


Prepared by: Shanon Simon
Municipal Secretary

Manager Approved: 
Date: Oct. 27, 2011

TOPIC: PROCESSING SUBDIVISION APPLICATIONS

BACKGROUND:

The Town of Redcliff receives applications for subdivisions on a regular basis. The purpose of this procedure is to create a general guideline for processing these applications. For further detailed information please refer to the Municipal Government Act and the Subdivision and Development Regulation.

PROCEDURE:

1. Receipt of Application

- a) Upon receipt of an application for subdivision, ensure that it has been properly filed out and signed, a subdivision sketch prepared by a land surveyor is included, a current title, and the correct fees have been submitted as per the current Rates Policy.
- b) Assign a file number to the subdivision application (200X SUB XX).
- c) Create a subdivision file using the legal size file jackets and attach a subdivision file label (Schedule 1).
- d) If not submitted create one copy on letter size paper for circulation and another copy (on legal size paper) is created on with enough space for stamping the decision of the Subdivision Approving Authority (Council).
- e) Prepare a background report to be completed by the Municipal Secretary (Schedule 2) or Planning & Engineering Department.

2. Circulation

- a) Once the subdivision sketch and background report are completed, the subdivision must be circulated to affected agencies, the Town of Redcliff Tax Department, and adjacent landowners for comment. Response date is 14 days. A letter must also be sent to the applicant advising that the subdivision has been accepted for processing.
 - i) Send a letter to the applicant / agent advising that the subdivision has been accepted as complete for processing (Schedule 3). Include a copy of the subdivision application, sketch, background report, and "Sample" copy of Servicing Agreement *, as well as the letter sent to the Tax Department.

*** Note:** \$8,000.00/acre cost for Infrastructure Capacity is included in all Service Agreements dated after April 26, 2004, see Council Minutes of May 25, 2004.
 - ii) Send a letter to the Tax Department asking them to advise, within fourteen (14) days, whether there are any outstanding taxes on the property, as these must be paid in order to approve a subdivision (Schedule 4). Include a copy of the subdivision application, sketch and background report.
 - iii) Send a letter to the adjacent landowners advising that a subdivision application has been received by the Town and as adjacent landowners they have fourteen (14) days to provide

comment (Schedule 5). Include a copy of the subdivision sketch.

Adjacent land is defined as land that is contiguous to the parcel of land that is being subdivided and includes

- (i) land that would be contiguous if not for a highway, road, river or stream, and*
- (ii) any other land identified in the Land Use Bylaw as adjacent land for the purpose of notification under this section. (MGA 653 (4.4)(a))*

- iv) Send a letter to the following affected agencies stating that a subdivision application has been received by the Town and they have fourteen (14) days to provide comment if they wish (Schedule 6). Include a copy of the subdivision application, sketch and background report. Additional affected agencies required to be notified are indicated in the Subdivision and Development Regulation.

Deliver to the following:

- (a) Municipal Manager
- (b) Manager of Planning & Engineering
- (c) Public Services Director
- (d) Development Officer
- (e) Municipal Planning Commission Chairman

c/o Town of Redcliff
Box 40
Redcliff, AB
T0J 2P0

Fax and mail to the following:

- | | |
|---|---|
| <p>a) Prairie Rose Regional Division
918 2 Avenue
Dunmore, Alberta
T1B 0K3
Fax: (403) 528-2264</p> | <p>b) Ross Campbell
Telus Communications
Access Engineering
456 5th Street S.E.
Medicine Hat, Alberta T1A 0N1
Fax: (403) 527-7308
Phone: (403) 529-3490
Cell: (403) 502-3597</p> |
| <p>c) City of Medicine Hat
Electrical Engineering Supervisor
2172 Brier Park Place NW
Medicine Hat, Alberta
T1C 1S6
Fax: (403) 502-8061</p> | <p>d) City of Medicine Hat
Att: Ms. Jamie Baker
Gas Distribution Manager
364 Kipling Street SE
Medicine Hat, Alberta T1A 1Y4
Fax: (403) 528-2591</p> |
| <p>e) Shaw Cablesystems G.P.
954 Factory Street SE
Medicine Hat, Alberta
T1A 8A5
Fax: (403) 526-6266
Phone: (403) 488-7055</p> | <p>f) Delivery Planner
Mail Operations Prairie
Canada Post
1100 49 Avenue NE, Room 839
Calgary, AB T2E 9A9
Phone: (403) 974-2106
Fax: (403) 974-2195</p> |

