

Subdivision Application package

Subdivision process

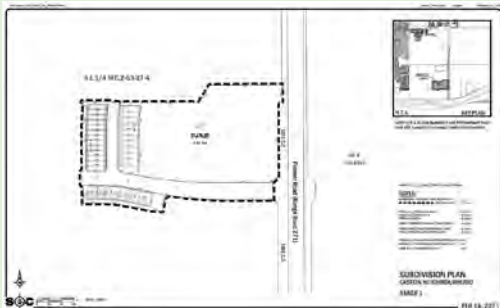
Subdivision is the legal division of a single parcel of land into two or more smaller parcels. Upon subdivision, each parcel created is given a separate land title. Before being registered with Alberta Land Titles, each subdivision must receive subdivision approval and endorsement from the City’s Subdivision Authority. (Municipal Government Act and Subdivision and Development Regulation)

Included in this application package

- ❖ Subdivision of Land brochure
- ❖ Requirements for Applications
- ❖ Subdivision Application form
- ❖ Owner’s Authorization form
- ❖ Right of Entry Authorization form

City of Spruce Grove Subdivision Authority
 Director of Planning & Development
 Bylaw C-1179-21

Planning & Development Office
 414 King Street
 Spruce Grove, AB T7X 3E8
 Phone: 780-962-7582
 Email: permits@sprucegrove.org



Subdivision process

- 1 Pre-Application meeting** – a pre-application meeting may be held if required
- 2 Submit application and fee** – submit completed forms, accompanying documentation and fee
- 3 Completeness review (10 days)** – upon receiving application and fee, staff review application to deem it complete (MGA Section 653.1). Acceptance letter is sent once application is deemed complete
- 4 Circulation, review and decision (45-60 days)** – application is circulated for review, comments are reviewed and forwarded to applicant. The applicant is to address any concerns.
- 5 Appeal (14 days from decision)** – the applicant, referred government departments or school authorities can appeal the decision or conditions to the Subdivision and Development Appeal Board.
- 6 Endorsement (21 days)** – Application received within one year of conditional approval. Registration within one year of endorsement.



Where to Apply

City of Spruce Grove
Planning & Development

Mailing Address:
City Hall
315 Jespersen Avenue
Spruce Grove, AB T7X 3E8

Office Address:
Planning and Development Department
414 King Street
Spruce Grove, Alberta

Office Hours

Monday to Friday
8:30 a.m. to 4:30 p.m.



Phone: 780-962-7263
lkustra@sprucegrove.org

Revised January 2022



Subdivision of Land

Information



The Community of Choice!

What is Subdivision?

Subdivision is the dividing of a single parcel of land into two or more parcels, each to be given a separate title. Subdivision is also used for existing lot line adjustments.

Notwithstanding a few exceptional circumstances, subdivision approval and endorsement by the Subdivision Authority for the City of Spruce Grove must always be received before the subdivision can be registered in the Land Titles Office and titles issued including bareland condominiums.

Who can apply for a Subdivision?

Only the landowner or an agent acting on behalf of the landowner may apply for subdivision. An agent may be any person acting on behalf of the owner.

How do I apply?

The first step is completion of a subdivision application form. The landowner or their agent should contact the City of Spruce Grove, Planning and Development Department, to obtain information on where to acquire the subdivision application form and requirements in order to make an official completed application. Evaluation of a subdivision application will not begin until a "completed application" is received by the Subdivision Authority being the City of Spruce Grove.

Processing your application

Once the completed application has been received, the Subdivision Authority has certain time frames in which to consider the application. In most cases referrals to external agencies and internal departments are sent out for their comments. A decision must be made within 60 days unless the applicant and the subdivision authority agree to a time extension. If the subdivision authority fails to issue a decision within the specified time frame and extensions are not agreed to, the applicant may initiate an appeal. Such an appeal is considered an appeal of a deemed refusal.

Endorsement

Decisions of approval, or approval with conditions are involved in the endorsement process. Prior to endorsement occurring by the subdivision authority all conditions must be met. The applicant would submit a Plan of Survey or Descriptive Plan and other required documentation to the Subdivision Authority within one (1) year from the date of the final decision. The appropriate documents are then endorsed by the Subdivision Authority of the City of Spruce Grove.

Registration

It is the responsibility of the applicant to register the endorsed plan with the Alberta Land Titles office within one (1) year from the date of the endorsed documents.


Appeals

Any decision or condition issued by the Subdivision Authority may be appealed. Appeals can be to the local Subdivision and Development Appeal Board or to the Land and Property Rights Tribunal (for very limited matters relating to highways or water bodies). The applicant or agent for the subdivision, government departments, the local municipality or local school authorities may launch an appeal. Adjacent landowners may not launch an appeal.

