

❖ What is Subdivision?

The Provincial Government has granted municipalities the power to regulate the subdivision of land. Subdivision can generally be described as the legal mechanism to create new parcels of land. The subdivision process is governed by the Municipality's zoning and subdivision bylaws and the Provincial Government's *Local Government Act and Land Title Act*.

❖ When is Subdivision Required?

In the case where a property owner wants to create a new parcel of land out of an existing parcel, then subdivision approval would be required. Subdivision can take the following forms:

- ◆ consolidating two or more parcels into one parcel;
- ◆ adjusting or realigning an existing property line; or
- ◆ creating several parcels from one or more existing parcels.

In most situations, the property owner must apply to the Approving Officer for subdivision approval.

❖ Who is involved in the Subdivision process?

Approving Officer – All subdivisions must receive the approval of the Approving Officer. In the Village of Pemberton, Council has appointed the Director of Development Services as the Approving Officer.

Planner – On behalf of the Approving Officer, the Planner coordinates the subdivision process, provides recommendations to the Approving Officer, and plays a major role in assisting you to satisfy the various requirements of the process.

Works Foreman - The Works Foreman will review all aspects of the subdivision that pertain to municipal servicing systems (i.e. water, sewer, roads, drainage, etc.)

Senior Government Agencies – Depending upon the nature of the subdivision application, some of the agencies involved will be Coast Garibaldi Health Unit, the Ministry of Environment, the Ministry of Forests, Fisheries and Oceans Canada. In some cases, approval from these agencies may be required, in particular for flood-proofing. In addition, other municipal agencies such as the SLRD, School District, Dyking District, Mount Currie Indian Band, Trails Association and others may be involved.

Land Title Office – All subdivisions **must** be registered in the Land Title Office **before** they can be considered legal.

❖ What is the purpose of the Subdivision process?

The subdivision process enables the Village to ensure that new parcels of land are created in a manner that is beneficial to the overall well being of the community. This is accomplished by evaluating subdivision applications on a number of important factors such as:

- ◆ zoning bylaw requirements;
- ◆ public safety;
- ◆ transportation flows;
- ◆ environmental sensitivity;
- ◆ utility services;
- ◆ neighbourhood compatibility; and
- ◆ long term planning.

The Approving Officer may refuse to approve a subdivision plan should he consider that the deposit of the plan is against the public interest.

SUBDIVISION APPROVAL PROCESS

❖ Stage 1: Submit Application

1. Prior to submitting an application for Subdivision Approval, it is suggested that you contact the Approving Officer to identify:
 - a) the existing zoning regulations pertaining to the area proposed for subdivision;
 - b) the type of information that is required in support of an application; and
 - c) whether there are any plans that conflict with a proposed subdivision.
2. A completed **Application Form for Approval of Subdivision** available at the Village Office is submitted. The form must be accompanied by:
 - a) a recent **Certificate of Title**;
 - b) site profile
 - c) a subdivision **application fee** in accordance with a fee schedule which is available at the Village Office;
 - d) an **Authorization Form**, should the owner of the property have another person act on his or her behalf;
 - e) **four (4) copies** 11x17 + pdf copy of a **sketch plan** drawn to scale illustrating the following:
 - ◆ size and dimensions of all parcels
 - ◆ location and grades of new roads

- ◆ location of any natural watercourses
- ◆ location of any buildings on any new parcel
- ◆ contours of the property

This plan would not have to be prepared by a professional engineer or surveyor at this stage.

- ◆ a preliminary servicing concept illustrating the manner in which on-site and off-site water, sewer, and drainage will be addressed.

Please note that incomplete applications WILL NOT be accepted.

❖ Stage II: Application Review

3. Upon receipt of the application, the Planner, on behalf of the Approving Officer, analyzes the proposal, establishes certain requirements, and refers the application to other municipal officials and government agencies for review.
4. Once all the comments are received, the Planner prepares a report that would recommend that:
 - ◆ the Approving Officer give Preliminary Layout Approval (P.L.A.) to the proposed subdivision;
 - ◆ the subdivision in its present form not be approved and that the applicant provide further information or revise the proposal; or
 - ◆ the subdivision not be approved.
5. The Approving Officer presents the proposed subdivision to the Village Council for information and examination.

