



A GUIDE TO SUBDIVISION IN BRAZEAU COUNTY

This document is intended to assist individuals who are planning to subdivide their land. The information in this document provides a basis for understanding the subdivision process, and is not intended to provide a comprehensive explanation of all issues related to subdivision. Additional regulations and policies are outlined in the *Municipal Government Act*, the *Subdivision and Development Regulation*, Brazeau County's *Municipal Development Plan*, and Brazeau County's *Land Use Bylaw*. Please contact the Planning and Development Department at Brazeau County for information not addressed in this guide.

1. PRE-APPLICATION MEETING

Subdivision applicants must attend a pre-application meeting with Administration prior to submitting an application for subdivision. This meeting is required in order to:

1. Allow the applicant(s) to discuss their planning objectives in subdividing their property.
 - Administration must understand the applicant's intentions in subdividing their property. It is Administration's responsibility to present the application for subdivision to the Subdivision Authority.
2. Allows Administration to discuss policies which dictate the subdivision process.
 - Administration will outline Brazeau County's development regulations for subdivision. These rules dictate how many parcels may be subdivided, parcel size, and the requirements that must be met in order to register the new parcels.
 - Administration will inform the applicant if their planning objectives meet the policies and regulations of Brazeau County's *Municipal Development Plan* and *Land Use Bylaw*.
3. Administration discusses the application requirements with the applicant(s).

2. APPLICATION REQUIREMENTS

1. **Completed Subdivision Application Form**
This form must include all signatures of land owners listed on the Certificate of Title.
2. **Certificate of Title**
The title must not be older than 2 weeks.
3. **Tentative Plan**
The Tentative Plan must be prepared by an Alberta Land Surveyor.
4. **Application Fee**

Proposed Subdivision	Fee
Lot Line Adjustment	\$500.00
Creating Additional Parcels	\$500.00 + \$100.00 for the new parcel + \$100.00 for the remainder = \$700.00

5. Agent Authorization

An Agent Authorization form is only necessary if the registered owner is appointing an agent to handle the application process.

6. Other Information

In some cases, additional information is required from the applicant in order for Administration to recommend a decision, and for the Subdivision Authority to make a decision on a subdivision application. See Section 5 for additional information.

7. Time Extension Agreement

To allow for a period of time longer than 60 days to process an application and submit it to the Subdivision Authority.

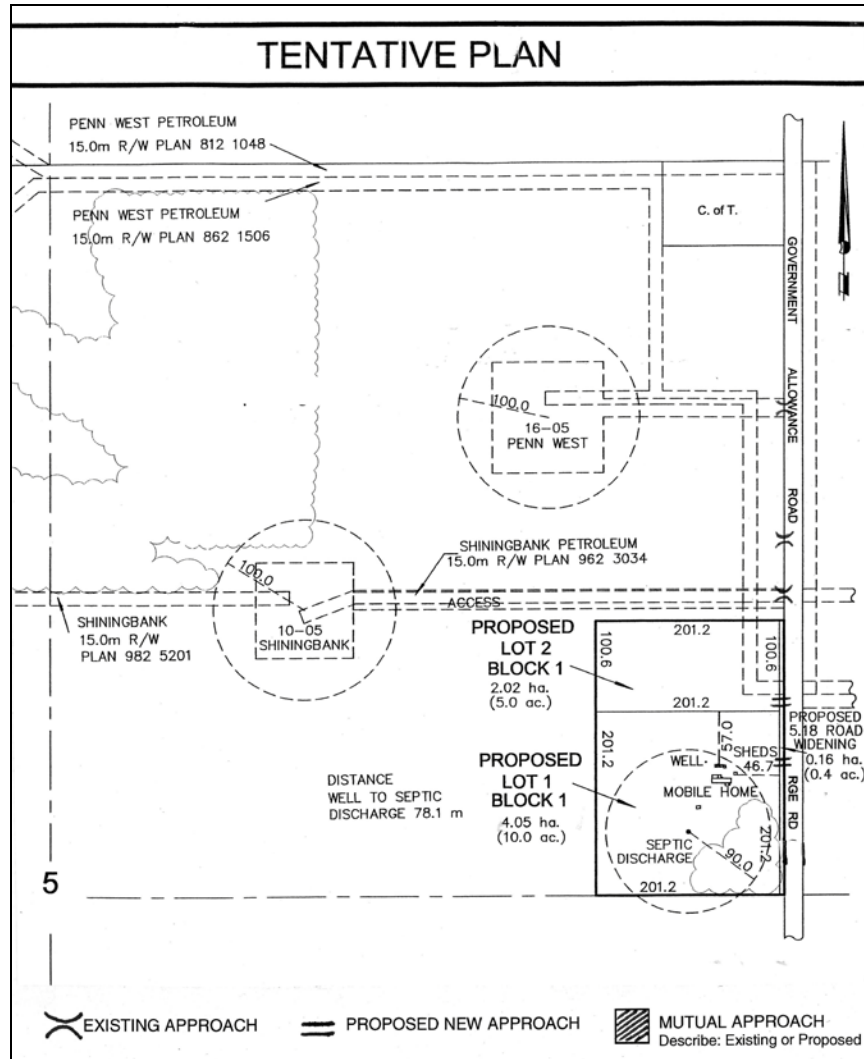
3. TENTATIVE PLAN REQUIREMENTS

A Tentative Plan is not a Plan of Survey. The Plan of Survey is requested at a later stage in the process when conditional subdivision approval has been granted. A Tentative Plan for subdivision must include the following:

