

CIRCULAR

THE SUBDIVISION PROCESS

PURSUANT TO THE MUNICIPAL GOVERNMENT ACT, R.S.A. 2000

This is prepared as a general guide for persons wishing to subdivide land. It provides information answering the following common questions:

1. What is a subdivision?
2. What is the whole subdivision process?
3. What are the costs of subdivision?
4. How long does it take?
5. How do I apply for a subdivision?

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

phone: (780) 486-1991  
FAX: (780) 483-7326  
e-mail: [s.cole@munplan.ab.ca](mailto:s.cole@munplan.ab.ca)  
web site: [www.munplan.ab.ca](http://www.munplan.ab.ca)

Send completed applications to:

Municipal Planning Services (2009) Ltd.  
#208, 17511 - 107 Avenue  
Edmonton, Alberta  
T5S 1E5

November 2, 2012

## WHAT IS A SUBDIVISION?

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, 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.

Again, under the Municipal Government Act, R.S.A. 2000, as amended, municipal Councils appoint Subdivision Authorities. In several municipalities, the Subdivision Authority or the Authority’s Officer is Jane Dauphinee, who works through a private company, Municipal Planning Services (2009) Ltd. Please contact our office to confirm who the Subdivision Authority is.

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.

## WHAT IS THE WHOLE SUBDIVISION PROCESS?

Generally, an application for subdivision goes through the following 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 (19 days) - potential appeal to Subdivision and Development Appeal Board or Municipal Government Board by applicant or provincial agency - not by neighbours
6. fulfillment of any conditions specified in the decision
7. 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)
8. registration of the Plan or document at the Alberta Land Titles Office

## WHAT ARE SUBDIVISION COSTS?

Generally, the costs for a subdivision are as follows:

1. fee due at application (see fee sheet)
2. fulfillment of any conditions specified in the decision (dependent on conditions - may include building roads, accesses, sewer and water lines, etc., off-site levies, etc.)
3. preparation of Descriptive Plan or Plan of Survey to effect plan (contact an Alberta Land Surveyor to discuss costs)
4. fee due at endorsement (final approval) (see fee sheet)
5. registration of the Plan and/or other instruments at the Alberta Land Titles Office (check with Land Titles - currently about \$200 plus transfer taxes (if a transfer involved))

All plus G.S.T.

## HOW LONG DOES A SUBDIVISION TAKE?

Generally, a subdivision takes:

1. from submission of completed application to tentative approval - normally no more than 60 days
2. appeal period - 19 days
3. 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

**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 fee sheet)

4. final approval or endorsement - normally 1 or 2 days
5. registration of the Plan and/or other instruments at the Alberta Land Titles Office - normally 4 to 6 working days

## 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, payable to Municipal Planning Services (2009) Ltd. (Note that G.S.T. is payable.);
3. 1 copy of a sketch plan (if the sketch plan is 11" x 17" or smaller - 2 copies if larger) 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;
  - h. if the proposed lots 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;

**Note:** the items shown in bold print are frequently omitted on sketch plans. Please ensure that these items are on your sketch plan or on an accompanying site plan. Lack of this information may delay consideration of your application.

4. One photocopy of a Title Search for the subject land, validated within 30 days of the submission of your application. Do not submit your original Duplicate Certificate of Title. Title Searches can be obtained from your nearest motor vehicle registries office. (If you cannot obtain a Title Search, please submit an additional \$12.60 (\$12.00 + \$0.60 G.S.T.) and we will obtain a Title Search for you.); and
5. For a subdivision in a rural area, an aerial photograph showing the proposed subdivision in the approximate centre of the photo. Aerial photographs can be obtained from Alberta Environment - Air Photo Services (phone 780-427-3520). (If you cannot obtain the air photo, please submit an additional \$7.35 (\$7.00 + \$0.35 G.S.T.) and we will obtain the air photo for you.)
6. EFFECTIVE NOVEMBER 1, 2012 - Information about abandoned oil and gas wells. If abandoned oil and gas wells ARE NOT LOCATED on the subject property, a map from the Energy Resources Conservation Board (ERCB) showing the area and a statement from the applicant that there are no wells in the subdivision area are both required. If abandoned wells ARE LOCATED on the subject property, a list and map identifying the locations of abandoned wells within the area (including surface coordinates) and written confirmation from the applicant that the licensee responsible for each well has been contacted and the exact well location confirmed, must accompany the application.

Applications are not considered complete until the above information has been provided. 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 Environmental Protection's guidelines for the type of development proposed may be required.

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.

