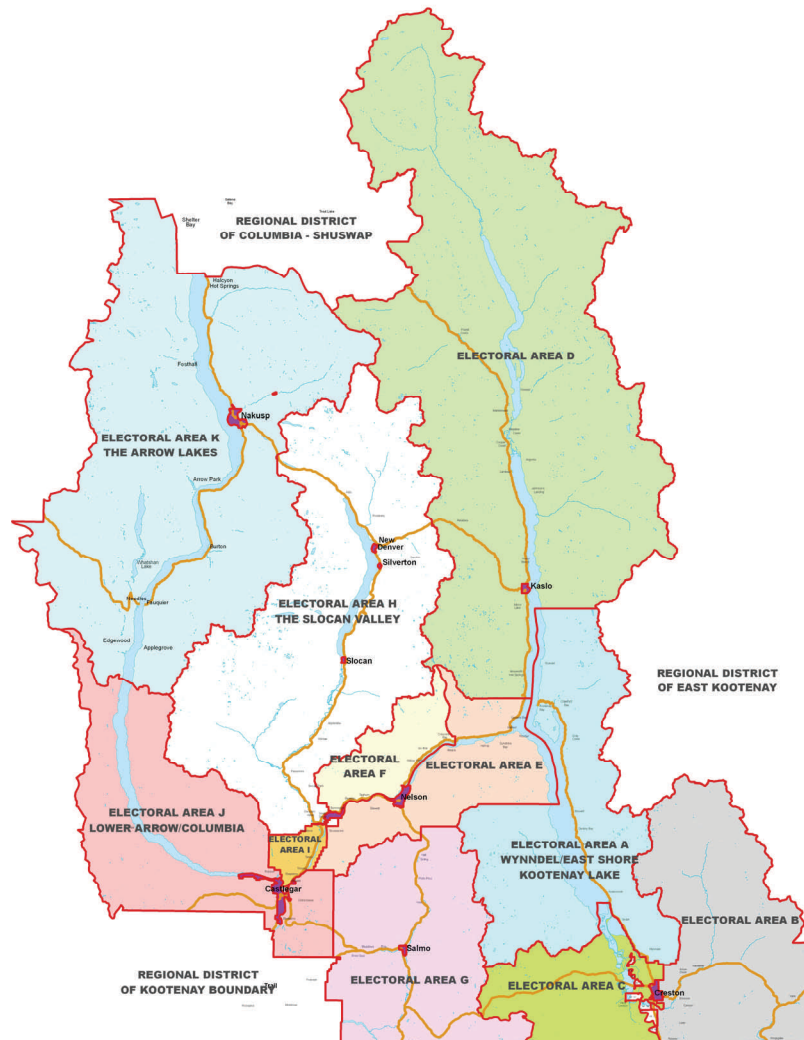




# SUBDIVISION APPLICATION REQUIREMENTS



This brochure outlines the requirements of Subdivision and Development Bylaw No. 1679 for the subdivision of land in Electoral Areas A- K of the Regional District of Central Kootenay.

NOTE: This document is provided only to clarify some of the requirements of Bylaw 1679 and should not be considered a substitute for these Bylaws. If you have any questions contact the RDCK Planning Services at 250-352-8165 or toll free 1-800-268-7325 or e:mail: [plandept@rdck.bc.ca](mailto:plandept@rdck.bc.ca)

## Where to Start . . .



The Ministry of Transportation Approving Officer is responsible for applying the provisions of the Regional District Subdivision and Zoning Bylaws.

Applications for subdivision are available from any Ministry of Transportation Office or on their Website at: [http://www.th.gov.bc.ca/da/Subdivision\\_Home.asp](http://www.th.gov.bc.ca/da/Subdivision_Home.asp). Completed applications are to be submitted to the Ministry of Transportation District or Sub-Office serving the area where the property is located (see list page 6). The Ministry will send a copy of your application to several government agencies for comment, including the Regional District.

Before spending time and money on a subdivision application, check with the Regional District Planning Services to determine if the land is within the Agricultural Land Reserve or is regulated by bylaws such as an official community plan, zoning, rural land use, or manufactured home park bylaw.

## Regional District of Central Kootenay Subdivision Review Process



The Applicant submits a complete subdivision application to the Ministry of Transportation (Ministry).



The Ministry distributes a *referral package* to the Regional District of Central Kootenay (RDCK) asking for comments. Once received, the RDCK writes a letter to the Applicant verifying that the District is beginning its review and that an applicable fee for services is required. While the review time can vary depending upon application numbers, complexity, and information provided by the Applicant, RDCK reviews are typically completed within two weeks.



