



*Lac La Biche County*  
**welcoming by nature.**

# **Subdivision Information Package**

For further information, please contact the  
Planning and Development Department  
Lac La Biche County Centre  
13422 Hwy 881  
Lac La Biche, Alberta. T0A 2C0  
Phone: (780)-623-1747  
Fax: (780)-623-2039

The purpose of this information package is to outline the steps involved in the subdivision process, giving clear direction to anyone interested in subdividing land.

### **1.0 What is a Subdivision?**

Subdivision is the legal process of dividing parcels of land into two or more parcels so each will have its own legal title. Once endorsed by the County, the new parcels are registered with Land Titles Office of Alberta Registries which will issue a Certificate of Title for each lot that has been created.

The subdivision process is governed by provisions of the Municipal Government Act (Division 7, Sections 652 – 657) and the Subdivision and Development Regulation. Lac LaBiche County is responsible for the approval of all subdivisions within the municipality.

### **2.0 Who Can Apply to Subdivide Land?**

Only the person or persons who are the registered owner(s) of the land which is to be subdivided can apply for a subdivision. However, the registered owner(s) may appoint an authorized person or agent to act on his or her behalf.

### **3.0 The Subdivision Process**

Whether a subdivision is the first parcel out of a ¼ section or a complex multi-parcel country residential development, the Municipal Government Act (Section 653) and the Subdivision and Development Regulation (Sections 4 – 7) require that a common process be followed. This process is described below and illustrated on Figure 1 – Subdivision Process.

#### **3.1 County Time Lines for Approval**

In most cases, the County has 60 days to make a decision on a subdivision application and, usually, this is sufficient. If a decision cannot be made in this time, the applicant may enter into a time extension agreement with the County. If the applicant does not wish an extension, the application is deemed refused and may be appealed. (see Section 5.0 of this pamphlet)

Once approval is given the timeframes for obtaining a survey plan may vary and will affect the time line of registration.

#### **3.2 Agency Circulation**

The 60 day period includes a circulation period, in which several agencies (e.g. the local school board, utility companies, and government departments) are notified of the application and allowed to identify any concerns or recommend conditions. A copy of the application is also circulated to all adjacent landowners for their comments.

#### **3.3 Technical Review**

Every application for subdivision is reviewed on the basis of site suitability and conformity with local and provincial planning legislation. Some of the site issues to be considered include compatibility with adjacent land uses, soil characteristics, legal and physical access, circulation, servicing, and the potential for flooding or erosion,

Legislative considerations include compliance with statutory plans (Municipal Development Plan, Area Structure Plans) and the Land Use Bylaw. Compliance with the Municipal Government Act, the Subdivision and Development Regulation, and the Provincial Land Use Policies also are considered.

#### **3.4 Recommendation and Decision**

After a review of all the technical aspects and the comments of adjacent landowners and referral agencies is completed, a staff recommendation on the application is made for consideration by the County's Municipal Planning Commission (MPC). The MPC of Lac LaBiche County makes decisions on subdivision applications. MPC can approve the application (with or without conditions) or refuse it. The

applicant will be advised of the decision in writing. If refused, MPC may choose not to accept another application to subdivide the same parcel of land for six months.

#### **4.0 Appeals**

If your application is refused, or if you disagree with a condition of approval, you can appeal the decision within fourteen (14) days. If the land in question is located within the Green Area, or within close proximity to a highway, water body, sewage treatment plant or waste management facility, appeals will be heard by the provincial **Municipal Government Board**. All other appeals are conducted by the local **Subdivision and Development Appeal Board**. As part of the decision notice, the County will indicate which Board the appeal should be directed to. Either Board has the authority to uphold/reverse MPC's decision, or change conditions of approval.

#### **5.0 Development Agreement**

Is between the County and a developer/landowner and it outlines details about the intended process for development that may including schedules, plans, servicing, financial implication, and various County requirements that need to be met.

#### **6.0 Endorsement**

Subdivision Endorsement is the final review by the County to ensure the accuracy of the subdivision plan and all related documents, municipal land reserves, and provide the final seal and signature needed to register the subdivision.