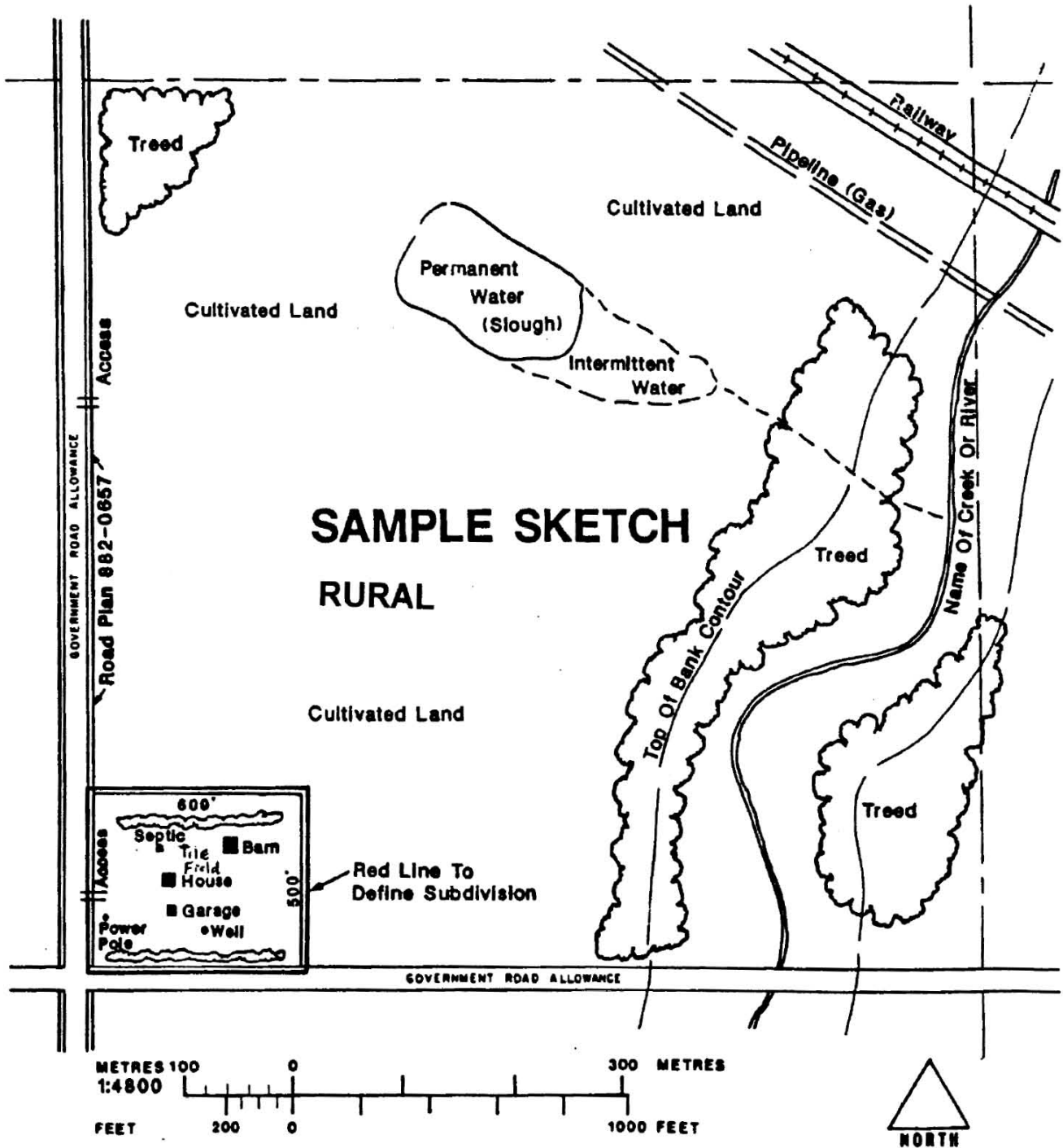
You will be notified by letter when your application has been accepted, and also when a decision (point 4. in the Subdivision Process section above) has been made.

