

Subdivisions (1- 4 lots) – Frequently Asked Questions



What can I subdivide out of an agriculture ¼ section?

As per the Municipal Development Plan (MDP) and the Land Use Bylaw (LUB), documents that define how land within the MD of Bonnyville can be subdivided, subdivision rules are outlined as follows:

If your ¼ section has an aggregate of 80% of the land having a soil productivity rating of 45% or greater

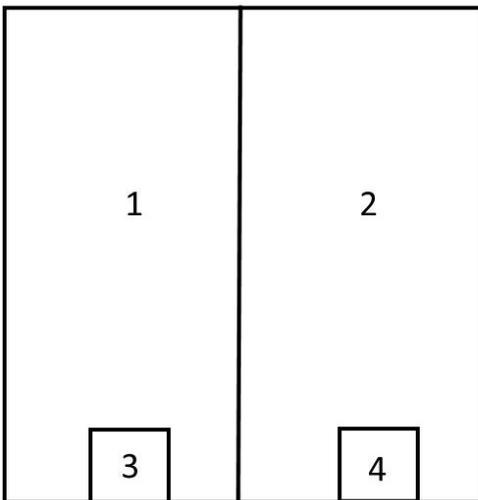
Up to three (3) residential parcels (maximum of 10 acres total) with a minimum parcel size of 0.6 hectares (1.5 acres) and a maximum size of 4.04 hectares (10 acres). The three (3) parcels shall be clustered and share a common boundary.

If your ¼ section has a soil productivity rating of 45% or less

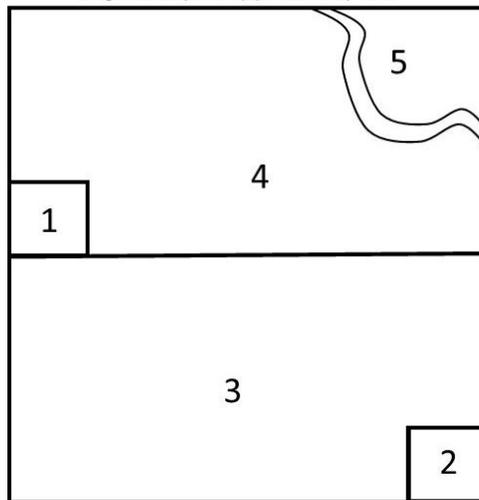
A maximum of five (5) parcels are allowed per 1/4 section including:

- Two 80 acre parcels with one maximum 10 acre parcel allowed off of each 80 acres (4 parcels total)
- Four residential parcels (maximum of 20 acres total) per ¼ section with a minimum parcel size of 0.6 hectares (1.5 acres) and the balance of the ¼ section (5 parcels total)
- Fragmented parcels (on a prorated basis), public use lots and institutional lots will be allowed in addition to the four (4) residential parcels without the need for an Area Structure Plan (ASP)
- One parcel for a small agricultural holding will also be allowed per ¼ section in addition to the four (4) residential parcels with the need for an ASP as long as it meets all the criteria as detailed in the LUB

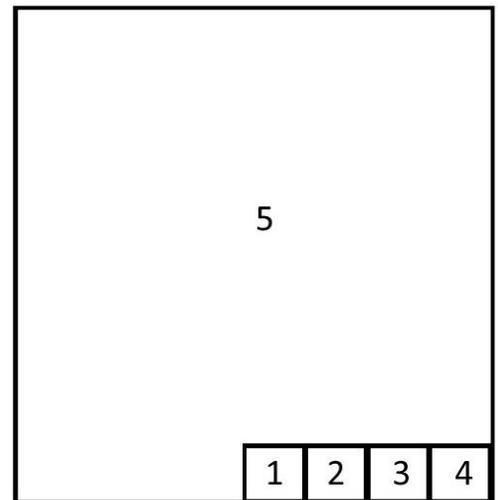
Two 80 acre parcels initially subdivided (1&2)
Two residential lots subdivided out (3&4)



Two 80 acre parcels initially subdivided (3&4)
Two residential lots subdivided out (1&2)
Fragmented parcel (5) created by river



Four residential parcels subdivided from 1/4 section (1 to 4). Balance of 1/4 section (5)



Please note this is a guideline and is for informational purposes only. It does not cover all rules, regulations or conditions that may be a part of a subdivision application.

