



## Please Remember

- If a Development Agreement is considered a condition of subdivision, then the Development Agreement must be completed and signed by all parties before the subdivision can be endorsed.
- An Infrastructure Development Agreement is not considered complete until the developer has provided the County with the deposit/letter of credit and the insurance.

Have questions or need help?  
Mountain View County staff is  
available to assist you with  
your inquiries.

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## INFORMATION ON DEVELOPMENT AGREEMENTS



# Mountain View County

## Information on Development Agreements



### DEVELOPMENT AGREEMENTS

A Development Agreement is a legal agreement between the developer (landowner) and the County. It will outline the responsibilities and obligations of the developer to subdivide and construct the subdivision.

The County often requires two Development Agreements in support of multi-lot subdivisions (an infrastructure agreement and a caveat agreement). The supportive reports, engineering plans and specifications, including cost estimates and any other information as outlined in the conditions of subdivision approval are required in order to prepare the Development Agreements

The **Infrastructure Development Agreement** will detail the following:

**Improvements and Utilities:** It is the developer's (landowner's) responsibility to service the lots, including such things as the internal subdivision road, traffic signage, and drainage improvements in addition to power, gas and electrical utilities. The details of these improvements are to be included in the engineering plans and specifications.

**Security:** Security will have to be provided to the County in the form of a letter of credit which is issued by a financial institution. This is to ensure that the terms of the agreement are met. Mountain View County collects security at 125% of the estimated cost to build the subdivision. This amount will be based upon the certified costs of the improvements required which is to be submitted by your engineer before the agreement can be drafted and signed.

**Insurance:** The County also requires liability insurance in the amount of \$2,000,000.00 with the County as an "additionally insured" if you are taking over anything you build such as a road or storm pond. The reason for this is that the County will be accepting the road or feature and it will become County property; and as such, we must be covered during the construction for any liability.

The **Caveat Development Agreement** is usually drafted in conjunction with the infrastructure Development Agreement to outlining specific development restrictions on a parcel of land. This agreement is often registered on the title of the newly created lots when the subdivision package is presented to the land titles office. Upon completion of the required work, after the Final Acceptance has been signed, this can be discharged from the title.

The caveat Development Agreement will let the future property owners know what they can or cannot do on that property.

The caveat Development Agreement is based on the supportive reports and engineering plans and specifications. It may outline certain restrictions, including: the location of future buildings on a parcel of land, drainage restrictions and/or requirements, type and size of buildings, architectural treatment, water supply parameters, sewage treatment provisions, and/or FireSmart requirements.