

## THE SUBDIVISION PROCESS PURSUANT TO THE MUNICIPAL GOVERNMENT ACT, R.S.A. 2000, C. M-26

This guide has been prepared for persons interested in subdividing land. It provides information answering the following common questions:

1. What is a subdivision?
2. What is the subdivision process?
3. What are subdivision costs?
4. How long does a subdivision take?
5. What are the application requirements?
6. What does a tentative plan (sample sketch) look like?
7. What are the site plan requirements?
8. What is the process for subdivision and development near abandoned wells?

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Applications for subdivision can be sent by letter mail to:

Municipal Planning Services (2009) Ltd.  
#206 17511 – 107 Avenue NW  
Edmonton, Alberta  
T5S 1E5

Further information can be obtained by contacting Municipal Planning Services (2009) Ltd.

PHONE: (780) 486-1991  
FAX: (780) 483-7326  
EMAIL: [mpsabca@munplan.ab.ca](mailto:mpsabca@munplan.ab.ca)  
ONLINE: [www.munplan.ab.ca](http://www.munplan.ab.ca)

Revised: February 2019

This brochure is prepared to assist people who must have a subdivision approval in order to do what they want to do with their land.

Generally, a subdivision creates more than one title from one titled area. For instance:

1. If a person owns a quarter section and wants to sell a portion of that quarter section to another person, or if they want to sell off most of the quarter section and keep a small portion for themselves, they need a subdivision.
2. If a person owns a part of a quarter section and wants to do the same, they need a subdivision.
3. If a person owns a Lot or a Block on a Plan and wants to do the same, they need a subdivision.
4. If a person owns a quarter section, a part of a quarter section, a Lot, or a Block and they want to sell several portions of that area to several persons, they need a subdivision.
5. If a person owns several Lots or Blocks on a Plan and wants to create more Lots or Blocks, they need a subdivision.
6. If a person owns a titled area which is split by a road, a railroad, a river, or a lake, and they want to divide the titled area using the road, railroad, river or lake as a boundary, they need a subdivision.
7. If a person owns, in one title, several Lots on a Plan registered prior to July 1, 1950 (prior to Plan 1966 HW) and they want to divide them into separate titles, they need a subdivision.
8. 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 need a subdivision.

