

# Subdivision Quick Reference Guide



## Subdivision Application / Approval Process



### 1. Pre-Application Meeting

This initial discussion with staff to review your development intentions is your opportunity to seek more information in advance of submitting a formal application. To make the best use of your time, provide a sketch plan and prepare specific questions in advance. Be prepared and knowledgeable about your proposed subdivision. The more information you are able to gather before submitting an application, the more efficiently the process is likely to run.

### 2. Application Submission

If your property is appropriately zoned, you may submit an application to seek subdivision approval. For a full list of requirements, see the Subdivision Application Approval User Guide. Incomplete applications will not be accepted.

### 3. Internal (DART) and External Review

The city's Development Application Review Team (DART) meets bi-weekly, and includes key staff from departments responsible for development, subdivision and capital project delivery. DART reviews new project and will provide comments on applications typically within two weeks of the meeting date. The DART process establishes site specific technical requirements, which must be completed to the satisfaction of the Approving Officer before a Preliminary Layout Review (PLR) letter is prepared.

The City refers the application to external agencies for comment and their respective approval requirements. It is the Applicant's responsibility to fulfill external agency requirements and obtain all necessary approvals or permits for the proposed development.

### 4. PLR Preparation

The PLR outlines subdivision completion requirements. The Approving Officer collects, compiles and reviews all internal and external review comments, and reviews relevant legislation and city bylaws in order to determine if a proposal is eligible for PLR. The PLR will include an initial calculation of Development Cost Charges (DCC)s and other Municipal fees. The PLR is valid for six months, with the possibility of a six-month extension where progress on the project is demonstrated.

## 5. Completion of PLR Requirements

The PLR outlines subdivision requirements such as infrastructure improvements (road paving, water, sanitary and stormwater system upgrades, etc.), legal agreements and environmental protection.

## 6. Completion or Bonding of Works and Services

If you are seeking subdivision approval before installing works and services, you will need a Servicing Agreement. All services must be installed at the owner's expense prior to final subdivision approval, unless the owner provides security and enters into a subdivision servicing agreement with the city to complete the required works by a specified date.

A Servicing Agreement requires the Applicant to provide:

- A cost estimate of the proposed subdivision servicing works including engineering fees, construction costs with the appropriate contingency sum, and warranty deposit amount. This estimate must be certified by a Professional Engineer and forms the basis of the security required by the Applicant for execution of the agreement.
- Security in the amount of cost estimate above, augmented by the contingency required by the City over and above that identified in the estimate. The Engineering Division will advise the Applicant of the current security requirements.
- Liability insurance where the construction of works is proposed to extend into City controlled lands or road dedication. The Engineering Division will advise the Applicant of the current insurance requirements.

## 7. Subdivision Approval

Once the Servicing Agreement and other conditions of the PLR have been addressed, you may apply for subdivision approval to the city's Approving Officer. In doing so, you must provide:

- A cover letter identifying the request and providing the documentation demonstrating that all the conditions of the PLR have been met
- The final survey plan as prepared by a B.C. Land Surveyor (BCLS)
- Payment of all application fees and/or outstanding service/connection or other fees (as applicable)
- Proof that all property taxes are paid in full
- Payment for the applicable Development Cost Charge amount
- Provide all other required documentation as defined in the PLR

If appropriate, the Approving Officer will approve the subdivision by signing the final subdivision plan.

## 8. Plan Registration

Once signed by the Approving Officer, your plans will be returned to you, and are now ready to be registered at the Land Title Office (by you or your solicitor) along with other documents which may have been required (restrictive covenants, rights-of-way, etc.). This is the process that creates legal title for each new parcel defined on the subdivision plan. The plans must be registered within two months of signing by the Approving Officer.

# Frequently Asked Questions

## What is subdivision?

Subdivision is the process of altering legal property boundaries, typically to create new parcels of land. Authority to grant subdivision approval is granted to the **Approving Officer** from the Province in the *Local Government Act*, *Land Title Act*, Courtenay Subdivision Control Bylaw, as well as in several key provincial statutes. The subdivision of land can be a complicated process involving overlapping interests, and approval is at the discretion of the Approving Officer. The ability to subdivide is a combination of meeting the Zoning Bylaw requirements and having adequate services and capacity to service the additional lots. The role of the Approving Officer is to exercise an understanding of municipal regulations with consideration of the long term public good before approving or denying subdivision.

## Why is subdivision approval important?

The subdivision process ensures that new parcels of land are created in a manner that is beneficial to the overall wellbeing of the community. While rezoning approval affirms that a land use is compatible with its surroundings, subdivision approval ensures that newly created lots will not negatively impact public safety, transportation linkages, environmentally sensitive areas, utility capacities or long term growth.

## How do I find out requirements before I apply?

The *Subdivision Approval Process User Guide* is a valuable tool outlining the city's basic minimum requirements. However, to fully establish the requirements for individual applications, it is often necessary for staff to review a preliminary submission and refer the proposal to other departments or provincial agencies. A discussion with city staff can help you determine up front what types of information you will need to provide, and what professionals you will need to engage, to address the specific and unique requirements of your site.

## Do I need to hire consultants to help prepare my application?

You will likely need to hire professionals to assist with aspects of your development. Depending on the complexity of your project, professional surveyors, planners, engineers and/or biologists may be required to satisfy application requirements. It is strongly recommended that coordination of the various activities is specifically assigned to one person who can communicate progress, respond to requests for information and ensure all necessary steps are followed in the correct sequence. It is important that the coordinator has a general understanding of the regulatory process and procedures and can effectively communicate between the various professionals, property owners and city staff to ensure the efficiency of the approval process.

## Pre-application Research

Your Proposal should be well prepared before submitting an application. Be knowledgeable about your property and aware of relevant City policies, plans and regulations:

- Current Zoning Bylaw and Official Community Plan designations for the property and their requirements for subdivision;
- Site conditions, such as lot size, topography, drainage, soil types and hazards;
- Availability of services (water, sanitary sewer, storm water, roads and other possible service needs). Contact the Engineering Department (250)334-4441 for more information;
- Property history (historic uses, existing buildings, prior approvals) and surrounding uses;
- Applicable permit fees and additional costs of construction;
- Legal encumbrances on Title (e.g. easements, covenants); and,
- Provincial or federal regulations pertaining to the property.

Your design brief should demonstrate an understanding of all the above considerations.

## Tips to Remember

Following these seven tips will help us to process your development application more efficiently:

1. Familiarize yourself with the review process.
2. Submit a complete application with accurate information.
3. Keep a record of your file number and quote it whenever you contact us.
4. Keep in mind that it may take you several weeks or months to complete your application requirements, depending on the complexity of the project.
5. Keep a record of approvals, correspondence and decisions from meetings.
6. Minimize deviations from established development policies or standards. Remember that the more your proposal differs from established policy or standards, the more time it will take to process.
7. If a proposal needs to be revised in order to meet city policies or standards, provide all the required revisions in one submission. To expedite the review process, provide a cover letter explaining how each of the outstanding issues has been addressed. If you have questions about staff comments or requirements, please contact staff before resubmittal.

