



# Subdivision Guidelines

Guidelines for the subdivision approval process in the City of Abbotsford

**November 2016**



**PLANNING & DEVELOPMENT SERVICES**

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## What is Subdivision?

Subdivision is the process of altering legal property boundaries. Most often, this involves the dividing of larger tracts of land into smaller properties. Subdivision can also include a re-alignment of existing property lines.

## When is a Subdivision Application Required?

You must apply for a Subdivision Application in the following cases:

- creating several properties from one or more existing properties; or
- adjusting or realigning an existing property line.

The *Local Government Act* and the *Land Title Act of British Columbia* require that all subdivisions be approved by a legally appointed Approving Officer. This approval is needed to ensure:

- adequate size and shape of lots,
- open space is adequate,
- views are protected,
- sewer, water and other services are fully provided,
- road, lane and emergency vehicle access is provided,
- natural features are protected,
- subdivision patterns are compatible, and
- future subdivision opportunities are preserved.

## The Subdivision Application Process

The major stages in the Subdivision Application process are briefly explained in the following sections.

### Submit an Application

Once you have prepared your proposal, you can submit a subdivision application form and pay the application fee. Application forms and fee schedule are available at the Planning & Development Services (2nd Floor, City Hall) or online at: [www.abbotsford.ca/devapplications](http://www.abbotsford.ca/devapplications)

Planning staff will assist you but you must provide the following:

- a fully completed Development Application form,
- preliminary lot layout plan prepared by a Surveyor outlining dimensions and areas for each proposed lot,
- application fees,

- title search(es) on subject property(ies) retrieved within the last 30 days,
- copies of any covenants, easements and rights-of-way registered on title,
- the property owner's name and contact information. If someone is applying on behalf of the property owner, a *Letter of Authorization* must be signed by all property owner(s) and submitted with the Development Application. A standard *Letter of Authorization* is part of the application form. You must also indicate to whom all correspondence shall be sent. Staff will only deal with the applicant,
- a *Letter of Intent* outlining the proposal in full (background including justification/rational), and
- a *Site Profile Questionnaire* to determine if the site requires a Site Profile review.

Plans, including site layout, site survey, context plan, arborist report, tree survey, tree condition assessment and tree removal and replacement plan must be submitted along with the Development Application form. A complete list of requirements can be found in the application form. Processing of your application cannot begin until these plans are submitted.

### Application Review

Your application is assigned to a File Manager for review of the layout and the adequacy of services. Following this initial review, your File Manager will contact you to inform you of the status of your application. The File Manager may ask for clarification, further information or plan revision if your proposal does not meet the required standards. Additional information required may include, but is not limited to, preliminary lot grading and topographic information, tree surveys, survey plans and legal documents such as restrictive covenants.

Typically the Approving Officer, as a part of the initial application review, will require a preliminary lot grading plan for new urban residential lots where the existing natural topography includes topographic grade changes and/or where grade changes are proposed prior to considering Preliminary Layout Approval (PLA).

If your subdivision is to be serviced by wells or a septic field, you are required to perform specific testing procedures as required by the Fraser Health Authority and Water Act. Your application cannot proceed if your well or septic field does not meet standards and requirements of the Fraser Health Authority.

If a bareland strata subdivision is proposed, the Approving Officer will typically require on-site common parking areas, in accordance with Section 17 of the Bareland Strata Regulations contained within the *Strata Property Act*.

### Development Sign

The applicant is responsible for erecting a Development Proposal sign on the subject property. In accordance with the Development Application procedures bylaw applications will not proceed to Council until the applicant submits photographs proving the sign is in place. Staff will inform you of the procedures for erecting this sign in the Acknowledgement Letter. Handouts showing the sign specifications are available at the Planning & Development Services or online at: [www.abbotsford.ca/devapplications](http://www.abbotsford.ca/devapplications).

### Preliminary Layout Approval (PLA)

A PLA is a letter stating that your proposed subdivision layout is acceptable to the Approving Officer. The letter specifies any conditions that must be met prior to final approval of the subdivision. The PLA is valid for 12 months, and all conditions must be met within this time period. Typical conditions or requirements in the PLA are:

- layout specifications (lot dimension, road patterns),
- dedication of parkland, linear open space and walkways,
- preliminary lot grading plan,
- restrictive covenants and easements,
- installation of tree protective fencing around retained trees,
- certificate of non-encroachment,
- requirements of outside agencies,
- payment of current year's taxes and utilities, and
- servicing agreement and securities.

### Servicing Plan & Servicing Agreement

You must submit a servicing plan. Your servicing plan is reviewed by staff and, if accepted, you then execute a Servicing Agreement and provide securities and payments.

### Final Subdivision Plan

Once the Servicing Agreement and other conditions of the PLA are complete, submit the final Subdivision Plan to Planning & Development Services staff for review/ approval by the Approving Officer. Subdivision Plans must be prepared by a registered land surveyor. Along with the Subdivision Plan a Letter of Undertaking from a Solicitor or Notary Public must also be submitted indicating that

they will register the Subdivision Plans, and any other legal documents associated with the project, at the Land Title Office.

### Pre-Construction Meeting

Once all the conditions of the PLA have been addressed and submitted to the File Manager and prior to commencement of construction of the infrastructure associated with the subdivision, request a pre-construction meeting with Development Engineering staff.

During this meeting City staff will discuss with the developer of the lands, your constructor(s), civil engineering consultant, and/or other consultants related to the project; the City's expectations and inspection process related to the construction of the accepted infrastructure. Specific details that may be unique to this project can be discussed and agreed upon at this meeting.

Typical meetings include the following:

- signed "Issued for Construction" drawings are released,
- all who attend this meeting shall sign-in and provide/ exchange contact information,
- developer of the land to provide insurance documents,
- contractor to provide WorkSafe NOP No.,
- schedule of work to be defined, and
- City staff to issue "Notice to Proceed".

### Final Subdivision Approval

Once the subdivision plans have been considered by the Approving Officer, if approved, the signed subdivision plans along with all the other associated legal documents will be returned to your solicitor for registration.

Register the plans and supporting documentation (such as restrictive covenants, easements, or rights-of-way) at the Land Title Office. This must be done within two months 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.

Inspection of the subdivision infrastructure works (water, sanitary sewer, drainage and roads) will be carried out by the developer's engineering consultant. The engineering consultant will then provide all test results to the City and a certification that all works have been completed in accordance with the standards contained in the Development Bylaw. When standards are met, the Letter of Credit (LOC), which is submitted as part of the Servicing Agreement, will be released.





*This brochure is not a legal document. Any contradiction, dispute or difference between the contents of this brochure and applicable City bylaws, plans, policies or guidelines will be resolved by reference to the bylaws or other official documents.*



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