

# APPENDIX B

## Subdivision Report

File No.:	<b>2024-S-003</b>	<b>This application proposes to subdivide a 10 acre parcel from a previously unsubdivided agricultural ¼ section.</b>
Date of Meeting:	<b>June 11, 2024</b>	

### I. Background Information

Location:	<b>The subject site is located on Twp Rd 613 and Rge Rd 444, South East of Fort Kent.</b>
Legal Description:	<b>SE 20-61-4 W4M</b>
Applicants:	<b>Gilles Lord</b>
Owners:	<b>Gilles Lord</b>
Date of Acceptance	<b>May 2, 2024</b>
Expiry Date:	<b>July 1, 2024</b>
Title Area:	<b>157.03 Acres (63.55 Hectares)</b>
Proposed Land Use:	<b>Country Residential</b>
Proposed Number of Lots:	<b>One (1) Lot</b>
Area of Each Proposed Lot:	<b>10 Acres (4.05 Hectares)</b>
Land Use Bylaw:	<b>Agriculture "A"</b>
Area Structure Plan:	<b>None</b>

## **II. Recommendations**

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

1. Pursuant to Section 655 of the Municipal Government Act, 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 **South** side of the proposed and 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 **South** side of the proposed and remnant parcel.
3. Pursuant to Section 655 of the Municipal Government Act and Part One, Section 7 of the Subdivision and Development Regulation, the owner/developer, for the sewage disposal, shall install and comply to the Alberta Safety Codes Act and Part 2 of the Province of Alberta Public Health Act;
4. 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. *To avoid unnecessary complication, registered owners are advised that there is an abandoned well located on SE 20-61-4 W4M and that any potential purchasers must be made aware. The ERCB wellsite at ercb.ca will provide the setback requirements for proposed development on the ¼.*
5. *Pursuant to Section 654(1)(c) of the Municipal Government Act, the on-site sewage disposal shall comply to the Alberta Safety Codes Act, the Nuisance and General Sanitation Regulations and Part 2 of the Province of Alberta Public Health Act.*
6. *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 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**

- **East Central Francophone School Division**

- **Lakeland Catholic School Division**

- **MD Public Works**

Road Widening Agreement is required for south boundary

- **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:

- **Bonnyville Regional Fire Authority**

- **Campus Energy**

- **Canada Post**

- **Canadian Natural Resources Ltd.**

- **Cold Lake Pipeline**

- **MD Agricultural Services**

- **MD Parks, Recreation & Culture**

- **MD Public Safety**

- **North East Gas Co-op**

- **Northern Lights School Division**

### **IV. Analysis**

1. Site and Surrounding Area Approaches:

To proposed parcel(s): **New approach will be required to new 10 acre parcel**

To remainder of ¼: **Existing approach to remaining 147.03 acre parcel**

Municipal Road:

Surface conditions: **Cold Mix**

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

Description of Property:

	Area to be Subdivided	Remnant
Tree cover:	<b>50%</b>	<b>5%</b>
Under cultivation:	<b>n/a</b>	<b>80%</b>
Pasture land:	<b>n/a</b>	<b>n/a</b>
Soils:	<b>27.2% (Poor 14% - 32%)</b>	
Drainage:	<b>Appears to be good</b>	
Topography:	<b>Flat to Rolling</b>	<b>Flat to Rolling</b>

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:

**Abandoned Site 65 m West of proposed parcel**

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.