

Subdivisions - Frequently Asked Questions

1. Who can fill out the Subdivision Application forms?

The registered owner or a designated agent. In order for a designated agent to apply on the owner's behalf the Authorization Form (included in forms package) must be signed by the owner and included in the Application. All registered owners listed on the title **MUST** sign ALL documents.

2. How long will the subdivision process take?

Most subdivisions will take approximately four to five months from start to end (registration). The timeline may vary as each subdivision must follow the process as set out by the Municipal Government Act (MGA), which the M.D. of Bonnyville cannot change. The surveyor of your choice may or may not be able to provide you with your survey immediately as well. Once the subdivision is ready for registration, Alberta Land Titles - depending on how busy they are - may take some time also. As illustrated, the timeline is not entirely in the hands of the M.D., many outside parties are involved in the process.

3. Why would I have to enter into a Development Agreement?

a) For subdivision of four lots or less the Development Agreement would consist of road construction to provide legal and physical access to the proposed subdivision or road approach installation (all newly created parcels and the remnant parcel must have legal and physical access). If all accesses can be constructed prior to winter freeze, the Development Agreement is **NOT** required. This is only done to ensure all access construction is done (or committed to being done) prior to endorsement. The Development Agreement allows the applicant to proceed with the registration process while meeting all approval conditions. Please note that with all Development Agreements there will be a deposit required. When the agreement has been satisfied, the deposit is refunded in full, and the Development Agreement Caveat is then discharged from the title.

b) Development Agreements for multi-lot subdivisions are for: the subdivision's road development, power installation, cold mixing, etc. Deposits are also required for these.

4. Why would I have to enter into an Acquisition of Land Agreement for future road widening with the M.D.?

You would enter into this agreement for any roads bordering your quarter section that have not been widened. This is usually done when you are using a Descriptive Plan as your survey document. If you were using a Survey Plan as your survey document, then the dedication of space for future road widening would have already been addressed and there would be no need to enter an agreement.

5. How many feet am I looking at for road widening?

All unwidened roads are 66 feet wide. For future road construction, the widening will be done to 100 feet which is 17 feet on each side of the road allowance.

6. Why is the Municipal Reserve owing?

Municipal Reserve (MR) is required once the first parcel has been subdivided. All quarter sections, as per Section 666 of the MGA, have 10 per cent MR owing. There are two ways MR is dealt with:

- On subdivisions with four (4) lots or less, with the first parcel out, the MR is owing for 10 per cent of the area subdivided and the M.D. has the percentage owing paid out as cash-in-lieu of land dedication. This is because the MR is used for park and walking trail development which is not required on four lot (or less) subdivisions.
- On multi-lot subdivision the M.D. requires 10 per cent MR dedication because as an intense urban development (greater than four lots) 10 per cent must be put aside for recreational purposes.

7. Why must I pay my taxes at the time of subdivision, rather than September 15 when everyone's taxes are due?

A subdivision changes the title of your quarter section from one to two or more. As a landowner, you are responsible for the taxes as the property stood PRIOR to subdivision.

8. Can I sell proposed lots prior to registration at Alberta Land Titles?

No, you cannot. Section 94 (1) of the Land Titles Act states, "no lots shall be sold under agreement for sale or otherwise according to any town site or subdivision plan until a plan creating the lots has been registered."

9. Can I develop on proposed lots that are not registered yet?

Proposed lots can be developed as long as the development does not contravene the land use bylaw.

10. Who pays the costs associated with a Subdivision Application?

The developer / landowner choose to subdivide; therefore the developer / landowner pays all costs associated with the subdivision. Application fees, as well as endorsement fees and survey fees are the developer's responsibility.