



A Guide to Subdividing Property in the District of Sooke

Subdividing

What is Subdivision?

Subdivision is the process of dividing a parcel of land into two or more parcels or the consolidation of two or more parcels into a lesser number of parcels. It can also include the realignment of property lines. In the District of Sooke, the subdivision process is controlled by both the Subdivision and Development Servicing Bylaw and the Sooke Zoning Bylaw, in addition to provincial legislation.

What Constitutes a Subdivision?

Any one of the following is considered a subdivision and requires approval from the District of Sooke Approving Officer:

- Adjusting or realigning existing property lines;
- Creating one or more new parcels from one or more existing parcels;
- Creating one or more strata lots from one or more existing parcels.

The Local Government Act, Land Title Act and Strata Property Act of British Columbia and the Subdivision and Development Servicing Bylaw of the District of Sooke require that most subdivisions be approved by the Approving Officer of the local government. The Approving Officer is a staff member of the Development Services Department of the District of Sooke.

Approval for subdivision is required in order to ensure that the community's standards are met with regard to:

- Size and shape of lots and adequacy of building area
- Adequacy of roads, lands and emergency vehicle access
- Adequacy of open spaces and walkways
- Preservation of the natural environment such as ravines, creeks, streams and trees
- Compatibility of overall subdivision pattern with the neighbourhood
- Adequacy of sewage disposal, water supply, street lights and other services
- Protection of the opportunity for future subdivisions.

Check the Following Before You Apply:

At the Planning Department:

Check the standards for lot sizes, density, services and access requirements are different for different zones. Check the zoning map to find out the present zoning for your property and check the Sooke Zoning Bylaw to find out what standards are applicable. If you are proposing a change in zoning to accommodate the subdivision, check the standards for the zone you request. The Planning Department will also advise if a Development Permit is necessary prior to your subdivision application. Should you need clarification on zoning of your property, a Planner will be happy to assist you.

At the Engineering Department:

All development must be provided with adequate services for sanitary sewage and storm water disposal, water supply for domestic consumption and fire fighting purposes, roads, sidewalks and street lights at the developer's cost. Check for the location of existing services and how much servicing your development will require. Septic systems must be approved by the Vancouver Island Health Authority and all lots must have a source of potable water. The Subdivision and Development Servicing Bylaw is an excellent reference at this stage of your planning. It is available on our website at www.sooke.ca.

Prepare Your Proposal

Your proposal to subdivide land should be submitted in the form of a subdivision plan. Your subdivision proposal should adhere to the standard requirements of density, lot size, lot dimensions, road width and length as identified in the Subdivision and Development Standards Bylaw and the Sooke Zoning Bylaw.

Prior to formally submitting your subdivision application, you may wish to have your proposal reviewed by District staff at a pre-application meeting.

The Subdivision Process:

Application Stage

Applications are to be made by completing the application form, identifying clearly, the following information:

The applicant and his/her status as either:

- Owner of the property, or
- Agent for the owner (enclose a letter of authorization from the owners)
- Contact information including fax and e-mail for all owners and agent
- The subject lands by way of civic address and legal description
- The number of lots to be created and the zoning of the proposed lots

The application MUST be signed by all people listed on the Certificate of Title for the property.

Potential Costs Associated with Subdivision:

Application fees

Servicing costs (roads, water, sewage disposal, drainage)

Development Cost Charges (DCC's). Current DCC rates per new lot created are:

Wastewater: \$4,317.22

Roads: \$3,172.79

CRD Water: \$3,032.16

School District #62: \$698.00

Cash-in-lieu of parkland, if applicable.

Property taxes.

Consultants fees - engineering, legal, planning.

B.C. Land Surveyor fees.

Legal fees to register documents at Land Title Office.

For More
Information:

District
of Sooke
Website:

www.sooke.ca

Here you'll
find:

Bylaw No. 65,
*Subdivision
and Develop-
ment Stan-
dards Bylaw*

and

Bylaw No.
270, *Sooke
Zoning Bylaw*

Other
Relevant
Legislation:

Land Title Act

*Local
Government
Act*

Strata Title Act

Enclose the following:

- At least six (6) copies of your sketch plans
- Certificate of Title (printed within past 30 days)
- Copies of ALL non-financial charges on Title of property (covenants, easements, right-of-ways, etc.)
- Payment of your application fees.

