



PLANNING AND BUILDING DEPARTMENT

SUBDIVISION

A GUIDE TO THE CITY APPROVALS PROCESS IN BURNABY

Introduction

The City of Burnaby has prepared this brochure to assist you in understanding the City's Subdivision approval procedure. Upon review of the material, anyone interested in submitting an application is urged to contact the Planning Department for further information.

What is Subdivision?

The Provincial Government has granted municipalities the authority to regulate the subdivision of land. Subdivision can generally be described as the legal mechanism to create new parcels of land. The subdivision process is governed by the City's zoning and subdivision bylaws and the Provincial Government's Local Government and Land Title Acts.

When is Subdivision required?

In the case where a property owner wants to create a new parcel of land out of an existing parcel, subdivision approval would be required. Subdivision can take the following forms:

- consolidating two or more parcels into one parcel;
- adjusting or realigning an existing property line; or
- creating several parcels from one or more existing parcels.

For any of these situations, the property owner must apply to the City of Burnaby for subdivision approval.

Who is involved in the Subdivision process?

■ Approving Officer

All subdivisions must receive the approval of the Approving Officer. In the City of Burnaby, Council has appointed the Director Planning and Building as the Approving Officer. Please note: a subdivision application is not eligible for variances through Board of Variance

■ Planning Division

The Planning Department coordinates the subdivision process, provides recommendations to the Approving Officer, and plays a major role in assisting you to satisfy the various requirements of the process.

■ Other City Departments/Agencies

Each subdivision application is forwarded to the Engineering Department (Development Services, Environmental Engineering and Traffic and Parking Management), Parks, Recreation and Cultural Services Department, Transportation, BC Hydro, Telus and in some cases Ministry of Environment and the Ministry of Transportation for review.

The Engineering Department plays an important role in the process since they ensure technical compliance with the servicing standards that have been established in the Subdivision Control Bylaw, in addition to providing the cost estimates for those services.

■ Land Title Office

All subdivisions must be registered in the Land Title Office before they can be considered legal.

What is the purpose of the Subdivision process?

The subdivision process enables Burnaby to ensure that new parcels of land are created in a manner that is beneficial to the overall well being of the community and in compliance with applicable procedures, regulations and bylaws. This is accomplished by evaluating subdivision applications on a number of important factors such as:

- zoning bylaw requirements;
- public safety;
- transportation flows;
- environmental sensitivity;
- utility services;
- neighbourhood compatibility; and
- long term planning.

The Approving Officer may refuse to approve a subdivision plan should he consider that the deposit of the plan is against the public interest.

Subdivision approval process

Stage I: Application Submission

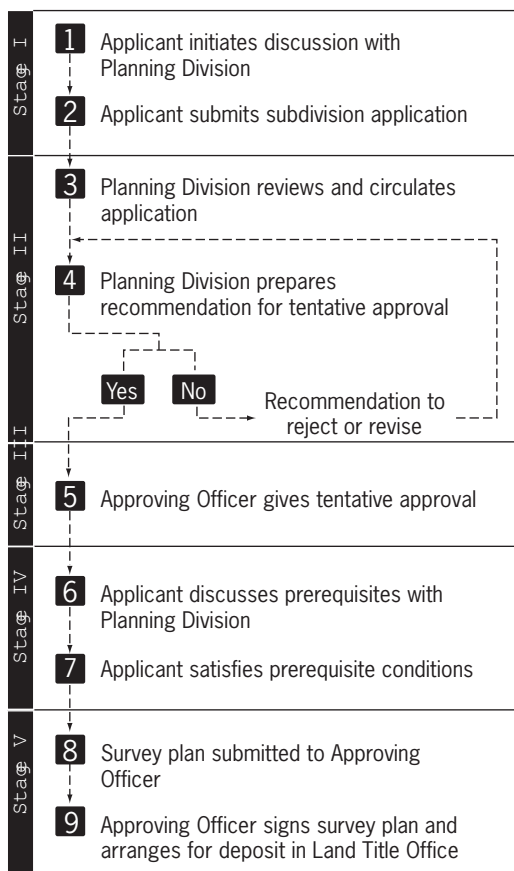
1. Prior to submitting an Application for Subdivision Approval, it is suggested that you contact the Planning Department in person or by letter to identify:
 - the existing zoning regulations pertaining to the area proposed for subdivision;
 - the type of information that is required in support of an application;
 - whether there are any plans which conflict with a proposed subdivision
 - a letter of inquiry may be required prior to submitting a formal application. In some cases, a current (within 6 months) Survey Plan will be required to allow staff review of possible subdivision potential.

