parcels will be serviced.
- Contour plan at 1-metre contour intervals where the grade is greater than 10%.
- Contour plan at 2-meter contour intervals where the grade is less than 10%.
- Plan of the proposed highway, park, trail, walkway, and open space dedication.
- Access Evaluation Report.
- Environmental Impact Assessment Report.
- Appraisal Report to determine the 5% cash-in-lieu of parkland dedication.

-	Other		

I/WE hereby declare that all the information	n provided in support of this application are, to the best of my knowledge, true and correct in all respe-
Date	Applicant or Agent's Signature
THIS APPLI	CATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT

ADDITIONAL REQUIREMENTS FOR SUBDIVISION APPROVAL

1. Approvals

- Provincial Approving Officer.
- Medical Health Officer.
- Council approval of parkland, zoning, Development Permit, or Development Variance Permit.
- ¹³ Provincial, Federal, and Municipal Permits identified in writing by the Approving Officer.

2. Financial

- Proof of payment of all property taxes.
- Deposit of all relevant Development Cost Charges levied on the land.
- Deposit of the 5% cash-in-lieu of Parkland dedication, or written confirmation that the parkland or cash-in-lieu was previously provided.
- Deposit of the Security to guarantee the performance of the Works and Services during the Maintenance Period.

3. Plans

- Original mylar plan of subdivision prepared by a BC Land Surveyor.
- Mylar signed by all the Owners and charge holders registered on the title(s) of the parcel(s) to be subdivided.
- E Certificate of Location to show the location of any building(s) on the parcel(s) included in the application.
- Two (2) copies of any reference plan for any right-of-way, covenant, and easement areas.

4. Documents

- Two (2) executed copies of all Land Title forms, certificates, agreements, and documents to be signed by the Village.
- One (1) duplicate copy of all forms, certificates, agreements, and documents tendered to the Village are to be provided for the records of the Approving Officer together with an undertaking for the registration and return of registered plans and documents as required by the Village of Gold River.

AUTHORIZATION AND APPOINTMENT OF AGENT

In the case where the parcel(s) to be subdivided is owned by more than one person, or where the applicant is someone other than the Owner, the Agent must obtain the written authorization of all the Owners to tender any application to the Village of Gold River.

	onfirm that I/We, the registered Owner(s) of the property, hereby appoint:	as Agent.
ne Agent	s authorized to:	
<u> </u>	tender this application to the Village of Gold River; negotiate with the Village of Gold River on behalf of the Owner; provide any information deemed necessary by the Village of Gold River to review the	e application
ne Owne	s signature, by its Authorized Signatories:	
_		
_		
Re	gistered Owner(s) of the Property	

APPLICATION FEES FOR PRELIMINARY REVIEW

Lots 1-5

\$200.00 per lot

Lots 6-10, an additional

\$100.00 per lot

Lots 11 and above, an additional

\$ 50.00 per lot

payable for all lots, including the parent parcel

Number of Lots	Application	Number	Application	Number	Application
	Fee	of Lots	Fee	of Lots	Fee
1 2 3 4 5	\$ 200.00 \$ 400.00 \$ 600.00 \$ 800.00 \$1,000.00	6 7 8 9 10	\$1,100.00 \$1,200.00 \$1,300.00 \$1,400.00 \$1,500.00	11 12 13 14 15 16 17 18 19 20	\$1,550.00 \$1,600.00 \$1,650.00 \$1,700.00 \$1,750.00 \$1,850.00 \$1,850.00 \$1,950.00 \$2,000.00

NOTE: GST is not applicable.