

District of Mission Subdivision Application / Approval Process

This booklet is a general guide to the subdivision process in the District of Mission. It is provided for your convenience only, is not intended to replace Bylaws or other legal documents, and should not be construed by anyone as a right to a development approval if the steps indicated are followed.

What is Subdivision?

Subdivision is the process of altering legal property boundaries and creating new parcels of land.

There are several types of subdivision:

- **creating several lots** from one or more existing lots;
- adjusting or **realigning** an existing lot line(s);
- **converting** a fee simple title multi-unit residential building (ie. a rental apartment building with a single owner) into a strata title (multi-owner condominium) building;
- **bare land strata** subdivisions.

Why you need to obtain the District's Approval for Subdivision

The Local Government Act, the Land Title Act of British Columbia and the District of Mission Subdivision Control Bylaw require that all subdivisions be approved by the Approving Officer (the Approving Officer is appointed by Council, under the Land Title Act, to make decisions and exercise discretionary powers with respect to the subdivision of land). Approval for subdivisions is necessary to ensure that all statutory and District Bylaw requirements are addressed including:

- size and shape of lots/buildable area;
- roads, lanes and emergency vehicles access;
- open space and walkways;
- preservation of natural features (ravines, streams, trees, etc.);
- compatibility of subdivision pattern with surrounding neighbourhood;
- sanitary sewer, water, drainage, street lights and other services;
- protection of opportunity for future development for lands adjacent to or beyond the lands being subdivided.

The Subdivision Application/Approval Process

1. **Pre-Application**
Initial Discussion with Staff
2. **Submission of Complete Application**
Fees, Site Profile, Plans, etc.
3. **Application Review**
Review and Analysis by Staff
Development Review Meeting
Support in Principle letter issued
Referral to other Departments
and External Agencies
4. **Preliminary Subdivision Consideration**
Valid for one year
Outlines Requirements for Final Approval
Completion of Engineering works
5. **Final Approval**
Approving Officer Signs Plans
Applicant Deposits Signed Plans for
Registration at Land Title Office within 2 months

1. **Pre-Application/Development Inquiry Process**

The more information you are able to gather before submitting an application, the more smoothly the process is likely to run. Accordingly, you are strongly encouraged to discuss your proposal with staff to identify any plans, policies and regulations which may apply:

- **Official Community Plan (OCP) & Zoning Bylaw**

Check the OCP map for the designation of your property and the types of land uses allowed within that **designation. Check the Zoning Bylaw to find out the regulations** for the existing and proposed zoning of your property (lot sizes, density, etc.) and the Subdivision Control Bylaw for servicing and access requirements. A sample subdivision layout indicating the type of information required on a proposed subdivision is available from the Planning Department.

- **Engineering Services**

Generally, all developments must be provided with adequate services for sanitary sewerage and stormwater disposal, water, roads, sidewalks and street lights at the developer's cost. Check with the Engineering Department to see if the required services are available or whether additional services are required.

2. **Submission of Complete Application**

When you are ready to proceed, complete an application form. All subdivision applications must be accompanied by:

- ✓ the name(s), address(es) and signature(s) of the property owner(s);
- ✓ the civic address and legal description of the subject property;
- ✓ a draft plan showing all the information outlined in the Draft Plan requirements handout;
- ✓ a current copy of the title;
- ✓ a completed site profile required by Provincial Contaminated Sites Regulation

3. **Application Review**

A member of the Planning Department will coordinate the review of your application.

4. **Development Review Meeting**

Your proposal will be considered by staff from various departments at a staff development meeting. These meetings are usually held twice a month.

5. **Support in Principle**

Once staff has confirmed that the proposal complies with the District's subdivision policies and bylaw requirements, a Support in Principle letter will be issued.

6. **Referral to Agencies**

The draft plan will be circulated to a number of municipal departments (eg. Engineering) and relevant outside agencies (eg. Department of Fisheries and Oceans). During this process, you may be asked for clarification, additional information or plan revisions.

