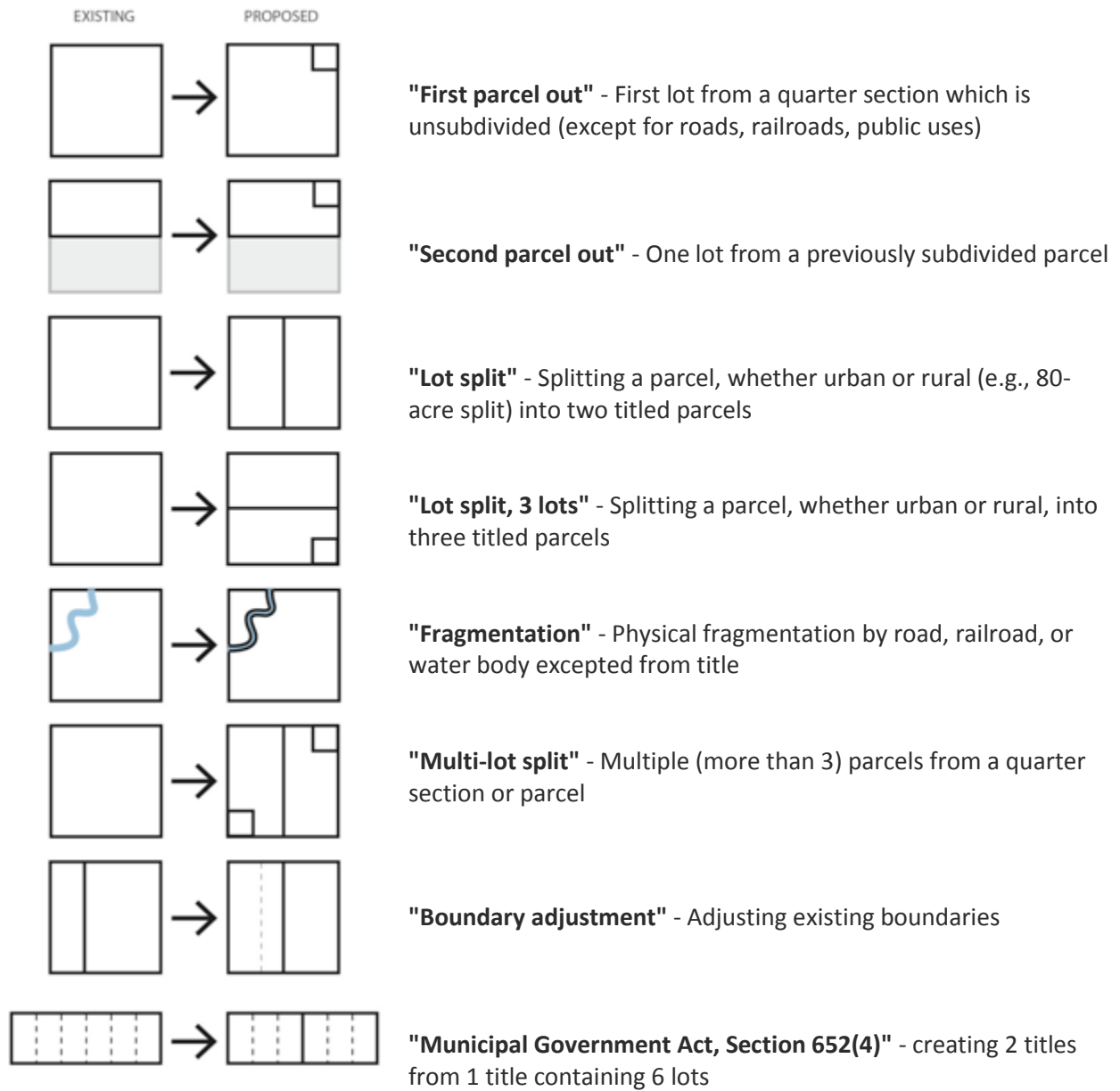


# What is a Subdivision?

Subdivision refers to the process of adjusting the boundaries of a parcel of land to:

- Change the dimensions of an existing parcel
- Create additional parcels of land, or in some cases,
- Reduce the number of parcels of land.

## Different types of subdivisions



## When is a Subdivision needed?

1. If a person owns a quarter section, part of a quarter section or a Lot or Block on a Plan and wants to sell a portion of that property to another person, or if he want to sell off most of the property and keep a small portion for themselves, they require a subdivision.
2. If a person owns a quarter section, a part of a quarter section, a Lot or a Block on a Plan and they want to sell several portions of that area, they require a subdivision.
3. If a person owns several Lots or Blocks on a Plan and wants to create more Lots or Blocks, they require a subdivision.
4. If a person owns a titled area which is split by a road, a railroad, a river, or a lake, and they wants to divide the titled area using the road, railroad, river or lake as a boundary, they require a subdivision.
5. If a person or two people own two titled areas (parts of quarter sections, Lots, or Blocks) and they want to change the boundaries of the titled areas (do a boundary adjustment), they require a subdivision.

Under the Municipal Government Act, R.S.A. 2000, as amended, before the Land Titles Office can register a Plan or another instrument creating a subdivision, the subdivision must be "approved" by a Subdivision Authority. The Subdivision Authority is Council.

