



SUBDIVISIONS

What Is Subdivision?

Subdivision is the process of dividing a parcel of land into two or more smaller parcels. The subdivision process is also used for lot line adjustments.

All subdivision applications are processed on behalf of the Town through Parkland Community Planning Services (PCPS), while the Town remains the Subdivision Approving Authority (decision-maker) for all subdivision applications.

Who Can Apply for Subdivision?

Only the landowner or an agent acting on behalf of the landowner may apply for subdivision. Often landowners hire a land surveyor or other professional to act on their behalf.

What Do I Need to Subdivide?

A subdivision application can be downloaded online at the PCPS website <https://www.pcps.ca> or through the Town of Ponoka office.

The following items are required to complete a subdivision application:

- A completed subdivision application form.
- A completed and signed authorization form.
- A current certificate of title for the land to be subdivided.
- The application fee which can be found on the PCPS website.
- Abandoned well information from Alberta Energy Regulator.

- A tentative plan of subdivision. The tentative plan of subdivision must show:
 - Location of the proposed subdivision in the Ponoka town limits
 - Legal description of the land
 - All lot locations and measurements
 - All easements, rights of way and roads
 - Location of any environmental features, such as a water course
 - Building location and setbacks
 - Location of private water well and sewage disposal system if not using municipal systems
 - Location and measurements of existing and proposed roads, sidewalks and access
- Additional information as required.

What Is the Subdivision Process?

Review

Upon receiving a completed application, PCPS staff assesses the proposed subdivision by evaluating the application for conformity with statutory plans and documents.

Circulation

For a period of 3 weeks, the application is circulated to notify and provide the opportunity for comments from various agencies and adjacent landowners.

Subdivision Report

Once circulation is complete and comments have been received, staff will prepare a report and make a recommendation to the Town.

Decision

The Town of Ponoka will render one of the following decisions:

- Approval with conditions; or
- Refusal; if a subdivision is refused a valid reason must be provided.

Plan Endorsement

Once the approval conditions have been met, the applicant may submit a paper print of the plan, required affidavits and an endorsement fee for PCPS endorsement. Once endorsed, the plan may then be registered at the Alberta Land Titles Office by the Land Surveyor.

How Long Does the Subdivision Process Take?

A subdivision application may take up to 3-4 months to reach a decision. However, there are certain timelines that are required to be met unless an extension is otherwise agreed to by the applicant and the Town.

Upon receiving a subdivision application PCPS must review and request any outstanding items required in order to deem the application complete within 20 days of submittal. Once the application is deemed complete a decision must be made within 60 days.

How Long do I Have to Meet the Conditions?

An applicant has 1 year from the date of decision to meet all conditions and have the subdivision endorsed. A request for a time extension may be made if the conditions cannot be met within the 1 year time frame.

Are Subdivision Decisions Final?

A subdivision application refusal or any condition of approval may be appealed but only by those who are permitted:

- The subdivision applicant;
- A Government department to which the application is required to be referred to;
- The municipality if it is not the Subdivision Authority; and
- A school board with respect to reserves.

Who Makes the Decision Following an Appeal?

Most appeals are submitted to the Subdivision and Development Appeal Board. However, an appeal for a subdivision application within close proximity to a highway, body of water, sewage or waste treatment facility or other matter of provincial interest are submitted to the Land and Property Rights Tribunal. The appeal board will examine the same details relating to the application as the Town. The decision of the appeal board is final, and no further appeals may be made, except to a court on matters of law or jurisdiction.

How Long Does the Appeal Process Take?

An appeal may take up to 2-3 months to reach a decision. A subdivision appeal must be submitted within 14 days of the receipt of decision. An appeal hearing by the Subdivision and Development Appeal Board will be held within 30 days of receipt of the appeal. An appeal hearing by the Land and Property Rights Tribunal will be held within 60 days of receipt of the appeal.

Please note: This information sheet has no legal status and cannot be used as an official interpretation of the various bylaws, codes and regulations currently in effect. The Town of Ponoka accepts no responsibility for persons relying solely on this information.