After a subdivision has been approved (either by MPC or an appeal), the applicant is responsible for having an acceptable final document (plan of survey, descriptive plan or other instrument) Prepared by a certified Alberta Land Surveyor. The final document is then submitted to the County for endorsement. The County will endorse the document only if the conditions of approval have been met to their satisfaction. **Final documents must be submitted to the County for endorsement within one (1) year of the date of approval.**

The documentation submitted for endorsement must be accompanied by the appropriate Endorsement Fee as outlined on page 1.

#### **7.0 Registration**

Once the final document has been endorsed by the County, it is returned to the applicant (or agent) who is responsible for registering it with the Northern Alberta Land Titles Office in Edmonton. **Documents must be registered within one (1) year of the date of endorsement.** Once registration is completed, titles will be issued for the newly created lot(s).

It is important to note that the remnant parcel (e.g. balance of titled lands not being subdivided) is counted as a lot. No fee is charged for any municipal reserve, school reserve, or public utility lots that are created.

#### **8.0 Application Requirements**

- 1. Completed Application Form**
- 2. Agent Authorization**
- 3. Right of Entry Form**
- 4. Tentative Sketch Plan**
- 5. Certificate of Title**
- 6. Application Fee**
- 7. Area Structure Plan or Conceptual Scheme (If required)**
- 8. Water and Soil Tests (If required)**
- 9. Other engineered reports (If required)**

## Application Fees

All subdivision applications must be accompanied by the applicable fee, endorsement fee is due at the time of endorsement (cheques should be made payable to the Lac La Biche County).

### The application fees are as follows:

Single Parcel/Natural Fragmentation/Boundary Adjustments	\$350.00
Endorsement (Per Lot)	\$150.00
Two Lots	\$350.00
Plus Application (Per Lot)	\$100.00
Endorsement	\$300.00
Multi-Lot (3 Lots or more)	\$350.00
Plus Application (Per Lot)	\$200.00
Endorsement	\$500.00

NOTE: Application and endorsement fees are subject to change as approved from time to time by Council. Fees **do not** include GST.

## 9.0 Information Requirements

### 9.1 Completed Application Form

The application form has a number of sections which must be completed in their entirety. The information required must include the following:

- Registered owner information
- Authorized person (applicant information (if different from registered owner).
- Whether the parcel of land to be subdivided is located adjacent to a municipal boundary or water course, is within 0.8 km (0.5 miles) of a primary highway, or is within 1.5km (1 mile) of a sour gas facility.
- The existing and proposed use of the land to be subdivided, and the land's current classification under the Land Use Bylaw (available from the County)
- A physical description of the land to be subdivided, including topography, vegetation, and soils.
- A description of any existing buildings or improvements located on the land to be subdivided, including buildings on the parcel(s) being created, the type of building, and whether they are to remain on the site.
- The existing or proposed method of providing sewer a water services.
- Registered owner authorization (where applicable) and right of entry.

### 9.2 Agent Authorization

An agent may be appointed to act on behalf of the registered owner of the land to be subdivided. Although anyone can be appointed, an authorized person is usually an Alberta Land Surveyor, Planning Consultant, or Lawyer. Regardless, land cannot be subdivided without the consent of the registered owner(s). Authorization of an agent may be given by letter or by completing Part 10 of the Lac LaBiche County Application for Subdivision.

### Right of Entry Form

Permission for County staff or appointees to inspect the land being subdivided must be indicated on the right of entry form by completing Part 11 of the Lac LaBiche County Application for Subdivision. This form must be completed and signed by the Registered Owner or Authorized Person acting on behalf of the Registered Owner.

### 9.3 Tentative Sketch Plan

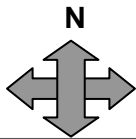
The application must be accompanied by a key plan showing the relationship between the land being subdivided and neighboring lands and a sketch plan. Sketch plans (see Sample Sketch

on page6) for the land being subdivided and the proposed subdivision are to be drawn at a 1:5000 scale (1 inch = 400 feet) on a template available from the County's office, and must include the following information:

- The location, dimension and boundaries of the land to be subdivided.
- The location, dimensions and boundaries of each new lot to be created, and their distance from the existing parcel or quarter section boundaries.
- The location of any existing buildings or structures (e.g. houses, shops, barns, granaries, oil and gas facilities) and their distance from the nearest existing or proposed parcel or quarter section boundaries. Please indicate which buildings, if any, are to be removed.
- The location of any existing water wells, dugouts, or other domestic water supplies.
- The location and type of any existing private sewage disposal systems, and their distance from existing water supplies and residences, and the nearest existing or proposed property line. In particular the point of discharge sewer disposal systems must be identified, where applicable.
- The location of existing utility or other right-of-way and easements. And their ownership.
- The approximate size and location of any water bodies (lakes, sloughs, ponds), watercourses (rivers, creeks, or drainage ditches) that are located adjacent to, or within, the land to be subdivided.
- The location of any highways, secondary highways, municipal roads, lease roads, or rail lines.
- The location of treed areas and bush.

