

Subdivision Report

File No.: 2025-S-008
Date of Meeting: June 10, 2025

This application proposes a boundary realignment to create a 23-acre parcel from a previously subdivided agricultural ¼ section.

I. Background Information

Location:	The subject site is located along Rge Road 445, south of Twp Rd 614, southeast of Fort Kent.
Legal Description:	NW 20-61-4 W4M
Applicants:	Wanda Ackert
Owners:	Wanda Ackert and Ernest & Sandra Campeau
Date of Acceptance	April 14, 2025
Expiry Date:	June 23, 2025
Title Area:	6.03 acres (2.44 hectares) 153.97 acres (62.31 hectares)
Proposed Land Use:	Country Residential
Proposed Number of Lots:	One (1) Lot
Area of Each Proposed Lot:	23 acres (9.31 hectares)
Land Use Bylaw:	Agriculture "A"
Area Structure Plan:	None

II. Recommendations

The proposed subdivision may be Conditionally **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 West side of the proposed and remnant parcels **to be registered by separate road plan**;
If the subdivision is registered by **Descriptive Plan**, the caveat registered as instrument number **072 162 465**, for a 5.18 metre (17 feet) wide strip of land for road widening along the entire frontage of the West side of the proposed and remnant parcels **shall remain**.
3. Pursuant to Section 655 of the Municipal Government Act, that the existing lot described as Plan 072 2411 Block 1 Lot 1 be consolidated with the proposed area prior to the registration of the new parcels.
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 that 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 with 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, 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. *As per the M.D. of Bonnyville Land Use Bylaw Section 69.4, any future applications for subdivision will not be permitted.*
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 **Intermunicipal Subdivision and Development Appeal Board, Bag 1010, Bonnyville, AB T9N 2J7.***

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 Environment**
- **MD Public Safety**
- **MD Public Works**
- **Telus Communications Inc.**
- **AER**

Existing caveat to remain
No abandoned wellsites located within the proposed parcels.

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

- **Alta Gas**
- **Bonnyville Regional Fire Authority**
- **Canadian Natural Resources**
- **Canada Post**
- **MD Agricultural Services**
- **MD Parks, Recreation & Culture**
- **North East Gas Co-op**
- **Northern Lights School Division**
- **Rubelite Energy Corp**

IV. Analysis

1. Site and Surrounding Area Approaches:

To proposed parcel(s): **Existing approach to proposed 23-acre parcel**

To remainder of ¼: **Existing approach to remaining 135-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:	90%	5%
Under cultivation:	n/a	80%
Pasture land:	n/a	n/a
Soils:	36.4% (Fair 33% - 44%)	
Drainage:	Appears to be good	
Topography:	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: **Abandoned Multi-Well Site north of proposed parcel**
Gas Facilities – well site, compressor station: **n/a**
Pipelines – location, type of product (gas, oil, water): **Registered Right of Way directly north of the proposed property line**

2. Subdivision History
 - **6.03 acres 2007 – Residential parcel to be consolidated to the new proposed parcel**
3. Conformity with the Municipal Government Act and Subdivision and Development Regulation.
 - **Yes - Section 654 (2) (a) the proposed subdivision would not (i) unduly interfere with the amenities of the neighbourhood; (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.**
4. Compliance with the Lower Athabasca Regional Plan.
 - **Yes**
5. Compliance with the Municipal Development Plan.
 - **Yes**
6. Compliance with the Land Use Bylaw.
 - **No - Section 69.4 (b) i) the four (4) parcels or less total a maximum of 8.09 hectares (20 acres) subdivided from the quarter section that is not fragmented.**

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 but does not meet the requirements of the Land Use Bylaw No. 1667.

It is recommended that the proposed subdivision be **APPROVED** as per the Municipal Government Act - Section 654 (2) (a) the proposed subdivision would not (i) unduly interfere with the amenities of the neighbourhood; (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and to align with best planning practices.