



**CRESTON
VALLEY**

TOWN of CRESTON

Subdivision Application Guide



Subdivision Application Guide

This handout provides information and general guidance on the requirements and processes for a subdivision. It is intended for general guidance only. Applicants should also refer to:

- Official Community Plan
- Zoning Bylaw and Zoning Maps
- The Works and Services Bylaw
- Development Cost Charge Bylaw(s)
- Fees & Charges Bylaw (Schedule 7a – Planning, Land and Development)
- Subdivision Application Form, and Checklist

These can be obtained on the Town's website (creston.ca/subdivision) or at the Town's Community Planning and Development Department.

Community Planning & Development

238-10th Avenue N., Box 1339, Creston, BC V0B1G0

250-428-2214

creston.ca/subdivision

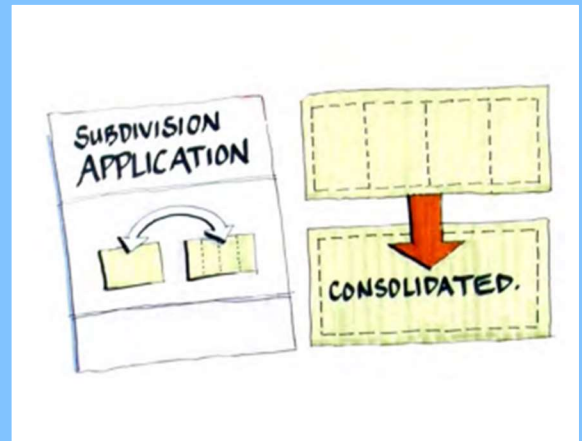
Subdivision Application Guide

When is a Subdivision Application Required?

Subdivision is the process of changing or creating new property (lot) boundaries. The process requires approval from the Town's **Approving Officer** for registration of the new subdivision at the Land Titles Office.

A Subdivision Application is required for the following:

- Creating two or more lots from one or more existing lots
- Consolidating two or more lots into one lot
- Adjusting or realigning an existing property line
- Dedicating property for a road or park
- Cancelling an existing road allowance
- Creating a bare land strata development
- Creating several strata lots from one or more existing properties
- Creating a phased strata development
- Converting an existing multi-unit development to strata title ownership



Prior to Application

The following steps are recommended prior to submitting a Subdivision Application:

- **Official Community Plan (OCP) – Land Use Designations:** Check the OCP land use maps for the designation of your property.
- **Development Permit Areas:** Where land is located in one or more Development Permit Area identified in the OCP, all of the applicable DPA requirements must be met.
- **Zoning Maps and Zoning Bylaw:** Check the Town's Zoning Maps and Zoning Bylaw to find the zoning designation and zoning requirements for your property, including minimum lot size, minimum lot depth, and minimum lot width.
- **Servicing:** The servicing of roads, lanes, and sidewalks adjacent to the land being subdivided is required for all subdivision applications and must meet the requirements of the Town's Work and Services Bylaw.

Contact Community Planning & Development staff at 250-428-2214 to discuss any of the above steps and receive advice on submission requirements.

Concurrent Applications

For subdivision applications also requiring a rezoning and/or development permit application, the subdivision application will be processed concurrently. However, subdivision preliminary approval cannot be granted until an accompanying rezoning amendment bylaw has been given three readings by Town Council.

Role of the Approving Officer

The Approving Officer is a municipal employee appointed by Town Council to review and approve subdivisions. *The Local Government Act*, the *Land Title Act*, and the *Strata Property Act of British Columbia* provide authority to a legally appointed Town Approving Officer to approve Subdivision Applications.

Works & Services Bylaw

The Works & Services Bylaw sets standards and requirements for works and services which are referred to in reviewing subdivision and building permit applications that are required of a developer of property. Works and services include roads, sidewalks, boulevards, and streetlights, underground utilities such as water distribution systems, and sewage collection systems, and drainage systems.

Subdivision Application Process

STEP
1

Pre-Application Meeting: Important information about the application process and site-specific issues such as zoning, planning policy, development permit areas, existing services, and development constraints are provided.

STEP
2

Subdivision Application Submission: When you are ready to make your application, submit the Subdivision Application Form along with associated fees to Town Hall.

STEP
3

Referral Process: Subdivision applications are circulated for review to internal departments and external agencies (where required). Departments and agencies that may review your application include engineering, public works, fire, planning, BC Ministry of Transportation and Infrastructure. Depending on the complexity of the proposal, you may be asked to provide additional information. Approving Officers have a statutory responsibility to determine if a proposed subdivision is against the public interest and may hear from anyone who thinks they may be affected by the subdivision.

