



Single Detached Residential Rezoning and Subdivision Application Guide

Key Stages of Application Process

For your information and project planning, this guide sets out Delta's application process with reference to the applicant's responsibilities at each stage. The process or timing may change dependent on each individual application.

If you have any questions, contact the Application Centre. We are here to help you!



STAGE

1

Application Review

Staff will review the application to ensure that all submission requirements have been met. If the application is found to be incomplete, it will be returned back to you.

Once a complete application is received, the file will be assigned to a Planner for review. The Planner will circulate the application to appropriate City Departments and external agencies for comments.

The Planner will also send a notice to neighbouring owners and tenants notifying them of the proposal and inviting them to provide comments. You will receive instructions for posting a development notice sign(s) on the property.

Applicant Steps

- Provide a complete and coordinated application.
- Pay the application fees.
- Contact the Planner to confirm application completeness, provide clarification on the proposal or missing documentation, and next steps.
- Post the development notice sign(s) on the property.
- Send a photo of the posted sign(s) and the date it was installed to the Planner.

timing

- Our goal is to provide you with the Planner's name and contact information via email within 2 to 3 business days after submitting your application.

helpful tips

- Contact neighbouring residents and work with them to address any concerns in advance of submitting the application.
- Once you have received the instructions for the development notice sign(s), put up the sign as soon as possible. Your application may be put on hold if the sign(s) is not put up or if it is taken down.

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Delta

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Once the Planner receives the circulation comments and responses from the public, the Planner will meet with other City staff and complete their review of the proposal. The review will include compliance/consistency with:

- Official Community Plan policies;
- Lot size and dimensions;
- Tree retention opportunities;
- Road, lane, walkway and emergency vehicle access;
- Compatibility with existing subdivision patterns and future subdivision potential of neighbouring properties; and
- Sewer, water, street light, and other services.

Upon completing the review, the Planner will provide a Preliminary Development Requirements Letter which will include a comprehensive set of comments.

Upon receipt of the Preliminary Development Requirements Letter,

- ❑ Revise proposal and plans, or otherwise address the comments raised in the letter. The goal of the revision stage is to craft an application that addresses all comments.
- ❑ Provide all revised plans and documents in a single submission for staff review. In order to provide clear direction, the Planner may defer review of your submission until all requested plans and information are available.
- ❑ Resubmit revised plans and documents if needed (multiple sets of comments may be provided if comments are not addressed or if new plans or information is received).

timing

- Depending on the scope and complexity of the project, our goal is to send you the Preliminary Development Requirements letter within 6 to 8 weeks from the date of receiving a complete application.

helpful tips

- Meet with the Planner and Development Technologist to discuss the Preliminary Development Requirements Letter. They can answer questions and provide further direction on revising the proposal or plans.
- To progress your application to 1st and 2nd readings quickly, address all comments in the Preliminary Development Requirements Letter and coordinate revisions among your consultants.
- If you are proposing to remove privately owned trees on a neighbouring property, written permission from the property owners is required. If they do not give permission, you will need to revise your proposal so that the off-site trees can be retained.

Once final plans and documents are received, staff will prepare a report and applicable bylaw(s) for Council's consideration.

At time of 1st and 2nd readings, Council will review your proposal for the first time. If the readings are granted, a Public Hearing will be scheduled on an upcoming agenda.

- ❑ If any comments are raised by Council about the proposal, the applicant may choose or be required to address those comments prior to the Public Hearing.

timing

- The timing of scheduling an application for 1st and 2nd readings is dependent on the applicant providing final plans and documents that address all of staff's comments. Following receipt of final plans, the Council Meeting date would generally be in 4 to 8 weeks' time.

helpful tip

- A copy of the Council Report will be emailed to you in advance of the meeting.



The Public Hearing is intended to provide the public with a final opportunity to share their views regarding your proposal. Following the Public Hearing, Council may grant 3rd reading, deny the application or otherwise provide a resolution on the application.

Prior to the Public Hearing, staff will provide notice of the Public Hearing via the newspaper and mailed notices to the properties within the public notification area (as required by the *Local Government Act*).

Staff will attend the Public Hearing to respond to questions but will not make a presentation regarding your application.

- ❑ Attend the Public Hearing. You will be given the opportunity to make a brief presentation about your application. If you do not wish to make a presentation, you can identify yourself and be available to answer questions from Council.
- ❑ Contact the Planner if you wish to make a PowerPoint presentation. The presentation would be required to be submitted no less than one week prior to the Public Hearing. The presentation may be no longer than 5 minutes.
- ❑ Contact the Planner if you will not be available to attend the Public Hearing.

timing 

- The Public Hearing will typically be held 2 to 6 weeks following 1st and 2nd readings.

helpful tip 

- Arrive early at the Public Hearing to introduce yourself to staff and to ask any last minute questions. If you cannot arrive early, plan to arrive at the start of the Public Hearing as the exact timing for each item is unknown and is dependent on the number of speakers and other factors.