2. A completed Application for Subdivision / Consolidation Form, available in the Planning Department, is submitted. The form must be accompanied by:

- a subdivision application fee
- an Authorization Form available in Planning, should the owner of the property have another person act on his/her behalf. In this regard, applicants may wish to retain a consultant who has the credentials and experience in coordinating subdivisions, particularly on the larger, more complex projects; and
- a topographical survey plan (including size, species, driplines and all trees over 8 inches in diameter) reflecting the proposed subdivision prepared by a BC Land Surveyor;
- if an existing building is retained, a detailed surveyor's plot plan is required; and
- if a creek is on or adjacent the property, an application must be submitted to the Environment Review Committee (ERC).

3. Upon receipt of the application, the Planning Department analyzes the proposal, establishes certain requirements, and circulates the application to other city departments and government agencies for review.

Subdivision Approval Process



4. Once the comments from the other city departments and agencies are received, the Planning Department would recommend whether:
 - the Approving Officer give Tentative Approval to the proposed subdivision;
 - the subdivision in its present form not be approved and that the applicant provide further information or revise the proposal; or
 - the subdivision not be approved.

Stage III: Tentative Approval

5. If the Approving Officer gives Tentative Approval to the proposed subdivision, a number of prerequisite conditions would be established and forwarded in a letter to you (approximately 4-5 months following formal application). These conditions would have to be completely satisfied prior to receiving Final Approval.

The Approving Officer sends a letter to the applicant indicating Tentative Approval and specifying the prerequisite condition. Some examples of condition for subdivision, but not necessarily limited to, are as follows:

- preparation of a legal survey plan by a professional surveyor;
- preparation and submission of design drawings for required services to be prepared by a qualified professional engineer;
- deposit of a Letter of Credit in the amount to cover the cost of engineering works;
- deposit of a 4% inspection fee (plus all applicable taxes) and payment of any related connection fees;
- entering into a Servicing Agreement with the City;
- entering into Restrictive Covenants;
- granting of easements, agreements and Statutory rights-of-way;
- completion of a Highway closure bylaw;
- payment of all application fees, final examination fee, legal document preparation and registration costs, taxes, Burnaby Development Cost Charges, GVS&DD Development Cost Charge, School District Acquisition Charge;

- dedication of road or parkland; and
- compliance with Subdivision Control Bylaw and other pertinent requirements that may be specified.

Tentative approval is valid for one year. A one year extension may be granted subject to a fee.

Stage IV: Satisfaction of Prerequisites

6. You may wish to meet with the Planning Department to discuss the prerequisite conditions. In addition, the City's Engineering Department must be contacted to obtain a design package for works that are to be constructed, if applicable.
7. You proceed to satisfy the prerequisite conditions and make all necessary submissions to the Planning Department.

Stage V: Final Approval and Registration

8. Once all prerequisite conditions have been satisfactorily completed, the survey plan and any accompanying documents and plans are submitted to the Approving Officer for Final Approval.
9. Once the Approving Officer has signed the survey plan, the plan and all accompanying documents are deposited in the Land Title Office. In most cases, the deposit will be undertaken by the City.

For lands under rezoning, Final Approval of Subdivision and registration in the Land Title Office must occur prior to Final Adoption of any related zoning amendment bylaw.

How much time does the process take?

The amount of time to process a subdivision application is largely dependent upon the complexity of the application. In addition, the time frame is affected by how well you respond to meeting the established requirements.

On average, an application takes approximately 6 to 12 months to process, once the application has been submitted. However, it must be recognized that the process time may be shorter or longer depending upon the nature of the application

What are the next steps in the development approval process?

Every development proposal will require additional approvals before development can proceed. The applicant should note the following:

- **Preliminary Plan Approval (PPA)**
PPA is required for all multi-family residential, commercial, industrial, and institutional development.
- **Building Permit**
A Building Permit is required for all building construction.

Refund policy

A refund on the subdivision application is not granted, except under the following circumstances:

- 1) A full refund is granted if the subdivision application is withdrawn prior to this department circulating the application to other departments for their review.
- 2) Partial refund equal to the amount of the subdivision application fee minus \$500.00 is granted after the application is circulated to other departments but review comments not completed.

For further information

For specific information related to individual applications, please contact:

Planning Department
T: 604-294-7400
F: 604-294-7220
E: planning@burnaby.ca

City of Burnaby
Planning and Building Department
4949 Canada Way
Burnaby, BC V5G 1M2

SUBDIVISION is one of a series of public information brochures covering the City Approvals Process in the City of Burnaby. Other brochures available from the City include:

- **REZONING**
- **PRELIMINARY PLAN APPROVAL**
- **SECONDARY SUITES**
- **SINGLE AND TWO FAMILY RESIDENTIAL AREA REZONING PROCESS**

This brochure is meant to act only as a general guide. Please consult the Community Charter, Local Government Act, Burnaby Zoning Bylaw, and other bylaws for definitive requirements and procedures. While every care is taken in the preparation of this brochure, the City of Burnaby assumes no responsibility or liability in respect of its contents. This brochure is intended as a guide only and is not a legal document. The public is advised to review the applicable legislation and bylaws and conduct its own enquiries with City staff.



Planning and Building Department