



# TOWN OF BOW ISLAND

## Application for Subdivision Process

The following information is required when submitting an application for subdivision; otherwise the application shall be deemed **INCOMPLETE**. The five listed items must be provided and any additional information items or reports (as described under "Other") shall be provided as requested.

### SUBDIVISION APPLICATION

#### 1. Application Fee (*non-refundable*)

Fees are payable to the Town of Bow Island and are non-refundable once the application is deemed complete and has started to be processed. Fees may be paid by debit, cash, cheque or e-Transfer. Contact the town office regarding payment method details.

FEES ARE AS FOLLOWS:

- a. *Application fee: \$900.00*
- b. *Per lot fee: \$300.00 (per each new lot)*
- c. *Final Endorsement fee: \$200.00 (per each new lot)*

*Note: Fee a + b is payable with initial application submission, while fee c may be paid after approval but prior to receiving final endorsement.*

#### 2. Application Form

A completed application form signed by either the registered owner of the land or the person authorized to act on their behalf or both.

#### 3. Current Copy of the Certificate of Title

A current copy of the Certificate(s) of Title of the lands that are the subject of the application. The title(s) must be dated no more than 30 days prior to the application submission. If you are proposing to consolidate land, please include title(s) to all of the lands involved.

A current copy of the Certificate(s) of Title may be obtained from any provincial registry office or on-line at [www.spin.gov.ab.ca](http://www.spin.gov.ab.ca).

#### 4. Sketch of the Proposed Subdivision

An accurate and legible sketch (drawn to scale) that shows the location, dimensions and boundaries of the proposed parcel in relation to the lands that are the subject of the subdivision and all the requirements identified in the enclosed Subdivision Sketch Checklist. The sketch shall include dimensions from all buildings and structures (including private septic systems, if applicable) to existing and proposed property lines. Sketches without accurate and clear dimensions will not be accepted.

For applications *with any buildings or structures* are present on the land that is the subject of the subdivision, a sketch prepared by an Alberta Land Surveyor is required.

## **5. Alberta Energy Regulator (AER) Abandoned Well Information**

In accordance with the Subdivision and Development Regulation: A map from the AER identifying the presence or absence of abandoned wells on the parcel that is the subject of the application;\*

AND

EITHER a statement that there are no abandoned wells on the parcel that is the subject of the application  
OR a list and map identifying the location of abandoned wells (including the surface coordinates) on the parcel that is the subject of the application.\*

\*This information can be obtained from the AER's Abandoned Well Viewer ([www.aer.ca](http://www.aer.ca)) or by contacting the AER Customer Contact Centre by telephone (1-855-297-8311) or by email ([inquiries@aer.ca](mailto:inquiries@ aer.ca)).

If an abandoned well is found to be present on the parcel that is the subject of the application (subject parcel), the following will be required:

A tentative plan of subdivision (for vacant parcels) or survey sketch (for parcels that contain buildings and improvements) prepared by an Alberta Land Surveyor that illustrates the actual well location on the subject parcel as identified in the field and the setback established in the ERCB/AER Directive 079 in relation to existing or proposed building sites.

## **6. Other**

Applicants may be required to submit additional information such as a concept plan, servicing plans, utility right-of-way plans, lot grade or drainage plans, geotechnical reports and other professionally prepared reports, a water report in accordance with the Water Act, professional soils tests and analysis demonstrating suitability of private sewage treatment systems, Traffic Impact Assessments, historical resource information or provincial clearance if required, and any other information necessary to determine whether the application meets the requirements of section 654 of the Municipal Government Act.

In accordance with section 653.1 the MGA, on receipt of an application the subdivision authority must determine whether the application is complete within 20 days. A receipt of an acknowledgment under section 653.1(5) or (7) of the MGA that the application for subdivision approval is complete, will be provided to the applicant by email correspondence. If additional information is required to deem the application complete, the applicant will be advised of such.

## **SUBDIVISION DECISION APPEALS**

Within 21 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 or the municipality if the decision was made by a Municipal Planning Commission
- school boards on a matter of municipal or school reserve
- the applicant

Adjacent landowners cannot file an appeal. An appeal must be in writing and contain reasons for the appeal. The applicable fee for filing an appeal must also be paid. An appeal hearing must be held within 30 days of the local Subdivision and Development Appeal Board (SDAB) receiving the appeal notice, or within 60 days in the case of the provincial Municipal Government Board (MGB) (or the Land and Property Rights Tribunal). At the hearing, all parties have an opportunity to provide input and may be questioned. Both the local Subdivision and Development Appeal Board and the MGB have 15 days to issue a decision. A further appeal is available to the courts only on a point of law or jurisdiction.

## **SUBDIVISION ENDORSEMENT**

### **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,

An applicant has one year to complete the subdivision process and submit all documents and verification of conditions being met to the Town of Bow Island Subdivision Authority. When all the conditions are met and the appeal period has elapsed, the Town of Bow Island is able to endorse the plan or other instrument. That document is filed with the Land Titles Office by the Surveyor along with the Final Subdivision Plan. If for some reason the conditions cannot be fulfilled within the specified one year period, the applicant may submit a request that a Final Endorsement Time Extension be granted, which may be provided at the discretion of the Subdivision Authority, for up to one additional year.

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### **Subdivision Sketch Checklist**

The following information is required on all sketches accompanying subdivision applications to ensure the proposal is accurately presented to the Subdivision Authority:

- ✓ North arrow and legend.
- ✓ Municipal address (if applicable) and legal description (lot/block/plan or quarter-section).
- ✓ The accurate location, dimension, areas and boundaries of: the land that is the subject of the application, each new lot to be created, any reserve (municipal or environmental) land, existing rights-of-way of each public utility, and other rights-of-way, easements, railways, canals, or any other feature on or adjacent to the land proposed for subdivision.
- ✓ The location, use and dimensions of any buildings and structures (permanent and temporary) on the land that is the subject of the application dimensioned to the proposed property lines and specifying those buildings or structures that are proposed to be demolished or moved.
- ✓ Adjacent municipal roads, provincial highways and any public pathway or trails adjacent to the site, dimensioned from the property lines.
- ✓ Existing and proposed access to each new lot and residual land.
- ✓ If known, the location of any existing or proposed utility curb stop on the property dimensioned to existing and proposed property lines.
- ✓ If applicable, the approximate location of any natural and man-made features such as fences, sloughs, dugouts and/or other bodies of water, and wooded areas and/or shelter belts.
- ✓ Any other information required to determine whether the application meets the requirements of section 654 of the Municipal Government Act and section 29 of the municipal land use bylaw.