

A GUIDE TO SUBDIVISION

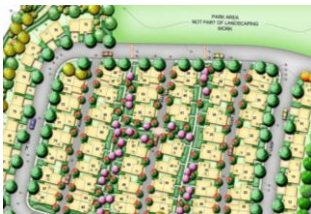
Development Services Division

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This guide is not a bylaw. It is a guide prepared to assist you in understanding the subdivision process in the City of Pitt Meadows. For details and legal documents, you must consult relevant bylaws and provincial legislation.

Introduction

This information handout provides a general overview of the subdivision review process in Pitt Meadows. It is not a legal document and the wording is not taken from provincial legislation, city bylaws governing subdivision, or any related regulations. Applicants should not rely solely on the contents of this information handout, but use it as a general guide. You may wish to seek independent advice concerning applicable statutes, regulations and bylaws.

What is Subdivision?

Subdivision is the process of legally changing the boundaries of a parcel. Subdivision also includes changes to existing legal parcels such as strata conversions and leaseholds.

In most cases, subdivision will involve:

- dividing one or two lots into several lots,
- adjusting or realigning an existing property line, or
- combining two or more lots into one lot.

Subdivisions are governed by provincial legislation and associated regulations such as the *Local Government Act*, the *Land Title Act*, and the *Strata Property Act*.

City bylaws that govern or influence subdivisions within the community are:

- **Zoning Bylaw No. 2505** – establishes a number of land use zones, each having its own set of requirements such as minimum lot area, minimum lot width and depth;
- **Subdivision and Development Servicing Bylaw No. 2589**, – sets out standards for subdivision layout, design and construction of roads, water supply, sanitary, storm drainage and other utilities.
- **Official Community Plan Bylaw No. 2352** – provides strategies to guide development towards attaining a common vision for the community's future and designates all land with a general land use.

Types of Subdivision

Fee Simple Subdivision – includes all subdivisions under the provisions of the *Land Title Act* where parcels of land are either divided into smaller lots with different owners or consolidated into one larger parcel.

Strata Subdivision – where fee simple land is divided into individually owned lots where owners have a right to use common areas such as open space and roads. Strata subdivisions under the *Strata Property Act* include:

- **Building Strata** – involves a strata plan that divides a building with separate units into strata lots and common areas such as corridors and the surrounding lands into common property.
- **Bare Land Strata** – involves the subdivision of land into strata lots where each strata lot (and building) has a different owner. There may also be common property within the subdivision such as roads.
- **Phased Strata Title Development** – involves the development of groups of strata lots in a scheduled sequence.
- **Strata Title Conversion** – involves converting previously occupied buildings such as a duplex or an apartment building into strata lots. This is subject to Council approval.

Leases – leases exceeding three years or with an option to extend past three years are considered subdivisions under Section 73 of the *Land Title Act*.

Air Space Plans – are a complex form of subdivision that involves the space below and above the surface of a property. Examples of air space plans are airport's flight paths and aerial walkways between buildings.

Who Approves Subdivision?

Subdivisions are considered for approval by the Approving Officer who is appointed by Council. The Approving Officer exercises his or her authority through the provisions in the *Land Title Act*. Decisions of the Approving Officer cannot be appealed to Council.

The Approving Officer considers a number of matters when assessing a subdivision, including that:

- the size and shape of lots and the building envelope within each lot are all adequate;
- physical access (roads, lanes and emergency vehicle access) to all lots is provided;
- sewer, water and other services are fully provided;
- development can occur in a safe manner;
- access to open space is provided;
- any views and natural features are protected;
- subdivision patterns are compatible with existing neighbourhoods and any opportunities for future subdivision are preserved.

What is the Approval Process?

STEP 1: Pre-Application

Subdivision proposals need to be well prepared before submitting an application. Applicants are to be aware of the following City plans, policies and regulations:

Official Community Plan (OCP) – The OCP designates the types of land uses intended for all areas of the city. Refer to the OCP land use maps for the designation of your property and the land uses allowed within that designation. The OCP also identifies Development Permit Areas (DPA) that have specific design guidelines that need to be met. Copies of the OCP and DPA maps are available at the Development Services counter at City Hall or can be accessed online at www.pittmeadows.bc.ca.

Zoning Bylaw and Maps – All land within Pitt Meadows is assigned a specific zone with associated regulations. Refer to the zoning map for the existing zoning on your property, and then the Zoning Bylaw for the zone's regulations such as minimum lot area, width and depth. Rezoning the property may be necessary if the present zoning does not allow your proposed development (Please refer to *A Guide to Rezoning* handout for this process).

Development Servicing – All developments must meet City standards for sanitary sewer, storm water disposal, water supply, roads, sidewalks, street lighting and floodproofing at the developer's expense. Refer to the Subdivision and Development Servicing Bylaw for servicing standards such as road widths, pipe diameters, manhole distances, etc.

Applicants also need to be aware of any legal documents registered on title or permits approved by Council that may affect the building envelopes or lot layouts for the proposed subdivision. Such documents or permits may be restrictive covenants, easements, or development variance permits.

Development Services staff is available to meet with prospective applicants and their consultants to discuss the proposed subdivision, and provide advice on submission requirements and procedures. Valuable time can be saved by ensuring that all the necessary matters have been considered. Such pre-application meetings are highly recommended.