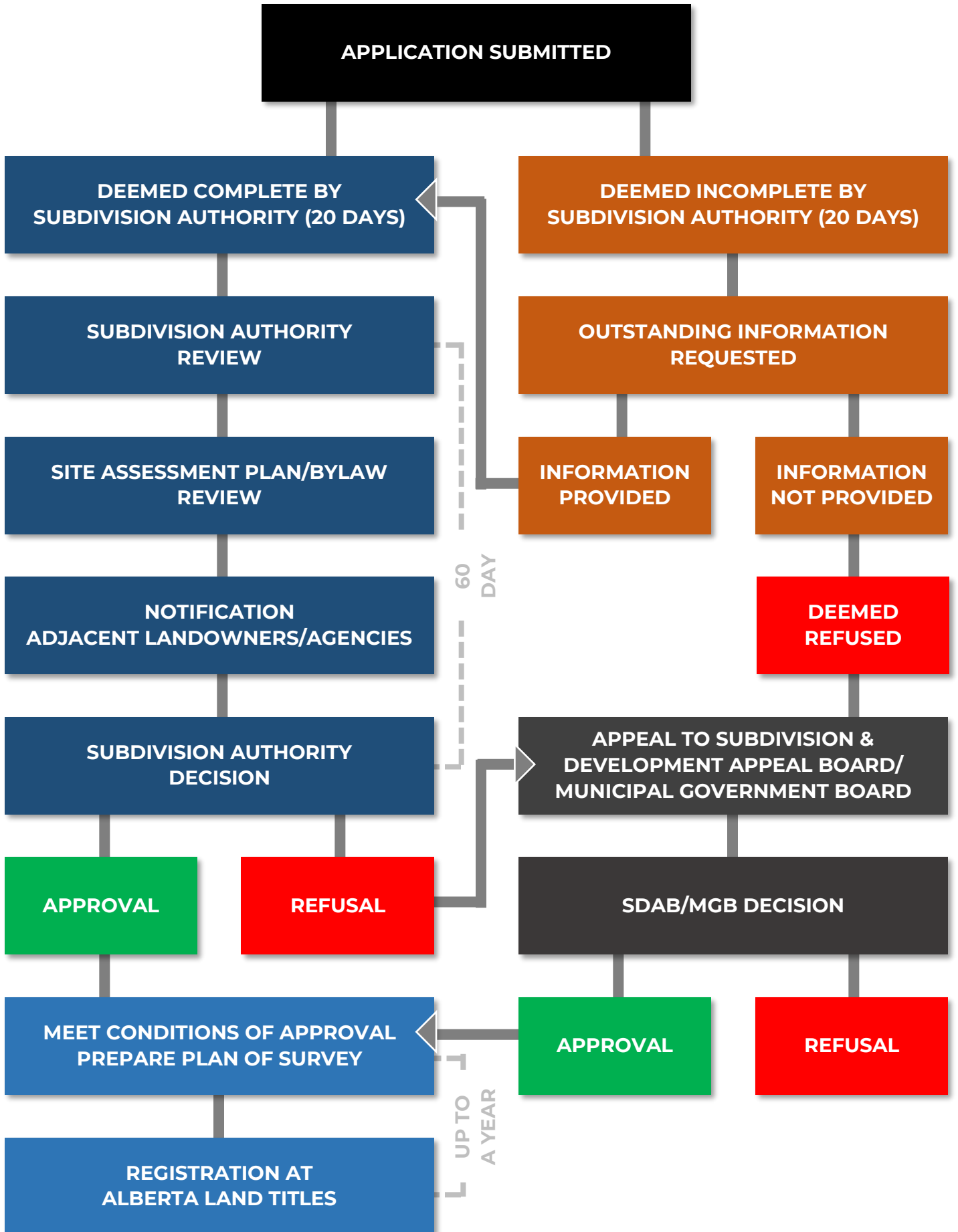
Under the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, before the Land Titles Office can register a Plan or another instrument creating a subdivision, the subdivision must be “approved” by a Subdivision Authority

Under the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, municipal Councils appoint Subdivision Authorities. In several municipalities, the Subdivision Authority or the Authority’s Officer is Jane Dauphinee, RPP, MCIP, who works through a private company, Municipal Planning Services (2009) Ltd. Please contact our office to confirm who the Subdivision Authority is prior to submitting your plan.

Generally, an application for subdivision goes through the following steps:

1. Submission of an application to MPS with the required fee.
2. Preliminary review to determine if application is complete (20 days). Note that if additional information is required to process your application our office will contact you.
3. When the application is deemed complete (all forms & fees have been provided the file is opened).
  - a. Referral to municipal staff, school divisions, utility companies, and government departments, among other agencies, for comment.
  - b. Notification of subdivision application to adjacent landowners and receipt of input.
  - c. Decision (approval, approval with conditions, or refusal), normally within 60 days.
  - d. Appeal period (21 days) - potential appeal to Subdivision and Development Appeal Board or Municipal Government Board by applicant or provincial agency - not by neighbours.
  - e. Fulfillment of any conditions specified in the decision.
  - f. submission of a Descriptive Plan, Plan of Survey, or other instrument to Municipal Planning Services (2009) Ltd. together with the required fee for endorsement (final approval).
  - g. Registration of the Plan or document at the Alberta Land Titles Office by an Alberta Land Surveyor.

A process chart summarizing the subdivision process is included on the next page of this guide.



## Payment Options

Cheque	E-transfer
Made payable to: Municipal Planning Services (2009) Ltd. #206, 17511 - 107 Ave NW Edmonton, AB T5S 1E5	Contact MPS for e-transfer details and options.

## Application Fee(s)

G.S.T. is payable on all fees.

