

## BACKGROUND

On the application of one or more registered owner(s) of land in a plan of subdivision, the council of a municipality may by by-law order a plan cancelled in whole or in part. (1)

The most common examples of this are

- a) cancellation of all or part of the plan to allow the land to revert to its previous status, or
- b) cancellation of part of the plan to permit consolidation of 2 or more lots or blocks.

## REGISTRATION PROCEDURE

1. A certified copy of the by-law must be submitted within the time period allotted by the by-law.

2. A by-law which also cancels a road and/or reserve lot must be accompanied by Road Closure by-law and/or removal of reserve designation application. A statement may also be made in the by-law stating that section 22 of the Municipal Government Act was complied with in respect of the road and/or section 674 or 676 was complied with in respect of the reserve lot.

If a by-law cancels part of a parcel, then subdivision approval is required. (2)

3. The plan and the duplicate plan are amended in accordance with the by-law. The parcels of land cancelled by the by-law are outlined on the plan and the new legal description is added to the plan. A memorandum indicating that part or all of the plan has been cancelled by by-law and a new certificate of title has been issued for the new parcel(s) is made on the plan. The registration number of the by-law is included in this memorandum.

4. All related certificates of title are cancelled in whole or in part and new certificates of title as required by the by-law are issued. (3)

5. **Fees** - [Tariff item 8\(2\)](#) is charged for the registration of the by-law. [Tariff item 12](#) is charged for each title after the first which is affected by a change or amendment of registered ownership or parcel description. [Tariff item 13](#) is charged for each title after the first which is cancelled. If description approval is required, [Tariff item 9](#) is charged.

## STATUTE AND CASE REFERENCES

Statute references are to the Municipal Government Act, R.S.A. 2000, c. M-26, unless otherwise indicated.

1. s. 658
2. s. 652
3. s. 660