STEP 2: Application Submission

Your subdivision application must include the following:

- Completed **application form**, signed by the registered owner(s);
- Application **fee**;
- Letter of Authorization** signed by the property owner(s) if the applicant is applying on behalf of the owner(s) (*staff will only deal with the applicant*);
- Certificate(s) of Title** within five (5) days of application;
- Written description** of the existing and proposed uses of the property, the reasons for the request, and the benefits to the community;
- Development data summary form**;
- One (1) full size **set of plans** drawn to scale, four (4) copies in 11" x 17" and PDF files of the drawings with the following:
 - existing and proposed lot boundaries and all lot dimensions
 - building envelopes within proposed lots
 - locations and dimensions of municipal easements, right-of-ways and registered covenant areas
- Site Profile** regarding possible soil contamination on the property from certain types of industrial and commercial uses and activities;
- Additional information** such as traffic and environmental impact studies, geotechnical reports, and Good Neighbour Agreements may also be required depending on the site and proposal. Please refer to the *Geotechnical Report Guidelines Policy* for details.

For single family or duplex infill subdivisions, the subdivision application is to be accompanied by a development permit application respecting the proposed design character of the residences that will be constructed in the proposed subdivision.

STEP 3: Application Review

Applications will be circulated by the File Manager to appropriate City staff (i.e., Engineering, Building, Fire) for comment. In some cases, applications are also referred to external agencies for comments. The most common are: the Provincial Ministry of Transportation if adjacent to a controlled access highway such as Lougheed Hwy; the Agricultural Land Commission if within the ALR; and the Provincial Ministry of Environment if bordering a major watercourse. Other external agencies include Metro Vancouver, Katzie First Nation, Fraser Health Authority and School District 42. The application File Manager may contact the applicant for additional information, clarification and/or plan revisions.

STEP 4: Preliminary Layout Assessment

Once all comments are received, the Approving Officer will decide whether the proposed subdivision can proceed. If so, a Preliminary Layout Assessment (PLA) is issued stating conditions that must be met before final approval. These conditions must be fulfilled within the timeframe (usually 180 days) granted in the letter. Typical conditions include:

- Layout specifications (lot dimensions, lot grading plan, road patterns, building scheme);
- Legal documents (certificate of non-encroachment, easements, covenants);
- Servicing agreement for offsite services;
- Dedication of parkland, linear open space and walkways;
- Geotechnical reports;
- Requirements of outside agencies;
- Development cost charges (DCC);
- Payment of current year's taxes; and
- PLA extensions.

STEP 5: Final Approval & Registration

Once all the conditions of the PLA are satisfactorily complete, a Final Subdivision Plan Approval form with fee, a final survey plan, and other associated legal documents are submitted to the Approving

Officer for final approval. Survey Plans must be prepared by a registered Land Surveyor.

A letter of undertaking from a solicitor or notary public must also be submitted with the survey plan, indicating that they will register the survey plans and any other legal documents associated with the project, at the Land Title Office. Please provide the necessary copies with plan numbers after they are registered.

Register the plans and supporting documentation (such as restrictive covenants, easements or right-of-ways) at the Land Title Office. This must be done within the prescribed period of the plan approval date. Upon registration of the subdivision plan, please provide the City with the new legal plan number and copies of the documents bearing the Land Title Office registration numbers.

Strata Title Conversion

Applications to convert existing buildings that have been previously occupied into a strata title are considered by Council. Council may approve, refuse or impose terms and conditions on the proposed strata plan. The strata plan must comply with the BC Building Code and applicable municipal bylaws regarding safety, fire protection and servicing requirements. Council will also consider the following when making their decision:

- Existing level of rental accommodation in the area;
- Relocation proposals for existing tenants;
- The life expectancy of the building;
- Any major increases in maintenance costs;
- Any other matters.

Additional requirements may include a building inspection to confirm that the building meets the current BC Building Code standard; restrictive covenants concerning parking, common spaces or secondary suites; a landscape plan; and a detailed strata plan showing all units and common spaces with dimensions.

Once all conditions are met, a satisfactory subdivision plan is submitted, and all necessary legal documents are signed by the applicable City authority, the final survey plan can be registered by the applicant’s solicitor or notary public at the Land Title Office.

Timing

The process may take six months to one year depending on the complexity of the application and the preparedness of the applicant.

If Rezoning is Needed, When is Subdivision Done?

If the property is not the correct zone for the proposed subdivision, it must be rezoned before it can be subdivided. A rezoning application is to be submitted with all the necessary information. Staff will then prepare a report recommending either approval, rejection, or further review of the proposed rezoning for Council’s consideration. Once Council approves your rezoning, you may apply for your subdivision. Please refer to *A Guide to Rezoning* for more detailed information.

What’s Next?

Building Permit – Once the final survey plan is registered and the essential works and services are completed, the applicant may apply for their building permits.

Application Fees *(subject to change)*

Type	Fee
PLA for Fee Simple & Bare Land Strata	
• 5 lots or less	\$1500 + \$100 /addn'l lot
• More than 5 lots	\$2000 + \$100 /addn'l lot
Strata Title Conversion	\$800
Phased Strata	\$350/phase*
Final Plan Approval Fee	\$350 *
Form “P” Approval	\$275
PLA Extension / Amendment	\$250
Legal Document Discharge	\$300
* includes \$50 LTO fee	

More Information?

Development Services

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Land Title Office

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