

# Subdivision Guidebook

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## PLANNING & DEVELOPMENT

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## Subdivision guidebook

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# Introduction

This guidebook attempts to cover every stage of the subdivision process, and you may wish to refer to it from time to time while following your application through the process. However, it is not intended as a legal interpretation.

Prospective applicants are encouraged to review the appropriate sections of the *Municipal Government Act*, and should always refer to the Act when quoting or establishing a legal position. Questions on this document or the legislative framework for County planning can be directed to the Lac Ste. Anne County Planning & Development department.



*Courtesy notice*

## MONEY-IN-LIEU INFORMATION FORM

*This form must be included if your application is to create more than one parcel on the quarter-section or your quarter has been previously subdivided. Other documents that should be included as part of a comprehensive package are a **Subdivision Application Package** and a **Rezoning & Subdivision Application Package**.*

If you propose to subdivide/ create more than one (1) parcel and the parcels are less than 16.0 hectares (39.5 acres) and greater than 0.8 hectares (1.98 acres) in size, reserves will be owing on the proposed parcels. This also applies if one or more parcels are already subdivided (existing parcels) from the quarter section.

*The County will take money-in-lieu on all subdivision applications that fall within the above noted criteria.*

Per the *Municipal Government Act*, the required reserves may not exceed 10 percent of the appraised

market value, determined in accordance with Section 667. The applicant must provide:

1. Market value appraisal of the existing parcel of land as of a specified date occurring within the 35 day period following the date on which the application for subdivision is made;
2. As if the use proposed for the land that is the subject of the proposed subdivision conforms with any use prescribed in a Statutory Plan or Land Use Bylaw for that land; and

3. On the basis of what might be expected to be realized if the land were in an unsubdivided state and sold in the open market by a willing seller to a willing buyer on the date on which the appraisal is made. Please note that market values change and are site specific.

*For example, the creation of two 2.02 hectare {5 acre} parcels would result in 2.02 ha + 2.02 ha = 4.04 ha. Land subject to reserves (10% of MR eligible): 4.04 x 10% = 0.404 ha. Market value per hectare: \$11,420.52, 0.404 ha x \$11,420.52 = \$4,613.89 owing.*



# The Planning Process

Land use planning deals with the orderly development and use of land. It attempts to put in place a rational means by which certain goals can be met through management of the use of land.

In response to the ongoing state of evolution in settlement patterns, agricultural practices, community development, and technology, Lac Ste. Anne County has committed itself to managing growth in a responsible, effective, and economical manner.

Today, land use planning not only manages the use and development of land but also involves issues of compatibility, environment, health, aesthetics, equity, and efficiency. Sound land use planning respects the land as a community resource. It contributes to the conservation of the natural environment and cultural heritage and promotes healthy communities through improvements to the quality of life.



# Subdivision of Land

Subdivision is simply the process of dividing a piece of land into two or more parcels of land (as permitted by local and provincial regulation). Each newly created parcel is issued its own registered title from an Alberta Land Titles Office.

*A subdivision may also be the process to combine two parcels of land that are adjacent to each other.*

## 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 owner may appoint an authorized person to act on his/her behalf.*

Although anyone can be appointed, an authorized person is usually a planning consultant, land surveyor or lawyer.

Land cannot be subdivided without the permission of all registered owner(s). If your subdivision will result in a parcel density of five or more lots on the subject quarter section, a Re-districting Application will be required, and may be required at other levels.

If your land is adjacent to a roadway, you will be required to provide land for future road upgrades. The amount of land varies per application.

## SUBDIVISION RULES

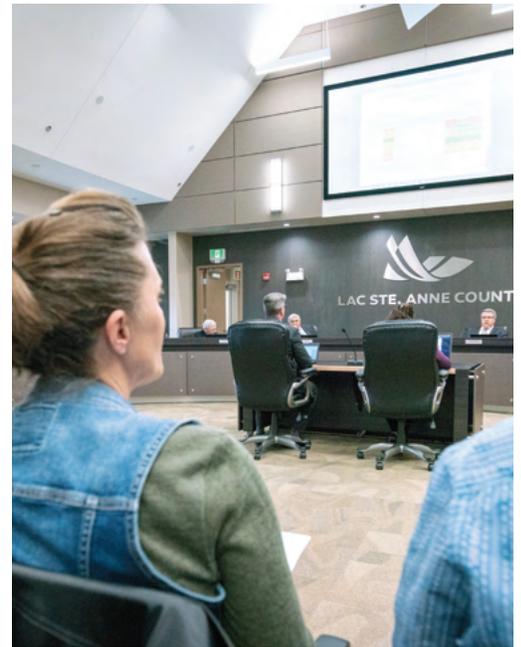
In order to subdivide a parcel, the assigned land use district must permit the parcel sizes and densities you wish to create. If the current land use zoning does not allow them, you may be required to submit a rezoning application prior to (or along with) your subdivision application.

The criteria considered in the assessment of a subdivision application include but are not limited to adequate water supply and sewer systems, environmental sensitivity, physical road access to each parcel, potential for flooding and erosion, design, compatibility with adjacent land uses, and dedication of municipal reserve.

The Subdivision Authority may approve an application if it meets the following criteria:

1. The land is suitable for the purpose of the subdivision;
2. Water is available in accordance with the *Water Act*;
3. The proposed subdivision conforms to all applicable statutory plans and the Land Use Bylaw;
4. The proposed subdivision complies with the *Municipal Government Act* and Subdivision and Development Regulation.

An application that does not meet the criteria listed must be refused.



# The Approval Process

Applications for subdivision within Lac Ste. Anne County will be circulated to various agencies for comment as well as landowners located adjacent to the subject site.