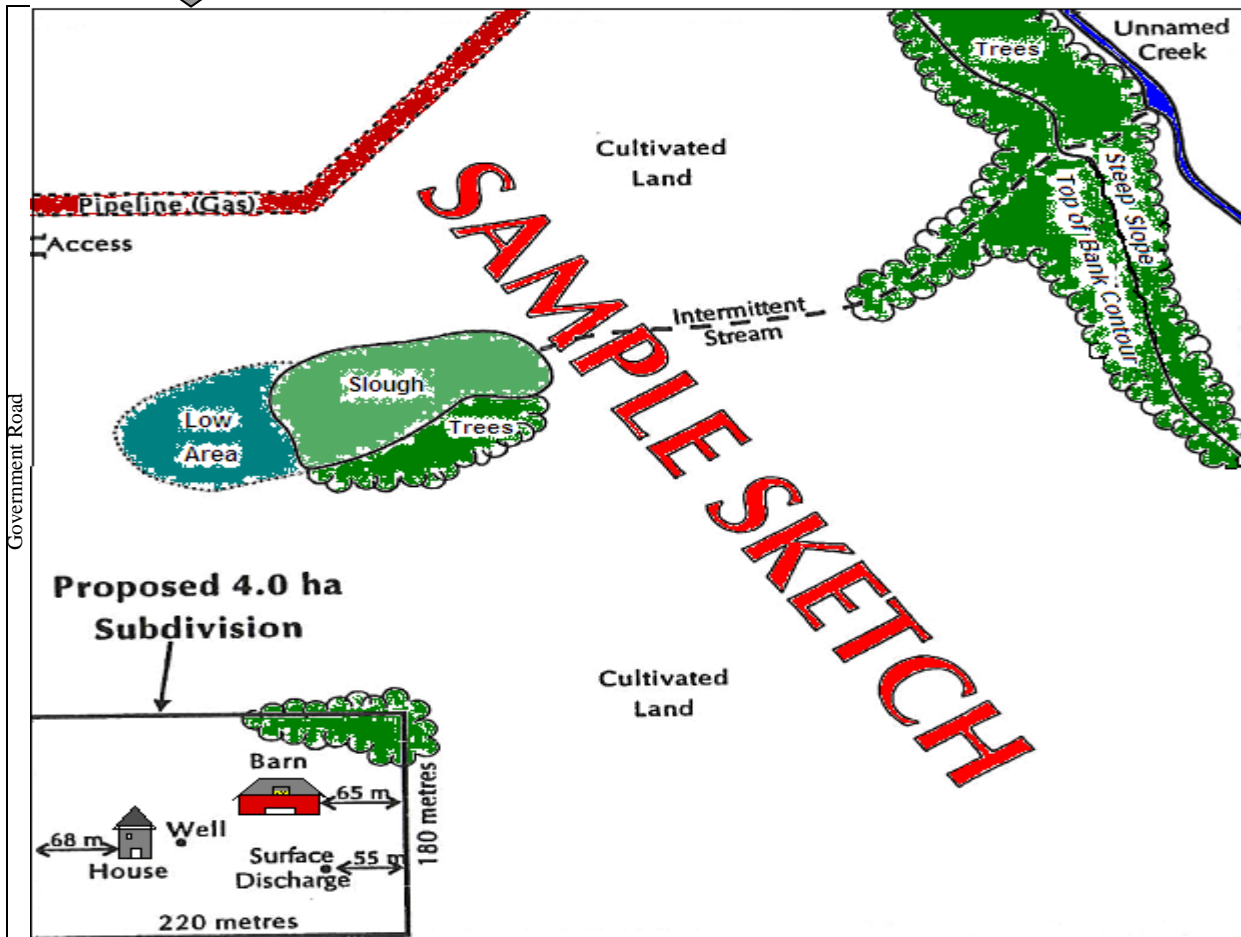
**Example**

**Tentative Plan of Subdivision**  
**For the NW ¼ - \_\_\_ - \_\_\_ - \_\_\_ W4thM**  
**Or Lot \_\_\_\_, Block \_\_\_\_, Plan \_\_\_\_\_**



Scale: 1" = 400'

Date \_\_\_\_\_



#### **9.4 Certificate of Title**

One copy of the current Certificate of Title will be required. Titles are available from your local Alberta Registries office. There is a charge for the title search.

