



Preliminary Layout Review Policy 209, 2024

District of Lake Country
10150 Bottom Wood Lake Road
Lake Country, BC V4V 2M1
t: 250-766-5650 f: 250-766-0116
lakecountry.bc.ca

DATE

The following was adopted as Policy by Resolution No. xxxx at the Regular Council Meeting on xx , 2024.

Amendments:

Date	Resolution No.	Summary of Amendment

PURPOSE

Preliminary Layout Review (PLR) means a review of drawings, plans, information and documents by the Approving Officer (AO) to determine, on a preliminary basis:

- a) whether a proposed subdivision would be against the public interest or otherwise unsuitable for subdivision when considering statutory requirements, bylaw requirements District plans and policies; and
- b) if determined to be suitable for subdivision, what information the Owner must include in the application for subdivision; and
- c) if there are any requirements the Approving Officer deems appropriate as a condition of subdivision approval.

The issuance of a PLR letter is not governed by legislation and is at the discretion of the Approving Officer. There are a variety of practices related to PLRs within BC municipalities, but it is common for Approving Officers to conduct some form of preliminary subdivision review. This Policy is intended to provide clarity to the process and is not intended to, and cannot, fetter the Approving Officer’s ability to make independent decisions under the authority granted by the *Land Title Act, Base Land Strata Regulations, Local Services Act, Local Government Act* and other applicable legislation. The issuance of a PLR with conditions does not create a vested right to final approval of a subdivision. A PLR provides a list of requirements that need to be met before final registration of a subdivision.

The PLR process includes an evaluation of preliminary information provided by the applicant as well as internal departmental and external agency referrals. Responses may provide the Approving Officer with a list of potential conditions to consider including in the preliminary review of the application.

Under the British Columbia *Real Estate Development Marketing Act* (REDMA), the issuance of a PLR may allow for early marketing of the subdivision by the owner. Compliance with REDMA is the sole responsibility of the landowner.

If the Approving Officer’s review determines the application does not satisfy the requirements of statutes and bylaws, or is against public interest, including consideration of the Official Community Plan and other District plans and policies, the applicant will be provided with a written explanation on why the application has been rejected.

POLICY

1. Subdivision applications will be dealt with actively for a period of one year. If a file has no activity for one year and a PLR has not been issued, the Approving Officer will have the discretion to close the file.
2. A Development Permit (DP), if required, should be applied for and in process, preferably approved, before the Approving Officer considers issuance of a PLR for a subdivision in a Development Permit Area. An approved DP, if required, is a legislative prerequisite to final registration of a subdivision. If a PLR is issued before a DP is issued, the PLR should note the requirement to obtain a DP as a condition. It remains the Owner's responsibility to obtain a DP whether noted in the PLR or not.
3. Once a PLR Letter has been issued the Approving Officer may approve, in writing, an extension for 1 year. Only one extension will be granted for a PLR. Further extensions may be considered in the case of larger scale or phased subdivisions, or if the applicant can demonstrate activity on the file to the satisfaction of the Approving Officer.
4. At the discretion of the Approving Officer, a PLR Letter may not be required as part of a subdivision approval in cases where no works and services are required.
5. In the case of an application for a phased strata development, the PLR will be provided in a Form P Consideration letter.
6. This policy will be used for reviewing the status of inactive applications.
7. In accordance with provincial legislation, an Owner is not required to obtain a PLR, and may apply for final approval of a subdivision without having first obtained a PLR. This is not recommended except in the simplest of cases.

Mayor

Corporate Officer