Additional Agencies to Notify in Special Cases

2. Alberta Transportation
Att: Mr. John Thomas
Development / Planning Technologist
3rd Floor Administration Building
909 Third Avenue North
Box 314
Lethbridge, Alberta T1H 0H5
Fax: (403) 382-4412

Alberta Infrastructure only needs to be notified if the proposed subdivision is within the boundaries as outlined in the Highway Vicinity Management Agreement (see agreement file).

3. **IMPORTANT:** In certain circumstances, additional affected agencies may be required to be notified and are indicated in the Subdivision and Development Regulation.
3. Redcliff Planning Board
 - a) Upon expiry of the fourteen (14) day circulation period, the subdivision application shall be forwarded to the next Redcliff Planning Board meeting for their recommendation to the Subdivision Approving Authority. Include a copy of the subdivision application, sketch, background report and any comment letters received. At this meeting the second page of the background report is completed and dated the date of the meeting. The Board also completes a subdivision evaluation checklist * (Schedule 7). Keep a copy of the completed checklist in the subdivision file.

* **Note:** Regarding calculation of municipal reserve, consensus of the Board is that subdivisions registered after 1973 are assumed to have had municipal reserve taken therefore for subdivisions registered after 1973 no reserve will be calculated.
 - b) The applicant shall be provided a copy of the recommendations following the Planning Board Meeting so that he/she can decide whether to be present when Council considers their application for approval
4. Decision
 - a) The Town of Redcliff has sixty (60) days from the circulation date for a decision to be made on the subdivision application. If a decision cannot be made, a letter must be sent to the applicant / agent advising that the Subdivision Approving Authority (Council) is unable to make a decision within the sixty (60) day allotment (Schedule 8). A time extension agreement (Schedule 9) may be signed, otherwise the subdivision application is deemed refused after sixty (60) days.
 - b) The recommendation of the Redcliff Planning Board is then forwarded to the Subdivision Approving Authority (Redcliff Town Council). Include a copy of the subdivision application, sketch, title(s), completed background report, and any comment letters received and any other applicable information.
 - c) Once a decision has been made by the Subdivision Approving Authority, the subdivision application and sketch must be stamped approved or refused, depending on the decision (Schedule 10). A letter must be then sent to the applicant / agent (Schedule 11) advising of the decision, any conditions, and the fourteen (14) day appeal period from the date of the letter. Include a copy of the stamped subdivision application and stamped sketch. The original application and sketch are kept with the Town in the subdivision file. Any comments that relate to a conditional approval, shall be sent along with the letter to the applicant.

- d) A copy of the letter sent to the applicant / agent is also sent to the affected agencies, Tax Department and adjacent landowners. Include a copy of the sketch for referral purposes.

5. Appeal

- a) If an appeal is received within the fourteen (14) day appeal period, a Subdivision and Development Appeal Board Hearing must be established in accordance with the Municipal Government Act. (See also the current Subdivision and Development Appeal Board Procedure)

6. Endorsement

- a) If an appeal is not received, the Town of Redcliff may endorse the subdivision. The request for endorsement is initiated by the applicant / agent. Any conditions of subdivision approval must be met prior to endorsement and the endorsement fee must be submitted as established in the Rates Policy.
- b) An endorsement form as well as a plan showing survey of subdivision from the surveyor must be submitted to the Town. If all of the above qualifications are met, the endorsement form can be stamped "endorsed", and returned to the surveyor for registration at Land Titles (Schedule 12).
- c) Upon receipt of a registered plan, ensure one copy is placed in the file drawers and one copy is placed in the subdivision file. If a third copy is received put it in an envelope and place it in front of the corresponding property files.

