



# Subdivision Information

## Can My Property Be Subdivided?

The subdivision process is very technical, and the review of an application covers many aspects of development. The review involves multiple departments and provincial agencies. Due to the technical nature of the process, it is not simple to answer the question “Is my property able to be subdivided?” without considering a large amount of information, most of which requires professionals to provide.

We encourage applicants to discuss their proposal with Department staff prior to submitting an application. However, staff cannot give a ‘yes’ or ‘no’ answer without completion of the technical review.

It is generally easier to determine when a subdivision is not possible. First, if you do not have sufficient land to meet the minimum parcel sizes required under the zoning, you cannot subdivide under the current regulations. You will need at least double the minimum parcel size specified in the zoning to pursue an application to subdivide. For example, in the RS-1 zone, the minimum parcel size is 560 sq m, so a property cannot be subdivided unless the parcel is at least 1,120 sq m in area.

Having the right amount of land, however, does not necessarily mean you can subdivide. There are many other requirements. The Zoning Bylaw specifies minimum lot dimensions that must be adhered to. If unable to meet a minimum lot depth or width requirement, you may not be able to provide adequate buildable area to support the use of the new lots. New lots must also have adequate road frontage to provide appropriate access to the property.

## Legal Framework:

Subdivision requirements and processes are governed by the *Community Charter*, the *Local Government Act*, the *Condominium Act*, the *Land Title Act*, and the *Strata Property Act*.

City bylaws also outline requirements for subdivision of land within city limits. The relevant bylaws include:

- Official Community Plan Bylaw
- Zoning and Development Bylaw
- Subdivision and Servicing Bylaw
- Works and Services Bylaw
- Fees and Charges Bylaw
- Development Cost Charges Bylaw



## OTHER CONSIDERATIONS

When a property is subdivided, existing buildings need to meet the **setback requirements** of the zone. It is not permissible to have buildings which are sited across new property lines. Accessory buildings are not permitted to remain without a principal use.

Where there appears to be enough land to meet the parcel size and the minimum dimensions, there may be other challenges that would make it difficult to subdivide. There may be **legal encumbrances** registered on the property which preclude further subdivision. This could show up as a covenant registered on the property's title, or could be contained in a land use contract.

In order to subdivide land, you will need to prove you can provide **suitable potable water and sewage** disposal options (municipal water and sewer, or a well and septic field) that can service intended uses.

Suitable, safe **access** must be provided to all new lots and in some cases, provisions must be made to provide access to lands beyond the subject property.

## APPLICATION PROCESS

The process of subdividing is typically a four-stage process:

1. *Preliminary Layout Approval (PLA)*: Typically, the submission is prepared by a surveyor or engineer. City Planning staff review the application, refer it to other City departments/provincial agencies and the Approving Officer provides a PLA Letter listing requirements to be completed prior to final subdivision approval.
2. The applicant works to complete the conditions outlined in the PLA.
3. *Final Approval*: When the applicant is confident the conditions are complete, evidence of compliance with all items in the PLA, including a subdivision plan prepared by a registered BC Land Surveyor is submitted to the Approving Officer.
4. Upon approval from the City's Approving Officer, the plan is registered in the Land Title Office. This is usually done by the applicant's lawyer or surveyor.

## WHAT DOES IT COST?

There are several costs associated with the subdivision process, some of which are outlined below:

- City subdivision fees: (as set out in the *Fees and Charges Bylaw 2015 No. 1515*)
- Development Cost Charges: \$24,557.09 per new single family lot created (June 2018)
- Development Permit or Development Variance permit costs, where applicable
- Works and service/frontage improvement costs, as required by engineering (e.g. road dedication, road upgrades, street lights, etc.)
- Park land dedication, where applicable, up to 5% of the land or land value
- Legal fees for registration of covenants, statutory rights of way or easements
- Surveyor costs
- Fees for professional consultant services
- Registration fees for Land Titles Office
- Additional fees may apply depending on the proposal

***Information is for convenience only. Contact department staff to discuss current and applicable bylaws.***

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