

8. Costs of Other Professional Services

Other information may be required for the processing of the application or for meeting the conditions of the approval which may include:

- ◆ legal fees
- ◆ geotechnical analysis
- ◆ historic archaeological surveys
- ◆ ground and surface water analysis
- ◆ underground fuel tank inspections

Subdivision Inquiries

Applicants are encouraged to contact our office with any inquiries they may have regarding subdivisions:

Oldman River Regional Services Commission
3105 - 16th Avenue North
Lethbridge, Alberta T1H 5E8

Phone: (403) 329-1344 **E-mail:** suborrsc@telus.net
Fax: (403) 327-6847 **Website:** www.orrsc.com

Member Municipalities

Rural:

Cardston County
 County of Lethbridge
 County of Newell No. 4
 County of Warner No. 5
 M.D. of Pincher Creek No. 9
 M.D. of Ranchland No. 66
 M.D. of Taber
 M.D. of Willow Creek No. 26
 Vulcan County

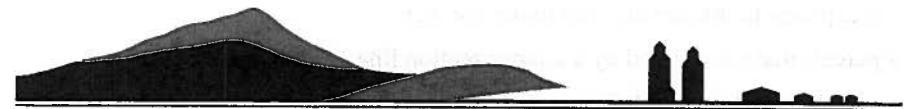
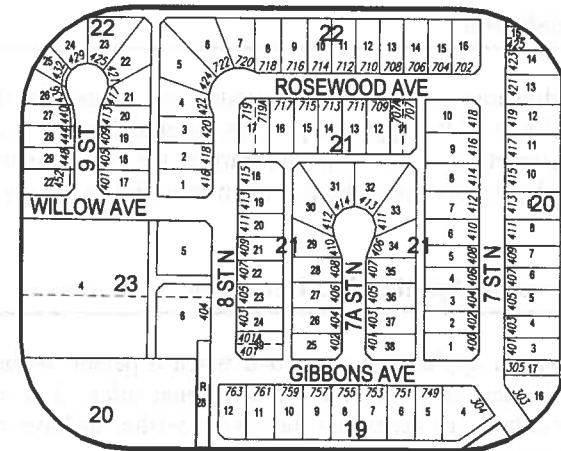
Towns:

Cardston
 Claresholm
 Coaldale
 Coalhurst
 Municipality of Crowsnest Pass
 Fort Macleod
 Granum
 Magrath
 Milk River
 Nanton
 Picture Butte
 Pincher Creek
 Raymond
 Stavely
 Vauxhall
 Vulcan

Villages:

Arrowwood
 Barnwell
 Barons
 Carmangay
 Champion
 Coutts
 Cowley
 Hill Spring
 Lomond
 Milo
 Nobleford
 Stirling
 Warner

SUBDIVISION APPROVAL PROCESS



OLDMAN RIVER REGIONAL SERVICES COMMISSION

Prepared for Member Municipalities

Revised December 2010

What is ORRSC?

ORRSC is short for Oldman River Regional Services Commission. This commission is a cooperative effort of 38 municipalities in southwestern Alberta who have created an organization to provide municipal planning advice to its members.

One major duty of ORRSC is to process applications for subdivision on behalf of our member municipalities. Although the processing is conducted by this organization, the decision is made by a municipal subdivision authority.

Subdivision Legislation

Approvals of subdivisions are conducted under the terms of the Municipal Government Act. Much of the approval process discussed below is legislated and time periods for completion of the steps are part of the Act. Since much of the process is legislated by the province, there is often little ability to vary.

When is a Subdivision Application Required?

Generally, a subdivision application is needed when a person wishes to have an existing land title divided into one or more additional titles. For example, if an existing land title contains 10 acres and the owner wishes to have two titles of 5 acres each, a subdivision application is required.

Other instruments requiring subdivision approval include the creation of bareland condominiums and the registration of long-term leases.

Two exceptions to this are allowed under the Act:

- ◆ parcels that are divided by a quarter section line
- ◆ where two or more lots from a registered plan are on a title, those lots may be split if the plan was registered after July 1, 1950

In each of these cases, an owner may apply directly to the Land Titles Office.

2. Fee to Recirculate Application

Minor changes to an application may be accepted at the office with no additional costs; however, if the change requires the application to be recirculated to the various agencies, there will be a fee of \$300.