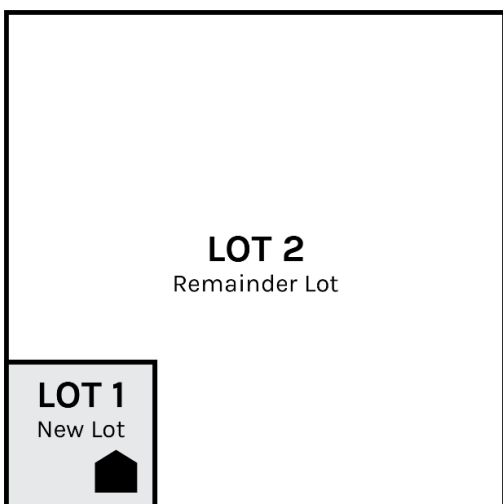
Base Application Fee	Per Lot Fee <sup>1</sup>	Per Lot Endorsement Fee <sup>2</sup>
<b>\$750.00</b>	<b>\$250.00</b>	<b>\$200.00 Per Lot</b>
<b>Payable with Initial Application</b>		<b>Payable Prior to Endorsement<sup>3</sup></b>

In addition to the fees charged by MPS, some municipalities charge an additional per lot fee at time of application. Please contact our office for fee information affecting subdivisions in:

County of Barrhead	County of Wetaskiwin	Town of Bon Accord	Town of Redwater	Town of Bruderheim

## Example Subdivision Application

Subdividing a farmstead or vacant lot from an existing titled area (provided for information only)

 <p><b>LOT 2</b> Remainder Lot</p> <p><b>LOT 1</b> New Lot</p>	<b>1. Application Fee</b>	\$750.00	
	<b>2. Per Lot Fee</b>	\$500.00	
	1 New Lot & Remainder Lot	(\$250.00 x 2)	
	<b>Subtotal</b>	<b>\$1,250.00</b>	
	<b>3. Endorsement Fee</b>	\$400.00	
	1 New Lot & Remainder Lot	(\$200.00 x 2)	
	<b>Subtotal</b>	<b>\$400.00</b>	
		<b>G.S.T.</b>	<b>\$82.50</b>
		<b>Total</b>	<b>\$1,732.50</b>

<sup>1</sup> Reserve lots, roads, and public utility lots are exempt from the per lot application fee.

<sup>2</sup> Reserve lots, roads, and public utility lots are exempt from the per lot endorsement fee.

<sup>3</sup> Endorsement fees are not charged for Separation of Titles ([s. 652\(4\) of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended](#)).

## Additional Fees

The following additional fees may apply to a subdivision. G.S.T. is payable on all fees.

<b>Recirculation \$250.00</b>	Minor changes to an application may be accepted at the office with no additional costs. If the change requires the application to be recirculated to the various agencies and/or adjacent landowners a recirculation fee shall apply.
<b>Extension \$350.00</b>	If the applicant is unable to finalize the subdivision within one year from the date of the decision, an extension may be requested. If the extension is approved, an extension fee shall apply.
<b>Title Search \$15.00</b>	The title search fee is applicable when a recent land title (dated within 90 days from the time of application) is not provided by the applicant, and a land title is obtained by MPS.

## Additional Costs Associated with the Subdivision Process

Application fees are only one of the costs associated with the subdivision of land. When planning your subdivision, it is important to consider all potential costs associated with the process.

The information provided below is intended to provide potential applicants with an understanding of some of the common costs associated with subdividing land in Alberta.