STEP
4

Preliminary Layout Application (PLA) Letter: If Town staff determine that a subdivision proposal can move forward, the next step is a preliminary layout application letter, which is issued by the Town to the applicant. The preliminary layout application letter lists all the requirements that need to be met before final approval of the subdivision. The letter may be valid for up to 12 months and may include requirements such as:

- Works and Services (i.e. curb, gutter, sidewalk, street lighting);
- Dedication of parkland or cash-in-lieu (for the creation of 3 or more additional lots);
- Preservation of the environment and natural features;
- Covenants, easements, and statutory rights-of-way;
- External agency requirements; and
- Payment of Development Cost Charges (DCCs).

STEP
5

Design Stage Acceptance (DSA): After the Town issues a PLA Letter that requires the construction of Works & Services, you will hire a Civil Engineer to prepare detailed design drawings for the design of any roads, services, and utilities that are required as part of your subdivision. Town Engineering staff will review and coordinate the requirements, design, cost estimates, etc. with your civil engineer to ensure the works and services are in accordance with the Works and Services Bylaw No. 1170. Once the drawings meet Town approval, Design Stage Acceptance (DSA) is granted and construction of works and services can begin. All services must be installed at the owner's expense prior to final subdivision approval.

STEP
6

Construction of Works and Services: It is now time to hire a contractor to construct the Works & Services. Your engineer will arrange a pre-construction meeting through Town Engineering staff. A "Certificate of Substantial Completion" will be prepared by your engineer following completion of the construction of all service, utility, and road works, and upon final inspection by Town Staff.

STEP
7

Submit Final Subdivision Approval: Once all the requirements outlined in the preliminary layout application letter have been addressed, applicants can submit the documents for final subdivision approval. These conditions would typically include: Final survey plan prepared by a BC Land Surveyor, Development Cost Charge fees, Maintenance/Construction Agreement and related security deposit, and legal documents prepared by your lawyer/ notary. If appropriate, the Approving Officer will approve the subdivision by signing the Application to Deposit Plan and any relevant documents.

STEP
8

Plan Registration: Once the subdivision documents are signed by the Approving Officer, they are returned to the applicant or their legal representative for registration at the Land Title Office. When the documents are registered, a legal title will be created for each new parcel shown on the subdivision plan.

Subdivision Application Submission

To proceed with a subdivision application, complete a Subdivision Application Form and Checklist available on the Town's website or from the Community Planning and Development Department. All information requested in the Checklist must be provided at time of submittal - this will ensure that your application will be referred to the appropriate Town Departments and external agencies and responded to in a timely manner.

Strata Processes

Strata Subdivision Process

Strata subdivisions involve the subdivision of land (bare land strata) or the subdivision of buildings. Within a strata development, some areas are owned collectively (in common) by all owners within the development with the remaining areas independently owned.

- **Bare Land Strata** - These applications follow the same general subdivision process as outlined in this document.
- **Phased Strata Plans** - To complete a phased strata plan, please complete and submit a Subdivision Application Form and checklist, strata plans, and a "Form 'P' Phased Strata Plan Declaration" from the

Strata Property Act to the Planning and Development Department. Form 'P' is a legal document that identifies the number of phases and timing of those phases within the proposed strata. If found acceptable, the Approving Officer will sign the Form "P" and the strata plans once all requirements are met.

- **Strata Title Conversions** - The process is outlined in the Strata Title Conversion Guide and, generally, the conversion must be acknowledged and consented to by the tenants and meet all applicable fire, safety and Bylaw requirements to be considered for approval by Town Council and the Approving Officer.

Other Considerations

Provision of Parkland

An owner of land that is being subdivided must either provide parkland equivalent to five percent (5%) of the total land area being subdivided (without compensation) or pay to the Town five percent (5%) of the market value of the land being subdivided. This provision does not apply to a subdivision of land creating fewer than three additional lots or for subdivisions where the smallest lot being created is larger than two hectares.

Development Cost Charges

Subdivision Applications must pay Development Cost Charges (DCCs) to the Town at the time of final approval of the subdivision. The Approving Officer will provide the applicant with an estimate of the Town's DCCs that will be required at the time of PLA.

Legal Costs

Restrictive covenants, statutory rights-of-way or other legal agreements and documents may be required as part of the PLA conditions. It is the applicant's responsibility to have these documents prepared for the Town's review.



Questions?

Community Planning &
Development
238-10th Avenue N., Box 1339,
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250-428-2214

communityservices@creston.ca

[creston.ca/homes+buildings/
subdivision+stratification
proposals](http://creston.ca/homes+buildings/subdivision+stratification/proposals)