## What are the application requirements?

To apply for a subdivision, the landowner or an agent authorized to act on the landowner's behalf shall submit the following:

1. A completed application form, signed by the landowner and/or agent. Where an application form is not signed by the landowner, a letter from the landowner authorizing the agent to apply for the subdivision shall accompany the application form;
2. The fee due at subdivision application
3. A copy of a sketch plan (1 copy if the sketch plan is 11" x 17" or smaller, and 2 copies if the sketch plan is larger than 11" x 17") showing the following:
  - a. The legal description, boundaries, dimensions, and size of the existing parcel of land as described on the existing certificate of title;
  - b. The location, registered plan number and dimensions of any road widenings, utility or railway rights-of-way, easements or existing parcels excepted from the titled area;
  - c. The location, dimensions, boundaries and size of the proposed parcel(s), clearly outlining the area to be subdivided;
  - d. The location of any buildings or structures and any existing water wells, sewage disposal or pump out sites;
  - e. Existing and proposed roads which will serve the proposed subdivision;
  - f. The location of existing and proposed approaches serving the proposed parcel(s) and remainder of the titled area;
  - g. All drainage channels, streams, rivers, lakes or large sloughs located on the titled area; and
  - h. If the proposed lot(s) are to be served by individual wells and private sewage disposal systems, the type and location of any existing or proposed wells and private sewage disposal systems, and the distance from these to existing and proposed buildings and existing and proposed property lines.
4. One photocopy of a Title Search for the subject land, validated within 30 days of the submission of your application.
5. Information about abandoned oil and gas wells including a map from the Energy Resources Conservation Board (ERCB).

Where applications are for land with severe topographic limitations or where applications are adjacent to a body of water, a map showing contour intervals may be required.

## What Happens After I Submit My Completed Application?

Our processing of a subdivision application generally follows these steps:

1. Submission of a completed application with the required fee;
2. Referral to municipal staff, school divisions, utility companies, and government departments, among other agencies, for comment;
3. Notification of subdivision application to adjacent landowners and receipt of input;
4. Decision (tentative approval, tentative approval with conditions, or refusal), normally within 60 days;
5. Appeal period (21 days) - potential appeal to Subdivision and Development Appeal Board or Municipal Government Board by applicant or referral agency;
6. Fulfillment of any conditions specified in the decision;
7. Submission of a Descriptive Plan, Plan of Survey, or other instrument to the Summer Village Administration together with the required fee for endorsement (final approval); and
8. Registration (by the applicants surveyor) of the Plan or document at the Alberta Land Titles Office.

## How is a Subdivision Application evaluated?

The first considerations by the Subdivision Authority include:

- suitability of the proposed site for the intended use;
- conformity of the proposal to local planning legislation, The Municipal Development Plan, any Area Structure Plan, and Land Use Bylaws;
- conformity to the provisions of the Municipal Government Act and the Subdivision and Development Regulation.

## Why Might a Subdivision Be Refused?

If the proposed subdivision does not meet the criteria set out in the statutory plans, the applicant may consider asking for an amendment to them. If the application meets the provincial and municipal planning legislation, the next step is evaluation of the specific site characteristics. This analysis includes evaluation of:

- boundaries and building locations;
- topography (is there a suitable building site?);
- soil characteristics (suitability for drainage or sewage);
- storm water collection;
- adequacy of water supply (quantity and quality);
- road accessibility and internal roads;
- erosion, slope, environmental concerns;
- other matters the Subdivision Authority considers relevant.

To assist in evaluation, the Subdivision Authority may refer the application to other agencies for comment, these may include:

Alberta Registries;  
School authorities;  
Alberta Agriculture, Food, and Rural Development;  
Department of Sustainable Resource Development;  
Department of Environment;  
Department of Transportation;  
The Alberta Energy and Utilities Board;  
Alberta Environment and Parks;  
Adjacent municipalities; and  
Other persons or authorities whose input would assist in evaluating the application.

Adjacent landowners will be notified of the application and may provide input or appear at hearings if hearings are held. Adjacent landowners do not have to be notified if the application is part of an Area Structure Plan or a conceptual scheme and public hearings have been held. Notification may occur at the discretion of the municipality.

## What happens if I don't like the decision issued by the Subdivision Authority?

### Appealing a Decision

Within 19 days on the letter giving notice of the decision, an appeal may be filed. Appeals can only be made by:

1. Government departments;
2. School boards on a matter of municipal reserve; and
3. The applicant.

Adjacent landowners cannot file an appeal. An appeal must be in writing and contain reasons for the appeal. An appeal hearing must be held within 30 days of receiving the appeal notice, and the appeal fee must be paid. At the hearing, all parties have an opportunity to provide input and may be questioned. The Subdivision and Development Appeal Board has 15 days to issue a decision. A further appeal is available to the provincial courts on a point of law or jurisdiction.

## What is required after the Subdivision Authority has issued a decision?

The steps needed to finalize the subdivision approval are contained in the notice of decision provided to the applicant and include:

1. Contacting a surveyor to prepare the documentation required for the Land Titles Office;
2. Completing and providing proof of completion that all conditions have been met; and
3. Paying outstanding charges such as municipal reserve, taxes, and the final fees.

When all the conditions are met and the appeal period has elapsed, the Summer Village Administration will endorse the plan. We will send the endorsement sheet to the surveyor who completed the plan to be filed with the Land Titles Office.