Staff review the application, inspect the site, and prepare a report with a recommendation to the Municipal Planning Commission. This is dependent to the type of application and site specific factors.

Within 20 days of receiving the application, Lac Ste. Anne County employees will inform you whether your application is deemed complete or needs more information. From there the County takes typically no more than 40 days to make a decision.

The decision is based upon the recommendations from the agencies or departments to which the application was circulated. The Municipal Planning Commission also considers the comments of adjacent landowners, when making these decisions. The steps in the subdivision process are outlined as follows.

## PRELIMINARY DISCUSSIONS WITH THE MUNICIPALITY

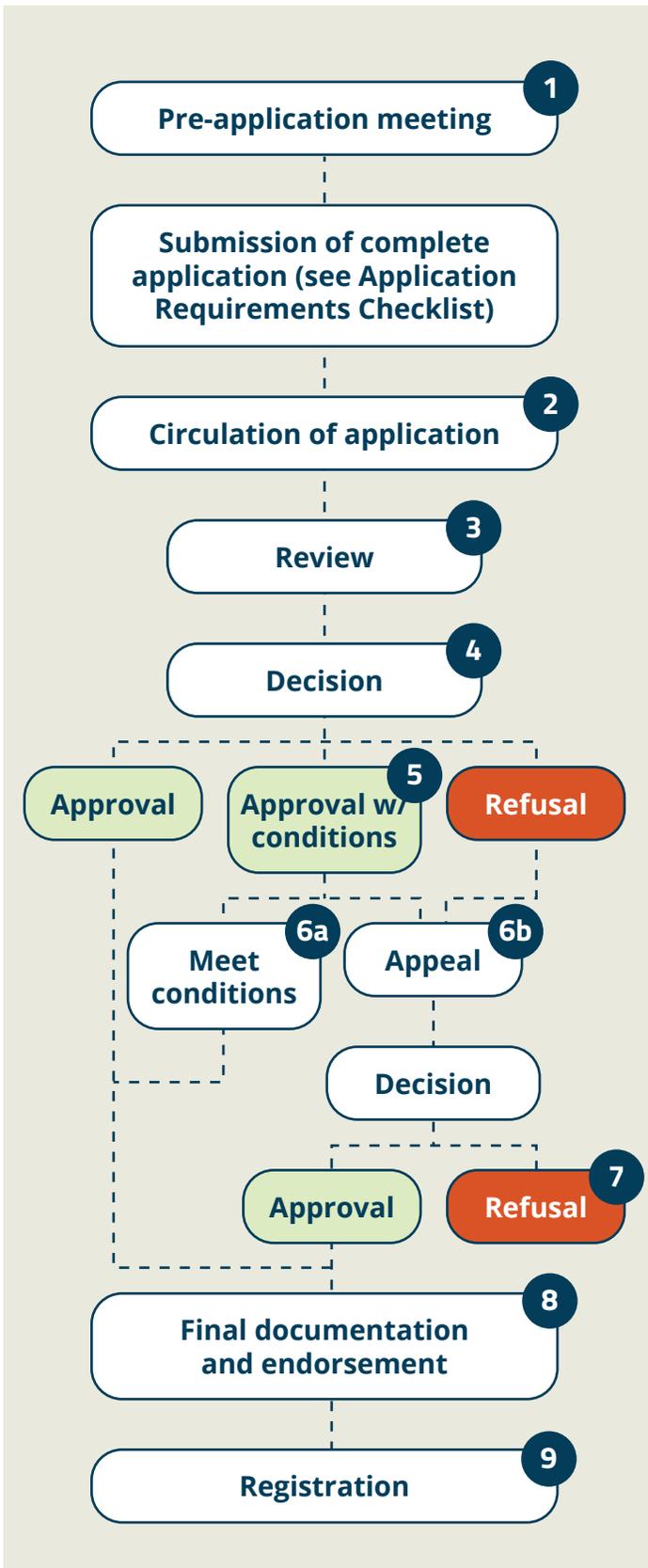
Landowners (or their representatives) considering a subdivision are encouraged to contact staff in the Planning & Development department prior to making an application. In this initial consultation, we will discuss the technical aspects of the application. Administration will also provide comments and recommendations based on a review of legislative requirements, and also identify and explain any known potential problems relating to the general area and/or the application.

**PLEASE NOTE:** these preliminary discussions do not constitute a decision. These discussions and comments are based solely on Administration's interpretation of the regulations. Actual decisions may differ from those outlined in the preliminary discussions.

## Approval process flowchart

1. Meeting with Lac Ste. Anne County Administration prior to submitting an application is recommended. You must submit a completed application form including the proposed sketch. The County will review the application for completeness.
2. The County circulates the application to other internal departments, local and provincial authorities (referral agencies) and adjacent landowners (if required) for comments.
3. The County reviews comments from referral agencies and conformity to Planning & Development policies and bylaws, and applicable Area Structure Plans.
4. A decision must be made by the County within 60 days of receiving the completed application. If a decision is not rendered within this time, you may either file an appeal or enter into an agreement with the County to extend time for the decision.
5. You may be required to enter into one or more agreements with the County as a condition of approval.
6. If your appeal is refused, you can reapply after six months. (6a): You have two years to meet all conditions of approval. (6b): If your application is refused, or you don't agree with the conditions imposed, you may appeal within 14 days of receipt decision. Decisions may only be appealed by the applicant or other regulatory body.\*
7. If there are no appeals after 14 days, you have two years to prepare a final subdivision plan and submit to the County for endorsement. If all conditions of the approval have been met, your final plan will be endorsed.
8. You have one year from the date of endorsement to register your final subdivision plan with the Northern Alberta Land Titles Office. Upon registration, you will be issued new titles for the lots created to you.