Assessment Stage

District staff will review your application for completeness. An incomplete application will be returned to you if all the required information is not present.

District staff will look at the acceptability of your layout and the adequacy of services. The application may also be referred to outside agencies for comments. If your proposal does not meet the required standards, you may be called upon to clarify or revise it.

Design Stage - Preliminary Layout Assessment (PLA)

Following a thorough review by District staff, including comments from internal departments including Fire, Building, Planning and Engineering, the Approving Officer may issue a Preliminary Layout Assessment (PLA) letter indicating what action you must take for your subdivision to proceed.

The letter summarizes a review of your subdivision layout and sets forth all the requirements and conditions that should be met prior to final approval of the application.

Examples of requirements include:

- Layout changes and specifications
- Dedication of parkland; linear open space and walkways
- Development Cost Charges payable
- Servicing requirements
- Any requirements made by outside agencies
- The need for any covenants, easements or right-of-ways.

Your PLA is good for one year. If your subdivision has not been completed within this time period, you may ask for an extension if your project is actively proceeding.

This brochure is not a legal document. Any contradiction, dispute or difference between the contents of it and applicable District bylaws, plans, policies or guidelines will be resolved by reference to the bylaws or other official documents. You should always refer to the official copies of the bylaws and other formal municipal/provincial documents if you are unsure of any procedure or requirement. Oct., 2010

The Next Steps:

You will now need to complete the requirements set forth in the PLA and any other requirements of the Subdivision and Development Servicing Bylaw and the Sooke Zoning Bylaw. Some examples include:

- Preparation of servicing plans for review and approval by the Engineering Department;
- Preparation of a Survey Plan (or the plan of subdivision) drawn by a registered B.C. Land Surveyor;
- Your lawyer's preparation of other documentation as required in the PLA, such as restrictive covenants, easements or statutory rights-of-way.

Servicing Agreement

Upon approval of servicing plans, you may be required to enter into a servicing agreement with the District of Sooke. This agreement specifies:

- All the necessary work that the developer will construct for the subdivision
- Cost of and security for these works, usually in the form of a Letter of Credit (if the developer completes these works themselves they are not required to put up security). These costs are estimated by the developer's Professional Engineer (P.Eng.), registered in B.C.
- Any easements and rights-of-way required
- Development Cost Charges for the lots created, and payments, cash-in-lieu of parkland dedication if applicable,
- Engineering processing and inspection fees

Process Summary

1. Preliminary discussion between developer and District staff.
2. Formal application including sketch of proposed subdivision and other documentation as required.
3. Staff Review. Referral of application to other staff and external agencies.
4. Discussions with developer for explanation, additional information, changes, additions, etc. (as required).
5. Preliminary Layout Assessment Letter (PLA) given to developer with conditions.
6. Developer submits engineering information and legal survey.
7. Development proceeds with District spot inspections of construction.
8. Legal survey submitted with engineering drawings for approval. DCC's, bonding, servicing agreement, etc.
9. Subdivision may be approved and then registered.

- The time period within which the terms of the agreement must be completed.

Taxes Must be Paid

Before final approval will be granted by the Approving Officer, all taxes owing on the property must be paid in full.

Final Approval

Once you have completed all conditions outlined in your PLA and a servicing agreement is complete, you may submit your Survey Plan, prepared by a registered B.C. Land Surveyor to the Approving Officer as well as any other registrable documents required in the PLA.

The Approving Officer also requires a Letter of Undertaking from your lawyer ensuring that any other legal documents required by the District will be registered at the same time as the subdivision plan.

Once the Approving Officer has signed the subdivision plans and any other legal documentation required has been executed by the District of Sooke, the documents and plan will be returned to the applicant's lawyer who will ensure everything is registered at the Victoria Land Title Office.



District of Sooke

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