If 3rd reading is granted, the Planner will prepare a 3rd Reading Letter which will outline all requirements that need to be met before proceeding for final consideration and adoption.

You will have 1 year to complete the requirements noted in the letter. If more than 1 year passes, you must request a 3rd reading extension.

After 3rd reading, stay in touch with the Planner about any issues that arise and when you intend to complete the subdivision. The Planner will be available to answer questions and provide further direction where needed.

timing 

- Our goal is to send you the 3rd Reading Letter within 2 weeks of the 3rd Reading.

helpful tips 

- If there will be any changes to the title of the property (e.g. change in ownership, mortgage holder or mortgage type), contact the Planner to discuss. If changes take place following the legal documents being drafted, additional fees will be required and there may be a delay with the application processing.

- If there is an existing dwelling occupied by tenants, consider the requirements of the *Residential Tenancy Act* early in the process to coordinate the timing of house demolition.
- While most applicants wait, demolition of an existing building is permitted prior to final consideration and adoption provided that protective barriers as per the "Delta Tree Protection and Regulation Bylaw No. 7415, 2015" have been installed around all existing trees. Tree removal will not be authorized until after final consideration and adoption.
- Your subdivision survey plan and Application to Deposit are only valid for 90 days. It is recommended that you have these documents prepared as a last step.
- Application to Deposit must be signed by all parties. It is the applicant's responsibility to obtain all required signatures. If there are any changes to the documents, including expiry of the subdivision plan, all signatories need to consent to changes or resign which may cause delays.

Applicant Steps

Upon receipt of the 3rd Reading Letter,

- ❑ Complete requirements outlined in the 3rd Reading Letter within 1 year. Requirements may include:
 - ❑ Paying for legal documentation;
 - ❑ Providing final versions of plans if there have been any changes;
 - ❑ Completing and submitting engineering design drawings (on-site and off-site works);
 - ❑ Paying all fees, deposits, securities and development cost charges including servicing requirements;
 - ❑ Paying property taxes and utility bills;
 - ❑ Providing executed legal documentation; and
 - ❑ Providing signed legal plans and documents.

Once all of the requirements in the 3rd Reading Letter have been met, staff will prepare a final report for Council's consideration at the next available Council Meeting date.

Applicant Steps

Following final consideration and adoption:

- ❑ Complete the demolition or relocation of any buildings where required (if not already complete). A Certificate of Non-Encroachment is required if any buildings will be retained.

timing 

- The timing of scheduling an application for final consideration and adoption is dependent on the applicant satisfying the requirements in the 3rd Reading Letter.

helpful tips!

- If invoices for property taxes or utilities have been issued after final consideration and adoption, payment will be required prior to subdivision approval.
- If more than 90 days has passed since the subdivision survey plan was prepared, a new subdivision survey plan and Application to Deposit will need to be provided for the Approving Officer's signature.

Once the Mayor and City Clerk have signed the legal documentation, the Planner will present the Application to Deposit to the Approving Officer for approval of the subdivision plan.

Once all documentation has been signed, the documents will be provided to your lawyer or solicitor for registration with the Land Title Office.

Once the Land Title Office has registered the documents, the new lot(s) will be formally created.

Applicant Steps

- ❑ Follow up with your lawyer or solicitor regarding document registration. Documents must be registered within 60 days of Approving Officer signature.

timing 

- Allow 1 to 2 months following final reading for the legal documentation to be signed and registered with the Land Title Office. The documentation must be registered within 90 days after the Approving Officer signs off on the subdivision.

helpful tip!

- You may choose to begin preparing the building permit application at this stage. A building permit will be accepted once document registration with the Land Title Office is complete.

A Plans Examiner will review your building permit application for zoning and building code compliance.

House designs must be in compliance with the design guidelines or building plans, tree retention covenant and any other legal documents that were registered as part of the rezoning application.

Applicant Steps

- ❑ Review the Single Detached Residential Building Permit Guide for further information on submitting your building permit application.
- ❑ Contact the Application Centre if you have questions about the building permit application requirements or process.
- ❑ Submit the building permit application.

helpful tips!

- Review the covenant documentation for instructions on how to request release of any tree retention, tree replacement or landscaping securities. Contact the Planner if you have any further questions about the release of securities taken at time of rezoning.
- If your property is within a steep slope area, all excavation, foundation work, slope alteration, pile driving, or anchor placement shall only take place between May 31 and October 1. Building permit issuance may be withheld during the winter months.