



Subdivision

Subdivision is the process of altering legal property boundaries. It usually involves the dividing of a property into smaller parcels of land. It can also include the realignment of existing property lines or the consolidation of one or more properties into a single parcel. An application to strata title an existing building is not included in this handout as it goes through a different subdivision approval process.

The *Local Government Act*, *Land Title Act*, *City of Richmond's Subdivision and Development Bylaw*, *Richmond Zoning Bylaw* and the *Works and Services Cost Recovery Bylaw* all regulate the subdivision of land. The *Land Title Act* provides for the appointment of Approving Officers who are responsible for administering any application to subdivide lands. All requests for subdivision in Richmond must be processed through the subdivision approval process and approved by the Approving Officer. City Council is not responsible for approving a *Subdivision Application* (unless it is to strata title an existing building).

The Approving Officer ensures that each subdivision adheres to the lot size and road frontage requirements of the *Zoning Bylaw* and provides for appropriate access and road dedications; park/open space; works and services such as roads, water, storm and sanitary sewer; flood protection etc. The Approving Officer is also charged with protecting, where appropriate, natural features, views and the future development potential of adjacent parcels.

Property Information

Information regarding your ability to subdivide a property can be obtained from the Zoning counter located in City Hall. Inquiries can also be made by telephone at [604-276-4017](tel:604-276-4017). When making enquiries, you should provide both the civic address and legal description so the specific property can be properly identified and all the relevant information determined.

A number of City documents will influence whether or not your property can be subdivided. Some of these include the *Official Community Plan*, *Area Plans*, *Zoning Bylaw* and *Single Family Lot Size Policy Manual*. All of these documents are available for review at the Zoning counter in City Hall and on the City of Richmond's web site (www.richmond.ca). Staff members familiar with these documents and the subdivision process are available to assist you and answer your questions.

Preliminary Review

Prior to submitting a *Subdivision Application*, you may wish to prepare a preliminary plan and have it reviewed by City staff at a pre-application meeting. Basic information required to provide a preliminary review would include the address or legal description of the property and a sketch plan showing how you propose to subdivide the lands and what you intend to do with any buildings on the property.

Subdivision Process

Subdivision Application

Once you have determined exactly how you would like to subdivide your property, you can submit a *Subdivision Application* to the Zoning counter in City Hall. Applications are available at the Zoning counter, on the information racks at City Hall, and on the City of Richmond's web site (www.richmond.ca). Staff will be pleased to assist you but you must provide all the following information:

- The address(es) and complete legal description(s) of the property(ies) to be subdivided.
- The property owner's name, address, telephone and facsimile numbers, and e-mail address.
- If the applicant is applying on behalf of the property owner(s), a letter of authorization signed by the property owner(s) must be submitted with the application.
- The name, address, telephone and facsimile numbers, and e-mail address of the applicant if not the owner(s).
- Proof of ownership (e.g. a Title Search).
- A Topographical Survey prepared by a registered BC Land Surveyor showing all buildings, structures, trees, lot grade elevations, and other information identified in the City's Bulletin entitled *Survey & Site Plan Guidelines* (available on the City's web site at www.richmond.ca).
- Certificate of Encroachment prepared by a BC Land Surveyor unless the buildings are to be demolished or relocated.
- A letter outlining all aspects of the proposal including a description of the intended use of the property following the subdivision of the property and whether the dwellings are to remain in place, be demolished, or relocated on or off the site.
- Six (6) copies of the draft plan of subdivision including all dimensions, surrounding roads and lanes, road names, location of any improvements on the land (buildings, parking lots, driveways, etc.) that are not to be removed.
- Completed BC Ministry of Environment and Climate Change Strategy Site Disclosure Statement for each property covered in this application (www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/guidance-resources/forms).
- Completed *Waiver Form*, attached to *Subdivision Application* (available on the City's web site at www.richmond.ca).
- Non-refundable application and plan signing fee.

Additional information or revised plans may also be identified for submission during the review process.

Subdivision Processing

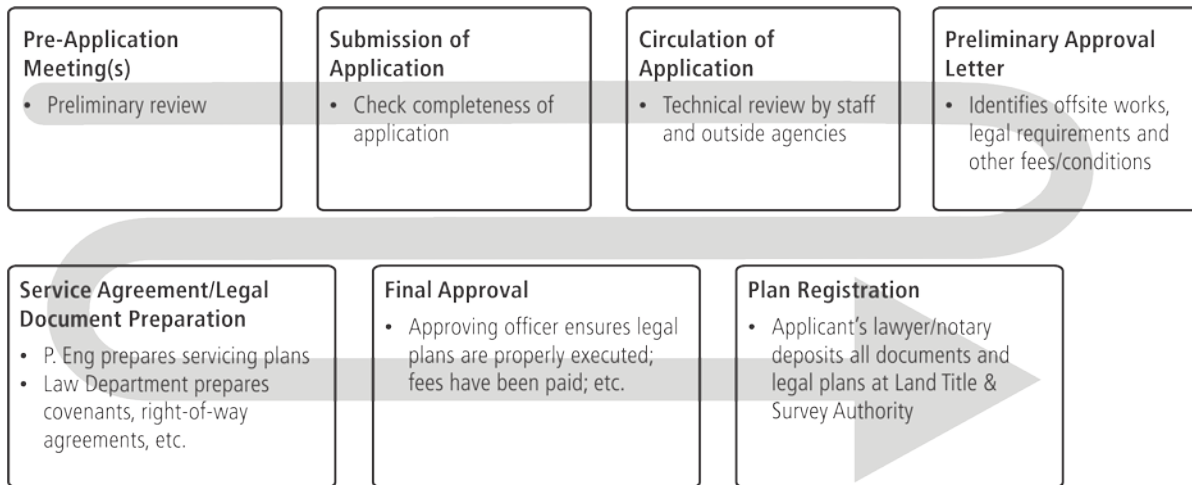
Staff Review

Your application and all attachments will be reviewed for completeness. An incomplete application will be returned to you if it does not provide all of the required information. Complete applications will be assigned to a staff member and circulated to the appropriate City departments to ensure the acceptability of the layout and the adequacy of City services.