**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.

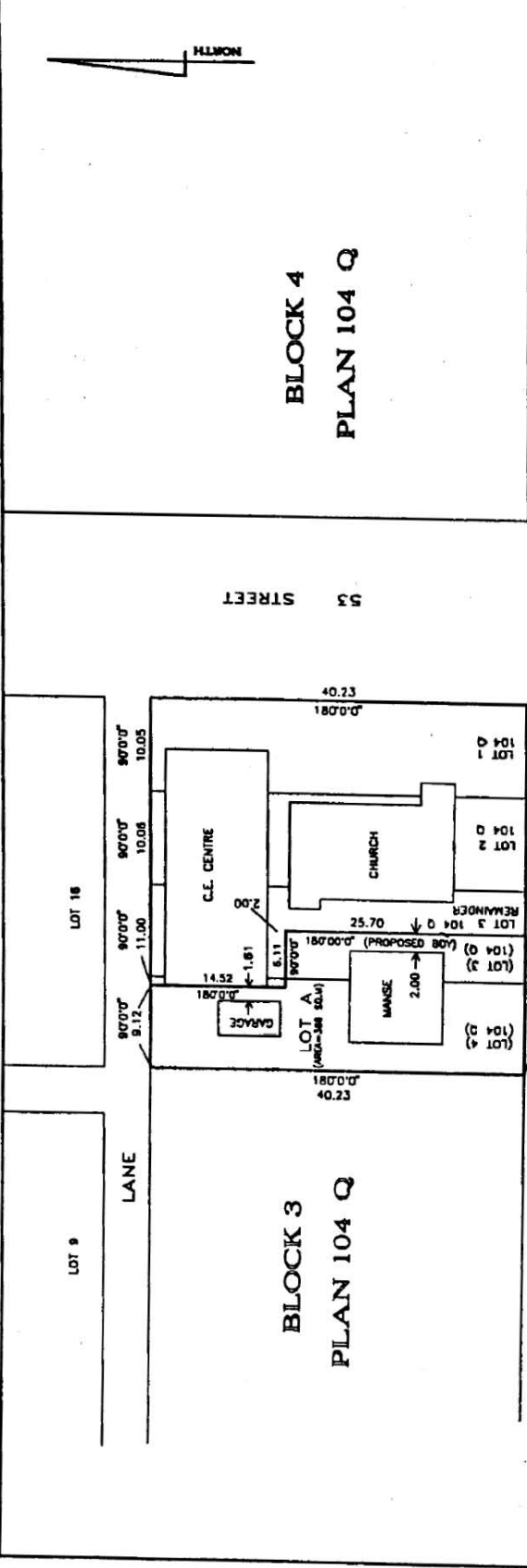


PROPOSED SUBDIVISION

OF

LOT 1 TO 4 BLOCK 3 PLAN 104 Q

, ALBERTA.



SAMPLE SKETCH

URBAN

SCALE: 1:500

NOTE:

1. ALL DISTANCES ARE SHOWN IN METRES AND DECIMALS THEREOF.



## 2012 MPS Subdivision Fees (Effective January 1, 2012)

| Service  | NEW 2012 Fees  |
|--|--|
| <b>Standard Subdivision Fee at Application</b><br>* Per lot fees will not be charged for the remainder                               | \$500 First Parcel Out*<br>\$600 For 2 Lots (1 lot plus remainder*)<br>\$400 + (\$250 per lot*) For 3 or more Lots |
| <b>Separation of Titles [MGA 652 (4)]</b>  | \$400 + (\$100 per lot**)  |
| <b>Boundary Adjustment</b>   | \$400 + (\$100 per lot)  |
| <b>Condominium Plan Consent</b>  | \$50 per unit  |
| <b>Extension</b>   | \$250  |
| <b>Re-circulation</b>  | \$250  |
| <b>Fee at Endorsement</b><br>** Endorsement fees are charged at time of endorsement for all subdivisions except Separation of Titles | \$50 + (\$150 per lot)   |
| <b>Current Land Title</b>  | \$12 (per title)   |
| <b>Air Photo</b>   | \$7 (per photo)  |

### Please Note:

Some of our clients charge an additional per lot fee at time of application.  
Please contact our office for updated fee information for:

- The County of Barrhead
- Lamont County
- Town of Redwater

## SAMPLE FEES DETAILS

- a) For subdivision of the **first parcel out** of a quarter section:

|  |                        |
|--|------------------------|
| With application                                     | \$ 400.00, plus G.S.T. |
| + per lot with application*                          | \$ 100.00, plus G.S.T. |
| * Per lot fees will not be charged for the remainder |                        |
| + request for endorsement                            | \$ 50.00, plus G.S.T.  |
| + per lot at request for endorsement                 | \$ 150.00, plus G.S.T. |

- b) For subdivisions **creating two (2) lots**, including any remainder lot:

|  |                        |
|--|------------------------|
| With application                                     | \$ 400.00, plus G.S.T. |
| + per lot with application*                          | \$ 200.00, plus G.S.T. |
| * Per lot fees will not be charged for the remainder |                        |
| + request for endorsement                            | \$ 50.00, plus G.S.T.  |
| + per lot at request for endorsement                 | \$ 150.00, plus G.S.T. |

- c) For subdivisions creating **three (3) or more lots**, including any remainder lot:

|  |                        |
|--|------------------------|
| With application                                     | \$ 400.00, plus G.S.T. |
| + per lot with application*                          | \$ 250.00, plus G.S.T. |
| * Per lot fees will not be charged for the remainder |                        |
| + request for endorsement                            | \$ 50.00, plus G.S.T.  |
| + per lot at request for endorsement                 | \$ 150.00, plus G.S.T. |

- d) For subdivision applications made in order to satisfy **Section 652(4)** of the Act, sometimes referred to as a separation of titles:

|                            |                        |
|----------------------------|------------------------|
| With application           | \$ 400.00, plus G.S.T. |
| + per lot with application | \$ 100.00, plus G.S.T. |

- e) For subdivision applications made in order to satisfy Section 652(4) of the Act, there will be no fee charged at the request for endorsement.