Stage III: Preliminary Layout Approval

6. If the Approving Officer gives Preliminary Layout Approval to the proposed subdivision, a number of prerequisite conditions would be established and forwarded in a letter to you. These conditions would have to be completely satisfied prior to receiving Final Approval. In the case of subdivision applications requiring a rezoning, Preliminary Layout Approval will not be given until the rezoning bylaw has been given *Third Reading* by Council.

The Approving Officer send a letter to the applicant indicating Preliminary Layout Approval and specifying the prerequisite conditions, some examples of which are as follows:

- ◆ preparation of a legal survey plan by a professional surveyor;

- ◆ submission of surveyor's plot plan indicating location of any building(s) to be retained, to ensure compliance with regulations in relation to new property(ies);
- ◆ preparation and submission of design drawings by a qualified professional engineer;
- ◆ deposit of a Letter of Credit in an amount to cover the cost of engineering works (e.g. water, sewer and road construction);
- ◆ deposit of a 4% administration fee and payment of any related connection fees;
- ◆ entering into a Servicing Agreement with the Municipality;
- ◆ entering into Restrictive Covenants;
- ◆ granting of easements and right-of-ways for utilities;
- ◆ entering into road closure or highway exchange agreements as may be required;
- ◆ payment of all application fees, examination fees, taxes, parkland acquisition levy;
- ◆ dedication of parkland; and
- ◆ compliance with Subdivision Servicing Bylaw and other pertinent requirements that may be specified.

Preliminary Layout Approval is valid for 12 months but may be extended subject to any amendments, for a further 12 months for a fee prescribed by Bylaw.

Stage IV: Satisfying the Prerequisites

7. You may wish to meet with the Approving Officer and Planner to discuss the prerequisite conditions.
8. You proceed to satisfy the prerequisite conditions and make all necessary submissions to the Approving Officer.

Stage V: Final Approval and Registration

9. Once all prerequisite conditions have been satisfactorily completed, the survey plan and any accompanying documents and plans are submitted to the Approving Officer for Final Approval.
10. Once the Approving Officer has signed the survey plan, the plan and all accompanying documents are deposited in the Land Title Office. In the majority of instances, the deposit will be your responsibility.

How much time does the process take?

The amount of time to process a Subdivision Application is largely dependent upon the complexity of the application. In addition, the time frame is affected by how well you respond to meeting the established requirements.

On average, an application takes approximately four (4) to eight (8) months to process once an application has been received in our office. However, it must be recognized that the process time can be shortened or lengthened depending upon the nature of the application.

What are the next steps in the development approval process?

Every development proposal will require additional approvals before development can proceed. You should make note of the following:

❖ **Building Permit Approval**

Building Permit Approval is required for the construction of all buildings.

FOR FURTHER INFORMATION

This brochure is meant to act only as a general guide. Please consult the Local Government Act, the Municipal Zoning and Subdivision Servicing Bylaws, and other bylaws for definitive requirements and procedures. For more specific information related to the individual applications, contact:

Village of Pemberton
 P.O. Box 100
 7400 Prospect Street,
 Pemberton BC V0N 2L0
 Tel: (604) 894-6135 Fax: (604) 894-6136
www.pemberton.ca

SUBDIVISION: is one of a series of public information brochures covering the Municipal Approvals Process in the Village of Pemberton. Other brochures available from the village include:

- REZONING**
- DEVELOPMENT PERMITS**
- BOARD OF VARIANCE**
- BUILDING PERMITS**
- DEVELOPMENT VARIANCE PERMIT**

While every care is taken in the preparation of this brochure, the Village of Pemberton assumes no responsibility or liability with respect to its contents. This brochure is intended as a guide only and is not a legal document. The public is advised to review the applicable legislation and bylaws and conduct its own inquiries with Municipal Staff July 2006
 File: F:/development services/forms/brochures/subdivision