City Council, through the enactment of *Tree Protection Bylaw No. 8057*, has deemed that trees are an important element of the urban environment. The *Tree Protection Bylaw* is intended to reduce the unnecessary damage or removal of trees and requires that all trees on sites subject to a subdivision application be addressed during the review process.

Your application may also require review and approval by the provincial Ministry of Transportation and Infrastructure if your property is adjacent to a controlled access highway and/or the provincial Ministry of Environment and Climate Change Strategy if the *Site Profile* indicates there may be contaminated soils on the property. There may also be other provincial or federal regulations that must be adhered to.

City of Richmond Subdivision Process



Applicants will be sent a letter acknowledging the receipt of their application and advising them of any preliminary staff comments within a few weeks of when the application was made (e.g. if additional information is required or if some aspect of the application is unacceptable). Additional information or revised plans may be requested during the review process.

Preliminary Letter of Approval (PLA)

Once your application has been thoroughly reviewed and all circulation comments are received, a preliminary letter of approval (PLA) stating that your proposed subdivision layout is acceptable to the Approving Officer may be issued. The PLA will identify whether off-site works are required, the scope of those works and any other fees required. It will also identify the legal requirements such as road and lane dedications, restrictive covenants and rights-of-way. You may also be required to dedicate land for park or pay cash-in-lieu and to apply for demolition permits. The payment of the subdivision approval fees, current years property and utility taxes, Development Cost Charges, School Site Acquisition Charge and inspection fees are normally also specified.

Your PLA is valid for a period of 180 days unless a request is made for an extension. The Approving Officer will require you to submit a fee for that extension period or to submit a new application.

Servicing Agreement

If your PLA identifies that off-site works are required, a *Servicing Agreement* may be required. If a *Servicing Agreement* is required, you must hire a Professional Engineer (P.Eng) registered in BC to prepare your servicing plans and to co-ordinate discussions with the Development Applications Department staff that will identify the City's servicing requirements and specifications.

Upon approval of your engineering consultant's servicing plans you will be required to enter into a *Servicing Agreement* with the City. This agreement will specify:

- The works that the owner will have to construct as part of the subdivision.
- The cost of and security for these works, usually in the form of a Letter of Credit.
- Land Dedications and rights-of-way required.
- Public Works and inspection fees to be paid.
- The time period allowed for the completion of the works.

If you expect that your subdivision may require a *Servicing Agreement* or if this is identified as a requirement in your PLA, please refer to the *Processing Procedures for Subdivisions with Servicing Agreements*.

The City will inspect all of the off-site works required by the *Servicing Agreement* to ensure that they meet the Engineering Department standards. When all works are completed to standard, the Letter of Credit (submitted with your *Servicing Agreement*) will be returned to you. A 20% maintenance fee will be held for a period of one year from completion approval.

Legal Document Preparation

The City's Law Department will prepare the restrictive covenants and right-of-way documents for execution by the landowner and its lenders. For all subdivisions, the applicant must have their legal representative electronically deposit the legal plans at the Land Title and Survey Authority.

Final Approval

Once the *Servicing Agreement* and other conditions of the PLA are complete you may submit the final Survey Certification Plan to the Approving Officer. The Survey Certification Plan must be prepared by a registered BC Land Surveyor and all parties having a registered interest in the land must be shown within the Application to Deposit. The Land Title and Survey Authority has very specific requirements as to how the plans must be electronically signed and executed by your legal representative. Your Surveyor can assist you with these requirements.

The plans must be submitted to the Approving Officer within 90 days of execution by your Surveyor or the Approving Officer may require a re-inspection of the survey.

Plan Registration

When the Approving Officer has deemed all aspects and requirements of the subdivision process have been met, the Approving Officer will sign the Application to Deposit Plan form that accompanies the legal Survey Certification Plan. As all documents/plans are now electronically filed at the Land Title and Survey Authority, your legal representative must ensure all documents are filed accordingly. **Proof of full registration** of all documents must be provided to the City to ensure your application proceeds further to the final approval process.

Plans and documents must be registered within 60 days from the approval date by the Approving Officer or the Land Title and Survey Authority will reject the documents.

Timing

Specific time limits for processing a *Subdivision Application* are difficult to provide as the time required varies depending on the type and size of the subdivision, the complexity of the requirements, the number of applications in progress and the ability of the applicant to provide information when required. Simple applications may take only a few months, while more complex applications involving a *Rezoning Application*, *Development Permit* or *Servicing Agreement* may take longer to finalize. Approvals from outside government agencies also tend to extend the process.

This handout is intended to be used in conjunction with our other informational brochures and helpful handouts such as: Processing Procedures for Subdivisions with Servicing Agreements; Floodplain Management Implementation Policy; Rezoning; etc. These documents are available on the City of Richmond web site (www.richmond.ca).

This handout is not a legal document. Any contradiction, dispute or difference between the contents of this handout and applicable City bylaws, plans, policies or guidelines will be resolved by reference to the bylaws or other official documents. You should always refer to the official copies of the Zoning Bylaw or Subdivision and Development Bylaw, and other formal municipal documents if you are unsure of any procedure or requirements.