- A North arrow;
- Prepared in 1:5000 scale;
- The clear identification of the subject land, showing the entire area of the subject quarter section;
- The location, dimension, area, and boundaries of the parcel(s) to be subdivided, and the distance to the existing parcel or quarter section boundaries;
- The location and legal land description (Lot / Block / Plan) of any Municipal Reserve or Environmental Reserve parcels on the subject land;
- The location of all buildings and structures (e.g. houses, shops, barns, oil and gas facilities, etc.), and the distance from each structure to the proposed parcel boundaries. Please indicate any buildings or features that are to be removed or retained;
- The location of all water wells, dugouts, and any other domestic water supply facility;
- The description of the type and location of any private sewage disposal system, point of the surface discharge, and distance to the source of the potable water supply, residences, and the existing and proposed property lines; and provincial setback requirements associated with these systems to indicate if these setbacks will have an influence on the boundaries of the proposed parcels;
- The location of all utility and rights-of-way, easements, and identification of their Ownership;
- The location of any highway, road, lease road, or rail line within or adjacent to the parcel to be subdivided;
- Location of any steep (> 30%) sloped areas, water bodies, watercourses, and drainage ditches that are located within or adjacent to the land to be subdivided;
- The location of any treed areas or brush;
- The location of any gas and oil wells and pipelines. The applicable AEUB setbacks from an oil well (100-metres) and battery site (60-metres) are to be included;

- The location of any existing confined feeding operations (CFO). If there is a CFO adjacent to the subject property, please include this information on your application form.
- The location of any existing, known, or proposed sour gas facilities, sewage lagoon, solid waste disposal facilities within or adjacent to the land to be subdivided together with the applicable setbacks;
- The location of existing and proposed access to the proposed parcels and the remainder of the titled area by using the symbols indicated on the EXAMPLE OF A TENTATIVE PLAN;
- Information relative to the instruments mentioned on the title.

SAMPLE TENTATIVE PLAN:



Note: For a multi-lot subdivision, the Tentative Plan is required at a 1:2000 scale.

4. CIRCULATION, REFERRALS & INSPECTION

Once a complete subdivision application is received, Administration processes the application. Processing the application includes the following steps:

1. Referral Agencies

The application is circulated to referral agencies for their comments, and the opportunity to provide conditions of approval or reasons for refusal. A referral is sent to all interests registered on the subject land's Certificate of Title. For example, if the subject land includes a lease road and well site, the oil company will receive a referral notice. Referrals are also sent to any agency or government body who may have an interest in the area around the subject land. For example, if access to the proposed parcel(s) or remainder is from a highway, a referral notice is sent to Alberta Transportation.

2. Adjacent Land Owners

A notice is sent to all adjacent land owners whose property is directly contiguous to the subject land, or within 0.8 km (0.5 miles) surrounding the subject land.

3. Inter-office Circulation

The application is circulated to all Brazeau County departments for their review and comment.

4. Site Inspection

The subject land is evaluated during a site inspection performed by Administration to amongst other things determine if any additional studies are required to gather sufficient information to allow the Subdivision Authority to make an informed decision on the application.

5. STUDIES AND REPORTS

Administration may require the applicant to submit additional information to support the application for subdivision. Examples are:

- Area Structure Plan: Is required to provide broad direction for future development. This plan usually involves a large area of land, belonging to several individuals. An Area Structure Plan is a statutory document that is endorsed by Council as a bylaw.
- Outline Plan: Is required to provide specific, short-term direction for planning and development. An Outline Plan generally only involves land belonging to one individual. This plan may include the layout of utility lines, roads and road specifications, and the shape and size of parcels. (Not a statutory document or bylaw – adopted by Council resolution.)
- Water Study: (Hydro-geotechnical Study) Is required when the proposed subdivision will create the sixth (or more) parcel on the quarter section. This study ensures that there is adequate groundwater for each of the parcels to be serviced by a private well.
- High Water Table Study / Percolation Test: Is required to determine if the soil on the subject land is suitable for development.
- Geotechnical Study: This is a broad category which evaluates site suitability for development. This study may include analysis of a property's grade, slope stability, etc.

6. LAND USE REDESIGNATION

More commonly referred to as “re-zoning”, land use redesignation is the process of changing a property's land use designation.

Redesignation may be required if the applicant's development plans are not permitted under the regulations of the Land Use Bylaw.

For example, a multi-parcel subdivision would exceed the total number of parcels allowed for the property's current land use designation (i.e. Agriculture). Redesignation to a land use district that allows for a higher number of parcels per quarter section (i.e. Country Residential or Country Residential Suburban Estates) would be required prior to processing the subdivision application.

Redesignation also allows for alternate parcel size considerations than that allowed by the property's land use designation.