SUBDIVISION



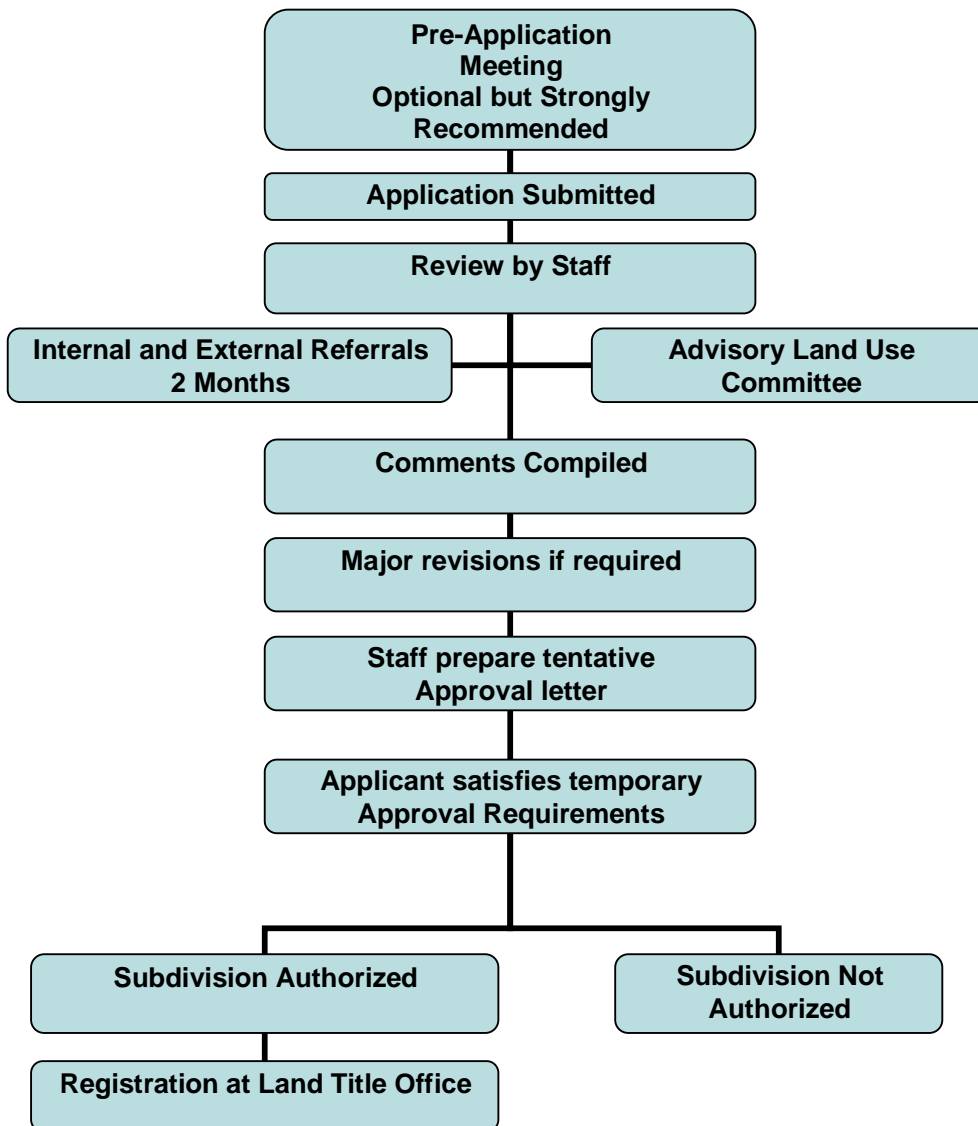
A GUIDE TO THE MUNICIPAL APPROVALS PROCESS IN PEMBERTON

The Village of Pemberton has prepared this brochure to assist you in understanding the Village's Subdivision Application procedure. Upon review of the material, anyone intending to submit a Subdivision Application is urged to contact the Development Services Department for further information.