How do I submit an application to the Planning & Development Department?

Once you have completed the forms package you are required to make an appointment with the Planning and Development Department in order to have your application reviewed for accuracy and also for the planning department to provide assistance with any questions that you may have on the processing of the application.

Due to the high volume of subdivision applications we must ask that all submissions be made by appointment only. We apologize for any inconvenience this may cause.

Who can fill out the subdivision application forms?

The registered owners or a designated agent can fill out the forms. In order for a designated agent to apply on the owners' behalf the Authorization Form (included in the forms package) must be signed by the owner(s) and included in the application.

All registered owners listed on the title MUST sign ALL documents requiring a signature. If the property is owned by a corporation then documents must be sealed with the corporations seal, or proof of designation of signing authority must be provided.

How long will the process take?

Most subdivisions will take approximately four to five months from start to registration. The timeline may vary as each subdivision must follow the process as set out by the Municipal Government Act (MGA), which the MD of Bonnyville cannot change.

Other time factors could include:

- Ability to satisfy conditions
- Work load of the surveyor of your choice
- Registration at Alberta Land Titles
- Other miscellaneous factors

Do all conditions need to be satisfied before the registration of the subdivision?

Yes, all conditions must be satisfied prior to the MD of Bonnyville processing the endorsement documents required for registering the subdivision at Alberta Land Titles.

Can I sell a proposed parcel 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 a proposed subdivision plan until a plan creating the lots has been registered".

Also, it must be noted that any transfers of title take place during the subdivision process and the Planning Department has not be notified it may void the subdivision process.

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What is road widening acquisition agreement?

All roads and road allowances that have not been previously widened are usually 66 feet wide. Future road construction requires a 100 foot wide road allowance. Therefore, during the subdivision process, a 17 foot wide strip of land on each side of the road allowance will be required either through dedication of land or as a road widening acquisition agreement registered by caveat.

You would enter into this agreement for any roads bordering your $\frac{1}{4}$ section that have not been previously widened. This agreement is usually done when you are registering your subdivision by a Descriptive Plan (allowed for your 1st parcel out of the $\frac{1}{4}$ section). If you are registering your subdivision by Survey Plan then the dedication will be done by the registration of a separate road plan and there will be no need to enter into an agreement.

Why would cash need to be paid out in lieu of dedication of Municipal Reserve?

Municipal Reserve (MR) is required after the first parcel has been subdivided out of a $\frac{1}{4}$ section. All $\frac{1}{4}$ sections, as per Section 666 of the MGA, require 10% of subdivided land owing as MR. On subdivisions with 4 lots or less the dedication of MR is not required. Therefore the 10% of MR is paid out to the municipality as cash in lieu.

A Deferred Reserve Caveat will get registered on the balance of the $\frac{1}{4}$ section. This caveat identifies the remaining reserves that will be required in the event of any future subdivisions.

Why are taxes due before registration of a subdivision?

A subdivision changes the title of your $\frac{1}{4}$ section from one to two or more titles. As a landowner, you are responsible for the taxes as the property stood PRIOR to subdivision.

Can I develop on a proposed lot that is not registered yet?

No, development cannot commence until the lots(s) are registered. A subdivision is not assumed to be approved until the Subdivision Approving Authority gives approval nor are there any guarantees that a developer will register the subdivision.

Who pays the costs associated with a subdivision application?

The developer/landowner that chooses to subdivide pays all cost associated with the subdivision. This can include, but is not limited to, the following:

- application fees
- endorsement fees
- all surveying fees
- construction of roads and approaches
- cash in lieu of municipal reserve
- any other miscellaneous costs

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