<b>Surveying Costs</b>	<p>Surveying is often required to show the location of structures, prepare plans and to register documents with the Land Titles Office.</p> <p>The Alberta Land Titles Act requires an Alberta Land Surveyor (ALS) to be retained for this purpose. Surveyors should be contacted directly for estimates related to these services.</p>				
<b>Municipal Reserves</b>	<p>Municipal Reserve (and other forms of reserves) may be taken at time of subdivision in accordance with the Municipal Government Act. Reserves may be required to be provided as either land or cash-in-lieu of land. The land's market value may be assessed/appraised to determine its value.</p>				
<b>Municipal Services</b>	<p>All costs associated with municipal services are (normally) the responsibility of the developer. This includes costs associated with municipal/regional services and franchise utilities. Some municipalities may require the payment of off-site levies at the time of subdivision or development to support local infrastructure and service delivery.</p>				
<b>Land Titles Office</b>	<p>The Land Titles Office of Service Alberta requires fees for the issuance of new titles. These fees are paid to the Land Titles Office when the survey instrument is submitted for registration. An Alberta Land Surveyor will be able to provide information about this process.</p>				
<b>Professional Studies and Reports</b>	<p>For some subdivisions, additional information may be required depending on the characteristics of the site and the complexity of the subdivision. Additional information may be requested if:</p> <ul style="list-style-type: none"> <li>• The site or proposal has considerations that may require Federal or Provincial approvals.</li> <li>• It is necessary to determine the location and area of suitable building pocket(s).</li> </ul> <p>Examples of professional studies and reports include:</p>				
	Geotechnical Report	Historic Resource Act Clearance or Approval	Wetland Assessment	Biophysical Assessment	Private Sewage Disposal System Inspection
	Real Property Report	Preliminary Engineering Study	Traffic Impact Assessment	Phase I and/or II Environmental Assessment	Top of Bank Definition by Survey

Generally, a subdivision takes:

1. 0-20 days to deem complete or incomplete.
2. From submission of completed application to tentative approval - normally no more than 60 days.
3. Appeal period - 21 days.
4. Fulfillment of any conditions specified in the decision - as long as the landowner wants - can be 1 week, can be up to a year, in the landowner's control.
  - a. **Note:** Subdivision approvals are only valid for 1 year, at which time a final plan (Descriptive Plan or Plan of Survey) must have been submitted to Municipal Planning Services (2009) Ltd. for final approval. Extensions for an additional year can be requested, but the extension request does not have to be granted. As well, there may be a fee for an extension. (See: Sample Fee Details on Page 5). Extensions are granted for a maximum of 3 years.
5. Final approval or endorsement - normally 1 or 2 days.
6. Registration of the Plan and/or other instruments at the Alberta Land Titles Office - normally 2 to 4 weeks.

## APPLICATION REQUIREMENTS

The following is a list of application requirements needed to provide a completed subdivision application:

1. Application Fee (Please refer to applicable MPS fee schedule)
2. FORM 1 | Application for Subdivision (must be completed in full and signed)
3. FORM 2A or 2B | Alberta Energy Regulator (AER) Abandoned Wells Statement (whichever is applicable)
4. FORM 3A | Authorization for Electronic Communication
5. FORM 4 | Tell Us About Your Sewage Disposal System  
\*\*To be completed for each private sewage disposal system on the subject property\*\*
6. FORM 5 | Landowner Letter of Authorization  
\*\*Must accompany all applications where the applicant is not the landowner OR where there is more than one registered landowner. Please note that signatures are required for ALL registered landowners\*\*
7. Certificate of Title (obtained within 3 months of the submission of the application)  
\*\*Please note that if one is not provided, we may acquire one on your behalf for a fee\*\*
8. Tentative Plan of Subdivision (with area and dimensions of the proposed lot(s) and remainder parcel)
9. An orthophoto of the subject site (including proposed and remainder parcels)
10. Any other items or information identified during pre-submission consultation.

Please note that applications may not be deemed complete until all application requirements have been submitted and reviewed for completeness.

Please ensure that you have completed the application form accurately and clearly identified the existing and proposed land uses in the spaces provided.

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.

If the application is to create four or more new parcels and is not to be served by municipal piped sewage disposal services, a report certifying that water table levels and soil permeability on the site satisfy Alberta Environment and Parks guidelines for the type of development proposed may be required. The preparation of an Area Structure Plan may be required for this type of development.

If the application is to create a sixth or subsequent parcel on a quarter section and is not to be served by municipal piped water supply or cisterns (with trucked water), a report to satisfy Section 23(3) of the Water Act will be required.

Should this or other information be required, you will be contacted directly by Municipal Planning Services (2009) Ltd.

You will be notified by letter when your application has been accepted, and also when a decision (Item 3.c in the Subdivision Process listed on Page 3) has been made.



