

# CITY OF KAMLOOPS APPLICANT'S GUIDE TO SUBDIVISION OF LAND

*Subdivision and Development Control Bylaw No. 4-33* regulates the subdivision of land within the City of Kamloops. Copies of the bylaw may be obtained from the City's website, [Kamloops.ca](http://Kamloops.ca), or from City Hall.

**Any person may apply for subdivision of a land parcel(s) with written authorization of the owner(s) of the land.**

Application for subdivision of land is made to the City of Kamloops Development, Engineering, and Sustainability Department (DES). Subdivision approval will be subject to compliance with conditions established by the City after consultation with other jurisdictions, including utility companies, Interior Health, and provincial and federal government agencies. Where multiple lots are being created, the construction of municipal services may be required. The subdivision may be denied if it does not comply with municipal planning policy, land use regulations, or where approval is not in the "public interest".

## PRELIMINARY INQUIRY

The subdivision process has many variables depending on the property, applicable regulations, and the scale of the subdivision. You are encouraged to discuss your proposal with DES staff to make a preliminary assessment of feasibility prior to making a formal application. **Staff cannot provide a definitive or comprehensive response at this stage, but will attempt to summarize issues you may encounter.**

## APPLICATION

An application package consists of:

- Completed application form signed by the landowner(s) or accompanied by letter(s) of authorization.
- State of Title Certificate(s) and copies of any registered charges, such as covenants, statutory rights-of-way, and easements (available from the Land Title and Survey Authority at [LTSA.ca](http://LTSA.ca) or 1-877-577-5872, option 1 ).
- A BC Company Summary.
- Scaled site plan showing the parcel(s), existing buildings, and proposed boundaries.
- Completed Site Disclosure Statement describing the previous uses of the land.
- Application Fee (see Application Form fee schedule).
- In some situations, additional information, such as topography, geotechnical studies, review of building condition, or engineering drawings, may be required. Staff will advise you of these requirements.

After an initial review of the application materials, staff will advise you of any omissions or initiate review of the application.

## APPLICATION REVIEW

DES coordinates review of your application by municipal departments (Engineering, Community Planning, Emergency Services, etc.) and external referral agencies (utilities, Interior Health, Fisheries and Oceans Canada, etc.). On completion of this review, a decision is made regarding approval of the application. The application is either denied or issued Preliminary Layout Approval (PLA). If the application is denied, you may appeal to the Approving Officer or through the courts; Council has no jurisdiction over subdivision approvals.

## PRELIMINARY LAYOUT APPROVAL

Preliminary Layout Approval (PLA) is the culmination of the initial subdivision review that generally takes three to four months. The PLA is a letter stating the conditions you will be required to meet to finalize the application. The conditional approval is valid for 365 days and may be extended on submission of a completed extension application, applicable fee, and written request that provides rationale for the proposed extension. The PLA may be very straightforward, consisting of requirements for submission of final subdivision plans, payment for new municipal utility service connections, and legal documents for registration at the Land Title and Survey Authority office. Larger-scale proposals may require the construction of new municipal services. It is important that you fully understand the implications of the PLA as the costs of completing the subdivision can be better quantified at this stage. Discuss any item of the PLA that you do not fully understand with the DES file manager.

## PARKLAND DEDICATION

Some applications will be subject to dedication of parkland or payment in lieu of land dedication. The City will accept land dedication only where KAMPLAN: The Official Community Plan identifies the need for a park. All other applications are subject to payment of cash in lieu. The applicant must submit a payment proposal, supported by a recent valuation of the raw land, to DES for review.

## DESIGN AND CONSTRUCTION

Some applications will require the construction of service extensions or new municipal utilities and roadways. An engineering consultant contracted by the applicant will design these works. The engineer's design plans, supporting calculations, and reports are submitted to DES for review and construction authorization. **It is critical that ALL information is submitted to ensure efficient design review.** The consulting engineer then prepares tender documents based on the approved design and selects a construction contractor from submitted bids. The consulting engineer and municipal inspection staff supervise the contractor's work to ensure compliance with the approved design and good construction practice. The applicant is responsible for all engineering and construction costs associated with the subdivision, including the preparation of as-built drawings of the utility services. **Utility works must be either certified complete by the consulting engineer and municipal inspection staff or security posted for 125% of the cost of completing the subdivision services.** In addition, the applicant must post security equal to 5% of the construction value for a one-year maintenance period. On completion of the maintenance period, the applicant is required to repair any identified deficiencies prior to return of security.

## LAND SURVEY

All applications will require the completion of a new legal survey by a registered Land Surveyor. The surveyor will set pins defining the new lot boundaries and prepare original plans depicting the lot layout. The surveyor will also prepare plans of any covenant, statutory right-of-way, or easement areas. The plans are to be submitted to DES to initiate the final application processing stage.

## FINAL APPLICATION PROCESSING

Submission of a complete final subdivision package addressing all PLA requirements to DES initiates the final application processing. The PLA is reviewed to ensure compliance with all terms of the initial conditional approval. Additional approval requirements may be imposed as a result of information revealed during the construction of subdivision services. Payments for service connections and parkland are due at this time. Value of security for the maintenance period or incomplete services must be established and the security submitted. Any final reports or external agency requirements must be completed. You will be notified of any outstanding requirements and requested to make the submissions. **Final processing will not be complete until all requested information is submitted and evaluated. The application may be rejected at this stage if the final application materials are not submitted. Typical time required to complete final application processing is one month after submission of all required materials.** Additional time may be required for large or complex applications.

**On successful completion of final processing, the legal plans and documents will be signed by the Approving Officer. A letter of transmittal, specifying registration requirements, is prepared for review and signature by the applicant. On return of the signed letter of transmittal, the registration package is released for filing in the Land Title Office.**

## PLAN REGISTRATION

**The approved plans and documents must be filed in the Land Title Office within 60 days.** You may wish to consult with a Notary Public or Solicitor who will review legal documents, prepare any required priority agreements, or mortgage discharges. Those professionals may also assist you in filing the documents in the Land Title Office. **The application is not complete until copies of the registered documents are returned to the DES.**

For additional information, please contact:

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