7. Index of Schedules

- 1. Subdivision File Labels
- 2. Background Report
- 3. Applicant Letter
- 4. Tax Department Letter
- 5. Adjacent Landowner Letter
- 6. Affected Agencies Memo
- 7. Subdivision Evaluation Checklist
- 8. Time Extension Letter
- 9. Time Extension Agreement
- 10. Approved & Refused Stamps
- 11. Decision Letter
- 12. Endorsement Stamp

Schedule 1 – Subdivision File Labels

REG. PLAN

200X SUB XX

PARTICULARS: *(District)* Sub – (Applicant / Agent)

Lot __, Block __, Plan _____

*(Proposal)*Submitted: *(date)*

Fees: App: \$ _____

End: \$ _____

Approved: *(date)*Exp: *(date)*Endorsed: *(date)*Registered: *(date)*No.: *(plan number)*

Schedule 2 – Background Report

TOWN OF REDCLIFF

STATUTORY APPLICATION DATE: *(Date)*

200X SUB XX – *(Agent's Name)*

LOCATION: *(Civic Address)*

LEGAL: (Lot __, Block __, Plan _____)

PROPOSAL: Create XX lots

OWNER: *(Owner Name)*

APPLICANT: *(Agent, Company)*

TYPE OF SUBDIVISION: *(Residential, Commercial....)*

EXISTING LAND USE CLASSIFICATION: XX (_____ District)

RESERVE STATUS: *(Required, Not Required)*

SUBDIVISION BY: (x) Plan () Instrument

BACKGROUND INFORMATION: *(Date)*
(Brief explanation)

INITIAL CONSIDERATIONS: *(Date)*
(Brief explanation)

----- Page Break -----
(This section completed after the Redcliff Planning Board reviews the application)

STAFF REVIEW *(Date)*
(a) Review of Comments from affected agencies:

(b) Conclusion:

RECOMMENDATION TO COUNCIL: *(Date)*

Schedule 3 – Applicant Letter

(Date)

FILE: 2003 SUB XX

*Applicant / Agent
Mailing Address*

Dear *(Agent's Name)*:

XX (_____ DISTRICT)
LOT __, BLOCK __, PLAN _____
(PROPERTY OWNER)

Your application for subdivision approval is accepted as complete for processing and issued file number 2003 SUB XX.

The Town of Redcliff has 60 days from the above date in which to make a decision. If a decision has not been made by *(circulation date)* or an extension of time has not been requested by this office and granted by you, the application may be considered refused and may be appealed to the Subdivision and Development Appeal Board in care of the Town of Redcliff within 14 days of *(circulation date)*.

Should you have any questions or require further information on the matter, please do not hesitate to contact this office.

Yours truly,
TOWN OF REDCLIFF

Shanon Simon
Municipal Secretary

Schedule 4 – Tax Department Letter

(date)

FILE: 2003 SUB XX

Town of Redcliff
Box 40
Redcliff, AB
T0J 2P0

ATTENTION: Vicki MacArthur, Municipal Treasurer

XX (_____ DISTRICT)
LOT __, BLOCK __, PLAN _____

(PROPERTY OWNER)

Please find enclosed a copy of the subdivision application regarding the above. According to Section 654(1)(d) of the Municipal Government Act, a subdivision approving authority must not approve an application for subdivision unless all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment.

By way of copy of this letter the applicant has been advised to make arrangements to the satisfaction of the municipality for the payment of outstanding taxes.

Would you please advise by *(14 day circulation date)* whether the property has any outstanding taxes.

Thank you for your cooperation.

Yours truly,
TOWN OF REDCLIFF

Shanon Simon
Municipal Secretary

Enc.

Schedule 5 – Adjacent Landowner Letter

(Date)

2003 SUB XX

«Name»

«Address»

«City», «Province»

«PostalCode»

NOTICE TO ADJACENT LAND OWNER

An application for subdivision approval, as described below, has been received by the Town of Redcliff.

TYPE OF SUBDIVISION: XX (_____ District)

PROPOSAL: To create ____ lots

LEGAL DESCRIPTION: Lot __, Block __, Plan _____

LOCATION: (*civic address*)

OWNER: (*property owner*)

As an adjacent landowner, you are being notified of this application and being given the opportunity to comment on it.

Written comments may be sent to the Town Office in Redcliff at the address above. Submissions and comments must be received by (*14 day circulation date*).

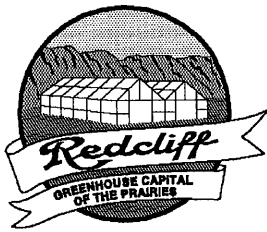
If you require additional information, please contact Shanon Simon at the Town Office.

