

**VILLAGE OF VALEMOUNT
BYLAW NO. 579, 2005**

Being a Bylaw to establish Procedures to subdivide land and premises within the Village of Valemount.

WHEREAS, the Council of the Village of Valemount has adopted Subdivision and Development Servicing Bylaw No. 450, 1998,

AND WHEREAS, a Council may adopt Procedures for application to subdivide lands and premises,

NOW THEREFORE, the Council of the Village of Valemount, in open meeting lawfully assembled, hereby enacts as follows;

1. This Bylaw may be cited for all purposes as "Village of Valemount Subdivision Procedures Bylaw No. 579, 2005".
2. That Procedures are hereby established for application to subdivide land and premises within the Village of Valemount, as set out in Section 1 through 2 as attached hereto;

Section 1 Introduction

Section 2 Subdivision Approval Procedure

3. That Schedule "1" through "2" form an integral part of this Bylaw;

Schedule "1" Subdivision Application Form

Schedule "2" Subdivision Approval Checklist

4. If any section, paragraph or phrase of this Bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.

Read a First time this 12th day of July, 2005.

Read a Second time this 12th day of July, 2005.

Read a Third time this 26th day of July, 2005.

Reconsidered and Adopted this 9th day of August, 2005.

Jeannette Townsend
Mayor

D.B. (Doug) Fleming
Chief Administrative Officer

Certified a true and correct copy of "Village of Valemount Subdivision Procedures Bylaw No. 579, 2005".

D.B. (Doug) Fleming
Chief Administrative Officer

Processing subdivision applications can be complicated and time consuming if the proper procedures are not followed. This guide clarifies and simplifies the procedures by providing a step-by-step description of the necessary tasks for each application. A clearer understanding of these tasks also ensures provincial and local regulations are met.

This guide relates to applications for the subdivision of land and premises within the municipality.

Subdivisions may occur under the Land Titles Act or the Condominium Act.

The tasks required to process a subdivision application are contained in the attached documents. Included within this guide is:

- a flow chart which outlines the steps in the application process;
- a section of text which explains the steps outlined in the flow chart.

Application forms and proforma subdivision approval checklists are included in the attached schedules section.

It is important to note that the application process described herein is in its basic form. Additional tasks may be required.

Applications for subdivision of land and premises within the Village of Valemount are to be submitted to the Village's Approving Officer.

Scope: Village approval for the subdivision of land and/or premises is required prior to the registration of any subdivision plan within the Village of Valemount.

Subdivision plans must be completed through an authorized British Columbia Land Surveyor (BCLS).

The applicant should check with the Village's Approving Officer prior to engaging the services of a BCLS to ensure that the proposed subdivision is compatible with local land use bylaws (Official Community Plan and Zoning Bylaw).

Fee structures and standards for subdivision servicing are set out in Village of Valemount Subdivision Development and Servicing Bylaw No. 450, 1998.

FLOWCHART

Procedures for Subdivision Development Applications

Applicant reviews conceptual subdivision plan with Approving Officer and outlines plans for subdivision servicing



Approving Officer reviews proposed subdivision plan to determine compliance with local bylaws, regulations and policies



Approving Officer advises applicant to proceed with subdivision application and provides information package



Applicant proceeds with legal survey of subdivision



Applicant proceeds with detailed engineering review for proposed subdivision



Applicant submits formal subdivision application, fees and required supporting information including subdivision servicing information



Approving Officer reviews plans and recommends any changes or additional information required



Once applicant supplies all information requested, plan receives preliminary approval



Applicant enters into a Development Servicing Agreement with the municipality and submits engineering fees, bonding and applicable development cost charges



Approving Officer approves final plans and provides applicant with signed copies of plan, Development Agreement and instructions to proceed with subdivision



Applicant submits plans for registration with Land Title Office



Applicant submits 'as built' drawings to Approving Officer

SUBDIVISION APPROVAL PROCEDURES

The general process for approving a subdivision of land under the Land Titles Act or a strata subdivision under the Condominium Act:

1. Applicant Submits Application to the Approving Officer

Applicant submits conceptual subdivision plan to Village's Approving Officer for initial review.

Approving Officer reviews proposed subdivision plan to determine compliance with local bylaws, regulations and policies. If proposed subdivision plan does not comply with Village bylaws, regulations or policies, applicant will be advised to remedy noncompliance prior to proceeding with subdivision (e.g. subdivision does not comply with zoning and rezoning is required).

If application to subdivide complies with local bylaws, regulations and policies, applicant is advised to proceed with formal application and is provided with a subdivision information package.