The County will advise you if copies of the most recent aerial photographs are required. If so, they are available from Maps Alberta at the following address; Main Floor, 9920-108 Street, Edmonton, Alberta T5K 2M4, by phones at (780) 427-3520, or by Fax at (780) 422-9683.

#### **9.5 Application Fee**

The application for subdivision must be accompanied by the prescribed fee as outlined on page 1 of this pamphlet. If the application receives municipal approval the documentation submitted for municipal endorsement must be accompanied by the Endorsement Fee as outlined on page 1.

#### **9.6 Area Structure Plan or Conceptual Scheme (If required)**

Area Structure Plan shall include

- The sequence of development proposed for the area
- The land uses and densities proposed for the area
- The impact of the proposed development on adjacent land uses and the environment
- An articulation of how the development's transportation network will connect with Lakeland County's transportation network – this shall include analysis of on-site and off-site traffic impacts and an estimate of roadway upgrading that may be required as a result of the development
- How the proposed development will retain trees, environmental features such as watercourses, wetlands, wildlife corridors, and historical resources
- Measures that will be taken to address natural and man made hazards that may impact the development. Hazards may include soils, landfill sites. Sewage lagoons, flood plains, high water tables, water courses susceptible to flooding, sour gas sites, high pressure pipelines, rail rights-of-way, steep slopes (e.g. over 15%), unstable slopes and others
- Identifying and proving how water and sewer servicing will be safely and cost effectively provided
- Storm water management
- Identifying what will be required to extend franchise utilities service to the site
- Provisions for municipal and/or environmental reserves
- Provisions for buffering from agricultural land uses, railways, major roadways, industrial and commercial development and any other incompatible land uses
- Any other matters identified as being necessary by Lac La Biche County

Conceptual Scheme shall include:

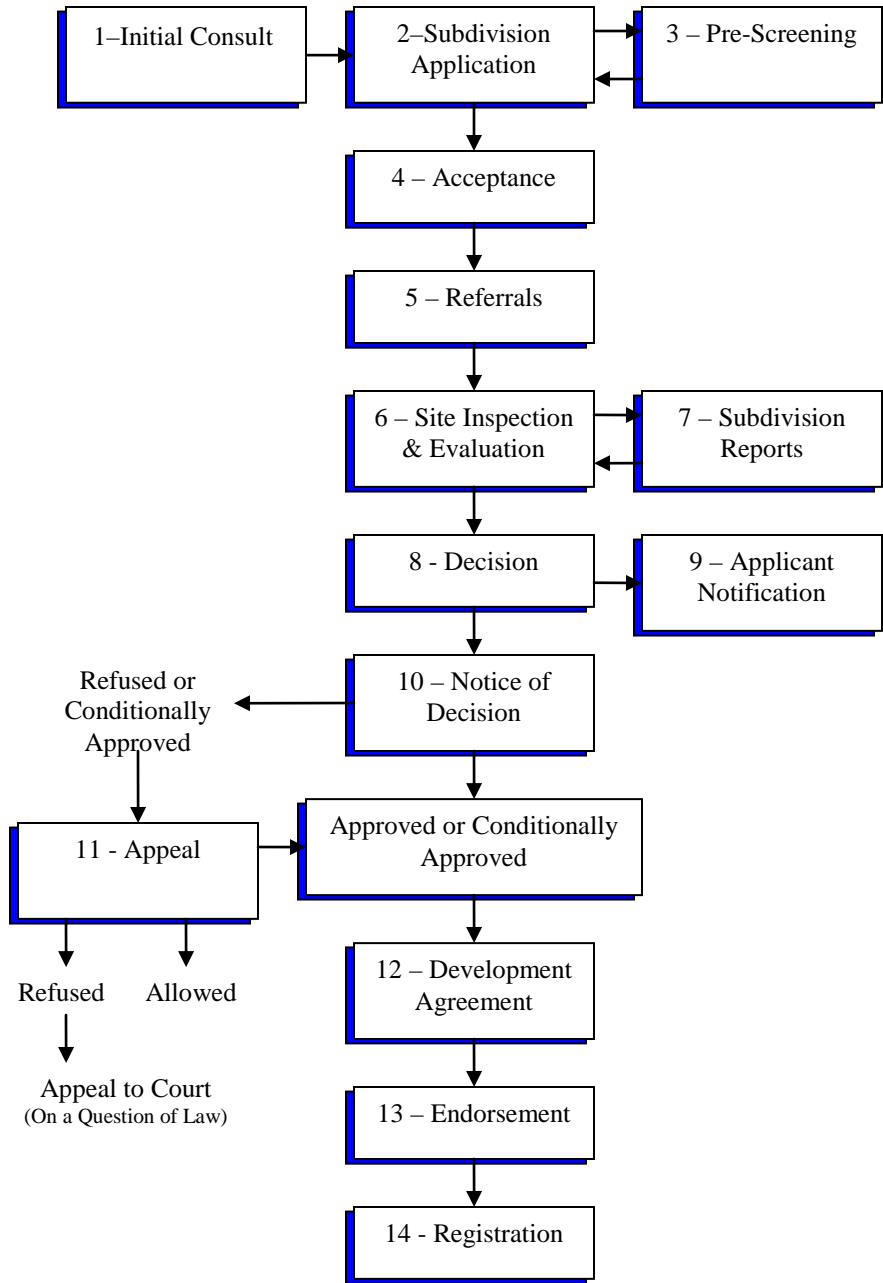
- A future land use concept including preliminary lot layout and parcel sizes
- The sequence of development proposed for the area
- Identification of all constraints to development including but not limited to topography, environmentally sensitive areas, hazard lands, and historical sites
- Servicing plans outlining in map and text form how water, sewer, transportation and storm water management will be provided
- Text explaining how the proposed development will be integrated with adjacent land uses
- Any other matter deemed necessary by Lac La Biche County

***\*See attached PLAN NEED EVALUATION MATRIX.***

#### **9.7 Water and Soil Tests**

Multi-parcel country residential or industrial subdivision applications that are to be privately serviced must be accompanied by near surface water table tests, percolation tests for sewage disposal, and water well information. The need for these tests may be confirmed by the County.

**Figure 1 – Subdivision Process**



**Time Lines: These are just approximate time lines**

**Steps 1 to 3:** Approximately a month (30 days)

**Steps 4 to 8 (Section 4 above):** Sixty (60) days unless an extension is required do to circumstances

- Acceptance – A notice is sent out to the applicant that the subdivision has been accepted.
- Referrals - The County sends the proposal to other local and provincial authorities for comments. The County also notifies adjacent land owners.
- Site Inspection – Within the 60 days a member of the Planning and Development department will go out and take photos and inspect the subject property
- Subdivision Report – A report is prepared for the Municipal Planning Commission of all the information gathered in order for them to make their decision.

**Steps 9 & 10:** Three (3) days from the date of the decision notice is to be mailed out to the applicant and the agencies that were previously notified.

**Step 11 (Section 5 above):** An appeal of the decision is to be made within fourteen (14) days.

- The Subdivision and Development Appeal Board (SDAB) has thirty (30) days after receiving the notice of appeal to hold a hearing
- The Municipal Government Board (MGB) has sixty (60) days after receiving the notice to hold a hearing.
- Once the hearing has been held the SDAB and the MGB have fifteen (15) days to give written notice.

**Step 12 & 13 (Section 6 above):** There is one year from the decision date to enter into the Development Agreement and get the subdivision endorsed.

- A survey plans have to be submitted prior to entering into a development agreement.
- Approximately 2 weeks later after receiving the survey the Agreement is prepared.
- The amount of time required to satisfy the conditions of the Development Agreement depends on the **Developer** to a maximum of a year.
- Once the conditions of the Development Agreement are met it takes approximately a week for Endorsement.

**Step 14 (Section 7 above):** There is one year from the date of endorsement to have the plans registered at Land Titles. The Registration of the Subdivision depends on Alberta Land Titles and their timeframes.