Fees paid to the RDCK pay for a variety of services including the following:

- ⇒ *Analysis for conformance with zoning and subdivision regulations*
- ⇒ *Analysis of possible ALR restrictions*
- ⇒ *Review for identified geohazard and floodplain hazards*
- ⇒ *Updating of data systems*
- ⇒ *Updating of mapping*
- ⇒ *Review of service requirements for water and sewer*
- ⇒ *Historic property file review*
- ⇒ *Title review*
- ⇒ *Analysis of covenants*



Upon receipt of the fee by the Regional District, a *Referral Response* is sent to the Ministry and Applicant outlining the results of the RDCK analysis and describing any outstanding issues to be resolved by the applicant. The RDCK will check any additional application materials when they are submitted by the applicant to check that the items described in the *Referral Response* have been addressed.



Once all the RDCK's requirements have been met, Regional District staff sends a letter to the Ministry stating that the Application meets all RDCK requirements.

## SUBDIVISION APPLICATION RDCK REQUIREMENTS FOR APPROVAL

The following must be provided to the Regional District of Central Kootenay (RDCK) Planning Services in order to get confirmation from the RDCK that the requirements of Subdivision and Development Bylaw 1679 and any applicable Zoning or Rural Land Use Bylaws have been met. The confirmation letter may be issued after a Preliminary Layout Approval is granted by the Ministry of Transportation.

### ***Lot Sizes & Setback Requirements***

(If governed by a Zoning or Land Use Bylaw)

*Proof of Satisfaction of Minimum Lot Size and Setback Requirements in Zoned Areas and assurance of no encroachments along proposed lot boundaries.*

Proposed subdivisions within zoned areas or areas covered by a Zoning Bylaw or Rural Land Use Bylaw with lot size requirements must conform to the minimum lot sizes in the applicable zone. Refer to the applicable bylaw. A British Columbia Land Surveyor's (BCLS) or Professional Engineer's (P.Eng.) certification that the lot size requirement has been met, or a survey plan signed by a BCLS or P.Eng. will satisfy this requirement.



If there are existing buildings or structures on the property then the required setbacks from property lines must be met where new lot boundaries are created. Certification by a BCLS or P.Eng. or a survey plan showing this information and signed by a BCLS or P.Eng. will be considered proof that this requirement is met. One certification for both minimum lot size and setbacks to property lines is preferable. If existing lot lines are non-conforming a detailed site plan will be requested and options for addressing the non-conformity will be investigated.

## ***Water Supply (Subdivision and Development Bylaw 1679 Part 8)***

Each lot (including any "remainder" lot) must have proof of 2,270 litres (500 imperial gallons) of domestic water per day at a flow of no less than 15 litres (3.3 imperial gallons) per minute by connection to a community water system, acquisition of a water license or proof of the availability of groundwater. Proof of water supply must be submitted to the Regional District of Central Kootenay Planning Services by means of one of the following:

### ***1. Community Water System (Section 8.02)***

*Written confirmation from the applicable Authority or Improvement District verifying the availability of water from that community water source.*



A Community Water System is defined as: " a system of waterworks approved under the *Drinking Water Protection Act* which is (1) owned, operated and maintained by the Regional District, an Improvement District, Irrigation District or Utility operating under the jurisdiction of the Province; or (2) a waterworks system operated and maintained by a Strata Corporation as defined in the *Water Act*.

**NOTE:** Only existing connections to water systems on 'boil advisory' will be accepted as proof of water. New connections to systems on 'boil advisory' will not be accepted as proof of water at the time of subdivision application. This policy reflects the fact that a 'boil advisory' indicates that the system in question is NOT an approved community water system in accordance with Interior Health Authority requirements. ... **or**

### ***2. Source within the Terms of the Water Act (Section 8.03):***



*Submission of copies of any of the following that entitles the subject property to sufficient water that each lot in the proposed subdivision will be allocated at least 2,270 litres (500 imp. gallons) of water per day for domestic purposes:*

- a) Proof of application for a water license on Kootenay Lake, Little Slokan River, Slokan Lake, Arrow Lakes, Kootenay River, Slokan River or the Columbia River or an alternative water body at the discretion and where the authority having jurisdiction have been met; or
- b) Proof of application for an amendment to an existing water license suitable for diversion upon confirmation there is adequate water to meet the intent of the application from the authority having jurisdiction.

... **or**

### **3. Individual Groundwater Services (a.k.a. Wells) (Section 8.04):**

*Where individual groundwater sources are proposed to service a subdivision, proof of water supply must be provided by submission of a Well Construction Report (Well Log) from a Registered Well Driller or Pump Test Report from a Registered Pump Installer for quantity (minimum 2,270 litres of water per day at a flow of no less than 15 litres per minute per lot). (The Ground Water Protection Regulation (GWPR) requires qualified well drillers or qualified well pump installers to be registered. For a list of registered practitioners visit the Ministry of Environment Website under Groundwater);*

*and*

*In cases where well capacity is less than 15 litres (3.3 Imp. gal.) per minute proof of the existence of balancing storage and that the well capacity is not less than 2,270 litres (500 imp. Gal.) per day per lot must be submitted.*

**The quantity standards shall apply equally to existing and new (or proposed) wells on new and remainder lots.**

For the protection of present and future property owners, the Regional District of Central Kootenay seeks to ensure that subdivisions are not approved with substandard wells and/or water sources. Therefore, in all cases where surface or ground water is to be used as a domestic water source, a restrictive covenant requiring Provincial Health Authority Approval for water quality is required. The Ministry of Transportation administers the preparation and registration of the document in conjunction with the subdivision approval process.