3. Costs of Surveying

Surveying is often required to show the location of structures, prepare plans and to register documents with the Land Titles Office. The Land Titles Act requires an Alberta Land Surveyor (ALS) to be used for this purpose. Surveyors should be contacted for estimates of the job.

4. Irrigation Districts

If the land being subdivided is within an irrigation district, there may be additional fees required to amend the delivery system or provide domestic water agreements.

5. Municipal Reserve

Municipal Reserve will normally be taken in accordance with the Act except as follows:

- ◆ one lot is to be created from a quarter section
- ◆ land is to be subdivided into lots of 40 acres or more and is to be used for agriculture
- ◆ land to be subdivided is 2 acres or less

Reserve may be taken in either land or cash in lieu of land which would be 10% of the market value of the land. Market value may be assessed by the municipality or an applicant may provide a professional value assessment.

6. Municipal Services

All the costs of municipal services are usually the responsibility of the developer. This would include the costs for utilities provided by various utility companies. Some municipalities may require off-site levies at the time of subdivision or development.

7. Land Titles Office Fees

The Land Titles Office has fees for the issuance of new titles.

Finalizing the Subdivision Approval

The steps needed to finalize the subdivision approval are contained in the notice of decision provided to the applicant and include:

- ◆ contacting a surveyor to prepare the documentation required for the Land Titles Office
- ◆ completing and providing proof of completion that all conditions have been met
- ◆ paying outstanding charges such as municipal reserve, taxes and the final fees

When all the conditions are met and the appeal period has elapsed, ORRSC is able to endorse the plan or other instrument. That document is filed with the Land Titles Office.

Costs Involved in Subdividing Land

Costs of a subdivision can vary greatly from application to application, however, some of the basic costs that can be expected include:

1. Subdivision Approval Fees (fees are non-refundable)

A. Application Fee	B. Per Lot Fee	C. Per Lot Endorsement Fee
\$500	\$300	\$150
PAYABLE WITH INITIAL APPLICATION		PAYABLE PRIOR TO ENDORSEMENT

Example: When subdividing a farmstead from a quarter section or creating two lots from an existing title:

A. Application fee	\$500
B. Per lot fee for 1 new lot	\$300
Subtotal	\$800 – payable with initial application
C. Endorsement fee for 1 new lot	\$150
Subtotal	\$150 – payable prior to endorsement
TOTAL	<u>\$950</u>

Making an Application

A complete application will include:

- ◆ a completed form
- ◆ a complete diagram of the proposal including all dimensions
- ◆ the applicable fee
- ◆ a surveyor's sketch of the structures when the application is in an urban area or in the County of Lethbridge, if any development exists on the site
- ◆ a recent certificate of title (within the last 30 days)

Forms are available at the municipal office and at the ORRSC office. This information should be submitted to:

Oldman River Regional Services Commission
3105 - 16th Avenue North
Lethbridge, Alberta
T1H 5E8

Any person considering an application for subdivision approval should first discuss the proposal with an ORRSC planner in order to clarify the applicable legislation and the approval process.

Subdivision Approval Process

When the application arrives in our office, the steps in the approval system include:

1. Preparation of package to circulate including:

- ◆ creation of file and formal acceptance of application
- ◆ preparation of display diagrams
- ◆ preparation of either newspaper ad or list of adjacent landowners
- ◆ planners initial comments to be provided to municipality during the application circulation

2. Circulate application including:

- ◆ notice to adjacent landowners who have the following times to respond:
 - 14 days if notice is published in a newspaper
 - 19 days if notice is by mail
- ◆ notice to the municipality with planner comment
- ◆ notice to agencies and government departments required to be notified under the Subdivision and Development Regulation (minimum of 19 days to respond)
- ◆ notice to school boards affected (minimum of 14 days to respond)
- ◆ correspondence to applicant and landowner indicating acceptance of application and the persons being notified

3. Preparation of recommendations for the municipality:

- ◆ review provincial and agency response and follow up inquiries
- ◆ review adjacent municipality response
- ◆ review legislative requirements
- ◆ evaluate planning issues
- ◆ prepare and send recommendation to municipality's subdivision authority
- ◆ site inspection

4. Decision

The subdivision authority considers responses to the circulation, the recommendation and, where available, adjacent landowners' comments. A meeting with concerned persons including the applicant may occur if requested. The subdivision authority for the appropriate municipality will make a decision which may be an approval, an approval with conditions, or refusal. A decision is required within 60 days of the receipt of the application, unless the applicant agrees to the extension of that time period. A decision is sent to the applicant and the persons notified prior to the decision being made, except for the adjacent landowners.

