

Subdivision Guidelines



What Is a Subdivision?

Subdivision is the dividing of a single parcel of land into two or more parcels, each to be given a separate title.

Any one of the following constitutes a subdivision, and therefore requires approval:

- Two or more lots currently on one (1) title require separate titles for the lots;
- Re-aligning or adjusting an existing lot line;
- Creating several lots from one or more existing properties; or
- Creating several bare land condominium units from one or more properties

Why Subdivision Approval is Required

The Municipal Government Act, 2000 RSA, the Subdivision & Development Regulations of Alberta, and the Town of Sylvan Lake Land Use Bylaw require that all subdivisions be approved by the Town's Subdivision Approving Authority. Administration is responsible for processing and approving subdivision applications that are contained within an approved outline plan, and for advising the Municipal Planning Commission who decide upon subdivision that are not contained within an approved outline plan.

Approval for subdivision is needed in order to ensure that the community's standards are met with regard to:

- suitability of the proposed site for the intended use;
- conformity of the proposal to local planning legislation, including the Municipal Development Plan (MDP), Area Structure Plans (ASP) and the Land Use Bylaw;
- adequacy of roads, lanes and emergency access;
- adequacy of open spaces and walkways;
- preservation of natural features like stream courses and trees;
- compatibility of overall subdivision pattern with the neighbourhood;
- adequacy of sewer, water and other services; and
- protection for future subdivision opportunities.

Subdivision Fees

The subdivision application fees shall be payable to the Town of Sylvan Lake and must be paid at the time of application submission. Fees comprise of an application fee plus a fee for each lot created, including any remnant lot. Any remaining part of the existing property is considered a lot.

Fees

Subdivision	\$1,200 for the first 2 lots (1-2) + \$225 per lot thereafter
Subdivision Approval Amendment	\$500
Subdivision Approval Extension	\$200
Endorsement Application	\$150 per lot (excludes ER, MR, PUL lots)

Subdivision Application Requirements

The following information is required for a subdivision application:

1. A completed original subdivision application form signed by the registered owner(s) of the land or a person authorized to apply on owner's behalf.
2. One (1) location map (8" x 11") showing the plan in relation to the Town of Sylvan Lake.
3. One copy of a tentative plan of subdivision on 11" x 17" paper drawn at a scale of not less than 1:1000. If the drawing is unclear or otherwise unsuitable for circulation and review your application will be returned as incomplete. The drawing must show the following information:
 - dimensions of the title area(s) and the sizes and dimensions of the proposed lots, including ER, MR & PUL lots.
 - location, use & dimensions of existing buildings and structures and their distances from property lines;
 - location & dimensions of utility rights of way or easements on or adjacent to the property;
 - location and name of existing roadways;
 - location of proposed roadways, proposed accesses, and utility rights of way or easements;
 - approximate location of natural features, contained within the bounds of the title area such as;
 - sloughs, and/or other bodies of water
 - rivers, creeks and intermittent water courses
 - wooded, muskeg, or swamp areas
 - crest and toe of slopes of banks to water bodies, gullies, draws and valleys
 - other features such as;
 - constructed water bodies and ditches
 - oil and gas wells/pipelines
 - gravel workings
 - landfills
 - the scale of the plan and a north arrow;
4. A digital copy of location map and tentative plan of subdivision in PDF format;
5. An Abandoned Well Search (go to the interactive map viewer at [Geodiscover Alberta](#) for more information);
6. Current copies (within the last 30 days) of each relevant certificate of title as well as any registered instruments on each of the certificates of title;
7. Signed authorization shall be provided from the landowner(s) named on the title;
8. One signed right of entry letter shall be provided;
9. Depending on the type and location of subdivision proposal, other information as may be required to determine subdivision conditions as legislated by the Municipal Government Act. Costs associated with obtaining the required information will be borne by the subdivision applicant; and
10. Application fees.

Conditions of Subdivision

The Subdivision Authority may approve, vary or refuse an application. In the case of approval, the Subdivision Authority may impose conditions that must be fulfilled before the subdivision can be registered at the Land Titles Office. These conditions may include, but are not limited to:

- requirements to ensure that the subdivision complies with all Town standards;
- requirements for an agreement to be entered into with the Town for the construction of roads, sewers and other such infrastructure, or off-site levies;
- payment of any outstanding taxes; and
- dedication of reserve land, or other arrangements in- lieu-of land.

Final Endorsement

The applicant must meet all conditions of the subdivision before the Subdivision Authority can endorse the final subdivision plan, which shall be prepared by an Alberta Land Surveyor.

A subdivision endorsement package must be submitted to the Town and all endorsement fees must be paid prior to being reviewed.

Appeals

The decision may be appealed by the applicant/owner, commenting government agency or, with regard to municipal and school reserves, the school authority. Adjacent landowners do not have the right to appeal the decision.

Appeals may be heard by:

1. The Town of Sylvan Lake Subdivision & Development Appeal Board (SDAB). Notice of appeal must be received within 14 days after receipt of the Subdivision Authority's written decision. As per Section 680(3) a Subdivision and Development Appeal Board hearing an appeal under section 678 must hold the hearing within 30 days after receiving a notice of appeal and give a written decision together with the reasons for the decision within 15 days after concluding the hearing.

OR:

2. The Land and Property Rights Tribunal

If there is a provincial interest as per Section 678(2) (i.e. provincial department referred) the appeal will be heard before the Land and Property Rights Tribunal. Notice of appeal must be received within 14 days after the receipt of the Subdivision Authority's written decision. As per Section 680(4) the Land and Property Rights Tribunal hearing an appeal under Section 678 must hold the hearing within 60 days after receiving a notice of appeal and give a written decision together with the reasons for the decision within 15 days after concluding the hearing.

* As per MGA section 678(3) the date of receipt is deemed to be seven (7) days from the date the decision is mailed.