*\*If you choose to appeal, be sure to look at our Subdivision and Appeal Board brochure.*



## COMPLETING AN APPLICATION

The application form must be completed in their entirety. It is important to provide accurate information on the location and legal description of your property, the existing uses of the land, the proposed use(s) of the land, the location of any buildings, fences or other improvements, location of water wells, sewer/septic systems, the number of lots you are planning on subdividing.

The **60 day** subdivision-processing period begins when the completed application form has been accepted by this office. **A complete application includes the appropriate fees and supporting documentation as outlined on the following page.**

An incomplete application will be returned to you with a letter outlining its deficiencies. In addition to contacting the County, you may wish to consult with the following local agencies as to their requirements, which may affect your subdivision application:

- Gas company
- Health unit
- Power company
- Alberta Transportation

An Amendment fee of \$450.00 will be charged if changes to an application are requested after the application referral process has begun.

## REGULATORY REQUIREMENTS FOR SURFACE DEVELOPMENT IN PROXIMITY TO ABANDONED WELLS

New subdivision applications, except for lot line adjustments, must include documentation from the Energy Resources Conservation Board (ERCB) identifying the presence or absence of abandoned wells. This information can be obtained from the ERCB's Abandoned Well Viewer available on the ERCB website at [www.aer.ca](http://www.aer.ca).

If an abandoned gas or oil well is identified on the land that is subject (the quarter section) of the subdivision application, the applicant must include a map that shows the actual well location, as identified in the field, and the setback by each license established by the AER.

To ensure your application is complete, verify it with our Application Requirements Checklist on the next page.

## APPEALS

An appeal of the decision of the subdivision authority may occur on either a refusal of an application (as explained previously), or on the conditions of the Subdivision Authority's approval.

There are two different appeal boards, the Subdivision and Development Appeal Board (SDAB), and the Municipal Government Board (MGB). The SDAB will hear all appeals where there is no provincial interest. If there is an interest in the application at the provincial level, the MGB will hear the appeal.

The appeal hearing will be held within 30 days from the date the appeal was lodged to the SDAB, or within 60 days if the appeal is lodged with the MGB. The Appeal Board must consider any statutory plan, uses of land referred to in the Land Use Bylaw, land use policies, and the Subdivision and Development Regulation.

The decision of the Appeal Board is final, and no further appeals may be made, except to a court on a point of law or jurisdiction.



**APPLICATION REQUIREMENTS**

# Checklist

An Application for Subdivision will only be accepted by the County as being complete when *all details* indicated on the following three pages have been submitted. It can then be submitted to the various referral agencies.

- APPLICATION FEE (NON REFUNDABLE)**  
Payable to Lac Ste. Anne County by cash, cheque, money order, Visa, or MasterCard. The application fee shall be included in accordance with the fee schedule in effect at the time of application.
- APPLICATION FORM**  
The name(s), address(es), and telephone number(s) of the registered owner(s) and the authorized person acting on behalf of the registered owner(s). If a person is acting on behalf of the registered owner(s), the owner(s) shall sign the authorization. If the said land is under an agreement for sale as indicated by caveat on the back on the Certificate of Title, please submit a copy of the signed agreement. The individual noted on the caveat must sign the application.
- CURRENT COPY OF CERTIFICATE OF TITLE**  
A copy of the Certificate of Title of the lands being subdivided dated not more than 30 days prior to application submission can be obtained from any license and registry office. If there are any caveats or easements registered on the title pertaining to the County (e.g. deferred reserve caveats or utility easements), submit copies of these documents along with the application.
- TENTATIVE PLAN OF SUBDIVISION**
- Natural features, such as: water bodies, wetlands, sloughs, muskeg, swamp and/or other bodies of water; rivers, creeks, ravines, drainage courses; top of bank; forest or treed areas.
- Man-made features such as: drainage ditches; aggregate extraction/borrow areas; existing and proposed access locations.
- The location, numbers, names and other designations of: highways; public roadways.
- The location, dimensions and setbacks to existing and proposed property lines of buildings on the land that is the subject of the application and specifying those buildings that are proposed to be demolished or removed, if any. As well as any proposed improvements.
- The location of any existing or proposed wells and any existing or proposed private sewage disposal systems with the distance from these to the existing or proposed buildings and property lines.
- Contour information (where required) at an interval of 2m, to be superimposed over the tentative plan, and related to a geodetic datum where possible.

*Note: If an application is for a split into two equal parcels for an unsubdivided quarter section, an undeveloped first parcel out of the quarter section, or a severed parcel and there are no improvements on the proposed or remnant lots within the vicinity of the proposed lot lines, the tentative plan is not required to be prepared by an Alberta Land Surveyor, but the tentative plan shall still indicate the details to the right. The County encourages a surveyor drawing, however, this is not a requirement.*

*Please discuss with the County Planning & Development department as to whether the following information is required to be submitted as part of a complete application.*

