

APPENDIX B

Subdivision Report

File No.: **2023-S-005**

Date of Meeting: **May 9, 2023**

This application proposes to subdivide an 88 acre fragmentation from a previously unsubdivided agricultural ¼ section.

I. Background Information

Location:	The subject site is located on Highway 55 and Range Road 450, West of Edward Lake.
Legal Description:	SE 13-63-5 W4M
Applicants:	Martin & Susanna Day
Owners:	Martin & Susanna Day
Date of Acceptance	March 13, 2023
Expiry Date:	May 12, 2023
Title Area:	141.34 Acres (57.2 Hectares)
Proposed Land Use:	Agricultural
Proposed Number of Lots:	One (1) Lot
Area of Each Proposed Lot:	88 Acres (35.81 Hectares)
Land Use Bylaw:	Agriculture "A"
Area Structure Plan:	None

II. Recommendations

That this application for subdivision be **APPROVED** subject to the following conditions:

1. Pursuant to Section 655 of the Municipal Government Act and Section 3.9(3) of the Municipal Development Plan, that the owner/developer install internal road, approaches, including culverts and crossings to the proposed parcel(s) and to the remnant parcel to be provided at the owner/developer's expense and to the specifications and satisfaction of the Municipal District of Bonnyville No. 87;
2. Pursuant to Section 661 & 662 of the Municipal Government Act, that:

If the subdivision is registered through a **Plan of Survey**, that the owner/developer dedicate to the Municipal District of Bonnyville No. 87, a 5.18 meter (17 feet) wide strip of land for road widening along the entire frontage of the **West** and a portion of the **North** side of the proposed and the **East** and **South** side of the remnant parcel **to be registered by separate road plan**;

If the subdivision is registered by **Descriptive Plan**, the owner/developer enter into a **Land Acquisition Agreement** with the Municipal District of Bonnyville No. 87 for a 5.18 metre (17 feet) wide strip of land for road widening along the entire frontage of the **West** and a portion of the **North** side of the proposed and the **East** and **South** side of the remnant parcel **to be registered by caveat**;
3. Pursuant to Section 654 of the Municipal Government Act, that all outstanding property taxes be paid.

NOTES:

1. *To avoid unnecessary complications, you are advised that no work should commence, on the proposal prior to endorsement of the registrable instrument and without prior consultation with the Municipal District of Bonnyville No. 87.*
2. *The parcels being created are located adjacent to an area designated for agriculture in the Land Use Bylaw. The primary purpose of the Agricultural District is to provide landowners with the right to farm. Any potential purchasers of the parcels are to be advised that the adjacent agricultural activities in the Agricultural District may have precedence.*
3. *Prior to endorsement of an instrument affecting this plan, approaches, including culverts and crossings to the proposed parcels and to the remnant, and upgrading of external roads required by the MD is to be provided at the developer's expense and to the specifications and satisfaction of the MD of Bonnyville No. 87.*
4. The following information is provided as required by Section 656(2)(a) of the Municipal Government Act.
*An appeal of this decision lies to the **Land and Property Rights Tribunal, 1229 91 St NW Edmonton AB T6X 1E9***

III. Summary of Comments from Referral Agencies

1. The following agencies have no objections to the proposed subdivision:

- **Alberta Environment & Parks**
- **Alberta Transportation**
- **Alberta Health Services**

As required in Section 15 of the *Nuisance and General Sanitation Regulation* (A.R. 243/2003), a water well shall not be located within:

10 metres of any watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system;

15 metres of a weeping tile field, an evaporative treatment mound or an outdoor privy;

30 metres of a leaching cesspool;

50 metres of sewage effluent on the ground surface;

100 metres of a sewage lagoon, or

450 metres of any landfill.

- **Apex Utilities Inc.**
- **ATCO Electric**
- **Bonnyville Regional Fire Authority**
- **Canada Post**
- **East Central Francophone School Division**
- **Lakeland Catholic School Division**
- **MD Public Safety**
- **MD Public Works**
Road Widening Agreement is required for south boundary
- **North East Gas Co-op**
- **Telus Communications Inc.**
- **AER**
No abandoned wellsites located within the proposed parcels.

2. The following agencies have not responded at the time of writing this report:

- **MD Agricultural Services**
- **MD Parks, Recreation & Culture**
- **Northern Lights School Division**

IV. Analysis

1. Site and Surrounding Area Approaches:

To proposed parcel(s): **Existing approach**

To remainder of ¼: **Existing approach**

Municipal Road:

Surface conditions: **Highway 55**

Site Lines for access to proposed subdivision parcel(s): **Good**

Description of Property:

	Area to be Subdivided	Remnant
Tree cover:	10%	90%
Under cultivation:	n/a	n/a
Pasture land:	100%	n/a
Soils:	16% (Poor 14% - 32%)	
Drainage:	Appears to be good	
Topography:	Flat to Rolling	Flat to Rolling

Description of Adjacent Lands and Uses:

Uses and activities on the adjacent lands: **Industrial, Country Residential and Agricultural**

Adjacent farming activities such as feedlots, wintering sites, game farms, cattle grazing: **Crop Farming and cattle grazing**

Pipelines/Oil & Gas Facilities:

Wellsite – existing in use, inactive, tank farm, location in relation to proposed subdivision: **n/a**

Gas Facilities – well site, compressor station: **n/a**

Pipelines – location, type of product (gas, oil, water): **n/a**

2. Subdivision History
 - **n/a**
3. Conformity with the Municipal Government Act and Subdivision and Development Regulation.
 - **Yes**
4. Compliance with the Lower Athabasca Regional Plan.
 - **Yes**
5. Compliance with the Municipal Development Plan.
 - **Yes**
6. Compliance with the Land Use Bylaw.
 - **Yes**

V. Conclusion

This subdivision application does meet the requirements of the Municipal Government Act, Subdivision and Development Regulation, and Lower Athabasca Regional Plan, and the regulations of the Municipal Development Plan and Land Use Bylaw.

It is recommended that the proposed subdivision be **conditionally approved** as per conditions.