Yours truly,
TOWN OF REDCLIFF

Shanon Simon
Municipal Secretary

Encl.

Schedule 6 – Affected Agencies Memo



TOWN OF REDCLIFF

P.O. Box 40
Redcliff, Alberta T0J 2P0

Phone 548-3618
Fax 548-6623
Email redcliff@town.redcliff.ab.ca

SUBDIVISION CIRCULATION MEMORANDUM

APPLICATION FILE NO.: 2003 SUB XX

APPLICANT: *(agent, company)*

CIRCULATION DATE: *(date)*

RESPONSE DUE DATE: (14 DAY CIRCULATION DATE)

TO:

«NameCompany»
«Title»
«Company»
«Address1»
«Address2»
«CityProvince»
«PostalCode»

COMMENTS ON SUBDIVISION APPLICATION

The enclosed application for subdivision approval has been lodged with the Town of Redcliff. Pursuant to the Subdivision Regulation we are forwarding this application to you for your perusal and comments. Any comments on the application made by you will be considered by the Town of Redcliff provided these are received by the **response due date** as noted above. If a reply is not received by the stipulated date, it shall be deemed that you have no comment on the application.

Please give this matter your early attention and return the completed subdivision circulation memorandum to the Town Office. If you have any questions regarding the application, please feel free to contact Shanon Simon at the Town Office.

COMMENTS

Schedule 7 – Subdivision Evaluation Checklist

REDCLIFF PLANNING BOARD - SUBDIVISION EVALUATION CHECK LIST

Subdivision File Number: _____

Date: _____

Type of Subdivision: _____

Land Use District

Existing Land Use District: _____

Correct District for this subdivision? No___

Land Use Bylaw amendment required
and Subdivision Application tabled
Proceed to next section

Yes___

Municipal Development Plan

Does the subdivision conform to the Municipal Development Plan? Yes___ No___

Comments: _____

Property Taxes

Have taxes been paid on the property to be subdivided? Exempt___ Yes___ No___

Land Use Bylaw

Does the proposed subdivision meet the requirements of the Land Use Bylaw and the District?

Minimum lot size: _____ N/A___ Yes___ No___

Other District Requirements? Yes___ No___

If no, explain: _____

Are there existing buildings on the property?

Yes___ No___

Has a real property report been submitted? N/A___

Yes___ No___

Property File

Review and/or update Property File? Yes___ No___

Comments: _____

Adjacency Matters

Is the subdivision located on the edge of Town?

Yes___ No___

Has the adjacent municipality responded? N/A___

Yes___ No___

Comments: _____

Have any notified adjacent land owners responded?

Yes___ No___

Comments: _____

Are there any gas or oil wells within 100 m of the subdivision?

Yes___ No___

Other: _____

Comments: _____

Subdivision Review Page 2

File _____

Date: _____

Are there any rights of way crossing the property? Yes____ No____
 Is the subdivision located along the Trans Canada Highway? Yes____ No____
 Is the subdivision within 300 metres of a non-operating landfill? Yes____ No____
 (Section 13(3)(b) of the Subdivision and Development Regulation)
 If yes, has notification been provided to Alberta Environment? Yes____ No____
 (Note: Subdivision shall not be approved without consent of Alberta Environment)

What type of development is adjacent to this subdivision?

Land considerations that affect or restrict this subdivision

Is the topography of the site suitable for subdivision? Yes____ No____
 Are the soil characteristics suitable? Yes____ No____
 Is there adequate drainage for this site? Yes____ No____
 Can storm water be collected and disposed? Yes____ No____
 Is the land suitable for the proposed subdivision? Yes____ No____
 Comments: _____

Environmental Assessment

Are there problems related to subsidence, flooding or erosion? Yes____ No____
 Is an Environmental Site Assessment (ESA) required? Yes____ No____

Servicing Matters

Is there direct access to a developed public street? Yes____ No____
 Are municipal water and sewer services available? Yes____ No____
 Are gas, electrical, telephone, cable services available? Yes____ No____
 Have the utility companies raised any concerns? Yes____ No____

