



LAC LA BICHE COUNTY POLICY

TITLE: Conditional Subdivision Approval Time Extension	POLICY NO: PI-61-013
RESOLUTION: 18.700	EFFECTIVE DATE: May 22, 2018
LEAD ROLE: Sr. Manager, Planning & Development	NEXT REVIEW DATE: May 22, 2022
SPECIAL NOTES/CROSS REFERENCE:	AMENDMENT DATE:

POLICY STATEMENT:

To provide a consistent approach to providing a one (1) year extension to the time an applicant/landowner has to satisfy conditions of a subdivision approval for endorsement.

The *Municipal Government Act (MGA)* gives applicants one year from the decision date to meet the conditions of a Subdivision Approval for endorsement. The *MGA* also provides provision for a municipal council to extend this one year period. Lac La Biche County Council understands that in some instances extra time is required to meet the conditions of subdivision; therefore, authorizes Administration to extend a conditional subdivision approval for a maximum of one additional year.

DEFINITIONS:

Subdivision - the division of a parcel of land by an instrument.

Endorsement - the confirmation by the County that all the conditions of a conditional subdivision approval have been met, that the plan of survey/descriptive plan meets with the approval granted and if so, the preparation of the registration package for the said subdivision at Land Titles.

ROLES AND RESPONSIBILITIES

1. Planning & Development Services will process requests for time extensions as per this Policy.
2. The Senior Manager of Planning Development Services has the authority to grant a one (1) year extension as per this policy.

Chief Administrative Officer

Date

Mayor

Date



TITLE: Conditional Subdivision Approval Time Extension PROCEDURE NO: PI-61-013

SPECIAL NOTES/CROSS REFERENCE: Policy PI-61-013 AMENDMENT DATE:

1. GENERAL GUIDELINES:

To provide guidance and a consistent process in providing a one (1) year extension to the time an applicant/landowner has to satisfy conditions of a subdivision approval for endorsement.

2. DEFINITIONS:

Subdivision: the division of a parcel of land by an instrument.

Endorsement: the confirmation by the County that all the conditions of a conditional subdivision approval have been met, that the plan of survey/descriptive plan meets with the approval granted and if so, the preparation of the registration package for the said subdivision at Land Titles.

Expiration date: one year from the date of approval on a conditionally approved subdivision file.

Instrument:

- i) a grant, certificate of title, conveyance, assurance, deed, map, plan, will, probate or exemplification of will, letters of administration, or an exemplification of letters of administration, mortgage or encumbrance,
- ii) a judgement or order of a court,
- iii) an application under section 75 of the Land Titles Act or
- iv) any other document in writing relating to or affecting the transfer of or dealing with land or evidencing title to land.

Plan of Survey: a plan prepared by an Alberta Land Surveyor where the boundaries of a new parcel of land are identified by legal survey posts placed at the corners of lots. A plan of survey is required when a parcel is not square or rectangular in shape, when a parcel is subdivided into several lots or when land is to be dedicated for roads or reserves.

Descriptive Plan: subdivision of a parcel of land which is described on a plan prepared by an Alberta Land Surveyor and where only a minimal field survey is conducted. Subdivision by descriptive plan may be considered where the parcel is the first from a quarter sections and is square or rectangular in shape, but not where there are multiple lots proposed or where land is to be dedicated for roads or reserves.

3. PROCEDURE

1. One (1) month before the expiration date of an existing conditional subdivision approval, the Senior Manager of Planning & Development Services will send a notification letter to the applicant with a Time Extension Request Form.
2. If the applicant returns the form prior to the expiry date, the Senior Manager of Planning & Development Services will generate a one (1) year extension letter and send it to the applicant.

3. If a completed Time Extension Request Form is not received prior the expiration date, the application will be considered null and void and a new application will need to be submitted to facilitate subdivision.
4. If an applicant requests an additional time extension beyond the one (1) year defined in Policy #PI-63-007, the request must be brought to Council for consideration.
5. Submitting a plan of survey, descriptive plan or an instrument within the one-year period (or any extension thereof agreed to) during which a conditional subdivision approval needs to be endorsed, does not absolve an applicant from meeting any other subdivision conditions within the same time period. If these conditions have not been met and no extension has been granted, the conditional subdivision approval will be considered null and void.
6. In the case of multi-lot subdivisions or where a development agreement is entered into between the County and an applicant/developer as a condition of the subdivision approval, the agreement should address the time for the endorsement package to be submitted. This will be viewed as an extension under Section 657 of the MGA and can entail a period longer than one (1) year.
7. Requests to extend the time to endorse Conditional Subdivisions approved by the Subdivision and Development Appeal Board or Municipal Government Board will not be accepted.

“Original Signed”
Chief Administrative Officer

June 1, 2018
Date