- f) For subdivision applications made in order to **adjust the boundary** of an existing lot:

|                                      |                        |
|--------------------------------------|------------------------|
| With application                     | \$ 400.00, plus G.S.T. |
| + per lot with application           | \$ 100.00, plus G.S.T. |
| + request for endorsement            | \$ 50.00, plus G.S.T.  |
| + per lot at request for endorsement | \$ 150.00, plus G.S.T. |

# ABANDONED WELL PROCESS 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 ERCB Abandoned Well 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
  - ☐ the map from the ERCB viewer of the property.

- 2 The Applicant must contact all Licensees identified by the ERCB 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:
  - ☐ the map from the ERCB 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 ERCB Abandoned Well Viewer can be found online at:  
[mapview.ercb.ca/spatialdatabrowser/default.aspx?config=AbandonedWells.xml](http://mapview.ercb.ca/spatialdatabrowser/default.aspx?config=AbandonedWells.xml)

FOR FURTHER INFORMATION CONTACT  
Municipal Planning Services at 780-486-1991

# ABANDONED WELL PROCESS FOR SUBDIVISION AND DEVELOPMENT

## FREQUENTLY ASKED QUESTIONS

- 1 Can an agent sign the statement on behalf of the landowner or does it 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 in the ERCB's Directive 79 is "confirmation from the applicant." So that applicant, be they an agent acting on behalf of an owner or the owner, can sign the statement and provide the written confirmation.*

- 2 If there is an abandoned well on the subject property being subdivided, what is the proper procedure that should be followed? What is required from the licensee and the registered owner?

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

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

- a) GPS coordinates of the well site(s); and*
- b) a sketch of the site showing the exact location of the well(s) on the site and the required setback distance from the well site(s).*

***This information must be provided by the licensee.***

- 3 What does a landowner, or their agent, do if an abandoned well licensee no longer exists or is defunct?

*The ERCB and the Orphan Well Association have reached an agreement whereby the Orphan Well Association will, when contacted by a landowner/agent, go out and locate the abandoned well on the property as per the regular responsibility of licensees. Further information on the Orphan Well Association can be found on their website: [www.orphanwell.ca](http://www.orphanwell.ca)*

- 4 Does all this information need to be provided before an application for subdivision can be processed?

*Yes. Municipal Planning Services cannot open new applications until all relevant information regarding abandoned oil and gas wells has been provided by the owner/applicant.*

- 5 Is this process going to cause the landowner additional expense?

*No. The costs of locating any abandoned oil and gas wells is the burden of the licensee. This process may add additional time in the preparation of an application, but will not incur direct expenses on the landowner.*

FOR FURTHER INFORMATION CONTACT  
Municipal Planning Services at 780-486-1991



STATEMENT REGARDING ABANDONED WELLS  
NO WELLS ON THE SUBJECT PROPERTY

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I, \_\_\_\_\_, registered owner (or  
(please print)

their agent) of \_\_\_\_\_, have consulted the Energy  
(Legal land description)

Resources Conservation Board (ERCB) Abandoned Well Map Viewer, and verified that **there are no  
abandoned** wells located on the property subject to this application. A copy of the ERCB map showing  
the subject property is attached.

\_\_\_\_\_  
Signature of registered owner (or agent)

\_\_\_\_\_  
Date

STATEMENT REGARDING ABANDONED WELLS  
LOCATED ON THE SUBJECT PROPERTY

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I, \_\_\_\_\_, registered owner (or  
(please print)

their agent) of \_\_\_\_\_, have consulted the Energy  
(Legal land description)

Resources Conservation Board (ERCB) Abandoned Well Map Viewer, and verified that **abandoned wells are located** on the property subject to this application. I have contacted the responsible licensee(s), and the exact well location(s) has/have been confirmed.

Additional information provided by the licensee(s) requiring a change in the setback area is attached:

- ☐ Yes
- ☐ Not applicable

In the event that construction activity occurs within the setback area of the abandoned well(s) as a result of development on the subject property, the abandoned well(s) will be temporarily marked with on-site identification to prevent contact during construction.

A copy of the ERCB map showing the subject property and a list identifying and locating the abandoned well(s) and on the subject property and a list are attached.

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Signature of registered owner (or agent)

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Date