- GEOTECHNICAL REPORT**  
 One (1) paper copy and one (1) digital PDF by email or storage device. A report that assesses of subsurface characteristics of the subject lands may be required. This report may identify areas of high water table, soil suitability for private sewage disposal, and slope stability information where the lands may be susceptible to slumping or subsidence.
- HYDROGEOLOGICAL REPORT**  
 Pursuant to Section 23(3)(a) of the *Water Act*; this report is required where the sixth (6) or subsequent parcel is being proposed on a quarter section and where water service is proposed via water well or surface diversion. This report shall be prepared by a qualified geotechnical engineering firm and signed by a qualified geotechnical engineer.
- 1:100 YEAR FLOODPLAIN ANALYSIS**  
 A copy by email or storage device. If the land that is the subject of an application is located in a potential floodplain, a map showing the 1:100 flood and accompanying report will be required and shall be prepared by a qualified professional.
- TRAFFIC IMPACT ASSESSMENT**  
 One (1) paper copy and one (1) digital PDF by email or storage device. This report may be required to analyze the traffic generated by the proposed subdivision and development, new access locations and/or increased use of an existing access.
- BIOPHYSICAL ASSESSMENT**  
 This report is required to assess the biological and physical elements of an ecosystem, including geology, topography, hydrology and soils and shall be prepared by a qualified professional. Typically only required when an application creates five or more parcels per quarter but may be required during any application.
- STORMWATER MANAGEMENT PLAN**  
 Information may be required to identify how stormwater will be managed post development including proposed drainage improvements and easements. This report shall be prepared by a qualified engineering firm and signed by a qualified engineer.
- DESIGN BRIEF**  
 Information may be required to identify the water network analysis and concept and the sanitary sewer network analysis and concept. This report shall be prepared by a qualified engineering firm and signed by a qualified engineer.

## **SUBDIVISION SKETCHES**

Subdivision sketches that form part of a complex application involving roads and more than two parcels (e.g. plan of subdivision) may be required to submit a plan prepared by a qualified person. County staff will ensure that such sketches contain all of the details listed below.

- Location, dimensions and boundaries of titled area
- Location, dimensions and boundaries of each new lot to be created and their distance from existing boundaries

- Location of existing buildings<sup>1</sup> and their distances from the two nearest existing or proposed boundaries and/or quarter section boundaries
- Location of domestic water wells and their distances from the two nearest existing or proposed boundaries and/or quarter section boundaries
- Location and type of sewer disposal system<sup>2</sup> and distances from the two nearest existing or proposed boundaries and/or quarter section boundaries
- Location and distance from existing buildings and the two nearest existing or proposed boundaries of any man made features<sup>3</sup>
- Size and location from the two (2) nearest existing or proposed boundaries of any natural features<sup>4</sup>
- Location, numbers, and names of transportation features<sup>5</sup>

1. Existing buildings include garage, shed, house, barn, etc.
2. Types of sewer disposal systems include pump out, septic tank, mound, field, holding tank, etc.
3. Man made features include oil/gas wells, batteries, pipelines, or utility easements, dug outs/ponds, major drainage ditches, cultivated/pasture land, and fence lines and shelterbelts.
4. Natural features include lakes, sloughs, ponds, or other bodies of water, rivers, creeks, streams, or intermittent water courses, muskeg or wooded areas, and swamps.
5. Transportation features include highways, secondary highways, municipal roads, lease roads, and rail lines.

## **BASIC INFORMATION**

An Application for Subdivision will only be accepted by the County as being complete when all of the details indicated below have been submitted. It can then be submitted to the various referral agencies. You must indicate the existing and specific use(s) of the land that is the subject of the application.

- Accurate information on the location and legal description of your property
- Existing uses of the land
- Proposed use(s) of the land
- Location of any buildings, fences or other improvements
- Location of water wells, sewer/septic systems
- Number of lots you are creating
- Physical characteristics of the land
- Reason for your subdivision





# Municipal Reserve Dedication

The *Municipal Government Act* requires municipal reserve to be provided when land is subdivided.

Subsequently, an important step in the review of your application for subdivision approval is the calculation of the municipal reserve requirement and the allocation of this reserve. See below for answers to common questions concerning the subject of municipal reserve.

## WHY MUST I PROVIDE MUNICIPAL RESERVE? HOW MUCH DO I HAVE TO PROVIDE?

The *Municipal Government Act* states that the registered owner of land that is the subject of a proposed subdivision shall provide to the County, without compensation, land for municipal reserve. Land that is provided for municipal reserve shall not exceed 10 percent of the gross area of the lands that are subject to subdivision.

The *Municipal Government Act*, Section 663, directs that the subdivision authority Municipal Planning Commission shall not require the dedication of municipal reserve if:

- One lot is to be created from the quarter section.
- Land is to be subdivided into lots of 40 acres or more.
- The land to be subdivided is 2 acres or less. The parcels are less than 16.0 hectares (39.5 acres) and greater than 0.8 hectares (1.98 acres). *Note that per the Act, numbers cannot be rounded up.*
- Reserve land or a cash-in-lieu payment has previously been provided.

## ARE THERE OTHER WAYS I MAY SATISFY THE REQUIREMENTS FOR MUNICIPAL RESERVE?

Lac Ste. Anne County Council may require the registered owner to provide money in place of municipal reserve. Referred to as “cash-in-lieu” of reserve, this money shall not exceed 10 percent of the appraised market value of the gross area of the land to be subdivided.

The County will often value the land at the rate established by the Municipal Assessor and give the applicant the ability to provide an assessment at an alternative rate. The value of the land should be no more than the value established by the County.



# Levies

County Council may require the payment of offsite levies for any land proposed to be subdivided or developed.

*Lac Ste. Anne County is currently developing utilities for:*

- Roads within the Lac Ste Anne County road network
- Water supply
- Treatment, movement and disposal of sanitary sewage
- Storm sewer drainage facilities

More information about applicable levies is available from County Administration. The most common offsite applicable to development is the Transportation Offsite Levy, described below.

## **TRANSPORTATION OFFSITE LEVY**

This levy will be applied to all subdivision applications, excepting farmsteads, first parcels out, those portions of land designated as environmental reserve within a subdivision approval, and boundary adjustment applications.

The levy may also be applied to development permit applications. The levy may only be collected once from the development lands. This levy is set at the current bylaw rate, please refer to the County website or contact Administration for the levy calculation.