Municipal Reserve

Is the subdivision subject to the dedication of reserve? Yes____ No____
 If yes, what is the land area required (10%): _____ ha _____ ac
 Should land be dedicated as part of the subdivision? Yes____ No____
 Should reserve be deferred at this time by caveat? Yes____ No____
 Should money in place of reserve be paid? Yes____ No____
 If yes, what is the value of the land? # _____/ha \$ _____/ha
 # _____ ac \$ _____/ac

Infrastructure Capacity Fee

(Infill/existing - \$8,000.00/acre / \$19,768.00 per hectare) Yes____ N/A____
 # _____ acres \$ _____
 Eastside Area \$30,377.00/acre (\$75,031/hectare) # _____ acres \$ _____

Service Agreement

Is an agreement with the Town required to deal with the construction or installation of:

Streets and lanes	Yes____	No____
Municipal utilities	Yes____	No____
Other utility services	Yes____	No____
Sidewalks	Yes____	No____
Off-street parking or loading	Yes____	No____
Curb, gutter, streetlights	Yes____	No____

Subdivision Review Page 3

File _____

Date: _____

Schedule 7A – Subdivision Conditions for Approval “Check List”

✓	Condition
	Verification of independent service connections with any applicable costs to be the responsibility of the owner.
	Removal of interconnecting service connections with any applicable costs to be the responsibility of the owner.
	Environmental Site Assessment (ESA) be provided by an Environmental Consultant Company stating that an ESA has been conducted and that the site is acceptable for (type of proposed development) development..
	Provision of a grade plan to the satisfaction of the Towns Planning and Engineering Department
	Registration of a Restrictive covenant for the purpose of establishing architectural controls as required by Council.
	Written consent from the Deputy Minister of Environment to develop within 300 metres of a non-operating landfill site.
	Land Use Bylaw amendment.
	Provision of access agreement registered to title for resolution of a shared access point.
	Removal of existing buildings.
	Provision of a Real Property Report.
	Confirmation by a qualified Safety Codes Officer that the existing building(s) meet Alberta Building Code requirements if established at the proposed setbacks.
	Payment of any outstanding taxes
	Payment of Infrastructure Capacity Fee in the amount of \$_____.
	Payment of Cash in Lieu of Municipal Reserve in the amount of \$_____.
	Registration of a Deferred Municipal Reserve Caveat.
	Applicant entering into an encroachment agreement relating to the encroachment of _____ as indicated on the RPR dated _____, or removal of the encroachments, at the cost of the applicant.
	Applicant to meet with Utility Company requirements and provide confirmation.
	Registration of required Utility Right of Way (s).
	Verification from the EUB that the development is not within 100 meters of a gas well and, if the development is within 100 metres, that the applicant apply to the EUB to have the setback reduced to 50 metres.
	Declaration from a Land Surveyor that the existing buildings on the proposed residential lot meet the setbacks as established in the Land Use Bylaw.
	Developer to provide a letter of acknowledgement regarding the creation of a non-compliant structure and that he understands the process to apply for a variance permit for relaxation of the rear yard and front setbacks
	<p>Applicant entering into a Service Agreement with the Town of Redcliff for the provision of detailed plans and specifications</p> <ul style="list-style-type: none"> <input type="checkbox"/> provision of a site drainage plan and resolution of drainage issues to the satisfaction of the Manager of Engineering. <input type="checkbox"/> confirmation that site drainage is in existence or will be established. <input type="checkbox"/> storm sewer <input type="checkbox"/> curb/gutter <input type="checkbox"/> road widening <input type="checkbox"/> sidewalk <input type="checkbox"/> street lighting <input type="checkbox"/> road base construction and pavement <input type="checkbox"/> other service extension or improvements as required <input type="checkbox"/> applicant being required to apply for a Permit to Strip <input type="checkbox"/> the provision of a Local Improvement Bylaw for the development of the _____ block of _____, with the developer being required to prepay its portion of the local improvements if the Bylaw is approved and the developer being responsible for all costs relating to the improvements if the Bylaw is defeated. <input type="checkbox"/> All legal costs associate with the servicing agreement to be borne by the applicant.

