

Bowen Island Municipality

Report

Date: June 17, 2009

Subject: Subdivision Application SUB 2004 – 15 (Cape Roger Curtis)
Subdivision Review Process

1. BACKGROUND

During the month of May, the Approving Officer had two meetings with representatives from The Cape on Bowen Community Development Ltd. regarding the reactivation of the subdivision application for the Cape Roger Curtis land. Subsequent to those meetings, a revised subdivision application was formally submitted to the Approving Officer from The Cape on Bowen Community Development Ltd. on 4 June 2009.

Although the approval of the subdivision is the sole responsibility of the Municipality's Approving Officer, given the profile that the development of the Cape Roger Curtis land has had in the community, the Approving Officer has determined that it is important for Council and the community to be informed of the process that will be followed by the Approving Officer in reviewing the subdivision application.

Pursuant to Section 85 of the *Land Title Act*, once a subdivision plan has been submitted to an Approving Officer, the Approving Officer has 60 days to either approve the subdivision or reject the subdivision and provide reasons. It is on this basis that the review process has been created in an attempt to fit into the 60 day period. That being said, the Approving Officer has determined at this early point in the review process that more time will be needed to conduct his due diligence given the change in Approving Officer position as of 13 July 2009 and holidays being taken by various staff members, and as such has notified the applicant accordingly.

The review process has two basic components, briefly described as follows:

a) Technical and Legal Review

The technical review will involve appropriate municipal departments reviewing the subdivision package including: Planning, Public Works, and the Fire Chief. The Planning Department will examine the subdivision proposal in the context of the Land Use Bylaw and the Development Permit Guidelines. In addition, the Planning Department will seek comments from the Trail Committee regarding the proposed trail network, the Municipality's Park Planning Consultant – Mr. Mel Turner regarding park issues, and a third party environmental consultant for a review of the environmental studies that will be submitted by the proponent.

Dayton and Knight Ltd., a third party engineering consultant firm, has been retained to assist the Public Works Department in a review of the infrastructure components, being primarily the road network / drainage and the water supply. Sewage disposal will fall under

the jurisdiction of the Vancouver Health Region. The Fire Chief will examine the proposal in the context of fire protection.

The municipal solicitor will review the package of legal documents to determine their adequacy.

Once the internal reviews have been completed, the Approving Officer will convene an internal technical meeting to review the comments and to create a comprehensive list of Subdivision Requirements. This list of requirements will then be forwarded to the proponents.

Four weeks have been allocated to complete this task meaning that the list of Subdivision Requirements will be targeted to be finalized in early July.

b) Community Consultation

The application was posted on the Municipality's website on 10 June 2009. The Approving Officer will entertain comments from anyone who wants to become involved. The comment period will end on 10 July 2009. The comments will be taken into consideration by the Approving Officer, but it is important to recognize that the Approving Officer is not bound by any comments so submitted.

The Approving Officer will hold an information meeting to outline the list of Subdivision Requirements that have been forwarded to the proponent. This meeting will be scheduled for some time in August.

2. CONCLUSION

Within the confines of the *Land Title Act*, the Approving Officer will be conducting a thorough review of the subdivision application that has been submitted by The Cape on Bowen Community Development Ltd. The review will largely focus on technical and legal issues, but will also involve community consultation. In his consideration of the public interest, the Approving Officer will take into account relevant municipal bylaws and Council's *Municipal Framework for Planning the Future Use of the Cape Roger Curtis Lands* adopted by policy in February 2006.

Bryan Kirk
Approving Officer