

Mackenzie County

Rural Subdivision Process and Required Information

1. Receive Application

Application must contain:

- a) Application Form (Form prescribed by the Subdivision and Development Regulation)
- b) Fee (as per Fee Schedule bylaw)
- c) Tentative Plan, required to be done by a surveyor when there are permanent structures and private sewage on the property. A plan created by a surveyor will be required for every subdivision prior to the subdivision being registered.
- d) Certificate of Title (usually supplied by the surveyor or purchased by the county for a fee established in the Fee Schedule Bylaw)
- e) Consent to enter land (incorporated into subdivision application)
- f) Aerial Photo (usually supplied by the surveyor or purchased by the county for a fee established in the Fee Schedule Bylaw)

Application may also require:

- a) Soil (agrolgist) report
- b) Water (hydrologist) report
- c) Method of servicing for water and sewer,
- d) Water study as per the Water Act,
- e) Private sewage (percolation) report,
- f) Engineered plans for infrastructure,
- g) Road and access construction and/or upgrades,
- h) Environmental Impact Study,
- i) Traffic Impact Assessment Study,
- j) Area Structure Plan,
- k) Asbuilts at construction completion.

2. Review by Development Staff

Development staff to ensure application conforms to Land Use Bylaw (LUB), Area Structure Plan (ASP), Municipal Development Plan (MDP), Intermunicipal

Development Plan (IDP), Subdivision and Development Regulations, and such other legislation as may be applicable to the proposed subdivision.

3. Send Required Notifications and Ask for Comments

Notification letters including a copy of the subdivision application, the aerial photo, and location map are sent to:

- a) Municipal departments,
- b) Adjacent property owners,
- c) Fort Vermilion School Division,
- d) Alberta Environment and Parks (AEP),
- e) Northern Lights Gas Co-op,
- f) ATCO Electric,
- g) TELUS.

Notification may also be sent to:

- h) Adjacent Municipality if subdivision is adjacent or required in the Inter-municipal Development Plan (IDP),
- i) Alberta Transportation (when subdivision is within 1.6 kilometres of the centre line of a Provincial highway),
- j) Alberta Energy and Utilities Board (AUB) if subdivision is within 1.5 kilometers of a sour gas facility,
- k) Other agencies as deemed necessary by the department.

4. Decision by Municipal Planning Commission (MPC)

Department staff prepares the application with a recommendation and appropriate conditions for MPC review, MPC has the following options:

- a) APPROVE the application with the recommended conditions,
- b) APPROVE the application with different/additional conditions,
- c) APPROVE the application with amendments,
- d) TABLE the application for more information from the applicant or department staff,
- e) REFUSE the application.

The applicant is sent a letter containing the decision and conditions, signed by the MPC Chair or designate.

The decision must also state the appeal process and which appeal board has jurisdiction (Subdivision and Development Appeal Board (SDAB) or the Land & Property Rights Tribunal).

5. Development Agreement

The applicant (now referred to as “the developer”) is required to enter into a Development Agreement with Mackenzie County which includes all of the conditions stated in the decision letter. Possible conditions of approval may include but are not limited to:

- a) Provision of legal and physical access to all resulting parcels constructed to County standards,
- b) Appropriate utility rights-of-way as required by utility agencies such as those listed in section 3 above,
- c) Relocation or replacement of existing private sewage system to conform to Alberta Private Sewage Systems Standard of Practice 2015,
- d) Payment of any outstanding property taxes,
- e) Payment of applicable fees such as:
 - i. Off-site levies
 - ii. Water/sewer hookup fees
 - iii. Lift station levies
 - iv. Municipal Reserve in the form of 10% of the land being subdivided or money in lieu of land (no municipal reserve is required for the first parcel out of a quarter section)
 - v. Note application deadline for local improvement charges, if required.
- f) Establish and include the amount of security, if required. Security is required on infrastructure to be constructed on a multi-lot subdivision both in the rural and urban areas and is to be calculated at 25% of the estimated construction cost received from the engineer.

The developer and/or landowner signs two (2) copies of the Development Agreement which are then reviewed and signed by the MPC Chair or designate. Mackenzie County retains one signed copy and the other is mailed to the developer.

6. Endorsement and Registration

A surveyor is now required for the remainder of the subdivision process, the developer is responsible for securing a surveyor at no expense to the County.

If the subdivision is the first parcel out of the quarter section and is not a yard site separation, the surveyor:

- a) Is responsible for providing a descriptive plan and consents to the developer or to the County for the developer to sign,

- b) Supplies the County with the endorsement or “Subdivision Authority Approval” documents (to be signed by MPC Chair or designate),
- c) Provides any other legal documents as required by the County or Alberta Land Titles.

If the subdivision is a yard site separation, the second, or subsequent parcel to be subdivided, the surveyor

- a) Drafts a tentative plan of the area to be subdivided, this is often required prior to Municipal Planning Commission review,
- b) Supplies the County with the endorsement or “Subdivision Authority Approval” documents (to be signed by MPC Chair or designate),
- c) Provides any other legal documents as required by the County or Alberta Land Titles.

The County is responsible for preparing any caveats that may be required at the time of subdivision, these are to be signed by MPC Chair or designate.

Once all conditions of approval have been met, all required fees have been paid, and the developer and County have signed all necessary documents, everything is sent to the surveyor to be registered with Alberta Land Titles.

7. Timeline (Dependant on Developer and Alberta Land Titles Processing Times)

- a) Vacant (first parcel out) – minimum 6 weeks to 6 months
- b) Yard site – minimum 4 to 6 months