Box 100 | 7400 Prospect Street
Pemberton BC V0N 2L0
P: 604.894.6135
F: 604.894.6136
admin@pemberton.ca
www.pemberton.ca

Subdivision Application Procedure



Information required may vary subject to the type and complexity of the Project.
This procedure is meant to act only as a guide.
Please consult the Local Government Act and Municipal Bylaw for requirements.
For more specific information contact:
VILLAGE OF PEMBERTON



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Development Submittal Information

Required Documents	Requirements For Specific Documents	Development Permit	Minor Development Permit	Development Variance Permit	OCP Amendment	Zoning Amendment (Rezoning)	OCP & Zoning Amendment	Preliminary Or Final Subdivision
Application	Written Description of the Application	Schedule B-1 Schedule B-2	Schedule B-1 Schedule B-2	Schedule B-1 Schedule B-2	Schedule A-1 Schedule A-2	Schedule A-3 Schedule A-4	Schedule A-5 Schedule A-6	Application Form
Certificate Dated no more than 30 days prior to submission	State Title Certificate or Certificate of Indefeasible with details (covenant, right of way etc.)	√	√	√	√	√	√	√
Application Fee+ (non-refundable)		See Schedule B ***	See Schedule B ***	See Schedule B ***	See Schedule A ***	See Schedule A + Amenity Charge ***	See Schedule A + Amenity Charge ***	See Bylaw 366, 1994 + Amenity Charge
Owner/Agent Agreement	Written Authorization signed by the Registered Owner for an agent to apply for the owner	If the owner is not the applicant √	If the owner is not the applicant √	If the owner is not the applicant √	If the owner is not the applicant √	If the owner is not the applicant √	If the owner is not the applicant √	If the owner is not the applicant √
Letter of Intent		√	√					
Architectural Drawing	Exterior of the building Elevations Drawing 4 copies/11x17 + pdf copy	√	√					
Exterior Finish	Color-scheme Siding/Roof Material	√	√					
Site Plan	Proposed location of buildings, parking area, garbage, access/egress and open spaces. Proposed landscaping features 4 copies/11x17 + pdf copy	√	√	√	√	√		√
Dimensional Sketch Plan	4 copies/11x17 + pdf copy					√	√	√
Cross-Sections	4 copies/11x17 + pdf copy	If needed or requested	If needed or requested	If needed or requested				
Detail Drawings	4 copies/11x17 + pdf copy	If needed or requested	If needed or requested	If needed or requested				
Dimensional Landscape Plan	4 copies/11x17 + pdf copy	√	If needed or requested	If needed or requested				
Photos		If needed or requested	If needed or requested	If needed or requested	If needed or requested	If needed or requested		If needed or requested
Additional Information	Other information(s)	If needed or requested	If needed or requested	If needed or requested	If needed or requested	If needed or requested	If needed or requested	If needed or requested

- ***Plus disbursements (ie advertising, courier, copies etc). Other fees may be applicable at time of authorization (i.e. Development Cost Charge. Amenity Charge etc.)
- Fees payable at the Village of Pemberton (Interac, Cash or Cheque)

Information required may vary subject to the type and complexity of the Project. This information is meant to act only as a guide.

Please consult the Local Government Act and Municipal Bylaw for requirements.

For more specific information contact:

THE VILLAGE OF PEMBERTON

THE CORPORATION OF THE VILLAGE OF PEMBERTON

BYLAW NO. 366, 1994

Being a bylaw to impose fees for Subdivision.

WHEREAS the Municipal Act no longer sets specific fees and charges for Subdivision.

AND WHEREAS the Municipal Council has been given authority to establish such fees and charges by bylaw,

NOW THEREFORE the Council of the Corporation of the Village of Pemberton, in open meeting assembled, enacts as follows:

1. Upon payment of the established fee, the following shall be available:

- Subdivision Application Fees
- First Parcel \$500.00
- Additional Parcel(s) \$150.00


2. This Bylaw may be cited for all purposes as "The Corporation of the Village of Pemberton Subdivision Fees and Charges Bylaw No. 366, 1994".

