

# APPENDIX B

## Subdivision Report

File No.:	<b>2024-S-006</b>	This application proposes to create a ± 20 acre subdivision, leaving a ± 137.97 remainder parcel from the existing 157.97 acre parcel located at SW 29-61-7 W4M.
Date of Meeting:	<b>August 27, 2024</b>	

### I. Background Information

Location:	<b>The subject site is located on the north side of Township Road 614 and on the east side of Range Road 475.</b>
Legal Description:	<b>SW-29-61-7-W4M</b>
Applicants:	<b>Cyril Morgala</b>
Owners:	<b>Cyril Morgala, Beverly Topylki, Nicholas Morgala</b>
Date of Acceptance	<b>June 21, 2024</b>
Expiry Date:	<b>August 31, 2024</b>
Title Area:	<b>157.97 acres (63.93 hectares)</b>
Proposed Land Use:	<b>Agriculture</b>
Proposed Number of Lots:	<b>Two (2) Lots</b>
Area of Each Proposed Lot:	<b>20 acres (8.09 hectares)</b> <b>137.97 acres (55.83 hectares)</b>
Land Use Bylaw:	<b>Agriculture "A"</b>
Statutory Documents:	<b>Municipal Development Plan, Lower Athabasca Regional Plan</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 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 and 662 of the Municipal Government Act and Section 3.9 of the Municipal Development Plan, that:

If the subdivision is registered through a Plan of Survey, the owner/developer dedicate to the Municipal District of Bonnyville No. 87, a 5.18 metre (17 feet) wide strip of land for road widening along the entire frontage of the south side of the proposed parcel and remnant parcels by registering a separate road plan;

OR

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(s);

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. *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.*
3. *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.*
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 Health Services
- APEX Utilities
- ATCO Electric
- Bonnyville Regional Fire Authority
- East Central Francophone School District
- Lakeland Catholic School Division
- MD Public Works
- MD Agricultural Services

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

- Canada Post
- Telus Communications Inc.
- Alberta Power Limited
- AER  
No abandoned wellsites located within the proposed parcels.
- MD Public Safety
- MD Parks, Recreation & Culture
- Kissinger Petroleum
- North East Gas Co-op
- Northern Lights School Division
- Lemalu Holdings Ltd.

### IV. Analysis

1. Site and Surrounding Area Approaches:

To proposed parcel(s): **New approach will be required to 20 acre parcel**

To remainder of ¼: **Existing approach to remaining 137.97 acre parcel**

Municipal Road:

Surface conditions: **Gravel**

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

Description of Property:

	Area to be Subdivided	Remnant
Tree cover:	<b>10%</b>	<b>n/a</b>

Under cultivation:	n/a	80%
Pasture land:	n/a	n/a
Soils:	Poor (14% - 32%)	
Drainage:	Appears to be good	
Topography:	Mostly Flat	Mostly Flat

Description of Adjacent Lands and Uses:

Uses and activities on the adjacent lands: **Agricultural**

Adjacent farming activities such as feedlots, wintering sites, game farms, cattle grazing: **Hay crop, 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): **CNRL Pipeline located in SW corner of site**

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.