An appeal must be commenced within 14 days of receipt of a written decision (deemed to be 5 days from the date the decision is mailed) or deemed refused by the Subdivision Authority. A notice of appeal must include reasons for the appeal and be accompanied by the appropriate fee.

SUBMIT APPEALS TO:

Subdivision and Development Appeal Board
City Clerk's Office
City of Spruce Grove
315 Jespersen Avenue
Spruce Grove, AB T7X 3E8



Unusual circumstances or not quite sure?

*Talk to the Supervisor of Development
at 780-962-7623*

Or

*The Senior Development Officer
at 780-962-7589*

Printable copies of required subdivision forms
are available on the
City of Spruce Grove website
www.sprucegrove.org



REQUIREMENTS FOR SUBDIVISION APPLICATIONS

All subdivision applications are to be submitted through <https://cityviewweb.sprucegrove.org/Portal>

Every application for subdivision approval shall be made by means of a proposed plan of subdivision if:

- (a) a parcel is to be subdivided into more than two (2) lots;
- (b) public roadway or reserve land is required to be provided; and
- (c) the Subdivision Authority, or a Registrar requires the registration of a plan of subdivision.

The material describes those items of information required to accompany an application for subdivision. This information is required in accordance with Section 4 of the Subdivision and Development Regulation and the information requirements of the City of Spruce Grove.

I. Subdivision Application Fee

In accordance with Section 4(2) of the Subdivision and Development Regulation, each application for subdivision shall be accompanied by a fee. The fees are as per the City's Development Fees and Fines Bylaw C-1124-20 as amended.

II. Application Forms

One (1) completed subdivision application form in pdf format must be submitted. This form must be signed by the registered owner(s) of the land that is the subject of the application **or** an authorized person who is acting on behalf of the registered owner(s).

- (a) If a company or individual is the owner of the said land under an agreement for sale as indicated by caveat on the back of the Certificate of Title, please submit a copy of the registered caveat along with your subdivision application.

- (b) If the registered owner is a numbered company, named company, corporation, limited company, or any other firm which has directors and/or shareholders, the names of the directors and shareholders along with the registered mailing address of the firm must accompany the application. These can be obtained from the Corporate Registry of Alberta Consumer and Corporate Affairs.

III. Authorization Forms

One (1) completed authorization form signed by the registered owner(s). This form is required only if the application is being submitted by a person or firm other than the registered owner(s).

IV. Right-of-Entry Agreement

One (1) completed right-of-entry agreement either permitting or refusing the right-of-entry for a site inspection by an authorized person from the City of Spruce Grove.

V. Certificate of Title

One (1) up-to-date, no older than 3 weeks prior to the date of submittal, copy of the current Certificate of Title or an up-to-date Land Title Search.

The copy of the current Certificate of Title or Land Title Search can be obtained through any Alberta Registry. It can also be purchased through a self-serve service online at Spin II. <https://alta.registries.gov.ab.ca/spinii/logon.aspx>

VI. Proposed Tentative Plan of Subdivision (Prepared by an Alberta Land Surveyor)

One (1) copy in PDF format at a minimum scale of 1:2000. These plans shall show:

1. The location, dimensions and boundaries of the existing parcel of land to be subdivided, showing the location of existing services on the property proposed to be subdivided.
2. The area of the subdivision proposal which the applicant proposes to register in the Land Titles Office.
3. The location, area and proposed dimensions of each new lot to be created, the reserve land, if any, roads and points of access to all the proposed lots. The proposed lots and blocks are to be numbered. Streets shall be identified as such.

4. Contour information (may be required) at an interval of 1.5 meters is to be superimposed over the proposed tentative plan of subdivision, and the contour data is to be related to a geodetic datum where possible.
5. The location, dimensions, numbers, names and other designations of any:
 - (a) highway,
 - (b) secondary road,
 - (c) public roadway,
 - (d) right-of-way of each public utility, and other rights-of-way on or in the immediate vicinity of the land to be subdivided.
6. The location, siting and plotting of natural and man-made physical features.

Man-Made features such as:

- (a) waterbodies
- (b) major drainage ditches
- (c) gravel working and/or clay pits
- (d) water holes
- (e) agricultural land (land under cultivation)

Natural features such as:

- (a) sloughs and/or other bodies of water
- (b) rivers, creeks and intermittent streams
- (c) muskeg or swamp
- (d) organic area
- (e) subsidence information on valley banks
- (f) top of bank
- (g) wooded area

7. Development

The location, use, and dimensions of all existing buildings or structures on the land to be subdivided and specifying those buildings that are proposed to be demolished or moved.

If there are buildings located on the land being subdivided a Real Property Report will be required.