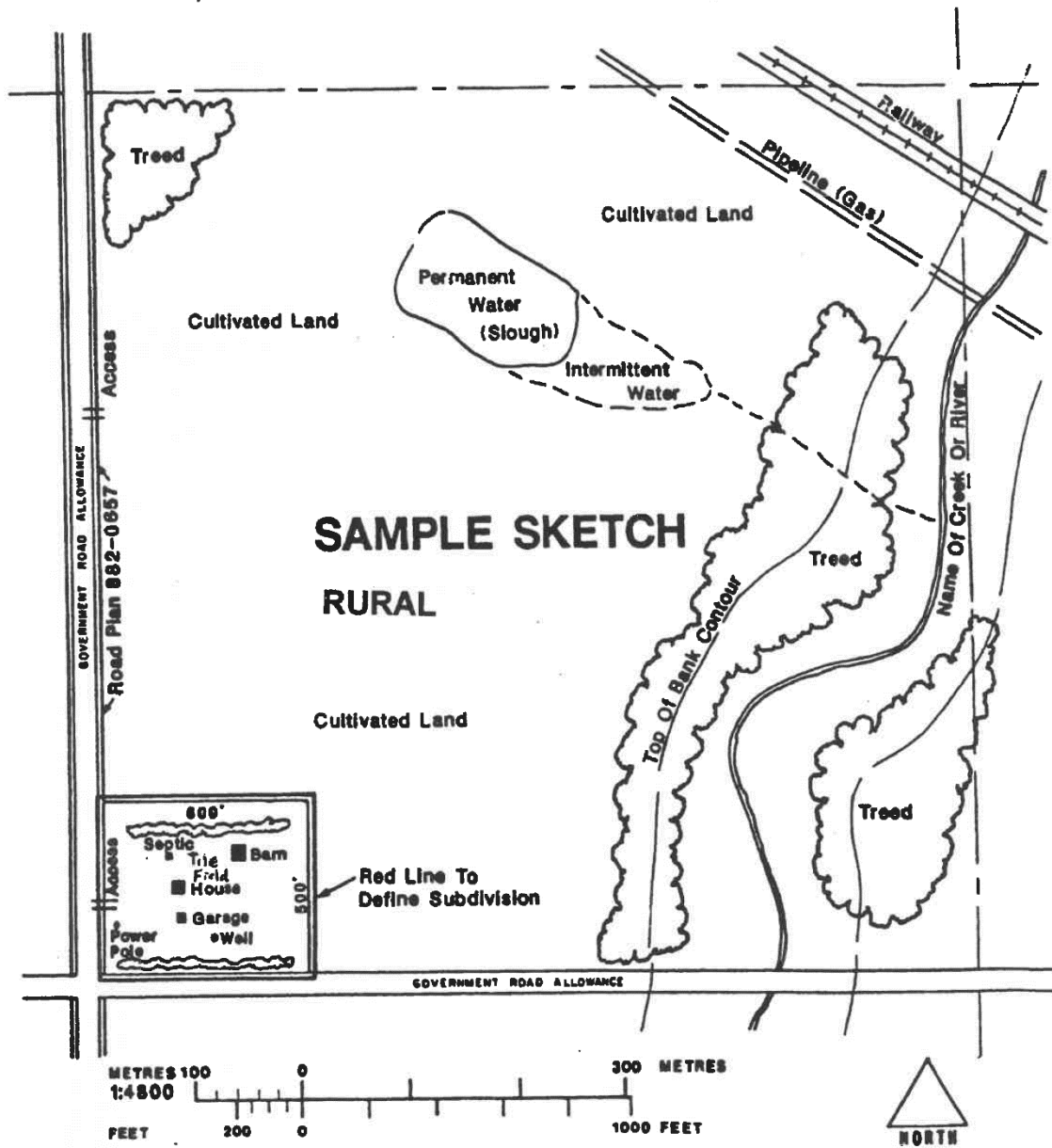
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## TENTATIVE PLAN OF SUBDIVISION SW 1/4 SECTION 17 TP. 51 RGE. 6 W 5 M

Certificate of Title Area ..... 160.00 ac. 64.75 ha.