The following is a list of recipients of the draft plans as applicable:

Engineering Department - The Engineering Department reviews all subdivision proposals for any servicing requirements (roads, sanitary sewer, water, drainage, utilities, etc.) and determines if any professional engineering drawings are necessary.

Registered Practitioners or Professional Engineers – Effective May 31, 2005 the requirements for approval of on-site sewage disposal systems are established in the Sewerage System Regulation BC Reg. 326/2004. Before a rezoning or subdivision, which creates lots not connected to the municipal sanitary sewer system, can be approved, The District of Mission will require documentation that a sewerage system design for each lot in the proposed development has been filed with the local health authority by either a registered practitioner or professional engineer with expertise in sewage disposal system design.

Department of Fisheries and Oceans – where any type of watercourse, including creeks, ravines, rivers, lakes, ponds or swamps are present, or adjacent to the subject property, the Department of Fisheries and Oceans reviews the application from the viewpoint of impact on fish and fish habitat to ensure water quality and flow levels are maintained. Often, fences with signage must be constructed along the streamside protection and enhancement area boundaries to mark and protect fisheries habitat and environmental restrictive covenant registered on Title before a subdivision will be approved by the District.

The District of Mission has adopted the simple assessment component of the Riparian Areas Regulation for determining the extent of the streamside protection and enhancement area (see Section 108 of the Zoning Bylaw).

Ministry of Transportation -The Ministry of Transportation reviews all subdivision applications where the subject land is within 800 meters of a provincial highway (ie. the Lougheed Highway).

Other Departments and Agencies - Depending on the circumstances, other departments and agencies may also be asked to advise the Approving Officer. These include the District of Mission Fire/Rescue Service Department, RCMP (CPTED), Inspection Services and Finance Departments, Fisheries and Oceans Canada, School District No. 75, B.C. Hydro, Terasen Gas, Telus, Canada Post and others.

7. **Preliminary Subdivision Consideration**

A Preliminary Subdivision Consideration (PSC) is a letter stating that your proposed layout is acceptable to the Approving Officer subject to requirements being met. It is valid for 1 year (6 month extensions may be considered upon payment of an extension fee).

The PSC outlines the conditions which must be met prior to final approval of the subdivision. Typical requirements and conditions include:

- ✓ submission of required legal agreements/ documents and plans, including legal survey plans, statutory rights-of-ways, easements and restrictive covenants;
- ✓ compliance with provisions of the District of Mission's Zoning Bylaw, including permitted land use and building setbacks to property lines;
- ✓ provision of a site survey or a Surveyor's Certificate of non-encroachment, showing the location of existing buildings and site services being retained, including wells, septic fields and utility lines;
- ✓ compliance with tree retention and tree planting schemes as approved by Council;

- ✓ payment of applicable development cost charges, sanitary sewer, storm sewer and water connection fees, administration/ inspection fees, warranty charges, taxes and other charges;
- ✓ payment of outstanding taxes;
- ✓ prepayment of the following year's taxes (when final approval is given before property taxes are due - usually July 2nd);
- ✓ submission and acceptance of design drawings for all required engineering works along with servicing rights-of-ways and easements;
- ✓ entering into an agreement with the District for servicing a development;
- ✓ submission of a letter of credit of an amount sufficient to cover the cost of the proposed engineering works, and/or warranty deposit, and appropriate public liability insurance policy, if applicable;
- ✓ provision of proof of potable water supply for rural properties (hydrologist's report);
- ✓ provisions of geotechnical engineer's report regarding soil stability and conditions for construction;
- ✓ provisions of proof of accepted sewerage system filed with Fraser Health Authority
- ✓ compliance with the specific requirements of other authorities including the Department of Fisheries and Oceans;
- ✓ compliance with other applicable conditions depending on the particular characteristics of the proposed subdivision.