If approved, the Transportation Offsite Levy will be noted as a condition of subdivision approval on these subdivisions or as a condition of development permit approval. The levy will be collected prior to endorsement of the subdivision or prior to issuance of the development permit.

The monies will be placed into a reserve set up by the County Finance department and used in accordance with the framework established in the bylaw.



# Water and Sewer Servicing

## WATER SUPPLY

There are three possible methods of supplying water to the proposed new lots. Water supply may either come from a piped water distribution water source, cistern or by groundwater.

1. If a water distribution system is proposed to serve the parcel(s), or there is a known water line in the area, the development will be required to connect to that system and pay any hook up costs required as a condition of subdivision.
2. If groundwater is proposed to serve the new parcel(s), and the application proposes to create six or more total lots on the quarter section, information regarding the availability of groundwater is required. This information includes well driller's reports for the property and surrounding area, and a report from a professional engineer, hydrogeologist or geophysicist, licensed to practice in Alberta, that states that there is sufficient water to supply 1,250 cubic metres of water per year for each proposed lot, and that the proposed diversion will not interfere with other residential licensees and traditional agricultural users, as defined in the *Water Act*, Section 23(3) (a).

## SEWAGE DISPOSAL

If the proposed subdivision is to be serviced by other than a central collection and disposal sewage system, you may be required to provide a report, prepared by a qualified professional, certifying that the proposed sewage disposal method is

appropriate for and can be properly installed on the proposed new lot(s). PSDS systems will require the following as a condition of approval:

*Developer/Landowner to provide professional verification that onsite sewage disposal system is functioning properly and within the requirements of the Safety Codes Act, or to confirm replacement/upgrade of existing system to one which conforms to provincial and municipal requirements. Cost of inspection as per current fee bylaw.*

This report may be required prior to a decision being made on your application by the Subdivision Authority or as a condition of the Subdivision Authority's approval. An inspection of the existing system will be required as a condition of approval to ensure conformance to current regulations.

## SUBDIVISION ADDRESSING AND ROAD NAMING

All roads in Lac Ste. Anne County have names or number identifiers. These form an important component in the County address required for 911 emergency response. The applicant is responsible for applying for names of any new roads created by the subdivision. House numbers will be assigned by Lac Ste. Anne County, and will become active upon the issuance of building permits.



# Registering Approved Subdivisions

Conditional approval means that the Subdivision Authority has granted permission to create those lots shown on the approved tentative plan, provided that a number of conditions are met first.

*Conditional approval **DOES NOT MEAN** that the proposed lots have been created and can be sold.*

The lots legally exist only when the subdivision has been registered with the Alberta Land Titles office and separate Certificates of Title have been granted for each lot.

Subdivisions cannot be endorsed and registered until the appeal period has expired or until the appeal has been heard and decided upon by the appropriate appeal board. It is recommended that you wait until the appeal period has expired before meeting any conditions of approval. The approval is valid for two years from the date of decision of the subdivision authority or any appeal board. Extensions will typically not be granted.

It is the responsibility of the landowner and/or their agent to register newly created parcels with the Land Titles office once the Plan of Survey or Instrument has been endorsed by the County. The County has no involvement with private land sales once the new lots have been registered.

## MEETING CONDITIONS OF APPROVAL

The conditions of approval are included in the decision. It is the responsibility of the applicant to meet these conditions and submit documentation to Lac Ste. Anne County Planning & Development staff, confirming their completion. Make note that it is the Landowner's responsibility to ensure confirmation of condition compliance is sent to the County. The County will not follow up on condition completion.





# Planning & Development Documents Overview

Planning & Development documents shape whether an application will be refused or denied.

## STATUTORY PLAN CATEGORIES

A *statutory plan* is a plan that has legal status as prescribed by the *Municipal Government Act*. All statutory plans are adopted as a bylaw by Council after a public hearing.

The County's Subdivision and Development Authority must follow the direction of a statutory plan. The Subdivision and Development Appeal Board and Municipal Government Board must comply with statutory plans in a development appeal and must have regard to statutory plans in a subdivision appeal.

A *non-statutory plan* may or may not be adopted by Council bylaw. The plan provides guidance and more detailed direction for development. It is non-binding on subdivision and development authorities, the Subdivision and Development Appeal Board, and the Municipal Government Board.

## DESCRIPTION OF SPECIFIC PLANS

### Intermunicipal Development Plan

An Intermunicipal Development Plan (IDP) is a statutory document developed and adopted in partnership with an adjoining municipality. It contains policies that coordinate land use and development on the boundary land between adjacent municipalities. It addresses matters of mutual interest and is used to evaluate development applications, set up communication protocols, and provide a mechanism for resolving intermunicipal disputes. The *Municipal Government Act* was recently amended to clarify that IDPs take precedent over a municipal development plan (the County Plan).

The County has IDPs with Onoway, Alberta Beach, Sunset Point, Val Quentin, Mayerthorpe, the County of Barrhead, and Parkland County.

*Please review the following documents for compliance prior to submitting your application.*

**MUNICIPAL DEVELOPMENT PLAN**

Municipalities with 3,500 or more residents must prepare a Municipal Development Plan (MDP). The Municipal Plan is Lac Ste Anne County's MDP, which was adopted in 2015. The Municipal Plan identifies residential/business growth areas and provides overall guidance for land use planning, agriculture policies, and service delivery. It also provides specific policy guidance for areas that do not fall within the boundaries of an area structure plan or other subordinate plan.