5. Final Endorsement

Documents prepared for the applicant normally by a surveyor or lawyer are provided to ORRSC:

- ◆ for a review to ensure final plans reflect the decision made by the authority
- ◆ to ensure all conditions are met
- ◆ for a signature that is required by the Land Titles Office.

After signed, the instrument is returned to the surveyor, lawyer or other person directed by the applicant. The file is then held at the office for an indefinite period.

General Conditions of Approval

In approving a subdivision, a subdivision authority may place a number of conditions on a subdivision approval. Some of the more common conditions include:

- ◆ payment of any outstanding property taxes
- ◆ entering into a development agreement with the municipality which would include the installation or paying for the installation of services and access
- ◆ paying or providing municipal reserve which is either land or money in lieu of land for park or school purposes
- ◆ a surveyor's sketch, if structures exist and a surveyor's sketch was not provided
- ◆ provision of any easements that may have been required by utility companies or the municipality for access

It is the responsibility of the applicant to ensure all conditions are satisfied prior to the final instrument being endorsed. ORRSC requires official written confirmation that conditions have been met.

Subdivision Appeals

Within 19 days of the date on the letter giving notice of the decision, an appeal may be filed. Appeals can only be made by:

- ◆ government departments
- ◆ school boards on a matter of municipal reserve
- ◆ the applicant

Adjacent landowners cannot file an appeal. An appeal must be in writing and contain reasons for the appeal. Many municipalities also have a fee for an appeal. An appeal hearing must be held within 30 days of receiving the appeal notice. At the hearing, all parties have an opportunity to provide input and may be questioned. The Subdivision and Development Appeal Board has 15 days to issue a decision. A further appeal is available to the courts on a point of law or jurisdiction.

What is ORRSC?

- The *Oldman River Regional Services Commission (ORRSC)* is a cooperative effort of 38 municipalities in southwestern Alberta that provides municipal planning services to its members.
- ORRSC is responsible for processing subdivision applications and providing recommendations. The final decision lies with the local municipal Subdivision Authority.

What is Subdivision?

- Subdivision is the division of land into 2 or more parcels, each to be given a separate title.
- Subdivision approval is also required for title separations, property line adjustments, bareland condominiums and the registration of long-term leases.

Who Makes the Rules?

The Province — through the **Municipal Government Act**, the **Subdivision and Development Regulation**, and any other Government department.

The Municipality — through the land use bylaw and adopted statutory plans including Municipal Development Plans, Area Structure Plans, etc.



MEMBER MUNICIPALITIES

Rural: Cardston County
County of Lethbridge
County of Newell No. 4
Municipal District of Pincher Creek No. 9
Municipal District of Ranchland No. 66
Municipal District of Taber
Vulcan County
County of Warner No. 5
Municipal District of Willow Creek No. 26

Towns: Municipality of Crowsnest Pass
Cardston
Claresholm
Coaldale
Coalhurst
Fort Macleod
Granum
Magrath
Milk River
Nanton
Picture Butte
Pincher Creek
Raymond
Stavely
Vauxhall
Vulcan

Villages: Arrowwood
Barnwell
Barons
Carmangay
Champion
Coutts
Cowley
Hill Spring
Lomond
Milo
Nobleford
Stirling
Warner

Oldman River Regional
Services Commission

BEFORE YOU SUBDIVIDE



OLDMAN RIVER REGIONAL SERVICES COMMISSION

3105 - 16 Avenue North
Lethbridge Alberta
T1H 5E8

Phone: 403-329-1344
Toll Free: 1-877-329-1387
Fax: 403-327-6847
E-mail: orrsc@telus.net
Webpage: www.orrsc.com

January 1, 2011

*I want to apply for subdivision . . .
where do I start?*

How do I Start?

1 Preliminary Evaluation

It is **essential** that the landowner contact a Planner at ORRSC to discuss their proposal prior to submitting an application. The Planner will discuss site suitability and conformity with local and provincial planning regulations. They can also assist you in determining whether additional processes and professional services will be required and what additional costs you may incur. *If you wish to meet with a planner, a scheduled appointment is recommended.*

The Big Questions . . .