Schedule 8 – Time Extension Letter

Time Extension

(date)

FILE: 2003 SUB XX

Applicant Name & Address

Dear Mr. _____:

Re:

Please be advised that the Subdivision Approving Authority is unable to issue a decision on the above mentioned application for subdivision approval prior to the 60 day time limit which expires on _____. Therefore, it will be necessary for you to enter into a "Time Extension Agreement" as outlined on the attached form. If you are in agreement, please sign and return the form to this office as soon as possible.

If you do not wish to grant this extension of time, you may consider this application refused as _____ and may appeal within 14 days to the Town of Redcliff by issuing a written appeal form available at Redcliff Town Hall at #1 – 3 Street NE, Redcliff, AB.

Should you have any questions, please do not hesitate to contact this office.

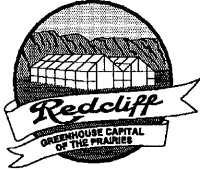
Sincerely,
TOWN OF REDCLIFF

Shanon Simon
Municipal Secretary

Enc.

Schedule 9 – Time Extension Agreement

TOWN OF REDCLIFF SUBDIVISION APPROVING AUTHORITY



Box 40, #1 – 3 Street NE , Redcliff, AB T0J 2P0 Tel: (403) 548-3618 FAX: (403) 548--6623

TIME EXTENSION AGREEMENT

Application No. _____

Brief Particulars:

In accordance with the provision of the Municipal Government Act and the Subdivision and Development Regulation AR 43/2002,

I/We, _____
(name in block capitals)

hereby enter into an agreement with the Town of Redcliff to extend the time prescribed under Section 6 of the Subdivision and Development Regulation to:

Signature

Date

Schedule 10 – “Approved” & “Refused” Stamps

APPROVED

Valid for..... months

File:Date

Authorized Officer of Approving Authority
TOWN OF REDCLIFF

See Conditions on Attached Letter

REFUSED

File:Date

Authorized Officer of Approving Authority
TOWN OF REDCLIFF

See Covering Letter For Reasons

Schedule 11 – Decision Letter

(date)

FILE: 2007 SUB

Dear Sir / Madame:

RE: NOTICE OF SUBDIVISION APPROVAL

Please be advised that the application for subdivision approval, as described below, has been **APPROVED** by the Town of Redcliff Council at the meeting of *(date)* conditional to:

- 1.
- 2.

The approval is valid for a period of one year from the date of approval within which time the plan must be endorsed by this office.

Under provision of the Municipal Government Act, the decision may be appealed by: the applicant; the school authorities that may be affected by the decision; or by a Government Department if the application is required by the subdivision and development regulations to be referred to that department.

In the event of an appeal, the applicable form must be completed and submitted to the attention of the Municipal Manager, Town of Redcliff, Box 40, Redcliff, Alberta T0J 2P0. Appeal forms are available at the Town office. Further be advised that there is a \$50.00 fee for an appeal, and must accompany the letter of appeal.

Because of appeal provisions, this office can only endorse the plan after (insert date) upon all conditions being met (this date is 14 days from the date of this letter + 5 days for mail processing). Approval date listed above is the date that council approved or refused this application). Submission of the plan must include an endorsement fee of \$100.00.

Yours truly,
TOWN OF REDCLIFF

Shanon Simon
Municipal Secretary

cc: Prairie Rose Regional Division
Telus – Ross Campbell
Shaw Cable – Medicine Hat
City of MH Electric Dept. – Gary Bailey
City of MH Gas Dept. – Ms. Jamie Baker
Kent Snyder, Planning Consultant
Darcie Prosser, Canada Post

Redcliff Municipal Planning Commission Chairman
Redcliff Tax Dept. – Vicki MacArthur
Redcliff Utilities – Darrell Schaffer
Redcliff Development Officer – Bill Crozier
Town Engineer – Ed Fredeen
Municipal Manager – Randy Giesbrecht
Adjacent Landowners

Note: John Thomas, Alberta Transportation and Utilities (*for properties adjacent to the highway*)
Also notify Cypress County and the City of Medicine Hat or properties is adjacent to Town boundary

Schedule 12 – “Endorsed” Stamp

<div><div>ENDORSED</div><div>TOWN OF REDCLIFF</div><div>File: Date.....</div><div>Authorized Officer</div><div>Condition(s):</div><div>.....</div></div>