Street names shall not be shown on the tentative Plan of Subdivision.

8. Location of abandoned water wells.

VII. Key Plan

One (1) copy in PDF format. The plan is to cover a minimum area of approximately 350 meters around the proposed subdivision.

VIII. Local Services

The applicant/owner may be required to provide satisfactory data in the form of a qualified consultant's report, with respect to the following:

1. The availability and method of providing the proposed area of subdivision with a suitable and satisfactory supply of potable domestic water and the arrangements satisfactory to the municipality concerning the maintenance of such a system after installation.
2. The intended method of providing sewage disposal facilities to each of the proposed parcels within the proposed subdivision and the arrangements satisfactory to the municipality that have been made by the applicant as to the maintenance of such a system after installation.
3. Proposed methods of handling surface drainage for the subdivision area and any other land area that may be affected by the proposal.
4. Arrangements made to effect the collection and disposal of solid waste within the area proposed to be subdivided.
5. Arrangements respecting the availability of fire protection in regard to the land proposed to be subdivided.
6. Where a stormwater impoundment area is involved, information must be submitted as to the dedication of reserve or utility lands in and around the area.
7. Where applicable, written evidence is to be provided from a school authority indicating whether accommodation is available for the use of families to be resident with the proposed subdivision.

IX. Concept Plan

An overall concept plan for the neighbourhood depicting how the proposed development fits in with existing and future development.

X. Reserve Requirements

The applicant shall identify reserve area(s) in accordance with Section 661 of the Municipal Government Act and Section 17 of the Subdivision and Development Regulation.

XI. Abandoned well

It is the responsibility of the developer or landowner of the proposed subdivision to obtain abandoned well information from the Alberta Energy Regulator (AER). This information can be obtained from the AER's Abandoned Well Viewer available on the <https://extmapviewer.aer.ca/AERAbandonedWells/Index.html>.

The Subdivision Authority will require the following information when a subdivision application is made within the City of Spruce Grove.

- The subdivision application, except for lot line adjustments, must include documentation from the AER identifying the location, including the surface coordinates, of any abandoned wells or confirming the absence of any abandoned wells within the proposed subdivision.
- If an abandoned gas or oil well is identified on the land that is the subject of subdivision application, the applicant must include a map that shows the actual wellbore location, as identified in the field, and the setback established in the AER Directive 079 in relation to existing or proposed building sites. The tentative plan of subdivision shall be overlaid with the AER Map to identify the well location in relation to the subdivision.
- Completed confirmation of absence of abandoned wells form.
<https://www.sprucegrove.org/media/1794/confirmation-of-absence-of-abandoned-wells.pdf>

And

- Information provided by the AER identifying the location of any active wells, batteries, processing plants or pipelines within the proposed subdivision.

XII. Additional Information

Pursuant to Section 4 (5) of the Subdivision Regulation, additional information may be required.


An Environmental Site Assessment, to the satisfaction of the Subdivision Authority may be required in the following circumstances:

- When there is a likelihood that contamination could exist on-site or on an adjacent site and the proposal is proposing to change from nonresidential to residential uses; or
- An historical use had an environmentally hazardous operation/infrastructure.

Any other information required, which may include but is not limited to approvals from the Province of Alberta, traffic impact analyses, geotechnical information; and any other information deemed necessary

Upon approval of subdivision there will be an endorsement fee for the final plan as indicated on the City's fees and fines bylaw C-1124-20 as amended.

As per the City's Addressing Policy No. 7,011CM in new development areas, the developer will submit a list of street names, which will include a preferred name and an alternate name for each street which shall be approved by the City. If neither the preferred name nor the alternate is acceptable, the City will suggest an appropriate name at their discretion.

 <h2 style="margin: 0;">APPLICATION FOR SUBDIVISION</h2>	FOR OFFICE USE ONLY	
	Date of Receipt of Form 1 as Completed	FILE No.
	Fee Submitted:	

THIS FORM IS TO BE COMPLETED IN FULL WHEREVER APPLICABLE BY THE REGISTERED OWNER OF THE LAND THAT IS THE SUBJECT OF THE APPLICATION OR BY A PERSON AUTHORIZED TO ACT ON THE REGISTERED OWNER'S BEHALF.