**AREA STRUCTURE PLAN**

An Area Structure Plan (ASP) is a statutory plan prepared in accordance with the *Municipal Government Act* for a localized area. An ASP is subordinate to the Municipal Plan and provides a land use strategy for redesignating (rezoning) and developing a specific area of land. It contains maps, goals, and policies, which set out general locations for major land uses (e.g. residential, commercial, institutional, schools, parks), major roadways, utility servicing, and recreation.

**CONCEPTUAL SCHEME OR OUTLINE PLAN**

A Conceptual Scheme is smaller and subordinate to an ASP. It may be statutory if amended into the appendices of an ASP. The conceptual scheme provides detailed land use direction, subdivision and road design, and development guidance. A conceptual scheme often accompanies a land use rezoning.

**THE LAND USE BYLAW**

The Land Use Bylaw (LUB) is the primary implementation tool for regulating development. All land under County jurisdiction has a designated land use (zoning). The LUB lists the uses that may occur on a property and the development regulations for that property. There are a wide variety of regulations such as building size, height, and setback distances.

The development authority and the Subdivision and Development Appeal Board may vary the regulations but cannot change the uses allowed on a property. That remains Council's prerogative. Regardless of the statutory planning direction for a property, the landowner may use that property as per the land use zoning.



**LOT AND ROAD PLAN**

A Lot and Road Plan is a non-statutory document that accompanies a land use rezoning application. It is used to address a limited set of specific issues to demonstrate an area is capable of supporting residential development (e.g. lot and road layout, stormwater management, water supply, and sewage treatment).

**IMPORTANT DEFINITIONS REGARDING STATUTORY PLAN LANGUAGE**

*When reviewing these documents for compliance prior to submitting your application, please note:*

**Shall:** a directive term that indicates that the actions outlined are mandatory and therefore must be complied with, without discretion, by Administration, the developer, the development authority and the subdivision authority.

**Should:** a directive term that indicates or directs a strongly preferred course of action by County Council, Administration and/or the developer but one that is not mandatory.

**May:** a discretionary term, meaning the policy in question can be enforced by the County, if it chooses to do so, dependent on the particular circumstances of the site and/or application.

**Support:** means to provide for, or to aid the cause or interest of something. Generally, when the word support is used, Administration is in agreement with the proposal or premise if other relevant policy has met conditions of the subdivision authority's approval.

# Frequently Asked Questions



## WHERE DO SUBDIVISION RULES COME FROM?

The *Municipal Government Act* and Subdivision and Development Regulation govern subdivision of land. This legislation specifies the authority and responsibilities of the municipality in receiving and deciding on subdivisions.

Each municipality must enact a Subdivision Authority Bylaw to provide for a Subdivision Authority to exercise powers and duties on behalf of the municipality. The municipality may choose to have subdivision decisions made by:

- Any or all members of Council
- A designated officer of the municipality
- A Municipal Planning Commission
- Any other person or organization

The applicant for subdivision approval must submit an application and supporting information to the designated authority. The basic application form comes from the Subdivision and Development Regulation. These are minimum requirements. Actual requirements will vary from municipality to municipality.

## WHAT IS A SUBDIVISION BY DESCRIPTIVE PLAN?

In 1988, a provision within the *Land Titles Act* allowed the use of a Descriptive Plan to subdivide a parcel of land. The process of using a Descriptive Plan replaced the use of a metes and bound description. The metes and bounds description used words to describe a parcel of land and often proved difficult to follow.

The Descriptive Plan proved a better method of showing a subdivision of land graphically, on a plan.

The Land Titles Office may give approval for the use of a Descriptive Plan to subdivide a parcel of land. Some factors that the Land Titles Office considers include:

- The number of existing unsurveyed parcels
- The location of the land
- The cost of a survey
- The intended use of the land
- The value of the land or Complexity of Descriptive Plan (showing only distances)

The Land Titles Office generally grants approval of a subdivision by Descriptive Plan when:

- Subdivision is the first parcel from a quarter section
- The new parcel is square or rectangular in shape
- No land is being dedicated to the Crown such as a road or reserve land and/or
- Is a simple relocation of a lot boundary

## WHAT ARE THE ADVANTAGES AND DISADVANTAGES OF A DESCRIPTIVE PLAN?

The subdivision of the parcel of land is described on a plan and only a minimal field survey is conducted. This minimal field survey involves approximate measurements to ensure buildings, fences, trees or other items are contained inside or outside a new property boundary. A field survey would also be required when a new parcel of land has a natural watercourse (creek, river, lake, etc.) as one of the boundaries. With minimal field surveying, the cost of a subdivision by Descriptive Plan is less than a subdivision by Plan of Survey.

The disadvantage of a subdivision by Descriptive Plan is no legal survey posts are placed to show the location of the property boundaries. If the new parcel of land is to be fenced, an additional field survey may be required in order to construct the fence on the new property boundary.

## WHAT IS ROAD WIDENING ACQUISITION AGREEMENT?

All roads and road allowances that have not been previously widened are usually 66 feet wide. Future road construction requires a 100 foot wide road allowance. Therefore, during the subdivision process, a 17 foot wide strip of land on each side of the road allowance will be required either through dedication of land or as a Road Widening Acquisition Agreement registered by caveat.

You would enter into this agreement for any roads bordering your quarter section that have not been previously widened. This agreement is usually done when you are registering your subdivision by a Descriptive Plan (allowed for your first parcel out of the quarter section). If you are registering your subdivision by Survey Plan then the dedication will be done by the registration of a separate road plan and there will be no need to enter into an agreement.

The County does not require a separate road plan for Plans of Survey typically in multi parcel. However, a separate road plan will still be required via caveat if the plan of survey is up to 4 parcels per quarter-section.

