

Town of Crossfield



Subdivision F.A.Q.

Public Resource



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ORIGINAL PROPERTY LINE

Subdivision F.A.Q. Guide

1.0 Purpose

This document has been designed to assist applicants applying for a subdivision in the Town of Crossfield. Its intent is to complement information contained in applicable provincial legislation and municipal bylaws, specifically the Municipal Government Act, Subdivision and Development Regulation, Municipal Development Plan and Land Use Bylaw.

2.0 What is subdivision?

Subdivision is dividing a single parcel of land into two or more parcels in order to obtain separate legal titles for each parcel.

Subdivision of land can vary considerably in size and complexity. The process is the same for a subdivision to create a new neighbourhood as it is for a property owner splitting property into two parcels. Subdivision of land is important as even small subdivisions can have considerable influence on the character of a neighbourhood, the environment, neighbours, water and sewage, utilities, emergency services, and schools.

3.0 Who can apply to subdivide a parcel?

The owner or authorized agent

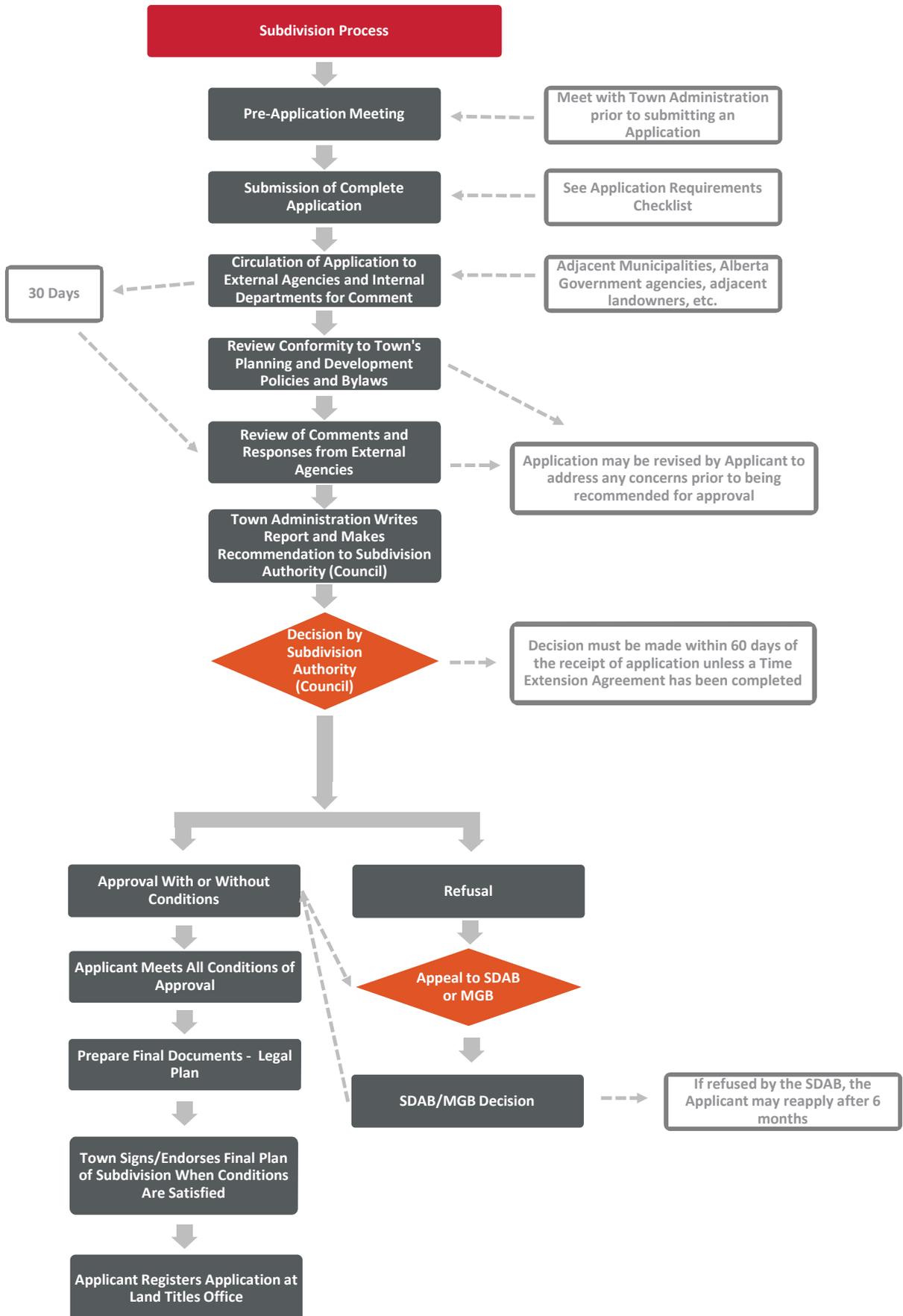
4.0 How is the process initiated?