How Much Will This Cost? – The cost can vary greatly depending on the complexity of your subdivision. Some of the basic costs of subdivision are listed below.

Subdivision Application Fee: This fee is payable to ORRSC and due at the time the application is submitted:

- \$500.00 Application Fee
- \$300.00 Per Lot Created

= \$800.00 (for basic 1 lot subdivision)

The fee payable at the time of endorsement is:

- \$150.00 Per Lot

Additional Costs: You may incur additional costs from review agencies and/or professionals for services such as:

- Surveying
- Area Structure Plan Preparation
- Irrigation District Fees
- Municipal Reserve Payment
- Installation of Municipal Services
- Engineering Reports
- Legal Fees

How Long Will This Take?

- Upon receipt of a completed subdivision application, the Subdivision Authority has 60 days to make a decision.
- If the subdivision is approved, the applicant has one year to meet all their conditions & submit final documents and plans for endorsement by ORRSC.
- After endorsement, the subdivision must be registered with the Land Titles Office within one year.

2 Making an Application

A **complete** application will include the following:

- An application form (available at your municipal office, ORRSC office, or on-line at www.orrsc.com/subdivision/subdivision-application)
- a detailed diagram of the proposal which must include lot line dimensions.
- the applicable fee.
- a surveyor's sketch (completed by an Alberta Land Surveyor, A.L.S.) of existing structures when the application is in an urban municipality, County of Lethbridge, Vulcan County or Municipality of Crowsnest Pass.
- a certificate of title printed within the last 30 days. Available at any registry office or on-line at www.alta.registries.gov.ab.ca/spinij
- any other info as discussed with your planner.



Please make cheques payable to ORRSC and submit your application to the ORRSC office.

It is imperative that the application be completed in its' entirety and that all associated fees, **detailed** drawings, and documents accompany the application.

Failure to do so will result in your application being deemed incomplete and will delay your proposal.



3 Approval Process

- After the application is deemed complete, the Planner will evaluate the application and prepare a preliminary report. The application is then circulated to legislated agencies, utilities, and adjacent property owners.
- After the 19 day referral period, the Planner will review the responses, evaluate the planning issues, and prepare a recommendation for the municipality's Subdivision Authority.
- The Planner presents the responses, recommendation, legislation, and any other relevant documentation or reports for the Subdivision Authority's consideration.
- The Subdivision Authority may approve or refuse the subdivision. The applicant and various referral agencies are notified of the decision in writing by the Oldman River Regional Services Commission

Appeal Period

- A subdivision may not be registered with the Land Titles Office until the appeal period (14 days from date of notice) has elapsed. An appeal may be filed by the applicant, government departments, or a school board on a matter of municipal reserve. Note that an adjacent landowner cannot file an appeal.
- An appeal must be in writing and contain reasons for the appeal. The Municipality may charge a fee to file an appeal.

Finalization Process

See ORRSC Brochure– "The Last Three Steps" for detailed information regarding the finalization process.

The Last Three Steps . . .

1. **Survey Plan** – Contact an Alberta Land Surveyor to prepare your final plan of survey.
2. **Fulfilling the Conditions**—All the conditions that were placed on the approval must be met and written verification must be provided to your Surveyor and/or ORRSC. (see Resolution attached to your approval letter)
3. **Endorsement and Registration**—

Upon written confirmation that all conditions have been met, payment of the Final Fee, and receipt of the surveyor's package, ORRSC will prepare an "Endorsement" document.

The documents will be returned to your surveyor for registration with the Land Titles Office. Land Titles will then issue new titles for the newly created lot(s).



The last three steps will require coordination between yourself, your surveyor, ORRSC, and your municipality.



3105 - 16 Avenue North
Lethbridge Alberta
T1H 5E8

Phone: 403-329-1344
Toll Free: 1-877-329-1387
Fax: 403-327-6847
E-mail: orrsc@telus.net
www.orrsc.net

Oldman River Regional
Services Commission

FINALIZING A SUBDIVISION

The Last Three Steps



I have my conditional subdivision approval . . .

what's next?

Upon receiving “Conditional Approval” of your subdivision, an appeal period is in place. Details of the timelines and appeal process are outlined on your approval letter. If no appeals have been filed within the specified time period, you may proceed with finalization.

