



POLICY

Section Development Control	Policy No. 5-8	Page 1 of 4
Policy Title Subdivision Standard Conditions	Date: May 25, 2021	Motion No. 238/21

Purpose:

When a subdivision is approved there are conditions that are attached to the approval. These conditions are required to be met by the applicant prior to endorsement and registration of the subdivision. This policy is established to provide Administration and the Subdivision Approving Authority procedures and general standard conditions for subdivision approval.

Policy Guidelines:

1. This policy will ensure that all subdivisions maintain a minimum standard throughout the County.
2. All subdivision applications approved by the Subdivision Authority may contain all or some of the conditions as listed within the Standard Subdivision Conditions or Other Subdivision Conditions if applicable.
3. The standard conditions may only be amended by County Council on the recommendations of Administration and the Subdivision Authority.
4. The Municipal Planning Commission and Administrative Subdivision and Development Approving Authority may approve additional conditions which may be necessary for a subdivision approval.

Standard Conditions:

1. The subdivision must be registered in accordance with the tentative plan submitted and by a way suitable to Alberta Land Titles in accordance with the Land Titles Act.
2. Each developed parcel must be served by its own water source and private sewage treatment system.
3. Confirmation of compliance with the requirements of the Alberta Private Sewage Disposal Regulation and Safety Codes Act for the private sewage disposal system located upon the proposed lot either by a letter from a certified Safety Codes Officer, a permit application, or a recent approval not more than five years old.
4. All services (water, sewer, power etc.) are to be provided by the landowner at their expense and they must conform to the utility provider conditions.
5. Access is to be provided to the approved subdivided parcel and remnant parcel. Confirmation that all existing and proposed accesses have been located and constructed in accordance with Kneehill County Approach Construction Guidelines Policy 13-15 and amendments thereto is required.
6. All outstanding taxes on the land involved (arrears if any) are to be paid in full to the municipality before the subdivision may be endorsed.
7. All future site development will require the appropriate development and safety codes permits and approvals.



Section Development Control	Policy No. 5-8	Page 2 of 4
Policy Title Subdivision Standard Conditions	Date: May 25, 2021	Motion No. 238/21

8. Approval by the approving authority does not exclude the need and/or requirements of the applicants to obtain any and all permits as may be necessary under this or any other legislation, bylaws or regulations.
9. Concurrent registrations of utility easements, rights-of-ways and/or crossing agreements, as required by service providers.

Other Conditions if Applicable:

10. Compliance with Kneehill County Land Use Bylaw setback requirements as demonstrated by an Alberta Land Surveyor either through a Real Property Report showing the location of all improvements on both of the parcels or written confirmation from the surveyor. The location of the water wells, municipal risers, and sewage disposal systems are also to be located and be shown to conform with provincial setback requirements.
11. The Owner/Developer shall enter into an agreement with regard to road right-of-way widening when required as follows:
 - a. Agree to sell a minimum of a 5m (16.5ft) strip of land for road widening to the County at such time as the County deems it necessary to widen the road adjacent to the quarter section, with the price of land to be in accordance with existing County policy at that time, and the survey for the road widening to be undertaken by the County at cost.
 - b. The County will file a caveat against the land to protect its interest in the land.
12. If necessary, the Owner/Developer will be responsible for the construction of roads to provide access to the proposed subdivision and if required by the Municipality, roads must be constructed at the owner/developer's expense to the municipal standards, subject to Development Control Policy 5-13 and 5-13A and amendments thereto.
13. The applicant shall enter into a development agreement(s) with Kneehill County in accordance with Section 655 of the Municipal Government Act. The development agreement(s) may be registered via caveat on the affected land that provides the nature and intent of the agreement(s). The development agreement(s) shall address such matters including but not limited to the following:
 - a. the construction of municipal improvements;
 - b. the provision of necessary utilities, easements, and right of ways;
 - c. water and sewage treatment requirements;
 - d. storm water management;
 - e. security requirements;
 - f. inspection provisions.