### **WHY WOULD I HAVE TO ENTER INTO A DEVELOPMENT AGREEMENT?**

For subdivisions of four lots or less, a Development Agreement would be required for the following reasons:

- Road construction to provide legal and physical access to the proposed subdivision(s)
- Stormwater improvements
- Road approach(s) installation (all newly created parcels and the remnant parcel must have legal and physical access)

If any of the proposed parcels are developed, then all existing sewer systems must be brought to the new Safety Codes standards of Practice for sewer systems. Subdividing land creates new boundary lines and this can create non-conforming systems, so there may be a requirement for a development agreement if the subdivision is approved in the winter months.

Development Agreements are used when the above mentions installations are required and if they can be installed prior to winter, the Development Agreement is NOT required. Deposits would be required to be left with the County, and once the installations are complete and inspected the deposit is then returned in full. This is only done to ensure all access construction is done (or committed to being done) prior to endorsement.

Development Agreements allow the applicant to proceed with the registration process while meeting all approval conditions. Please note that with all Development Agreements there will be a deposit required. When the agreement has been satisfied, the deposit is refunded in full, and the Development Agreement Caveat is then discharged from the title.

Development Agreements for multi-lot subdivisions are for the subdivision's road development, power

installation, cold mixing. Please label as road installation and surfacing which may include gravel, cold mixor pavement.

### **WHAT IS MARKET VALUE?**

Market value is the most probable price that a property would sell for on the open market as of a given date.

For assessment purposes an assessor reviews and measures the real estate market on July 1 of the previous year in which a tax is imposed with consideration to the **physical attributes** and condition of your property as of December 31 of the previous year. The *Municipal Government Act* defines market value in Section 1(1) of the MGA as follows:

Market value means the amount that a property, as defined in section 284(1)(r), might be expected to realize if it is sold on the open market by a willing seller to a willing buyer. This definition would make the following assumptions:

- Sufficient exposure time in the market
- Neither buyer or seller are under any undue pressure
- Both buyer or seller are well informed
- Payment for the property is typical for the market

### **IF I HAVE TO BUILD AN APPROACH, TO WHAT STANDARD DO I NEED TO CONSTRUCT IT?**

Be advised that you will be required to build or upgrade an approach in accordance to the County Approach and Culvert Policy. All new approach installations shall meet the following criteria:

- New Approaches must be located a minimum of ninety 90.0 m (295") from a County road intersection, or as directed by the Public Works department
- Approach locations must have a minimum of 183.0 m (600') sight distance each way
- Finished road top must be 10.0 m (32'8") in width and flared to the County Road
- When culverts are required, they must be C.S.P. culverts and be the following diameter:
  - » 400mm (16") minimum or as directed by the Public Works department
  - » Must be a minimum length of 12.0 m (39'3")
  - » Culvert must be installed 0.3 m (12") from property line on the road allowance

- The Approach must have reasonable slope, not exceeding 5 percent for 15.0 m (50') away from the County road into the parcel. Complete with 4 to 6 inch rip rap on culvert ends.
  - Approach must be constructed with a minimum of 3-inch depth of 3/4" crushed material
  - All culverts shall be beveled and flush with rip rap.
  - Approaches that enter onto paved roads may be required to be paved for 1.5 metres from the shoulder of the road within 150 days from construction of approach.
  - The approach must have reasonable slope, not exceeding 5% for 15.0 metres (50 feet) away from the County road into the parcel, and complete with 4-6 inches of rip rap at culvert ends.
- 
- *Dual approaches shall be deemed to not be a suitable form of access.*
  - *The County reserves the right to require the approach developer to install wider or longer culverts on a case-by-case basis.*
  - *The County reserves the right to require the removal of any approach as a condition of subdivision and/or development permit approval if such an approach does not meet the design & construction standards specified in sec. 6 of this policy — with all costs to be borne by the landowner.*



## Engineering firms

The County provides a list of engineering firms as a service to the subdivision applicants and landowners. Inclusion in this information package does not imply any endorsement of these engineering firms.

### Who can do the water study?

#### **A.D. WILLIAMS ENGINEERING**

PHONE 780.424.2393  
TOLL-FREE 1.800.263.2393

#### **ALTATECH ENVIRONMENTAL SERVICES**

*A Division of Waterloo Numerical Modelling Corp.*

ADDRESS PO Box 1138, 5023 50 Avenue  
Whitecourt AB T7S 1P1

PHONE 780.706.2696  
EMAIL [info@altatechenv.com](mailto:info@altatechenv.com)

#### **AMEC**

ADDRESS 4810, 93 Street Edmonton AB T6E 5M4  
PHONE 780.436.2152

#### **AQUALITY ENVIRONMENTAL CONSULTING**

ADDRESS 204, 7205 Roper Road  
Edmonton AB T6B 3J4

PHONE 780.757.5530  
EMAIL [info@aquality.ca](mailto:info@aquality.ca)

#### **ASSOCIATED ENGINEERING**

PHONE 780.451.7666

#### **SABATINI EARTH TECHNOLOGIES**

ADDRESS 9315, 35 Avenue NW Edmonton AB T6E 5R5  
PHONE 780.438.0844  
WEBSITE [sabatini.ab.ca](http://sabatini.ab.ca)

#### **URBAN SYSTEMS**

PHONE 780.430.4041

### What surveyors work in the area?

#### **ALBERTA GEOMATICS**

ADDRESS 10333 61 Avenue NW  
Edmonton AB T6H 1K9

PHONE 780.439.0770  
WEBSITE [albertageo.com](http://albertageo.com)