2. Applicant Proceeds with Legal Survey and Engineering Work

The applicant will proceed with obtaining a legal survey for the proposed subdivision and initial engineering design work. Engineering Design work to address the following:

- suitability of land for development,
- lay out of road systems,
- lay out of water systems, including fire protection,
- lay out of sewer systems,
- identification of any offsite works required to support project,
- identification of parkland dedication (or cash-in-lieu alternative),
- street lighting and utility infrastructure planning design,
- identify all bodies of water and drainage courses,
- any additional information required.

The subdivision plan should identify;

- all parties with a registered interest in the land/premises,
- dimensions and areas of all proposed lots, or parcels to be created,
- all proposed and existing roads and their widths,
- parkland dedications (dimensions and area),

- right-of-ways and/or easements, as applicable,
- surrounding properties,
- any other additional information required.

3. Applicant Submits Formal Application

Applicant submits formal application, servicing plans and fees (as set out in Village's Subdivision Servicing Bylaw) to Approving Officer. Applicant also submits current Certificate of Title.

4. Approving Officer Reviews Subdivision Plan and Grants Preliminary Approval

The Approving Officer will review subdivision plan and outline any additional information or servicing requirements. Once additional information or servicing requirements are provided or included in the subdivision plan a preliminary approval will be granted.

5. Applicant Submits Final Plans and Drawings and Provides Bonding Assurance

The applicant will be required to submit final engineering plans and cost estimates for all infrastructure works. The value of these works will be used in determining required engineering fees and security amounts.

The applicant may be required to enter into a Development Servicing Agreement with the Village outlining works to be completed and performance requirements.

Applicant also pays Development Cost Charges, as applicable.

6. Approving Officer Approves Plans

Once all required plans, fees, engineering drawings, development agreements and supporting information is received to the satisfaction of the Approving Officer, the Approving Officer will sign all subdivision plans.

7. **Applicant Submits Plans for Registration**

On receipt of approved subdivision plans, the applicant will undertake to have subject plans registered with the Registrar of Titles at the appropriate Land Title Office.

8. **Submission of As Built Drawings**

For any works completed on public lands the applicant will submit final 'as built' drawings to the municipality.

**Village of Valemount
Application for Subdivision of Land/Premises**

I/we _____ of _____
Name(s) of Owner(s)/Authorized Agent Address

Telephone _____ Fax _____ E-mail _____

herewith make application to subdivide land and/or premises, in accordance with Village of Valemount Bylaws (including but not limited to; Zoning, Official Community Plan, Subdivision Development and Servicing, and Development Cost Charge), in relation to

Description of Land/Premises to be Subdivided

for _____ purposes.
Describe intended uses

Folio #: _____

As owner/agent I herewith agree to;

- Follow the instructions set out in the Village’s Subdivision Bylaws and Regulations,
- Pay Application fees,
- Pay Engineering fees,
- Pay Development Cost Charges,
- Have subdivision plans signed by all parties with an interest in the land/premises,
- Complete subdivision development and servicing in accordance with Village of Valemount Subdivision Development and Servicing Bylaw requirements,
- Ensure property taxes are current and paid,
- Register the subdivision plans, and
- Provide the Village with ‘as built’ drawings for all works on public lands.

Initial

I have enclosed with this application; (please initial)

- _____ State of Title Certificate
- _____ Subdivision Plans
- _____ Preliminary Servicing Plans
- _____ Applications Fees

further;

- _____ I have reviewed the Subdivision Information package provided to me and submit my completed Application Form.
- _____ I agree to pay Engineering Fees and Development Cost Charges when requested to do so.
- _____ I agree to enter into a Subdivision Servicing Agreement if required to do so.
- _____ I agree to construct my subdivision project in accordance with all of the terms and conditions of Village of Valemount Bylaws and regulations.

Date of Application

Signature of Owner/Agent

(Letter from property owner appointing Agent attached)

**Village of Valemount
Subdivision Approval Checklist**

Date application received: _____

File No.: _____

Legal Description: _____

Parcel Identifier: _____

Civic Address: _____

Name, Address, Telephone No. of Applicant:

If Agent, is letter appointing Agent on file

yes no

Name of Owner(s): same as applicant, or

Current Land Use Zone(s): _____

Brief summary of proposal: (i.e. number of parcels to be created, average area, residential, commercial, etc.)