Section Development Control	Policy No. 5-8	Page 3 of 4
Policy Title Subdivision Standard Conditions	Date: May 25, 2021	Motion No. 238/21

14. An application must be made to Alberta Transportation for an approach along a primary or secondary highway.
15. As per Kneehill County Water Policies the subject lands are considered as adjacent to the County waterline and as such any future residential development of the site will require the landowners to apply for water modeling. If the study finds the development suitable for hooking into the public waterline the owner must take a riser. Fees for said study and riser as per the Master Rates Bylaw.
16. The Subdivision Authority may require the proposed parcel to be consolidated with an existing parcel. The ___ ± acre subdivision is to be consolidated with Blk __ Plan _____ at the time of subdivision registration.
17. As per Sections 661, 666, and 667 of the Municipal Government Act, the applicant must provide 10% Municipal Reserve and/or School Reserve to be taken as follows:
 - a. The County will take cash in lieu of dedication of land when taking reserves is possible under the Municipal Government Act.
 - b. The cash in lieu will be on the subdivided parcel.
 - c. When required reserves have been deferred as per Council decision, a deferred reserve caveat will be attached to the balance of the parcel.
 - d. In circumstances such as commercial or multi-lot residential subdivision, the County may, at the unfettered discretion, take land instead of cash.
 - e. The Development Authority shall calculate the amount of the cash in lieu to be taken based on the current assess market value of the land without improvements, at the time of subdivision approval. If the developer and the municipality do not agree with an amount, the developer, at his own cost, can hire an appraiser to determine the value. (As per the MGA requirements).
18. As per Sections 661, 666 and 667 of the Municipal Government Act, the applicant must provide 10% Municipal Reserve and/ or School Reserve to be taken as cash in lieu of dedication of land. Based on the CLI Level, the average per acre value amounts to \$2,824.28 (10% of the final proposed subdivision; approximately \$2,824.28 for 1.0 acres). The final amount owing will be calculated upon receipt of the final survey plan using this value.
19. As per Sections 661 and 664 of the Municipal Government Act, the applicant must provide environmental reserves. The applicant shall enter into an environmental reserve easement with Kneehill County affecting those lands identified on the conditionally approved tentative plan for the purposes of environmental protection. To ensure the development of this easement a plan of survey specifying the easement of lands is required in accordance with the requirements of the Land Titles Office.
20. As per Section 661 and 664 of the Municipal Government Act, the applicant shall dedicate those lands as identified on the conditionally approved tentative plan as environmental reserve or conservation



POLICY

Section Development Control	Policy No. 5-8	Page 4 of 4
Policy Title Subdivision Standard Conditions	Date: May 25, 2021	Motion No. 238/21

reserve. A qualified land surveyor shall include the lands identified as environmental reserve or conservation reserve on the plan of survey.

21. For a multi-lot subdivision, the applicant shall review necessary off-site (primary and secondary) upgrades to the power distribution system with the power utility provider to service the subdivided lands. Where off-site upgrades are deemed necessary by the power utility provided, the applicant shall enter into an agreement to service the subdivided lands. Confirmation shall be provided to Kneehill County prior to endorsement of the subdivision.
22. The developer/ applicant must apply for a Rural Address Sign at the fee set out in the Master Rates Bylaw prior to or at the time of application for a Building Permit. The assigned rural address will be mounted at a location on the subject property to the satisfaction of Kneehill County.
23. A qualified surveyor shall prepare a Utility Right of Way (UROW) instrument acceptable to the Land Titles Office. The applicant shall enter into a General Utility Easement Agreement with Kneehill County. The UROW shall dedicate (insert direction and metres).
24. The applicant shall submit the following report(s), plans and specifications prepared by a qualified professional. These reports shall be to the satisfaction of Kneehill County and the findings shall guide and be incorporated within the drafting and execution of the development agreement(s). (Insert and list applicable requirements and timelines)



Jerry Wittstock,
Reeve



Mike Haugen,
CAO

Approved: November 29, 2011 570/11
Approved: February 14, 2017 58/17
Approved: May 25, 2021 238/17
Review Date: **May 2025**