Property owners are advised to contact their local Public Health Inspector regarding the requirement for a construction permit in advance of drilling a new well.

### ***Sewage Disposal***

Sewage disposal must meet Provincial requirements. During the subdivision approval process, the subdivision application will be referred to the Health Unit by the Ministry of Transportation Subdivision Approving Officer for comment regarding the quality of drinking water and to ensure that the land is capable of sewage disposal if no community sewage system serves the property.



### ***Fees***

Prior to Regional District review of subdivision referrals, the Regional District must receive the necessary fees associated with the proposed subdivision. Fees established by the Board in Bylaw 2056 are as follows:

\$550 for every application  
plus \$90 per lot after five (5) proposed lots.

## Questions?

If you have questions regarding information presented in this brochure, please contact or visit the Regional District of Central Kootenay Planning Services.



Telephone Number: (250) 352-8165 or 1-800-268-7325



Fax Number: (250) 352-9300



Web Site: [www.rdck.bc.ca](http://www.rdck.bc.ca)



E-Mail: [plandept@rdck.bc.ca](mailto:plandept@rdck.bc.ca) (Planning) or [rdck@rdck.bc.ca](mailto:rdck@rdck.bc.ca)



Address: Planning Services  
Regional District of Central Kootenay  
Box 590, 202 Lakeside Drive  
NELSON BC V1L 5R4



Office Hours: 8:30 a.m. to 4:30 p.m., Monday to Friday  
Except Statutory Holidays

## Offices to Contact:

### MINISTRY OF TRANSPORTATION

Web: [http://www.th.gov.bc.ca/da/Subdivision\\_Home.asp](http://www.th.gov.bc.ca/da/Subdivision_Home.asp)

#### WEST KOOTENAY DISTRICT OFFICE

4th Floor, 310 Ward Street  
NELSON BC V1L 5S4  
Phone: General Inquiries: 250-354-6400  
Development Approvals Inquiries: 250-354-6521  
1-800-665-2515  
Fax: 250-354-6547

#### GRAND FORKS AREA OFFICE

Box 850, 7290 2nd Street  
GRAND FORKS BC V0H 1H0  
Phone: 250-442-4384  
1-800-665-2699  
Fax: 250-442-4317

#### ROCKY MOUNTAIN DISTRICT

129 - 10th Avenue South  
CRANBROOK BC V1C 2N1  
Phone: 250-426-1500 Fax: 250-426-1523  
(Yahk, Kingsgate)

#### INTEGRATED LAND MANAGEMENT BUREAU For Crown Land & Water Resource Enquiries:

1902 Theatre Road  
CRANBROOK BC V1C 7G1  
Ph: Water - 250-426-1776 Crown: 250-426-1766  
Fax: 250-426-1767 1-888-613-9993  
Web: <http://ilmbwww.gov.bc.ca/>

### INTERIOR HEALTH AUTHORITY

#### KOOTENAY-BOUNDARY HEALTH

813 - 10th Street  
CASTLEGAR BC V1N 2H7  
Phone: 250-365-4300 Fax: 250-365-4303  
(Krestova, Pass Creek, Brilliant, Ootischenia, Thrums, Playmor, Raspberry, Robson, Deer Park, Blueberry Creek, Glade, Tarrys, Salmo to Nelway, Erie, Meadows, Ross Spur)

2nd Floor - 333 Victoria Street  
NELSON BC V1L 4K3  
Phone: 250-505-7200 Fax: 250-505-7211  
(Halcyon to Edgewood, Lardeau River valley, Duncan Lake to Balfour, Proctor/Harrop, West Arm of Kootenay Lake, Slocan Valley, Rosebery, Hills, and Brouse)

#### INTERIOR HEALTH - CRESTON HEALTH UNIT

Bag 3000, 312—15th Avenue, North  
CRESTON BC V0B 1G0  
Phone: 250-428-3873 Fax: 250-428-3880  
(Creston Valley, Erickson, Kitchener, Yahk, Kingsgate, Wynndel to Riondel)

#### GOVERNMENT AGENT - NELSON

310 Ward Street  
NELSON BC V1L 5S4  
Phone: 250-354-6104 Fax: 250-354-6102

#### LAND TITLE OFFICE

114 - 455 Columbia Street  
KAMLOOPS BC V2C 6K4

Please note that Title Searches can be obtained through your local Government Agent's Office