



GUIDELINES FOR “FIRST PARCEL OUT” SUBDIVISIONS

What is a “first parcel out” subdivision?

This is the provision for the owner of an unsubdivided quarter section to create title to a single residential acreage subject to conditional subdivision approval issued by the subdivision approving authority, that being the Municipal Planning Commission. In other words, if a quarter section has already had a previous residential subdivision, it is no longer eligible for a first parcel out. There are certain exceptions, however, these are site specific, and therefore, you are requested to consult with a member of our Planning staff if you are unsure of the eligibility of a specific parcel of land.

What size of parcel am I allowed to subdivide?

The answer to this question is dependent upon the future land use designation (zoning) that you wish to have attached to the parcel. There are two acceptable land use designations, those being Country Residence District “CR” and Country Residence Agricultural District “CRA”. The “CR” district encompasses parcels between 2.25 acres and 3.60 acres and does not allow for minor agricultural pursuits such as the keeping of livestock. The “CRA” district encompasses undeveloped parcels between 3.60 and 5.00 acres in size or a developed parcel up to 7.00 acres in size. A “CRA” parcel allows for the keeping of livestock for the personal use and enjoyment of the occupants of the property. It does not allow for a commercial agriculture business.

Does the first parcel out have to encompass an existing developed building site?

No, it may be a vacant area providing it contains a suitable building site, both legal & physical access can be accommodated, and, providing all required setbacks can be met.

What is a suitable building site?

A suitable building site is one that contains a minimum of 1.00 acre of contiguous land with slopes less than 15% and is capable of supporting private utilities, in particular, a water well and sewage disposal. Additionally, a suitable building site is one that has a ground water table greater than 6 feet from the surface.

What is legal and physical access?

Any parcel proposed to be created must have legal & physical access onto a public road system whether it be under the control of the municipality or the province. The legal aspect is satisfied when the parcel proposed to be created lies adjacent to a roadway,

however, the physical access is only satisfied when there is a constructed approach onto the parcel.

What kind of setbacks are required for a suitable building site?

The most common setback requirement is distance from the centerline of rural roads, secondary highways and primary highways. The minimum setback distances are 50 metres (165 ft.), 60 metres (200 ft.) and 70 metres (230 ft.) respectively.

The Energy Resources Conservation Board (ERCB) requires that a proposed residence be setback a minimum distance of 100 metres (330 ft.) from any well head. Additionally, there are setbacks from pipeline right-of-ways and sour gas facilities. These requirements are established through a consultation process that the subdivision approving authority conducts prior to issuance of a conditional approval.

Less common setbacks are ones where the proposed parcel might be located in close proximity to an intensive livestock operation, a body of water, or, some other significant environmental feature.

How do I apply for a first parcel out subdivision?

First, contact the Planning Department via telephone or a personal visit to the County office, located on the lower level. The purpose of this initial contact is to assure that the quarter section is eligible for a first parcel out. Assuming that it is, we will then provide you with an "Application for Subdivision" form. This form asks for a number of questions to be answered and requires legal signatures of both the applicant and the landowner if they are not one and the same.

If the proposed parcel contains existing buildings, a "Surveyors Sketch" showing the exact boundaries of the proposed parcel, the location of all significant structures, inclusive of above ground utilities, type and location of septic system, shelterbelts, and the relevant distance of these from the proposed parcel boundaries must accompany the application.

Once we have received a completed application and an application fee of \$600.00 we initiate the subdivision process. Staff will provide you with any assistance that you require in completing the application.

What is involved in the subdivision process?

If you have not provided us with a current title to the subject quarter section we obtain one from Alberta Land Titles Office. The purpose of this is to review any registrations that may have an impact on the proposal. Additionally, the holders of any encumbrances form part of the subdivision referral process.

The referral process is mandatory and includes notification to adjacent landowners and various agencies as well as the aforementioned encumbrance holders. Typically, these are oil & gas companies, gas co-ops, rural electrification associations, etc. Typical agencies are Energy Resources Conservation Board, our own Director of Public Works,

TransAlta Utilities, school districts, Alberta Health Services, etc.

We allow approximately 30 working days for response from any of the aforementioned parties. Adjacent landowners are advised that they are not allowed to appeal a conditional subdivision approval, however, we do appreciate valid comments as there are sometimes concerns that should be addressed prior to, or, within the conditional approval.

The subdivision approving authority will not issue a conditional approval without first having received comments from the Director of Public Works and the Energy Resources Conservation Board. In all cases, a member of our Public Works staff inspects the subdivision proposal and returns comments regarding the existing approach, sight lines, construction requirements if a new approach is required, or, an existing approach requires upgrading, and, access to the remainder of the quarter section. Energy Resources Conservation Board provides the municipality with comments regarding the presence of any sour gas facilities within minimum setback distances to the proposed parcel.

During the interim 30-day referral period, a member of the planning staff will also conduct an inspection of the proposed parcel. The purpose of this inspection is to determine site suitability and to note any unforeseen issues that should be addressed prior to, or, commensurate with, conditional approval.

Upon expiry of the 30-day referral period, a member of staff prepares a subdivision report. This report provides a written summary of the proposal, summarizes comments received, and finally, a staff recommendation for the conditions under which the subdivision is to be approved. The Municipal Planning Commission then reviews the subdivision report. If the recommended conditions are relatively straight forward, the report is endorsed and staff issues a letter of conditional approval to the applicant. Upon issuance of the conditional letter, there is technically a 19-day appeal period wherein the applicant can appeal one or more conditions. This is a very rare occurrence with first parcel subdivisions, as they tend to be very straightforward. Therefore, if the applicant has no concerns with the conditions, the appeal period can be waived and the subdivision can go forward.

What are typical conditions of subdivision approval?