8. **Approval**

Once all of the requirements outlined in the PSC have been satisfied (including payment of all applicable fees and security deposits), you may have the Legal Subdivision Plan prepared by a registered land surveyor and submit it to the Approving Officer for approval.

The plans 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, right-of-ways, etc.). The plans must be registered within 2 months of signing by the Approving Officer.

Building Permits will not be issued on the newly created lots until new legal plan numbers have been received by the District and the Engineering services have been completed and inspected.

Costs Involved in Obtaining Approval for a Subdivision

The subdivision applicant is responsible to pay for the following costs (where applicable):

- ✓ application fee;
- ✓ on-site and off-site servicing costs;
- ✓ Development Cost Charges (DCC's);
- ✓ current assessed taxes;
- ✓ BC Land Surveyor fees;
- ✓ consultant fees (engineers/architects/ solicitors, etc. are typically hired for large projects);
- ✓ any fees required by other utility companies or agencies; and
- ✓ plan registration by a solicitor or notary public;
- ✓ cash in lieu of parkland dedication (if applicable);
- ✓ other fees as determined through the subdivision process.

Timetable for the Subdivision Application/ Approval Process

The length of the subdivision application/approval process is dependent upon a number of factors including the complexity of the project and the preparedness of the applicant.

Subdivision File Closure Policy LAN.25 as amended on 2005/11/25

Subdivision files will be closed under the following timeframe and criteria:

- within 60 days of the date of the application is received if the required information is not supplied by the applicant;
- within 90 days of the date of the Support in Principle if the required information is not submitted;
- within 1 year of the date that the Preliminary Subdivision Consideration (PSC) letter is issued.

Written notification will be sent to the applicant approximately 60 days prior to file closure. Once a file has been closed, a new application, including the applicable fee, is required for any further consideration of the development proposal.

Extensions may be granted, in accordance with the following criteria, upon receipt of a written request and an applicable extension fee from the applicant. Only one extension will be considered, unless otherwise noted:

- a 60 day extension may be granted for the submission of required information;
- a 90 day extension may be granted for the submission of draft plans;
- a 6 month extension may be granted from the PSC letter expiry date (multiple 6 month extensions may be considered).

Departments/Agencies Involved in the Application/Approval Process

There are a number of departments and external agencies which **may** be involved with a given subdivision application:

- ✓ Planning Department;
- ✓ Engineering Department;
- ✓ Inspection Services Department;
- ✓ Fire/Rescue Service Department;
- ✓ Parks, Recreation and Culture Department;
- ✓ Corporate Administration Department;
- ✓ School District No. 75;
- ✓ Ministry of Transportation;
- ✓ Ministry of Environment;
- ✓ RCMP (CPTED);
- ✓ Agricultural Land Commission;
- ✓ BC Hydro and Power Authority;
- ✓ Telus;
- ✓ Terasen Gas;
- ✓ Shaw Cable;
- ✓ Canada Post and
- ✓ Department of Fisheries and Oceans

Recommended Handouts

The following additional handouts are available and provide specific information about subdivision related issues:

- ✓ Terms of Reference for Geotechnical Reports;
- ✓ draft plan requirements;
- ✓ rural road construction standard;
- ✓ Engineering Companies - Re: Hydrology;
- ✓ panhandle driveway standards;
- ✓ Potable Water Supply (wells) - Rural Subdivisions;
- ✓ Tree Retention and Replanting Policy LAN .32;

- ✓ Financial Contributions for Community Amenities Policy LAN 40;
- ✓ On-Site Sewage Disposal Requirements; and
- ✓ Provincial Contaminated Sites Regulation Guide

For further information

This booklet is intended to serve only as a general guide to the subdivision process. Please consult the Local Government Act, Land Title Act and the District of Mission Subdivision Control Bylaw and Zoning Bylaws for definitive requirements and procedures. For more specific information please contact us at:

District of Mission
Planning Department
8645 Stave Lake Street, Box 20
Mission, BC V2V 4L9
Phone: (604) 820-3748
Website: www.mission.ca