

A GUIDE TO DEVELOPING IN



SUBDIVISION

Any person being the owner of land or having the written permission of the owner may apply for subdivision.

Subdivision and Development Bylaw No. 88-47 governs subdivision within the City of Penticton.

The Approving Officer of the City of Penticton must approve all applications for subdivision. The approval of the Provincial Ministry of Transportation and Highways and the Provincial Ministry of Environment may also be required. Applications are processed by the City's Development Services Department with involvement of other City Departments, Provincial Ministries and outside agencies, as necessary.



In view of the numerous technical and legal details involved in the subdivision process, applicants should discuss the proposal with the Development Services Department at a very early stage and may wish to consult a registered B.C. Land Surveyor (B.C.L.S.) and lawyer or notary public.

SCHEDULE OF FEES	
Application	\$200 for the first parcel to be created by the proposed subdivision, and \$100 for each additional parcel to be created.
Plan signing fee	\$53.50 (includes 7 % GST)

PROCEDURE FOR SUBDIVISION

Application forms are available at the Development Services Department, second floor of City Hall

Subdivisions are defined as "the division of land into two or more parcels". This includes a simple lot line adjustment, but not a site consolidation. Regulations governing subdivisions are contained in the Provincial Land Title Act and the Municipal Act.

The City Approving Officer must approve subdivisions. They are then sent to the Provincial Land Title Office in Kamloops for registration. Land Title Office staff prepares documents known as "Certificates of Infeasible Title" for each new parcel. At the top of the Certificate of Title the owner of the parcel is shown as "registered owner in fee-simple". Fee simple means that the owner has an absolute right to deal with the land as he sees fit, subject to the law. Subdivisions of this type are commonly referred to as "Fee-Simple" subdivisions.

"Strata" subdivisions are a different matter and are included in another brochure.

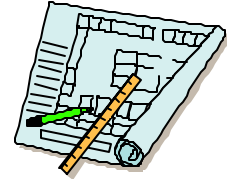
The City Subdivision and Development Bylaw No. 88-47 establishes levels of works and services to be provided within and adjacent to a subdivision. The Bylaw also outlines design guidelines and construction standards. The applicant is responsible for all costs to provide the required works and services.

Prior to any works and services construction, the City Development Services Department must approve engineered design drawings.

Before a final Subdivision Plan can be approved the Developer has the option to:

- * install required works and services; or
- * provide security to guarantee works and services construction (requires City Council Agreement)

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- Submit application to the Development Services office; second floor of City Hall, including:
- Plans drawn to scale showing all structures and geographical features
 - Application fee
 - Owner's signature
 - Waste Management Act Site Profile



- Technical review by City staff.
Factors considered include:
- * road widening
 - * zoning bylaw
 - * park dedication
 - * works and services requirements
 - * floodplain
 - * soil stability
 - * Public interest

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- Following the technical review the application is either denied or given tentative approval. Tentative Approval is valid for 6 months. The applicant is informed of all requirements that must be met prior to final subdivision approval. If denied, reasons are provided in writing.

Professionally engineered construction drawings must be submitted for any servicing works required. The City Design Supervisor approves all engineered drawings.



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- Following approval of the construction drawings the required works and services can be installed:
- inspection fee must be paid
 - contingency fee must be paid
 - pre-construction meeting is required

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- The applicant may apply to City Council for an "Early Registration Agreement" allowing the subdivision to be registered before the works and services construction is complete.
- a security is posted to guarantee construction (letter of credit or cash)
 - an "Early Registration Agreement" is approved by City Council

The applicant has a B.C. Land Surveyor prepare the final subdivision plan. The original plan plus two copies are submitted to the City Development Services Office for approval.



- 7**
- 8**
- The final subdivision plan may be rejected or given Final Approval by the City Approving Officer. If denied, reasons are provided in writing. Factors considered include:
- * taxes must be paid
 - * all fees and charges must be paid
 - * all legal documentation received



The applicant submits the approved subdivision plan to the Provincial Land Title Office for registration.

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Flow Chart

ESTIMATED TIME
(Accumulated)

Application submitted to City Planning Division

1-2 weeks

Technical review by City staff

2-4 weeks

Technical review by outside agencies

4-6 weeks

Tentative approval granted by City Approving Officer (valid 180 days)

Application rejected (Reasons provided)

6-8 weeks

Engineered drawings submitted to City Design Division

8-9 weeks

Drawings reviewed by City Development Services Department

Drawings approved by City Design Supervisor

Servicing completed or surety posted to guarantee servicing and agreement signed

Final plans, fees and related documents submitted to City Planning Division

10-12 weeks

Final approval granted by City Approving Officer (valid for 60 days)

Application rejected (Reasons provided)

Plans returned to applicant

18 weeks

Final Subdivision Plan registered at Provincial Land Title Office in Kamloops

For additional information please
contact:

CITY OF PENTICTON
PLANNING DIVISION
DEVELOPMENT SERVICES DEPARTMENT
171 Main Street
Penticton, B.C., V2A 5A9
Telephone: 490-2501
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NOTE: This pamphlet is prepared for information purposes only and the City of Penticton disclaims any liability arising from reliance on information contained in this guide. This pamphlet is not a procedures manual pursuant to Section 954 of the Provincial Municipal Act.