How long will this take

This is dependant on a number of factors such as: the size and location of the subdivision, the number of outside agencies that are involved, additional reports required, or the scope of your development agreement.

It is advisable to begin the finalization process as soon as the appeal period has expired. You have one year from the date of decision to have ORRSC endorse the final plan of survey.

(Extensions may be requested through ORRSC by submitting a written request and a \$300.00 fee. Municipality fees may also apply)

1 Survey Plan

Contact your surveyor so they may begin preparation of your survey plan. This will require fieldwork, monument placement, and document and plan preparation. To register your subdivision plan, the surveyor will require Consent Forms from all the titled landowners as well as anyone with a registered interest on the title.

It is important that you discuss with your surveyor and/or agent what they will assist you with and what responsibilities will fall upon you. *E.g. If easements are required, who will initiate these?*



2 Fulfilling the Conditions

Your subdivision has been approved subject to conditions. As the applicant, **you are responsible** to ensure that all the conditions of subdivision are met and that written verification is provided to our office.

For your assistance we have described some of the more common conditions of subdivision.

You will find the conditions of your subdivision attached to the approval letter with the heading, “Resolution“.

Municipal Reserve: You may be required to pay or provide Municipal Reserve for park/school purposes. This payment is made to the Municipality and ORRSC will require a letter verifying that the payment was made. ORRSC will be responsible for preparing any deferred reserve caveats or discharges if they are required.

Taxes: Submit a paid tax receipt or a letter from the Municipality indicating that taxes are paid for the current tax year.

Development Agreement: Contact the municipality to determine whether you need to enter into a Development Agreement with them. A Development Agreement ensures that any infrastructure the municipality requires (i.e. services, roads, approaches, etc.) are constructed in accordance with municipal standards. ORRSC requires either a copy of the signed Development Agreement or a letter from the municipality indicating that no development agreement is required.

Easement(s): Typically in subdivision, easement agreements may be required for either utilities or access purposes. Discuss any easements that may be required with your surveyor.



3 Endorsement and Registration

In order for your surveyor to register your subdivision at Land Titles Office, they must receive an “Endorsement” from our office. ORRSC will provide the Endorsement document upon receipt of the following:

- written confirmation that all the conditions of your approval have been met
- payment of the Final Fee (\$150.00 for each new lot to be created)
- receipt of your surveyor’s package, which includes the Plan of Survey, signed consents, etc.
- any other supporting information required by the Subdivision Authority

After Endorsement, we will return the documents to your surveyor who will register them with the Land Titles Office.

Land Titles will then issue new titles for the newly created lot(s). Once you have received your new titles, you can consider the process complete.

Should you have questions about the finalization process, please contact the

OLDMAN RIVER REGIONAL SERVICES COMMISSION

3105 - 16 Avenue North
Lethbridge Alberta
T1H 5E8

Phone: 403-329-1344
Toll Free: 1-877-329-1387
Fax: 403-327-6847
E-mail: orrsc@telus.net
www.orrsc.com



Effective Date – January 1, 2011

APPLICATION INFORMATION – Urban

The following information is required when submitting an application for subdivision in a Rural area to the Oldman River Regional Services Commission (this information is required as set out in sections of the Subdivision and Development Regulation):

1. **Application Form** – to be completed and signed where indicated, by the registered owner and/or person acting on behalf of the registered owner. Please ensure the Right of Entry consent on Page 2 of the form is signed.
2. **Subdivision Fees** are as follows: * **FEES ARE NON-REFUNDABLE**

A. Application Fee	B. Per Lot Fee	C. Per Lot Endorsement Fee
\$500	\$300	\$150
PAYABLE WITH INITIAL APPLICATION		PAYABLE PRIOR TO ENDORSEMENT

Example: When subdividing a farmstead from a quarter section or creating two lots from an existing title:

A.	Application fee	\$500
B.	Per lot fee for 1 new lot	<u>\$300</u>
	Subtotal	\$800 – payable with initial application
C.	Endorsement fee for 1 new lot	<u>\$150</u>
	Subtotal	\$150 – payable prior to endorsement

3. a) **Diagram** (drawn to scale) showing the location, dimensions and boundaries of all lots contained within the current Certificate of Title(s); as well as of the lot(s) proposed to be subdivided therefrom.
- b) Where any buildings or structures are present, provide an *Alberta Land Surveyor's (A.L.S.)* sketch showing the location and dimensions of all buildings on the land that is the subject of the application, specifying those buildings or structures proposed to be demolished or moved.
4. **Submit a copy of a recent Certificate of Title** (within the last 30 days). This copy may be obtained for a fee from a License and Registry Service office or on-line at www.alta.registries.gov.ab.ca/spinnii

Upon receipt of the above-mentioned information, we will be in a position to process your application. If you have any questions regarding the above, please do not hesitate to contact this office.