Conditions of subdivision approval will vary for any given application. Conditions that are generic to each and every "first parcel out" application are as follows:

Subdivision to be effected by an instrument acceptable to the Alberta Land Titles Office. The instrument herein referred to will be in the form of either a Descriptive Plan or a Plan of Subdivision. Said instrument must be prepared by an Alberta Licensed Surveyor.

Payment of a \$150.00 plan endorsement fee.

Payment of a \$200.00 offsite levy.

Payment of all outstanding property taxes.

Payment of a \$150.00 rural addressing signage fee. Rural address number will be assigned and the sign will be installed by Clearwater County.

Common additional conditions are:

The applicant may be required to enter into an agreement with the County for the future acquisition of land for road widening if the road has not already been widened or there is not already an agreement in place. The land under agreement would consist of a 5.18 metre (17 feet) wide strip of land adjacent to any County road right-of-way for the full length of the quarter section. Said agreement will be registered proportionately by caveat against the remaining lands in title and the new parcel being created. The agreement will only be exercised if and when the County determines that road widening is necessary.

The construction of an approach, or roadway as required, providing access.

If the quarter section has been previously subdivided, there may be municipal reserves owing. This may result in the requirement to pay a substantial cash-in lieu of land payment representative of 10% of the market value of the parcel being created. *It is very important to discuss the specifics of municipal reserve issues as they relate to the property being considered for subdivision with County planning staff prior to making application for subdivision.*

FOR FURTHER INFORMATION PLEASE CONTACT THE PLANNING STAFF

PHONE: 1-403-845-4444

FAX: 1-403-845-4048

Notes:

**PARCEL DIMENSION GUIDELINES
FOR
"CR" AND "CRA"
LAND USE DISTRICTS**

Country Residence District "CR"

	Acres		Sq. Ft. Per Acre	=	Total Sq. Ft.	Square Root	
Minimum:	2.25	X	43,560	=	98,010	(313 ft.)	95.4 m
	3.00	X	43,560	=	130,680	(361 ft.)	110.0 m
	3.50	X	43,560	=	152,460	(390 ft.)	118.9 m
Maximum:	3.60	X	43,560	=	156,816	(396 ft.)	120.7 m

Country Residence Agriculture District "CRA"

	Acres		Sq. Ft. Per Acre	=	Total Sq. Ft.	Square Root	
Minimum:	3.60	X	43,560	=	156,816	(396 ft.)	120.7 m
	4.00	X	43,560	=	174,240	(417 ft.)	127.1 m
	4.50	X	43,560	=	196,020	(443 ft.)	135.0 m
Maximum Undeveloped:	5.00	X	43,560	=	217,800	(467 ft.)	142.3 m
	5.50	X	43,560	=	239,580	(489 ft.)	149.0 m
	6.00	X	43,560	=	261,360	(511 ft.)	155.8 m
	6.50	X	43,560	=	283,140	(532 ft.)	162.2 m
Maximum Developed:	7.00	X	43,560	=	304,920	(552 ft.)	168.2 m

Note: The minimum mean lot width in either land use district is 50 metres (165 ft.)
 1 acre of land = 63.5 m x 63.5 m (208.33 ft. square)
 ½ mile = 804.7 m (2,640 ft.)



**ALBERTA LAND SURVEYORS
FOR THE
CLEARWATER COUNTY AREA
(As of August 14, 2019)**

Accelerated Surveys Ltd.
105, 6740 Johnstone Drive
Red Deer, AB T4P 3Y2

Donnie McKee

403-505-5940 Fax: 403-351-0895

Website: acceleratedsurveys.com

Email: dmckee@acceleratedsurveys.com

Arc Surveys Ltd.
104 – 4808 Ross Street
Red Deer, AB T4N 1X5

Don Murray

403-348-0051

Website: arcsurveys.ca

Email: reddeer@arcsurveys.ca

Bemoco Land Surveying Ltd.
100, 6040 – 47 Avenue
Red Deer, AB T4N 1C2

Murray Young

403-342-2611

Fax: 403-342-2910

E-mail: m.young@bemoco.com

Compass Geomatics Ltd.
4605A – 63 Street
Red Deer, AB T4N 7A6

Jordan Westera

403-356-0111

Fax: 403-356-0114

E-mail: jordan.westera@compassgeomatics.ca

High Country Surveys
P.O. Box 1930, 5015 – 50 Street
Rocky Mountain House, AB T4T 1B4

R. L. (Bob) Haagsma

403-845-5974

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LN Land Development Technologies Inc.
Suite 101, 5206 – 51st Ave
Lacombe, AB T4L 1J6

L. R. (Len) Olson

403-782-5358

Fax: 403-782-3508

E-mail: lacombe.info@lnldt.ca

Navigation Surveys Ltd.
14 Austin Drive
Red Deer, AB T4R 2T9

Marty Robinson

403-396-4472

Website: <http://navigationsurveys.com>

E-mail: martyrobinson@navigationsurveys.com

Snell & Oslund Surveys (1979) Ltd.
#1, 5128 – 52 Street
Red Deer, AB T4N 6Y4

Dick Vandenbrink
Doug Rutherford

403-342-1255 or 1-888-310-1255

Fax: 403-343-7025

E-mail: info@snellandoslund.com

Velocity Geomatics Inc.
5317 Cercle Cell
Beaumont, AB T4X 1W6

Michael Stewart

780-915-8593

E-mail: mike@velocitygeomatics.com

For a complete list of surveyors licenced to practice in the Province of Alberta, contact:

Alberta Land Surveyors' Association
10020 101A Avenue Suite 1000
Edmonton, Alberta T5J 3G2

Phone: 1-800-665-2572 or 780-429-8805

Fax: 780-429-3374

Email: info@alsa.ab.ca Web Site: www.alsa.ab.ca