READ A FIRST TIME this 20th day of October, 1994.

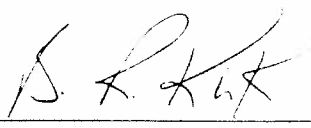
READ A SECOND TIME 20th day of October, 1994.

READ A THIRD TIME 20th day of October, 1994.

RECONSIDERED, FINALLY PASSED AND ADOPTED this 1st day of November, 1994.

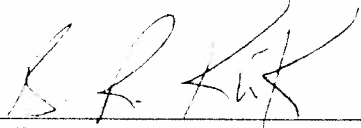


Mayor



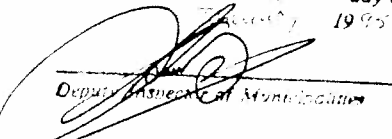
Clerk-Treasurer

Certified to be a true and correct copy of "The Corporation of the Village of Pemberton Subdivision Fees and Charges Bylaw No. 366, 1994", as adopted by the Council for the Corporation of the Village of Pemberton.



Clerk-Treasurer

A true copy of By-Law No. 366 registered in the office of the Inspector of Municipalities this 25th day of November, 1994.



Deputy Inspector of Municipalities





**Adopted: Council No. 1185
July 10, 2007**

PURPOSE

Village Council has established a Community Amenity Policy (Policy) in order for Village to address the burden which residential development imposes on the demand for public facilities, services and amenities. As part of the Village Council exercising its discretion to rezone land, and the Approving Officer considering subdivision applications, the Policy addresses certain public interest considerations.

COMMUNITY AMENITY POLICY

1. Proponents of **rezoning applications**, which include a residential component of more than 3 units, are requested by Council to address the burden which residential development imposes on demand for public facilities, services and amenities by contributing to a fund for their provision, improvement and expansion through the payment of a *Community Amenity Contribution*. If the proponent does not offer to contribute to the fund, Council may deny the application because the proposed development would impose a special burden, which the Village is not in a position to financially contend with.
2. Proponents of **subdivision applications**, which have not been the subject of a rezoning application, are requested by Council to address the burden which residential development imposes on demand for public facilities, services and amenities by contributing to a fund for their provision, improvement and expansion through the payment of a *Community Amenity Contribution*. If the proponent does not offer to contribute to the fund, the Approving Officer may deny the application because the proposed development would impose a special burden, which the Village is not in a position to financially contend with.
3. The *Community Amenity Charge* is **\$9165 / building lot** and **\$6110 / multiple family dwelling**. The detail of the manner in which this charge has been determined is outlined in Appendix A of this Policy.
4. At the time of submission of a rezoning application, the proponent shall submit a *Confirmation of Contribution Form*, a copy of which is attached as Appendix B of this Policy.

Adopted: Council Meeting No. 1185
July 10, 2007

5. Prior to adoption of the bylaw that will rezone the proponent's land, proponents will be requested to enter into a 219 restrictive covenant agreement with the Village that will require that the *Community Amenity Policy* contribution will be payable to the Village of Pemberton by way of certified cheque at the time of application for building permit for multi-family projects, or at the time of subdivision for single-family lots.
6. Prior to the approval of a subdivision, the *Community Amenity Policy* contribution shall be payable to the Village of Pemberton by way of certified cheque.
7. The *Community Amenity Policy* will be deposited in a Community Amenity Reserve Fund that will only be used by Council to assist in the financing of the following types of community amenities that includes but is not limited to:
 - ❑ an indoor swimming pool complex;
 - ❑ an arena;
 - ❑ outdoor skating rink
 - ❑ a water park;
 - ❑ a skateboard park; and
 - ❑ bike park
8. Council will review the *Community Amenity Policy* every two years.
9. This policy was adopted as presented at Regular Council Meeting No. 1185, held Tuesday, July 10, 2007.

