

Subdivision

A guide to subdividing property in Richmond



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 brochure as it goes through a different subdivision approval process.

The Local Government Act, Land Title Act and the City of Richmond’s Subdivision Control Bylaw and Zoning Bylaw 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. 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* and 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 the italicized plans are available 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.

Contents

- 1 Subdivision
- 1 Property Information
- 1 Preliminary Review
- 2 Subdivision Process

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 or on the information racks and on the City of Richmond 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 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 or current contract of purchase and sale;
- A letter outlining all aspects of the proposal including a description of the intended use of the property following the subdivision of the property;
- A “Certificate of Encroachment” prepared by a BC Land Surveyor for any buildings or structures unless they are to be demolished or relocated;

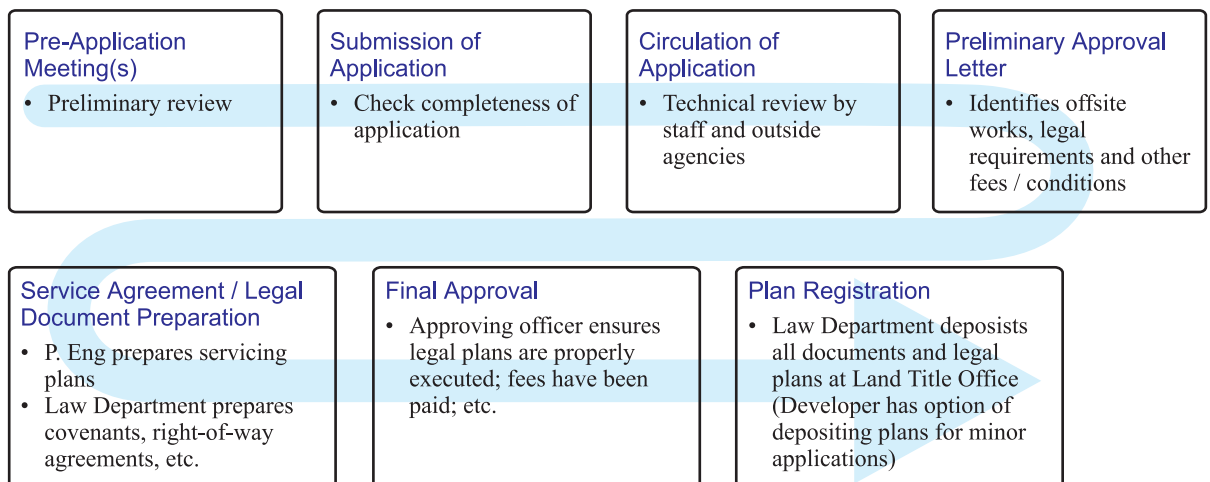
- 6 copies of the draft plan of subdivision including all dimensions, surrounding roads and lanes, road names, location of any improvements on the land (buildings, parking lots, driveways, etc.) that are not to be removed;
- A completed *Waiver Form* indicating that you agree to be bound by any amendment to Richmond’s Bylaws which may effect your subdivision that may be introduced within one year;
- A completed *Site Profile* pertaining to the possible soil contamination of the property from certain types of industrial or commercial purposes or activities; and
- Non-refundable application fee.

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 divisions to ensure the acceptability of the layout and the adequacy of City services.

Your application may also require review by the Ministry of Transportation if your property is adjacent to a controlled access highway and/or the Ministry of Water, Land and Air Protection if it is within the floodplain and not exempt from flood proofing requirements or if the *Site Profile* indicates there may be contaminated soils on the property. Other regulatory agencies such as the Fraser River Estuary Management Program and Department of Fisheries and Oceans may also be involved if it is adjacent to either arms of the Fraser River.

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 can be received 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 and the scope of those works. 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 current year's property and utility taxes, Development Cost Charges, School site levies and inspection fees are normally also specified.

Your PLA is good for a period of 180 days. If you have not completed your subdivision within this time period, you may ask for an extension. However, there is an additional fee of \$250.00 for a request for an extension to a PLA and the Approving Officer could require you 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 Division staff who 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;
- Dedications and rights-of-way required;

- Development Cost Charges, Public Works and inspection fees to be paid; and
- 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 15% 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. The Law Department may also register the subdivision plans and legal documents in the Land Titles Office on your behalf. For minor (non-complex) subdivisions, the applicant has the option of depositing the legal plans at the Land Titles Office.

Final Approval

Once the Servicing Agreement and other conditions of the PLA are complete you may submit the final Survey Plan to the Approving Officer. The Survey Plan must be prepared by a registered BC Land Surveyor and signed by all parties having a registered interest in the land. The Land Titles Office has very specific requirements as to how the plans must be signed and you should check these before having the plans executed by anyone. Your Surveyor can assist you with these requirements and you should obtain a copy of the City of Richmond's *Legal Plans Signing Requirements*.

The plans must be submitted to the Approving Officer within 90 days of execution by the Land Surveyor or the Approving Officer may require a reinspection 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 legal Survey Plan. The City's Law Department will ensure that the plans and supporting documentation are registered in the Land Title Office. Copies of the registered documents will be provided to you. If the applicant registers the plans and documents, the City requires copies of all registered plans and documents stamped by the Land Title Office for its records.

Plans and documents must be registered within 60 days of approval by the Approving Officer.

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 brochure is intended to be used in conjunction with our other informational brochures and helpful handouts such as: **Processing Procedures For Subdivisions With Servicing Agreements; Legal Plans Signing Requirements; and Floodplain Management Implementation Policy.** These documents are available on the City of Richmond web site (www.richmond.ca).*

This brochure is not a legal document. Any contradiction, dispute or difference between the contents of it 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 Control Bylaw and other formal municipal documents if you are unsure of any procedure or requirement.



City of Richmond

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