Area In parcel(s) being created ..... 6.89 ac. 2.78 ha.

NOTE: Provide areas in either Imperial or Metric measure.



## CHECKLIST FOR APPLICANTS

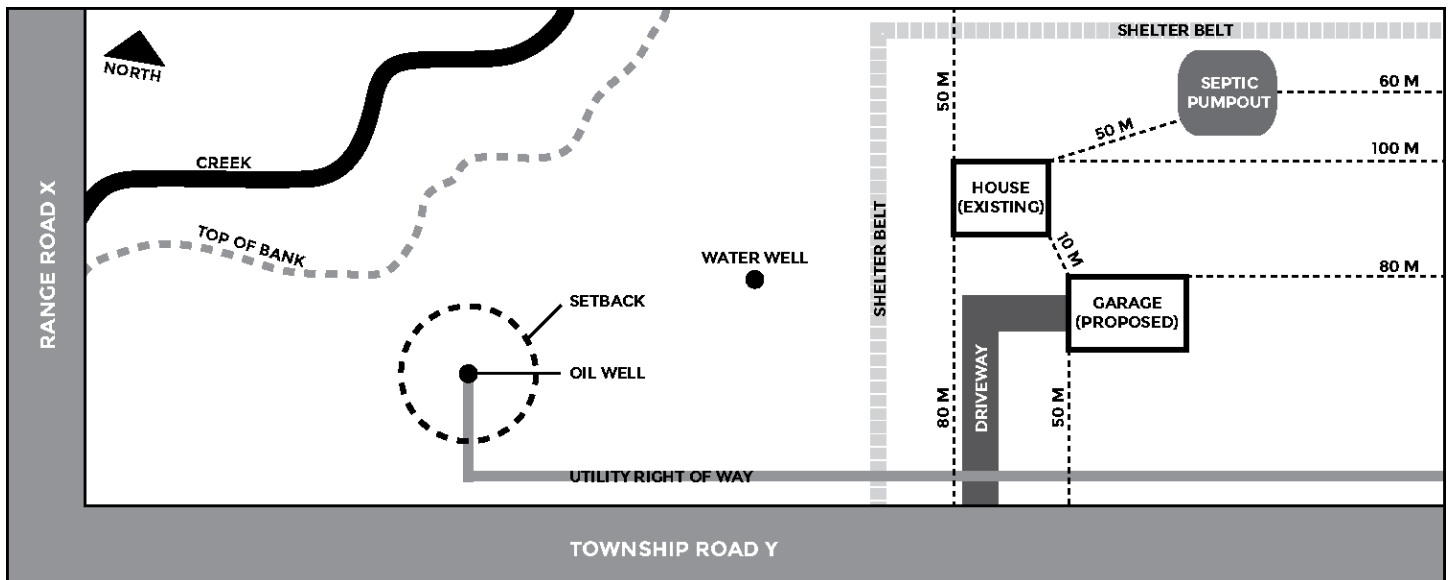
Below are the standard site plan requirements for all subdivision applications. Additional requirements specific to your application may be required once the application has been reviewed by our planners.

### CHECK LIST

- Indicate setback distances from all property boundaries for new and existing developments and specify the units of measurement (ft or m). Minimum setback requirements are identified in the municipality's Land Use Bylaw.
- Indicate the direction of north on the site plan.
- Indicate the distances between existing and proposed structures.
- Identify and label all roads that abut the subject property.
- Identify the location of all easements, caveats, right-of-ways, etc.
- Indicate the location of any accesses/approaches to the subject property.
- Indicate the location of any active or abandoned oil/gas wells, pipelines, and/or facilities.
- Indicate the location of any water wells and sewage disposal systems and the distance between these facilities and the new proposed boundaries.
- Indicate the location and distance to existing natural features (e.g. water courses, wooded areas, water bodies including wetlands, ravines, etc.) and man-made features (berms, drainage ditches, etc.).
- Identify the location of all existing, temporary, to be removed/demolished, moved-in, and proposed structures (e.g. dwellings, sheds, signs, etc.).
- Identify the direction of site grading and drainage.

