

Subdivision *Historical Resources Act* Compliance

PURPOSE: To identify the circumstances under which proposed subdivisions require *Historical Resources Act* approval and to provide guidelines for the submission of applications to obtain approval.

SCOPE: Subdivision applicants, developers, municipalities, and other planning authorities in Alberta.

BACKGROUND: In accordance with Section 5(5) of the [Subdivision and Development Regulation](#), applications for subdivision of areas containing or likely to contain historic resources must be referred to Alberta Culture and Tourism. This applies equally to private and public lands.

PROCEDURES - ROUTINE:

Subdivision

The subdivision authority and/or the owner/developer must consult Alberta Culture and Tourism's *Listing of Historic Resources*¹ to determine if the lands that are subject to subdivision have been flagged as having a **Historic Resource Value (HRV)**.

1. **If the subject lands do not overlap areas identified in the *Listing of Historic Resources*, *Historical Resources Act* approval is not required, although the provisions of Section 31 of the *Historical Resources Act* still apply.²**

¹ Alberta Culture and Tourism's *Listing of Historic Resources* is a publically available list of lands that contain, or are likely to contain, significant historic resources. Updated twice yearly, the *Listing* is an information resource for residential, commercial, and industrial developers and can guide the regulatory approval process. The *Listing* and Instructions for Use are available at: <https://www.alberta.ca/listing-historic-resources.aspx>.

² It is important to note that, even if *Historical Resources Act* approval is not required prior to the initiation of land surface disturbance activities, or if *Historical Resources Act* approval has been granted, Section 31 of the *Act* requires that anyone who discovers a historic resource, such as an archaeological, palaeontological, historic structures or Aboriginal Traditional Use site, during the course of development activities must cease work and notify Alberta Culture and Tourism immediately for further direction on the most appropriate action. Details about who to contact can be found in [Standard Requirements under the *Historical Resources Act*. Reporting the Discovery of Historic Resources](#).

2. **If the subject lands wholly or partially overlap areas identified as having an HRV of 1, 2, 3, or 4 in the *Listing of Historic Resources*, *Historical Resources Act* approval is required.** A Historic Resources (HR) Application must be submitted to Alberta Culture and Tourism via the Online Permitting and Clearance ([OPaC](#)) system.³ Development activities, including any land disturbance, may not proceed until *Historical Resources Act* approval has been obtained in writing.⁴
3. **If the subject lands wholly or partially overlap areas identified as having an HRV of 5 (and no other value) in the *Listing of Historic Resources*, *Historical Resources Act* approval must be obtained through the submission of an HR Application, with the following exceptions:**
 - First parcel out
 - 80-acre split
 - Lot line/boundary adjustment
 - Parcel consolidation

Subdivisions for these four purposes do not require *Historical Resources Act* approval if situated in lands assigned an HRV of 5 only. Subdivision of HRV 5 lands for all other purposes do require *Historical Resources Act* approval, and development, including any land disturbance, may not proceed until this approval has been obtained in writing.

Lands that contain, or are likely to contain, significant historic resources may require the conduct of a [Historic Resources Impact Assessment](#) (HRIA) prior to development. If required, this direction will be communicated in Alberta Culture and Tourism's response to the HR application. An HRIA must be conducted by a qualified heritage consultant on behalf of the developer, at the developer's expense. Results of the HRIA must be reported to Alberta Culture and Tourism and subsequent *Historical Resources Act* approval must be granted before development proceeds.

Where a proposed subdivision includes lands that overlap areas with HRVs on the Listing, a Subdivision Authority may choose to submit the details for review in an HR Application prior to subdivision approval or condition *Historical Resource Act* approval as part of their subdivision approval. In these instances, no development activities are to commence until *Historical Resources Act* approval has been granted.

³ Information regarding Historic Resources Applications and the OPaC system can be found at: <https://www.alberta.ca/online-permitting-clearance.aspx>.

⁴ Where *Historical Resources Act* approval is required, the Historic Resources Application must include all lands in the subdivision area, not just those identified as having an HRV.

Area Structure and Redevelopment Plans

Alberta Culture and Tourism recommends that municipalities and/or developers submit for review through the OPaC system, all Area Structure Plans, Area Redevelopment Plans, and other long-term planning documents. The outcome of this review will provide the applicant with information about historic resource concerns in the planning areas and may offer guidance for developing strategies to address these concerns.

PROCEDURES – NON-ROUTINE:

Notwithstanding the instruction provided above, if Alberta Culture and Tourism is made aware of historic resource concerns associated with lands not included in the *Listing of Historic Resources*, direction may be given to submit an HR application. This direction is made under Section 37(2) of the [Historical Resources Act](#) and can be applied to any type of project.

For further information please contact:

[Head, Regulatory Approvals & Information Management](#)

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