**ATLAS GEOMATICS**

ADDRESS 17327 106A Avenue Edmonton AB T5S 1M7  
 PHONE 780.481.3399

**BERNHARD JESS ALS**

ADDRESS 401, 8503 108 Street Edmonton AB T6E 6J9  
 EMAIL [bjess@compusmart.ab.ca](mailto:bjess@compusmart.ab.ca)

**DELTA ENGINEERING & SURVEYS**

ADDRESS 9809 89 Avenue NW Edmonton AB T6E 2S3  
 PHONE 780.945.1386

**DON WILSON SURVEYS**

ADDRESS Box 4120, Barrhead AB T7N 1A1  
 PHONE 780.674.2287

**EXPLORE SURVEYS**

PHONE 780.455.5598  
 TOLL-FREE 1.866.936.1805  
 WEBSITE [exploresurveys.com](http://exploresurveys.com)

**THE FOCUS CORPORATION**

ADDRESS 1000, 9925 109 Street  
 Edmonton AB T5K 2J8  
 PHONE 780.466.6555  
 WEBSITE [focus.ca](http://focus.ca)

**GLOBAL RAYMAC SURVEYS**

ADDRESS Suite 201, 1230 91 Street NW  
 Edmonton AB T6X 0P2

**HAGEN SURVEYS (1982)**

ADDRESS 8929 20 Avenue Edmonton AB T5H 0X9  
 PHONE 780.464.5506  
 WEBSITE [hagensurveys.com](http://hagensurveys.com)

**HAMILTON & OLSEN SURVEYS**

ADDRESS 11805, 149 Street Edmonton AB T5L 2J1  
 PHONE 1.800.565.7911  
 EMAIL [info@hossurveys.com](mailto:info@hossurveys.com)

**MARKER GEOMATICS**

ADDRESS 11721, 170 Street Edmonton AB T5M 3W7  
 PHONE 780.455.5121  
 WEBSITE [markergeomatricsinc.com](http://markergeomatricsinc.com)

**MCELHANNEY LAND SURVEYS**

ADDRESS 138, 14315 118 Avenue  
 Edmonton AB T5L 4S6  
 3, 3370 33 Street Whitecourt AB T7S 1X4  
 PHONE 780.7778.5559  
 WEBSITE [mcelhanney.com](http://mcelhanney.com)

**MIDWEST SURVEYS**

ADDRESS 101, 9830 42 Avenue NW  
 Edmonton AB T6E 5V5  
 PHONE 780.433.6411  
 TOLL-FREE 1.800.561.2994  
 WEBSITE [midwestsurveys.com](http://midwestsurveys.com)

**NAVLAND GEOMATICS**

ADDRESS 10722 181 Street Edmonton AB T5S 1 K8  
 PHONE 780.486.1119  
 EMAIL [info@navlandgeomatrics.com](mailto:info@navlandgeomatrics.com)

**NORTHLAND SURVEYS UD.**

ADDRESS 18103 105 Avenue Edmonton AB T5S 2E1  
 PHONE 780.448.4919

**ON-SITE SURVEYS**

PHONE 780.293.1870  
 EMAIL [dwayne@onsitesurveys.ca](mailto:dwayne@onsitesurveys.ca)

**OPUS STEWART WEIR**

ADDRESS 140 2121 Premier Way  
 Sherwood Park AB T8H 088  
 PHONE 780.410.2580  
 TOLL-FREE 1.888.317.1111  
 WEBSITE [opusw.com](http://opusw.com)

**PALS SURVEYS & ASSOCIATES**

ADDRESS 10704 176 Street Edmonton AB T5S 1G7  
 PHONE 780.455.3177  
 TOLL-FREE 1.800.263.0305  
 WEBSITE [palssurveys.com](http://palssurveys.com)

**PRECISION GEOMATICS**

ADDRESS 5143A 50 Avenue Drayton Valley AB T7A 1J7  
 PHONE 780.542.5252  
 ADDRESS 17403 105 Avenue Edmonton AB T5S 2G8  
 PHONE 780.470.4000  
 WEBSITE [precisiongeo.ca](http://precisiongeo.ca)

**QUANTUM GEOMATICS**

ADDRESS 20612 98 Avenue NW  
 Edmonton AB T5T 4V9  
 PHONE 780.242.2012  
 EMAIL [rdavid@ggeo.ca](mailto:rdavid@ggeo.ca)  
 WEBSITE [QGeo.ca](http://QGeo.ca)

**STANTEC (SURVEYS/GEOMATICS)**

ADDRESS 10160 112 Street Edmonton AB T5K 2L6  
 PHONE 780.917.7000  
 WEBSITE [stantec.com](http://stantec.com)

**VECTOR GEOMATICS**

ADDRESS Unit 117 12111 40 St SE Calgary AB T2Z 4E6  
 PHONE 1.778.576.1870  
 DIRECT/CELL 1.403.305.7756  
 WEBSITE [www.vectorgeomatics.com](http://www.vectorgeomatics.com)

**VELOCITY GROUP, SURVEYING & ENGINEERING**

ADDRESS 5605 53 Street Beaumont AB T4X 1A3  
 PHONE 1.877.283.3016 extension 113  
 DIRECT/CELL 587.803.6932 / 780.915.8593  
 EMAIL [mike@velocitygroup.ca](mailto:mike@velocitygroup.ca)  
 WEBSITE [velocitygroup.ca](http://velocitygroup.ca)

# Subdivision Guidebook

**LAC STE. ANNE COUNTY**  
**PLANNING & DEVELOPMENT DEPARTMENT**  
Box 219, Sangudo AB T0E 2A0

T 780.785.3411 TF 1.866.880.5722 F 780.785.2359 E DEVASSISTANT@LSAC.ca [LSAC.ca/planning](https://www.lfac.ca/planning)