

APPENDIX B

Subdivision Report

File No.:	2024-S-009	This application proposes to subdivide a 12 acre parcel from a previously subdivided agricultural ¼ section.
Date of Meeting:	September 10, 2024	

I. Background Information

Location:	The subject site is located on Range Road 470, North of Forsyth Lake.
Legal Description:	SW 19-62-6 W4M
Applicants:	Kurtis Antoniuk
Owners:	Kurtis Antoniuk
Date of Acceptance	July 11, 2024
Expiry Date:	September 27, 2024
Title Area:	150.84 Acres (61.04 Hectares)
Proposed Land Use:	Country Residential
Proposed Number of Lots:	One (1) Lot
Area of Each Proposed Lot:	12 Acres (4.86 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, 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 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 **WEST** frontage of the proposed parcel and remnant **to be registered by separate road plan**;
3. Pursuant to Section 666, 667 and 669 of the Municipal Government Act, that the owner/developer pay to the Municipal District of Bonnyville No. 87 **\$4138.00** per hectare cash-in-lieu of Municipal Reserve owing for 10% of the proposed parcels. A Deferred Reserve Caveat shall be registered against the remnant parcel for the balance of the Municipal Reserve owing as a means of recording outstanding reserves;
4. Pursuant to Section 655 of the Municipal Government Act, submission and review of a Real Property Report or Sketch Plan submitted from an Alberta Certified Land Surveyor to confirm all structures located on the proposed parcels comply with setbacks from all property lines as established by the Land Use District of the Land Use Bylaw;
5. 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;
6. 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. *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.*
5. *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**
 - Future development to be setback 6m from high water mark of any unnamed water course or water source.
- **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.**
 - Field Locate required from Utility Safety Partners at 1-800-242-3447 should excavations be required within new parcel
- **ATCO Electric**
- **Department of National Defense – 4 Wing Cold Lake**
- **East Central Francophone School District**
- **Lakeland Catholic School Division**
- **MD Parks, Recreation & Culture**
- **MD Public Safety**
- **MD Public Works and Environment**
 - Registered Road Plan is required for west 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**
- **Canada Post**
- **Canadian Natural Resources Ltd.**
- **MD Ag Services**
- **North East Gas Co-op**
- **Northern Lights School Division**

IV. Analysis

1. Site and Surrounding Area Approaches:

To proposed parcel(s): **Existing approach to proposed 12 acre parcel**
To remainder of ¼: **New approach required to remaining 138.84 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:	80%	20%
Under cultivation:	n/a	n/a
Pasture land:	n/a	n/a
Soils:	33.2% (Fair 33% - 44%)	
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
 - **Two (2) previous subdivisions; 3 acre C of T – 1998 and 4.99 acre – 2014. Total out 7.99 acres**
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.