### EXAMPLE SITE PLAN

Note: This plan is intended for illustration purposes only; it will not be accepted as a site plan for a subdivision application.



## FOR SUBDIVISION AND DEVELOPMENT

Effective November 1, 2012, the Subdivision and Development Regulation requires that applicants for new subdivisions or development permits provide information about abandoned oil and gas wells on the subject property. Before an application for subdivision or a development can be considered, applicants **MUST** provide this information. The following chart outlines the process for determining what information is required depending on whether abandoned wells are located on the property.

1

Check the **Alberta Energy Regulator (AER) Abandoned Wells Viewer** to determine if abandoned wells are located on the subject property.

**YES!** Abandoned wells **ARE FOUND**.



**NO!** Abandoned wells **ARE NOT FOUND**.

2

The Applicant must provide the following as part of their application:

- A statement that no abandoned wells are located on the property; and
- A copy of the map from the **AER Abandoned Wells Map Viewer** of the subject property.

2

The Applicant must contact **ALL LICENSEES** identified by the AER as affecting their property to confirm the following:

- The exact location of each abandoned well; and
- The setback distance required by the Licensee from each abandoned well.

3

The Applicant must provide the following as part of their application:

- A copy of the map from the **AER Abandoned Wells Map Viewer** of the subject property;
- A list of all abandoned wells, including the surface coordinates;
- A sketch of the proposed development showing the required setback area of each abandoned well; and
- Any additional information from Licensee(s) that led to a change in the setback.

The AER Abandoned Map Viewer can be found online at: [mapviewer.aer.ca/Html5/Index.html?viewer=aerabnwells](http://mapviewer.aer.ca/Html5/Index.html?viewer=aerabnwells)

Effective November 1, 2012, Alberta Subdivision and Development Regulations require applicants to provide information about abandoned oil and gas wells on the subject property. Before an application can be considered, applicants **MUST** provide this information for review.

By having the landowner (or agent acting on behalf of the landowner) conduct this search it can prevent damage to the well, to construction or excavation equipment, as well as injury to equipment operators or landowners.

## FREQUENTLY ASKED QUESTIONS

**1** Can an agent sign the statement on behalf of the landowner, or does the statement have to be filled and signed by the registered owner of the property?

An agent can sign the required statement on behalf of the registered landowner. The wording of the Alberta Energy Regulator's (AER) Directive 79 requires "confirmation from the applicant." The applicant, whether the landowner or an agent acting on behalf of the owner, can sign the statement and provide the written confirmation.

**2** If there is an abandoned well or wells on the subject property, what is the proper procedure to be followed? What is required by the licensee and the registered owner of the property?

The landowner, or agent acting on behalf of the landowner, must contact all licensees on the affected property. The licensee(s) are then required to physically locate the abandoned well(s).

In order to demonstrate that this has occurred, Municipal Planning Services (MPS) will require the following:

1. GPS coordinates of the well site(s); and
2. A sketch of the site showing the exact location of the well(s) on the property and the required setback distance from the well site(s).

**This information must be provided by the licensee or a surveyor.**

**3** What does a landowner, or the agent acting on behalf of the landowner, do if an abandoned well licensee no longer exists or is defunct?

The AER's Directive 79 states: "if an applicant is unable to contact the licensee of record using the information provided by the [AER Abandoned Wells Map] viewer or the [AER] Information Management Branch, the AER may be able to supply additional contact information.

To obtain an approval for a development permit from the Municipality, the well(s) must be located and tested as per Directive 079 requirements. The developer may choose to hire competent professionals locate and test the well(s) and assume the associated costs. As per *Directive 079*, Section 6.0, if a methane anomaly is detected, the test results must be immediately submitted to the AER at [Directive079@aer.ca](mailto:Directive079@aer.ca). The associated cost to locate and test for leaks of abandoned wells will generally be shouldered by the developer where the licensee is no longer viable.

**4** Does this information need to be provided before an application for subdivision can be deemed complete?

**YES.** A subdivision application submitted to MPS will not be deemed complete until all relevant information regarding abandoned oil and gas wells has been provided in full by the applicant.