1. Name of registered owner of land to be subdivided _____ Address, Postal Code and Phone No. _____
Print in Block Letters

2. Name of Agent (person to act on behalf of registered owner), if any _____ Address, Postal Code and Phone No. _____
Print in Block Letters

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED
 All/part of the _____ ¼ sec _____ twp _____ range _____ west of the _____ meridian
 Being all/part of Lot _____ Block _____ Reg. Plan No. _____ C.O.T. No. _____
 Area of the above parcel of land to be subdivided _____ hectares
 Municipal address (if applicable) _____

4. LOCATION OF LAND TO BE SUBDIVIDED
 - a. The land is situated in the municipality of _____
 - b. Is the land situated immediately adjacent to the municipal boundary? Yes _____ No _____
 If "yes", the adjoining municipality is _____
 - c. Is the land situated within 1.6 km of the centreline of a highway right of way? Yes _____ No _____
 If "yes", the highway is No. _____
 - d. Does the proposed parcel contain or is it adjacent to a body of water or by a drainage ditch or canal? Yes _____ No _____
 If "yes", state its name _____
 - e. Is the proposed parcel within 1.5 km of a sour gas facility? Yes _____ No _____

5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED
 Describe:
 - a. Existing use of the land _____
 - b. Proposed use of the land _____
 - c. The designated use of the land as classified under a land use bylaw _____

6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED (WHERE APPROPRIATE)
 - a. Describe the nature of the topography of the land (flat, rolling, steep mixed) _____
 - b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc.,--sloughs, creeks, etc.) _____
 - c. Describe the kind of soil on the land (sandy, loam, clay, etc.) _____

7. EXISTING BUILDINGS ON THE LAND TO BE SUBDIVIDED
 Describe any buildings and any structures on the land and whether they are to be demolished or moved _____

8. WATER AND SEWER SERVICES
 If the proposed subdivision is to be served by other than a water distribution system and a wastewater collection system, describe the manner of providing water and sewage disposal _____

9. REGISTERED OWNER OF PERSON ACTING ON THE REGISTERED OWNER'S BEHALF
 I, _____ hereby certify that
FULL NAME Print in Block Letters
 I am the registered owner, or
 I am the agent authorized to act on behalf of the registered owner

 and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision.

 Address _____ Phone No. _____ Ext _____
 Signature _____ Date _____

TO BE COMPLETED BY THE APPLICANT/LANDOWNER

Please outline in detail the exact proposed use of the following:

- (1) The parcel to be created:

- (2) The remainder of the title:
(Note: The proposed uses must be ones shown in the Municipal Land Use Bylaw)



APPLICANT'S AUTHORIZATION FOR SUBDIVISION APPLICATION

Planning and Development
414 King Street Spruce Grove

Phone: (780) 962-7582
Fax: (780) 962-1062

Business Hours
M-F: 8:30 a.m. – 4:30 p.m.

I/We _____ being registered owner(s)
Print in Block Letters

Of _____ do hereby authorize
Legal Description of Property
to make application for
subdivision affecting the
above noted property

Individual or Firm Seeking Application

Registered Owner(s) Print in Block Letters

Registered Owner(s) Signature(s)

Address

Date

Mailing Address
315 Jespersen Ave
Spruce Grove, AB T7X
3E8

This information is being collected under the authority of section 33(c) the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used to administer a subdivision permit. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at 780-962-2611.



MUNICIPAL GOVERNMENT ACT, R.S.A. 2000, c.M-26

RIGHT OF ENTRY AUTHORIZATION

Planning and Development
414 King Street Spruce Grove

Phone: (780) 962-7582 Business Hours
Fax: (780) 962-1062 M-F: 8:30 a.m. – 4:30 p.m.

Owner(s) consent to the Right of Entry by an authorized person of the City of Spruce Grove for the purpose of a land site inspection relative to a proposed development permit application or Land Use Bylaw amendment.

Section 542 of the Municipal Government Act, R.S.A. 2000, c.M-26 stipulates that:

542(1) If this or any other enactment or a bylaw authorizes or requires anything to be inspected, remedied, enforced or done by a municipality, a designated officer of the municipality may, after giving reasonable notice to the owner or occupier of land or the structure to be entered to carry out the inspection, remedy, enforcement or action,

- (a) enter on that land or structure at any reasonable time, and carry out the inspection, enforcement or action authorized or required by the enactment or bylaw,
(b) request anything to be produced to assist in the inspection, remedy, enforcement or action, and
(c) make copies of anything related to the inspection, remedy, enforcement or action.

(1.1) A consent signed under section 653 is deemed to be a reasonable notice for the purposes of subsection (1).

In accordance with the above Section and this City's Land Use Bylaw requirements, it is necessary that this form be completed and returned with your application submission in order that an authorized person from the City may be able to do a site inspection if required on the property.

I/We grant consent for an authorized person of the City of Spruce Grove to enter upon the subject land for a site inspection.

Legal Land Description _____

Registered Owners Name as Per Certificate of Title _____

Name of Signing Authority _____

Property Address _____

Signature

Print Name & Title

Date

Mailing Address
315 Jespersen Ave
Spruce Grove, AB T7X
3E8

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