

## Subdivision Appeals in the Green Area

### SUBDIVISION APPEAL BULLETIN NO. SUB-4-2018

**DISCLAIMER** - This bulletin provides general guidance only and is not offered as legal or land planning advice. Each appeal is unique. The details in this bulletin may not apply to every case, or to future decisions of the Board. Please contact the MGB office if you have any questions.

## INTRODUCTION

This bulletin gives information about the Green and White Areas as they are defined by Alberta Environment and Parks, and provides direction regarding which appeal board a subdivision appeal should be heard at. In 1948, the Provincial Government divided the province into two areas<sup>1</sup> - the Green and White Areas - as illustrated on the map.<sup>2</sup> According to the *Municipal Government Act (Act)*<sup>3</sup>, all subdivision appeals located within the Green Area are to be filed with the Municipal Government Board (MGB). However, appeals in the White Area are only to be filed with the MGB if they are within the distance of a provincial interest as per sections 22 and 5(5) of the *Subdivision and Development Regulation*.

## DESCRIPTION

### The Green Area:<sup>4</sup>

Facts:

- covers approximately 58% of the province;
- consists largely of northern Alberta, and the mountains and foothills area bordering the province to the west;
- mostly publicly owned;
- mostly forested;
- Provincial Government has greater authority to set regulations and make decisions for the Green Area.



<sup>1</sup> See Land-use Framework.

<sup>2</sup> See Land-use Framework.

<sup>3</sup> See section 678(2) of the *Act*.

<sup>4</sup> See “Sustainable Forest Management Spring 2017 – general boundary information” at <https://open.alberta.ca/dataset>.

Uses:<sup>5</sup>

- timber production, oil and gas development, watershed protection, fish and wildlife management, tourism and recreation, and conservation of natural spaces;
- permanent settlement and agricultural uses other than grazing are only permitted on legally subdivided land.

Although most municipalities are located in, or partially within the White Area, some are located entirely within the Green Area.

### The White Area:<sup>6</sup>

Facts:

- covers approximately 42% of Alberta (consists of the central, southern and Peace River areas);
- most of the land (approx. 75%) is privately owned and the remainder is publicly owned;
- Municipality has greater authority to set regulations and make decisions for the White Area.

Uses:<sup>7</sup>

- permanent settlement, agriculture, oil and gas development, tourism and recreation, conservation of natural spaces, timber production on a sustainable basis, and fish and wildlife habitat.

Federal land such as Indian Reserves, National Parks and Departments of National Defence holdings are excluded from the White and the Green Areas.<sup>8</sup>

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## LEGISLATION

Subdivision appeals for land located in the Green Area must be filed with the MGB<sup>9</sup> rather than the local Subdivision Development Appeal Board.

Section 678(2) of the *Act* stipulates:

An appeal ... may be commenced by filing a notice of appeal ... **with the Municipal Government Board if the land that is the subject of the application is within the Green Area**, as classified by the Minister responsible for the *Public Lands Act*...

As of November 2014 the Minister of Environment and Parks is responsible for the *Public Lands Act*<sup>10</sup>.

**RETURN TO – [MGB Home](#).**

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<sup>5</sup> See Land-use Framework.

<sup>6</sup> See “Sustainable Forest Management Spring 2017 – general boundary information” at <https://open.alberta.ca/dataset>.

<sup>7</sup> See Land-use Framework.

<sup>8</sup> See “Sustainable Forest Management Spring 2017 – general boundary information” at <https://open.alberta.ca/dataset>.

<sup>9</sup> See section 678(2) of the *Act*.

<sup>10</sup> See section 23(1)(h) of the *Designation and Transfer of Responsibility Regulation*.