APPENDIX A

DETAILS ON THE CALCULATION OF THE COMMUNITY AMENITY CONTRIBUTION

- Projected cost of community amenities as per Lot 12 and 15 Master Plan – skateboard and bike park - \$660,000; water park - \$150,000; skating rink - \$150,000; and, youth centre and landscaping on Lot 15 - \$660,000. **Total - \$1.62 million**
- Assume a split of 50% Village of Pemberton and 50% SLRD - \$ 810,000 each of the cost of amenities as per Lot 12 and 15 of the Master Plan
- New Swimming Pool – \$8 million¹
- New Arena – \$5.6 million²
- Total Projected Cost of Community Amenities - \$14.41 million
- Estimate of projected amount of development (20 years): 840 Dwelling Units
- Assume \$ 14.41 million split - 53% existing residents and 47% new residents
- Cost of community amenities attributed to New Development - \$6.77 million
- Estimated Dwelling Unit Mix – 66.3% single family, 33.3% multi family
- Assume Single Family Dwelling Premium Factor – 1.5³
- Proposed Community Amenity Contribution: **\$9165 per building lot**
\$6110 per multiple family dwelling

¹ Based on 2005 Pemberton and Electoral Area C Master Plan Update Focus on Major Facilities

² Based on 2005 Pemberton and Electoral Area C Master Plan Update Focus on Major Facilities

³ The Community Amenity Charge is 50% higher for single family building lots

APPENDIX B

**CONFIRMATION OF CONTRIBUTION
TO OFFSET BURDEN OF REZONING AND SUBDIVISION**

To: VILLAGE OF PEMBERTON

By: _____

(the "Applicant")

Re: _____

("the Lands")

WHEREAS the Applicant has applied to rezone and/or subdivide the lands so as to permit a residential development greater than three dwelling units;

AND WHEREAS the Applicant acknowledges that such a rezoning and/or subdivision imposes a special burden on the Municipality in relation to public facilities, services and amenities required to support such development;

THEREFORE, the Applicant volunteers and agrees to contribute the sum of **\$9165 per building lot** and **\$6110 per multiple family dwelling unit** permitted by the rezoning in order to help offset this special burden in the event that the rezoning is approved by the Council of the Village of Pemberton, or a subdivision is approved by the Village of Pemberton Approving Officer.

The Applicant acknowledges that this contribution is being made voluntarily and that it is not in lieu of development cost charges, or any other contribution, fee, charge or levy which the Village of Pemberton is authorized to impose.

Dated this _____ day of _____, _____.

Signature _____
(Applicant)

APPLICATION FOR APPROVAL
TO SUBDIVIDE LAND

Name of Applicant: _____ Phone #: _____

Address: _____ Fax #: _____

Name of Owner: _____ Phone #: _____

Address: _____ Fax #: _____

Architect: _____ Name _____ Address _____ Phone No./Fax No. _____

Engineer: _____ Name _____ Address _____ Phone No./Fax No. _____

Date: _____ Fee: _____
Fees are not refundable and do not guarantee approval of the application in any way.

REQUEST: _____ Preliminary Layout No. of Lots Proposed: _____
_____ Extension of Preliminary Approval
_____ Final Approval
_____ Re-Approval
_____ Phased Strata Approval

DOCUMENTS: _____ State of Title Certificate Three Months Current
_____ (preliminary approval)
_____ Letter of Authorization if Applicant is not Owner
_____ (preliminary approval)
_____ List of Abutting Property Owners
_____ (preliminary approval)
_____ Property Tax Certificate
_____ (final approval)

SERVICES: WASTEWATER DISPOSAL BY: _____
_____ Community Sewer System
_____ Individual Septic Tank
_____ Other _____

WATER SUPPLY SOURCE: _____
_____ Community Water System (specify) _____
_____ Potable Water Supply on Each Parcel Created
_____ Other _____

Legal Description of Property to be subdivided:

Lot: _____ Block: _____ Plan: _____ District Lot: _____

Civic Address: _____

Present Zoning: _____

Reason for the Subdivision and Proposed Use of Lots Created: _____

Signature of Applicant: _____ Date: _____

FOR OFFICE USE ONLY

Date Application Received: _____

Received by: _____

Receipt No.: _____