

APPEALS

A decision of the subdivision authority may be appealed. A notice of appeal must be filed with the appropriate appeal body within 14 days of receipt of written decision from the subdivision authority or deemed refusal by the subdivision authority. Details of the appeal process are outlined in the decision letter.

CONDITIONS

The applicant is responsible for ensuring that all conditions are met, and for providing written documentation to the subdivision authority. Typical conditions include:

- Payment of outstanding property taxes,
- Road widening and utility right-of-way agreements,
- Provision of required reserve lands
- Entering into a development agreement with the municipality, and
- Entering into an Easement Agreement.

A development agreement may address:

- The construction of onsite infrastructure,
- The provision of landscaping, and
- The payment of applicable offsite levies.

ENDORSEMENT

MMSA will endorse the subdivision document upon receipt of the following:

- written confirmation that all the conditions of your approval have been met
- payment of the Endorsement Fee
- receipt of the surveyor's package, which includes the Plan of Survey, signed consents, etc. and
- any other supporting information required by the Subdivision Authority

REGISTRATION

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

The MMSA is the subdivision authority for seventeen municipalities in our region.

<http://mmsa.ca/services/subdivision-authority>



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Version 1.0
November 2017

NOTE: The brochure has no legal status and cannot be used as an official interpretation of the various bylaws, codes, and regulations in effect. Applicants are advised to contact their municipality or the MMSA prior to making an application to obtain assistance. The MMSA does not accept responsibility for persons relying solely on this information.

SUBDIVISION APPLICATION PROCESS

a guide to applying for
a subdivision

PLAN SHOWING

PROPOSED SUBDIVISION

www.mmsa.ca

LEGEND:

Measurements
Proposed subdiv
Containing: 5

Calculated point
Statutory iron p
Edge of bush al
Overhead power

N.W.1/4 Sec.7 Twp.80 Rge.22 W.5M.

WHAT IS A SUBDIVISION?

Subdivision is the the process of dividing of a single parcel of land into two or more parcels, each with a separate Certificate of Title. The subdivision process is also used when adjusting existing lot lines.

WHO CAN APPLY?

The registered owner of a property, or an agent authorized to act on the registered owner's behalf, through written authorization.

SUBDIVISION TIMELINES

A subdivision authority must make a decision within 60 days of receipt of a completed application.

If the subdivision authority fails to make a decision within the time-frame, the applicant may enter into an agreement with the subdivision authority to extend the prescribed time, or the application is deemed refused.

DECISION MAKING

When making a decision on a subdivision application the subdivision authority must consider:

- The *Municipal Government Act*,
- The *Subdivision and Development Regulations*,
- The municipality's Municipal Development Plan,
- Any relevant Area Structure Plan, and
- The municipality's Land Use Bylaw

HOW DO I APPLY?

A subdivision application must be made in writing with the appropriate form. The complete application must include:

1. The completed application form,
2. A tentative plan of survey,
3. The application fee,
4. A current photocopy of the Certificate of Title,
5. Right of entry form,
6. A water supply and sewage disposal information form, and
7. The identification of abandoned oil/gas wells.

The MMSA subdivision application can be found at:

<http://mmsa.ca/services/subdivision-authority>

A subdivision application may also require additional information, such as:

- professional soils tests and analysis demonstrating suitability of private sewage treatment systems,
- a water report in accordance with the Water Act, geotechnical reports, and
- other professionally prepared reports, concept plans, and any other information necessary to determine whether the application meets the requirements of section 654 of the *Municipal Government Act*.

WHAT IS A TENTATIVE PLAN?

The tentative plan shows the proposed subdivision within the presently held title, and the location of any buildings, existing and proposed water supplies, and sewage disposal facilities. *A tentative plan must be prepared by a registered Alberta Land Surveyor (ALS).*

SUBDIVISION PROCESS