1. Has applicant provided the following information (where applicable):

(a) sufficient copies of an accurate plan showing:

- dimensions and areas of all proposed lots
- all proposed and existing roads, and their widths
- all proposed and existing works and services
- all bodies of water and drainage courses
- topographic information (i.e. elevation changes)
- surrounding properties, with their land use(s)
- location of buildings or structures on the property
(especially if they are close to any property lines)
- development phasing

(b) a current copy of the State of Title Certificate?

yes no

If yes, are there any rights of way, easements, or other charges about which more information is needed (i.e. copies of documents)? yes no

2. Is the proposed development permitted:
- (a) under the zoning bylaw? yes no
 - (b) section 946 of the Local Government Act? yes n/a
 - (c) a valid land use contract? yes n/a

Is there a concurrent application to amend the zoning bylaw? yes n/a

If yes, has applicant agreed to a waiver of section 943 of the Local Government Act? yes no

Is a Development Variance Permit being requested? yes no

If yes, what is the nature of the variance requested?

3. Is the property designated in the Official Community Plan as a Development Permit area? yes no

If yes, has an application been submitted for a Development Permit? yes no

4. Is the property in an Agricultural Land Reserve? yes no
If yes, is proposal required to be approved by the Provincial Agricultural Land Commission? yes no

5. Site Conditions:

Brief description of terrain: _____

If steep slopes, need for a geotechnical assessment? yes no
Environmental impact and future adverse affects?

Is the property subject to flooding? yes no
If yes, this proposal was referred to BC Environment for comment on _____.
(date)

Were the lands once used for industrial or commercial activity? yes no
If yes, request a site profile from the applicant in accordance with section 20.11 (1)(a) of the *Waste Management Act*.

Does the site profile indicate that a site investigation may be required? yes no

If yes, _____ forwarded a copy to the Regional Waste Manager.
(date)

Other site considerations _____.

Adequate drainage? yes no

6. Roads/Access:

-adequate width, proper location? yes no

-access proposed by easement? yes no

-access to lands beyond? yes no

-will any proposed roads cross over utilities or a railway? yes no

-access to water? yes no

-requirement for new road names? yes no

-requirement by Council/Board for development of adjacent highway under section 939 of the Local Government Act? yes no

Is the property adjacent to a controlled access highway? yes no

If yes, the proposal was submitted to the Provincial Approving Officer for review and comment on _____.
(date)

7. Parcel Shape:

-do all lots have adequate frontage? yes no

-is there a requirement for a waiver of the minimum frontage (section 944 of the Local Government Act)? yes no

-are the lots suitable for their intended use? yes no

8. Park land dedication:

-if required, has proposed dedication been accepted by the Council? yes no

-need for a park land dedication agreement? yes no

-need for appraisal for cash-in-lieu? yes no

9. Servicing:

Water Supply

on-site proof of potable water? yes no

connection to community system (Note: requirement for a Waterworks Construction Permit from the Regional Public Health Engineer)

Sewage collection, treatment and disposal

on-site did applicant show location of "perc" test hole(s)? yes no
Has application been submitted to the environmental health
Officer? yes no

connection to community system
Storm water drainage system: _____

Excess or extended services

Excessive cost to provide public services? yes no
Requirement for latecomer agreement? yes no

Does proposal comply with the Subdivision Servicing Bylaw? yes no
If no, is the applicant intending to apply for a Development
Variance permit? yes no

Completion of works prior to subdivision approval? yes no
-if yes, construction completion certificates received
on _____.
(date)
-if no, prepare a subdivision servicing agreement
-amount and form of security? \$ _____.
(if security is a letter of credit, date when it will expire
_____).

Is a subdivision servicing development agreement required? yes no

10. Input from other agencies:

Ministry of Transportation (date) _____

Ministry of Health (date) _____

Ministry of Forests (date) _____

Ministry of Water, Land and Air Protection (date) _____

Agricultural Land Commission (date) _____

Regional District of Fraser-Fort George (date) _____

Other _____ (date) _____

Referral to non-municipal utility companies

BC Hydro (date) _____

Telus (date) _____

Terasen (date) _____

Need to refer to school district to determine impact on student enrollment or school bus routes? yes no

Referral to Fire Department for comment on fire hydrants and access to properties for fire fighting _____? yes no
(date)

Referral required to the Heritage Conservation Branch? yes no

11. Public interest:

Need for public input? yes no

12. Determination of required development cost charges:

Sewer system	\$ _____
Water supply and distribution	\$ _____
Highway facilities	\$ _____

Have Development Cost Charges been submitted? yes no

13. Need for rights of way, restrictive covenants and easements? yes no

14. Is applicant considering the registration of a building scheme? yes no

15. All property taxes paid? yes no

16. Have plans been referred to Village Engineers _____? yes no
(date)

17. Have subdivision fees been submitted \$ _____? yes no
(calculate amount)

18. Have subdivision Inspection and Connection fees been submitted \$ _____? yes no
(calculate amount)

19. Have Engineering review fees been paid (5% of project estimate plus GST) \$ _____? yes no
(calculate amount)

20. Has a bond to cover 110% of the servicing work been provided? yes no