To find out more about subdivision, or to start the process, arrange a pre-application meeting with one of the Town's friendly planning staff: 403 946-5565.

For this meeting, you should have the legal description of the property and a draft tentative plan. Town staff will want to discuss the intent of your application, as well as transportation and servicing solutions.

PROPOSED
NEW PROPERTY
LINES

5.0 What is the process?



6.0 What do I need to apply for subdivision of my land?

Detailed information can be found in the Subdivision Application Checklist

- ▶ Completed Subdivision Application Form
- ▶ Application Fee
 - You are encouraged to contact Town Administration to determine the appropriate fee for your application
- ▶ Current Certificate of Title of subject lands no older than 30 days
- ▶ Available at the Alberta Land Titles office or any Alberta Registry office
- ▶ Tentative Plan of Subdivision (3 copies)
 - Depending upon the complexity of the proposal, Town Administration may request additional copies and various sizes.
- ▶ Lot Statistics Table
 - Provide a summary of the widths, depths and areas of the lots to be created in the proposed subdivision. The lot statistics table is to include a summary of the number of lots in each land use district as well as a land area total for each land use district. Development types for each lot (i.e. single-detached dwelling vs. semi-detached) should be specified.
- ▶ Letter of Authorization (only required if the landowner is not the Applicant)
 - A letter of Authorization signed by the registered owner(s) of the land to indicate that the agent is authorized to act on their behalf.
- ▶ Digital copy of all application materials on CD
- ▶ Supporting Information
 - As requested by the Development Officer

7.0 What is a Tentative Plan?

A Tentative plan is a drawing showing lot lines and where the property separation will occur. A typical tentative plan is prepared by an Alberta Land Surveyor and would show:

- Location of the proposed subdivision in the municipality;
- Legal description of the land;
- All lot locations and measurements;
- All easements, rights of way, roads, railways, etc.;
- Location or surveyed boundaries of any environmental features such as a water course;
- Building locations and setbacks;
- Other information (external to diagram, i.e. potable water)
- Name of Alberta Land Surveyor preparing plan;
- Alberta Land Surveyor's Permit Stamp (if corporation).

8.0 What is the cost?

The cost to subdivide land in Crossfield varies depending on the complexity of your proposed subdivision. Staff at the Town's office can give you additional information.

9.0 What happens once my application has been circulated?

The Town will consider all comments received and work with the Applicant to resolve any outstanding issues that were raised during the circulation period.

Town staff prepares a subdivision report and adds the application to the next Council Meeting agenda.

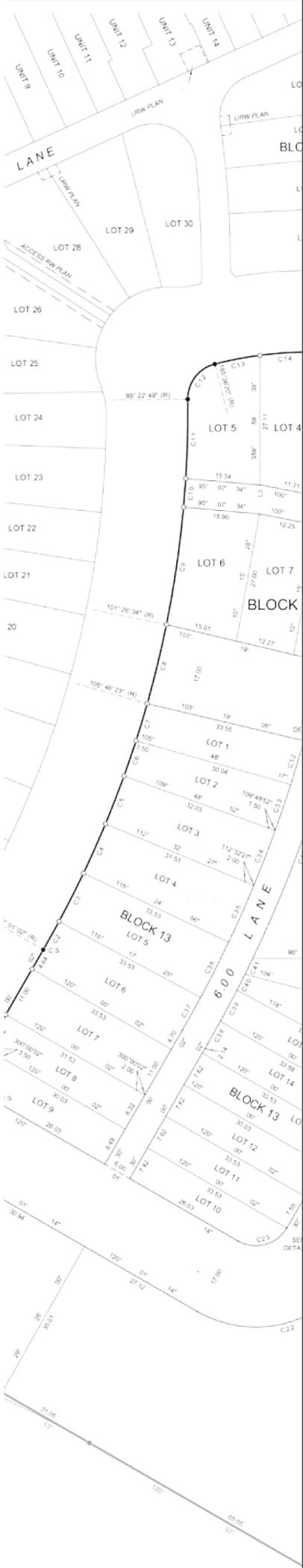
10.0 What is considered when reviewing an application?

The review of a proposed subdivision will involve consideration of a number of issues including but not necessarily limited to:

- Conformity to the Town's planning policies, including the Municipal Development Plan and an applicable Area Structure Plan,
- Compliance with the Town's servicing
- Compliance with the Land Use Bylaw

Copies of the subdivision application are circulated to Town departments, external agencies (i.e. Alberta Transportation, Alberta Environment, School Boards), Town's planning and engineering consultants and adjacent municipalities for feedback (e.g. on issues such as traffic and access; utility requirements, reserve dedication, environmental issues, schooling etc.)

