

SUBDIVISION APPLICATION

The primary legislation in British Columbia governing the subdivision of land (defined as the division of a parcel of land into parts for which a separate title to each is obtained) are the *Land Title Act* and the *Local Government Act*. In the Township of Langley, all subdivisions must receive the approval of the Approving Officer (appointed by Council) before the final subdivision plan, and accompanying documentation may be registered in the Land Title Office.

The Approving Officer has the responsibility to ensure that land is subdivided with due regard to adopted Township plans and policies, and the public interest. All proposed subdivisions are considered in accordance with the requirements of the Township's Zoning Bylaw, and Subdivision and Development Servicing Bylaw. The Zoning Bylaw regulates the area, frontage and depth of parcels of land by setting minimum standards and imposing different regulations, according to the zone in which the proposed subdivision is located. The Subdivision and Development Servicing Bylaw sets the level of services and other subdivision details the applicant is required to provide for the subdivision.

The Approving Officer is also responsible for implementing the requirements and conditions of other government agencies such as the Ministry of Health, Ministry of Environment, Ministry of Transportation, Agricultural Land Commission, Metro Vancouver, Langley School District and other agencies.

Residential subdivision applications are subject to payment of Development Cost Charges, School Site Acquisition Charges, 5% Neighbourhood Parkland dedication/fees, and other charges where applicable.

The Township of Langley's subdivision approval process consists of a number of steps which must be completed before the Approving Officer signs the survey plan (prepared by a B.C. Land Surveyor).

Application Process

<p>Step 1: Discuss your proposal with staff</p>	<p>Before submitting a subdivision application, the land owner, consultant, or agent should discuss the general characteristics of the proposed subdivision with Township staff. This will help familiarize the land owner with the Township's basic requirements with respect to zoning, servicing, lot size and frontage, layout options, timing, and other considerations that may affect the proposed subdivision.</p>
<p>Step 2: Submit your application</p>	<p>Application for tentative approval (decision letter) for a subdivision is made to the Community Development Division, by either the registered land owner or authorized agent. Application forms can be found online at tol.ca/development.</p>
<p>Step 3: Preliminary review</p>	<p>The submission is reviewed by staff. If more information is required, the applicant will be asked to provide it, so that the application can proceed as quickly as possible.</p>
<p>Step 4: Application is circulated for comments</p>	<p>Community Development staff reviews the application for compliance with Township bylaws and policies. This includes a review by the Township's Development Engineer for any servicing requirements (roads, sanitary sewer, water, drainage, utilities, etc.) and any eventual need for the applicant to have a professional engineer submit engineering drawings in compliance with municipal design standards and specifications.</p> <p>The application is also forwarded to internal departments and outside agencies likely to have an interest in the proposed subdivision, so that they may advise the Approving Officer of their requirements and concerns (if any).</p> <p style="text-align: right;"><i>Application process continued on reverse...</i></p>



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Application Process continued

<p>Step 5: Approving Officer issues a Letter of Decision</p>	<p>After reviewing all information submitted from internal departments and external agencies the Approving Officer may consider issuance of a decision letter for the proposed subdivision. This letter is sent to the applicant, listing the requirements and conditions which must be met prior to the approval of the final subdivision plan. If the application cannot be approved, the applicant is given a written notice providing reasons for the rejection.</p> <p>The decision letter is valid for a period of twelve (12) months. A one time extension to the decision letter may be requested (with payment of an additional fee) by the applicant. These approvals, when granted, are subject to a number of development prerequisites, and may be followed up by specific referral agency comments when they become available. Examples of conditions, if applicable, which must be fulfilled by the proponent before final plan approval include:</p> <ul style="list-style-type: none"> • submission of required legal documents and plans, including legal survey plans, road and greenway dedications, and widenings, rights-of-way, easements, restrictive covenants, land transfers, and other legal documents as applicable; • compliance with provisions of community, neighbourhood plans, the Township's Zoning Bylaw, requirements of other authorities, and other site specific requirements; • compliance with the Subdivision and Development Servicing Bylaw, Erosion and Sediment Control Bylaw, Tree Protection Bylaw, and Schedule 3 of the Township's Official Community Plan (Streamside Protection and Enhancement Development Permit Areas), where applicable; • provision of a surveyor's certificate of non-encroachment, showing the location of existing buildings and site services being retained, including wells, septic fields and utility lines; • payment of all applicable fees • entering into a Servicing Agreement with the Township, including the submission and acceptance of engineering design drawings, as well as plans for greenways, street trees, trails/walkways and landscape works; • submission of a letter of credit in an amount sufficient to cover the cost of the proposed engineering works including street trees, greenway and park improvements (where applicable), an appropriate public liability insurance policy and an administration fee ranging from 3.75% to 5.5%, calculated from the estimated value of the works to be constructed.
<p>Step 6: Applicant meets Decision Letter conditions</p>	<p>In order to satisfy all of the requirements of the Approving Officer's decision letter, the applicant, where applicable, retains the services of an engineering consultant, landscape architect, solicitor and other professionals to prepare detailed drawings and other items requested in the decision letter. A professional surveyor is also retained to prepare the final legal survey plan.</p>
<p>Step 7: Final approval</p>	<p>After the applicant has complied with the conditions of the Approving Officer's decision letter, the Approving Officer may grant final approval to the subdivision by signing the final legal survey plan. In accordance with the <i>Land Title Act</i>, an application to deposit a subdivision plan must be deposited in the Land Title Office in New Westminster within two months of signing by the Approving Officer; otherwise the consent of the Approving Officer must again be obtained. After deposit of the survey plan in the Land Title Office, several weeks may pass before actual registration takes place.</p>
<p>Step 8: Servicing completion</p>	<p>All engineering works and services, including landscape works, must meet Township standards, as verified by inspection reports submitted by the projects' engineering consultant, and by testing undertaken by Township staff. After all required works and services are satisfactorily completed, the amount of security held by the Township from the developer is reduced and a one year maintenance period begins. During this time, the developer is responsible for correcting any deficiencies in the installed works and services.</p> <p>Near the end of the maintenance period, a final inspection takes place and, if the works and services are found to be acceptable, the remainder of the developer's security deposit is returned.</p>
<p>Step 9: Building Permit application</p>	<p>Where engineering works are required, building permits will not be issued until the survey plan is registered and essential services (are completed. Where no engineering works are required, an application for a building permit may be made to the Permit, Licence and Inspection Services Department immediately upon registration of the subdivision plan.</p>