Effective Date – January 1, 2011

APPLICATION INFORMATION – Rural

The following information is required when submitting an application for subdivision in a Rural area to the Oldman River Regional Services Commission (this information is required as set out in sections of the Subdivision and Development Regulation):

1. **Application Form** – to be completed and signed where indicated, by the registered owner and/or person acting on behalf of the registered owner, making sure to include the existing and proposed use of the parcel to be created. Please ensure that the Right-of-Entry consent on page 2 is signed by the registered owner.
2. **Subdivision Fees** are as follows: * **FEES ARE NON-REFUNDABLE**

A. Application Fee	B. Per Lot Fee	C. Per Lot Endorsement Fee
\$500	\$300	\$150
PAYABLE WITH INITIAL APPLICATION		PAYABLE PRIOR TO ENDORSEMENT

Example: When subdividing a farmstead from a quarter section or creating two lots from an existing title:

A.	Application fee	\$500
B.	Per lot fee for 1 new lot	\$300
	Subtotal	\$800 – payable with initial application
C.	Endorsement fee for 1 new lot	\$150
	Subtotal	\$150 – payable prior to endorsement

3. **Diagram** (drawn to scale) showing the location, dimensions and boundaries of the parcel being proposed, also indicate the parcels relation to the quarter section line. ***Diagrams without dimensions will be returned to the applicant.***

Where any buildings or structures are present, provide an *Alberta Land Surveyor's (A.L.S.)* sketch showing the location and dimensions of all buildings, shelterbelts, dugouts, septic tank fields, fences and/or corrals on the parcel that is the subject of the application, specifying those buildings or structures proposed to be demolished or moved.

Note: Except in the County of Lethbridge, Crowsnest Pass, and Vulcan County, the Oldman River Regional Services Commission may initially accept a substitute diagram not prepared by an A.L.S., such a sketch will be required as a condition of final approval of the proposed subdivision.

4. **Submit a copy of a recent Certificate of Title** (within the last 30 days). This copy may be obtained for a fee from a License and Registry Service office or on-line at www.alta.registries.gov.ab.ca/spinnii

Upon receipt of the above-mentioned information, we will be in a position to process your application. If you have any questions regarding the above, please do not hesitate to contact this office.

RIGHT OF ENTRY:

