

## Making Changes to your Lot Line



Islands Trust

### What is a boundary adjustment?

A lot line adjustment is legally considered a subdivision. Referred to as a boundary adjustment, it is the moving of one or more lot lines between two lots. For example, you and your neighbor may decide to move a lot line to make better use of your properties, or to make one property smaller and the other larger.

The Subdivision Approving Officer at the Ministry of Transportation and Infrastructure is responsible for approving all subdivisions. Applications for a boundary adjustment subdivision are made through the Ministry of Transportation and Infrastructure offices. The Subdivision Approving Officer refers the application to various agencies, including the Islands Trust, for comment.

### How much does a boundary adjustment cost?

The Ministry of Transportation and Infrastructure and the Islands Trust both charge a fee for processing boundary adjustment applications. Additional costs may include the cost of surveying the lot line, cost of preparing legal documents that may be required by various agencies, provision of road dedication if required by the Subdivision Approving Office, and the cost of registering the new lot line in the Land Title Office (Land Title Office can be reached at 1-877-577-5872).

A lot line adjustment may have implications for the Property Transfer Tax if it involves change of ownership. You should contact the Property Transfer Tax office at 250-387-0604 (toll free through Enquiry BC) for information.

### How long does it take to get approval for a boundary adjustment?

The timeline for a boundary adjustment subdivision varies depending on complexity, but as a guideline, you can expect it to take several months.

### If I own the property next to mine and want to combine the two lots, what is the process that I must follow?

If both lots are in the same plan number, then you can apply directly to the Land Title Office to consolidate the two lots into one.

If the parcels are in different plan numbers, then you will need to apply to the Subdivision Approving Officer for a subdivision approval.

### If my neighbour and I have a lot between us and we want to divide it between us and each add half to our existing lots, what is the process we must follow?

This could happen in one of two ways. The first one is a consolidation of the middle lot with one of the other two lots and then a subsequent lot line adjustment. The second approach is to apply for a new subdivision for the two new lots. Before beginning this process, you should talk

with the planners at the Islands Trust to understand the limitations of both approaches and the bylaw regulations with regard to subdivision in your zone.

### **If my neighbour and I want to alter our shared property line to allow for existing encroachments, what process do we follow?**

You would follow the same process as in the first question entitled “what is a boundary adjustment”.

### **If I have a large piece of property and I want to subdivide it into two or three lots, what process do I follow? What if I am creating five or six lots, is the process different?**

You would apply to the Subdivision Approving Officer at the Ministry of Transportation and Infrastructure for a subdivision of your property.

Your application will be referred to several agencies, including the Islands Trust, for comment on the subdivision.

Islands Trust Staff will review your application against the subdivision regulations in the local land use bylaw and advise the Subdivision Approving Officer on whether or not the subdivision is permitted under the zoning regulations.

The Subdivision Approving Officer will issue a Preliminary Layout Approval (“PLA”) that will have a list of conditions that must be met before the subdivision can be registered. These conditions will include any requirements set out by the referral agencies, including the Islands Trust.

You will then work with the various agencies to complete those conditions and once all conditions have been met, the Subdivision Approving Officer will permit registration of the final subdivision plan.

The process is the same, regardless of the number of lots being created. There may be more conditions and more requirements for larger subdivisions depending on site conditions.

### **When does a subdivision need approval of the local trust committee?**

The local trust committee does not approve subdivisions, however, depending on the subdivision, the local trust committee may be required to consider certain related approvals, such as the amount and location of park dedication, variances for lot layout or servicing requirements, frontage waivers or covenants.



## **Islands Trust**

Preserving **island** communities, culture and environment

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