Also, the Town circulates subdivision applications to adjacent landowners for feedback and comments.



11.0 How long does a decision take?

60 days from the time of completed application submission.

The 60 day time limit may be extended through an agreement with the applicant and the Town.

12.0 Who makes the decision on an application?

Town Council

13.0 How do I know when my application is going to Council?

Town staff will provide you with written notice of the date and time when you application will be considered by Town Council.

14.0 How do I find out about Council’s decision?

A notice of decision is sent out in writing to the applicant. You are welcome to attend the Council meeting to listen to the presentation and decision.

15.0 What are reserves?

Reserve lands are generally classified into three types:

- Municipal Reserve
- School Reserve
- Environmental reserve

The Town of Crossfield can require up to 10% of land from subdivision to be provided for municipal or school reserves. This land is typically used for future school or park sites.

Environmental reserve is land with environmental conditions that may make it unsuitable for development. These areas may include: steep slopes, swamps, gullies, ravines, natural drainage courses, flood prone areas, or land immediately adjacent to lakes, rivers, streams or other bodies of water.

16.0 How are Reserves Taken?

There are three ways that reserves may be taken:

- ▶ Land dedication at time of subdivision
- ▶ Deferred by caveat to another piece of land in Crossfield that is owned by the same person
- ▶ Cash in lieu of land (the value of up to 10% of the land to be subdivided to be paid to the Town)

17.0 When are Reserves not required?

- One lot is to be created from a quarter section of land;
- Land is to be subdivided into lots of 16.0 hectares or more and is to be used only for agricultural purposes
- The land to be subdivided is 0.8 hectares (2 acres) or less;
- Reserve land, or money in place of it was provided previously for the same piece of land

18.0 What are subdivision conditions?

It is common to expect conditions to be placed on subdivision approval. These ensure that the subdivision will be constructed/completed according to the Town's policies and standards.

For example, conditions may include:

- ▶ requirements to ensure the subdivision complies with all planning regulations or documents, including site-specific conditions such as water supply, internal roads, etc.;
- ▶ requirements for an agreement to be entered into with the municipality to pay for construction of roads, walkways, sewer and water systems, other utilities, or off-site levies;
- ▶ payment of any outstanding taxes;
- ▶ dedication of reserve land, or other arrangements in-lieu-of land.

Appeals

19.0 Can a subdivision decision be appealed?

A refusal decision or a condition of approval may be appealed. However, only certain individuals or groups are permitted to appeal a decision:

- The applicant
- Local school boards and government agencies.

Adjacent landowners are provided notice of the application, and are invited to provide written comment to Council, but do not have any right of appeal

20.0 How long do I have to appeal a decision?

A “Notice of Appeal” form must be completed and filed along with the required fee within 14 days of the date shown on the Notice of Decision. You can obtain more information and the required form at the Town offices.

21.0 Who considers an appeal?

The Subdivision and Development Appeal Board (SDAB) or the Municipal Government Board (MGB)

22.0 Approved Subdivision – What’s next?

The subdivision approval is valid for a period of one year. During that time you will need to work with Town staff for subdivision endorsement.

The applicant may contact the Town and request an extension prior to the one-year period lapsing— extensions are discretionary and may not always be granted.

23.0 What is endorsement?

Before your subdivision approval expires, you must have your subdivision endorsed by the Town. To do so, you must:

- Meet all conditions of subdivision approval
- Have your property surveyed by a professional Alberta Land Surveyor, who will prepare a Legal Plan. The Legal Plan shows detail as to location, orientation, and size of all parcels within the boundary of the subdivision (The Legal Plan is the final version of the Tentative Plan)

If the Town is satisfied that all of the conditions of the subdivision approval have been adequately met, and if the Legal Plan accurately represents the plan of subdivision approved by Council, the Legal Plan can be endorsed by the Town.

Note that in some cases, a descriptive plan rather than a legal plan may be prepared for subdivision endorsement. Contact Town staff if you are unsure of which type of plan is required for your subdivision endorsement.

24.0 What is Registration?

Registration is the final step in the subdivision process. The applicant or their agent must register the Legal Plan with Alberta Land Titles.

Once the plan is registered, a new Certificate of Title is issued for each of the new parcels. After this process, you may transfer or sell the property.

The endorsed documents must be registered at Alberta Land Titles within one year of the endorsement date by the Town.

25.0 How do I find out about proposed subdivisions in my community?

If you own property adjacent to a proposed subdivision, you will be mailed the application and asked to submit comments to the Town.

You will find all current subdivision applications posted on the Town's website here:

<http://www.crossfieldalberta.com/>

26.0 Can I appeal my neighbour's subdivision?

No, the Alberta Municipal Government Act does not permit adjacent landowners to appeal decisions for subdivision.