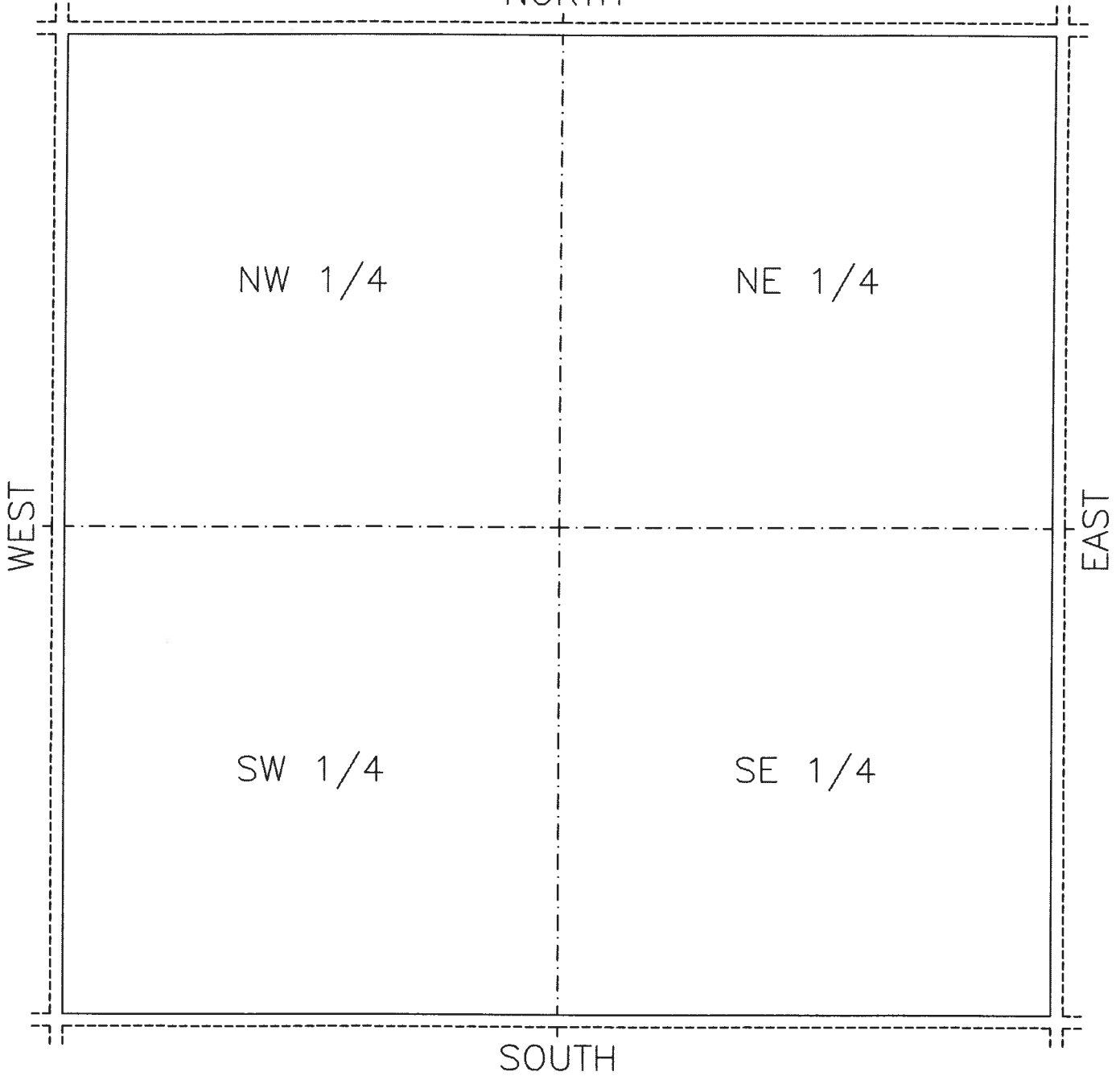
I hereby authorize representatives of the Oldman River Regional Services Commission to enter my land for the purpose of conducting a site inspection in connection with my application for subdivision.

This right is granted pursuant to Section 653(2) of the Municipal Government Act.

Registered Owner's Signature

APPLICATION FOR SUBDIVISION

NORTH



NOTE: FILL IN THE DASHED LINES WHERE THERE IS AN EXISTING ROAD ALLOWANCE

SEC _____, TWP _____, RGE _____, W _____ M

MUNICIPALITY: _____

DATE: _____

Scale 1:10000



APPLICATION FOR SUBDIVISION

NORTH

WEST

EAST

SOUTH

NOTE: FILL IN THE DASHED LINES WHERE THERE IS AN EXISTING ROAD ALLOWANCE

_____ 1/4 SEC _____, TWP _____, RGE _____, W _____ M

MUNICIPALITY; _____

DATE; _____

Scale 1:5000



ALBERTA LAND SURVEYORS – available in Southern Alberta

BROWN OKAMURA & ASSOCIATES LTD.

514 Stafford Drive North
P.O. Box 655
Lethbridge, Alberta T1J 3Z4
PHONE: 329-4688

MARTIN GEOMATIC CONSULTANTS LTD.

255 - 31 Street North
Lethbridge, Alberta T1H 2C7
PHONE: 329-0050

HALMA SURVEYS

918 – 3 Ave. So.
Lethbridge, Alberta T1J 0H9
PHONE: 329-3975

MIDWEST SURVEYS INC.

Bay 2, 500 Cassils Road East
Brooks Alberta T1R 1M5
Phone: 362-6619

CAMERON CHRISTIANSON, ALS

Box 301
Brooks, Alberta T1R 1B4
PHONE: (403) 362-6619 CELL: (403) 362-0287