Applications for redesignation are reviewed by Brazeau County's Council.

7. MUNICIPAL PLANNING COMMISSION

The Subdivision Authority for the review of and decisions for subdivision applications is the Municipal Planning Commission (MPC). If the subject land is within the "Fringe Area" (directly adjacent to the Town of Drayton Valley), the subdivision authority is the Inter-Municipal Planning Commission (IMPC).

MPC and IMPC meetings are held every three weeks. The members are your appointed Councillors and Members-at-Large. During the MPC / IMPC meeting, a decision is reached to either approve or refuse the subdivision application. If additional information is required, the application may be tabled.

Prior to the meeting, Administration prepares a report on the subdivision application to be presented to the MPC / IMPC. This report is based on a site inspection, interoffice, and provincial agency referrals. Administration will provide a recommendation for approval or refusal, as well as conditions of approval for the subdivision application.

The MPC / IMPC reviews the report and makes a decision on the application. If they choose to approve the application, they will also stipulate conditions of approval. Typical conditions of approval include:

- Submission of a file Plan of Survey for the new parcel(s);
- Payment of property taxes;
- Provision of legal, physical access to the proposed parcel(s) and the remainder.

Additional conditions, applicable to the application at hand, will also be established.

If the MPC / IMPC chooses to refuse the application, the applicant(s) may appeal the decision. The application will be reviewed by the Subdivision and Development Appeal Board (if local) or by the Municipal Government Board (if provincial). The Appeal Board will decide to either uphold the initial decision, or to amend the conditionally approved application. Applicants also have the option of appealing the conditions of subdivision approval. The applicant(s) must submit reasons for initiating an appeal.

8. FINAL APPROVAL

In order to finalize an application, Administration will conduct a review of the final Plan of Survey and confirm that all conditions have been met. Please note that one of the conditions will require payment of an Endorsement Fee of \$200.00 at this time. Administration will endorse the final Plan of Survey and will issue a final letter of approval that the subdivision may be registered at Alberta Land Titles. Registration must occur within 12 months of the date of endorsement.

9. APPLICATION TIMELINE

Under the *Municipal Government Act*, a decision (refusal or approval) for a subdivision application must be reached within 60-days of receipt of the application. Due to the high rate of development in

Brazeau County, it is not always possible for Administration to process a subdivision application within 60-days.

A Time Extension Agreement is requested at the time of subdivision application submission. This agreement allows Administration additional time, beyond the 60-day limit, to process the application.

Currently, subdivision applications are processed within 2 to 3 months of receipt; to present the application with a report to the Subdivision Authority.

TIME	COST
<p>After you submit a complete application, Planning and Development:</p> <ul style="list-style-type: none"> • Sets up a file • Circulates application to internal departments • Circulates application to external agencies • Circulates application to adjacent land owners • Conducts site inspection • Prepares a report to MPC / IMPC <p>TIME: +/- 2.5 months</p> <div data-bbox="201 898 797 947" style="border: 1px solid black; background-color: #e0f7fa; padding: 2px;"> <p>Planning and Development Determines the Time</p> </div> <p>MPC / IMPC MEETING</p> <ul style="list-style-type: none"> • It is in your best interests to attend • You will be notified of the meeting date • A copy of the report to the MPC / IMPC will be available prior to the meeting <p>Your application can be refused, tabled, or approved with conditions.</p> <p>FINAL ENDORSEMENT</p> <p>Planning and Development will review the conditions to ensure compliance.</p> <ul style="list-style-type: none"> • Prepares documents and caveats to be registered with the new titles • Prepares a final letter of endorsement <p>TIME: +/- 3 months</p> <div data-bbox="201 1499 797 1547" style="border: 1px solid black; background-color: #e0f7fa; padding: 2px;"> <p>Planning and Development Determines the Time</p> </div>	<p>The initial cost equals your financial risk, and includes the following:</p> <ul style="list-style-type: none"> • Application fee • Tentative Plan • Supporting studies, as required <p>CONDITIONS</p> <ul style="list-style-type: none"> • You will need to meet all of the conditions (prior to registration of the new parcels). • Some conditions will generate an additional cost <p>Examples are:</p> <ul style="list-style-type: none"> • Final Plan of Survey • Upgrade / install approaches • Pay Municipal Reserve (MR) • Pay outstanding property taxes • Final Endorsement Fee (\$200) <div data-bbox="823 1165 1419 1213" style="border: 1px solid black; background-color: #e8f5e9; padding: 2px;"> <p>The Applicant Determines the Time</p> </div> <p>If you have not met your conditions within 12 months of approval, you may apply for a Time Extension (for 12 additional months).</p> <p>You may apply for two Time Extensions.</p> <p>If you have not met your conditions within 3 years of approval, the file is closed.</p>
<p>Registration of the new parcels at Alberta Registries</p>	

10. FURTHER INFORMATION

For additional information, please contact:

Brazeau County
Planning and Development Department
Box 77
Drayton Valley, AB T7A 1R1

Phone: 780-542-2667

Fax: 780-542-7770

Website: www.brazeau.ab.ca

Visit our office at 5516 Industrial Road, Drayton Valley, AB.