

**SUNDRE SUBDIVISION AUTHORITY
MONDAY, DECEMBER 3RD, 2007, IN THE TOWN OFFICE**

AGENDA

- (1) **Call to order:**
- (2) **Adoption of Agenda:**
- (3) **Adoption of Minutes:** Minutes of the September 10th, 2007 meeting.
- (4) **Subdivision Applications:**

(a) Subdivision Application No. SD07-04

██████████
Block 4, Plan 2734GQ ██████████

as outlined on the map attached to the application.

FortisAlberta – No objections.

BSEI responded with the following:

- 1. A proper legal residential road access (minimum 15m ROW and 9.0m paved road) may be required for the northerly lot to allow for snow removal and future servicing considerations. Alberta Transportation will need to comment as to the suitability of maintaining the existing access off of Highway #27 which may not be permitted if the lot is subdivided.
- 2. A proper turn around for snow removal equipment is required on the proposed 9m road if the existing Highway #27 access is not allowed after subdivision.
- 3. Water and wastewater servicing for the new south lot shall tie to 4th Ave., not the lane.

(note: The existing residence is currently serviced from 4th Ave. and not the lane which creates a need for a protected Utility Right of Way across the new proposed lot or relocation of the existing water & wastewater lines to a roadway accessing the northerly lot)

Alberta Infrastructure & Transportation commented that they do not support the proposed subdivision and are not prepared to grant an unconditional variance. They would support a subdivision if the existing direct Highway #27 access approach was physically removed and both parcels had direct access to the local road system only.

██████████ (an adjacent landowner) responded that they would support the application if the Department of Infrastructure & Transportation will require the removal of the access for the remaining parcel from Highway #27. In light of this the highway ditch must be re-established to ensure proper drainage. In addition, adequate access must be provided via some method to reach 4th Ave. S.W. If Alberta Infrastructure & Transportation will allow the Highway #27 access to remain, we would require a copy of the document from Alberta Infrastructure & Transportation stating this.

██████████ feels that question No. 4 on the application was not answered correctly. Part (d) asks if the parcel borders a waterway; and they feel that the answer should be “yes, Prairie Creek” and they also feel that this would have an impact on the subdivision request.

In the opinion of the Development & Subdivision Department, the channel that they are referring to is an abandoned channel of the creek that does not have any water flowing in it except when the 1:200 year flood occurred on the Bearberry creek in 2005. Water from the Bearberry creek flowed overland both north and south of Highway #27 which in turn filled Prairie Creek and the abandoned channel with flood waters. This rare occurrence does not make the channel active or give it the designation of a water course. If it did then the ditches along Highway #27 would also have to have that designation. There is no definition of Water Course anywhere in the Municipal Government Act, the Subdivision and Development Regulation nor any Provincial Statute that I was able to search on the internet.

██████████ goes on to comment that any changes to the new parcel fronting 4th Ave. S.W. must be confirmed with an overland drainage survey to ensure major drainage is not adversely affected. They request that there shall be no changes to the existing development on the remaining parcel of land, which would either raise the elevation of the lot grading and /or adversely affect drainage in the area. ██████████ wish to reserve the right to review all plans now and in the future regarding any development of the remaining parcel due to potential drainage concerns. They also have concerns about how the new property adjacent to 4th Ave. S.W. will be serviced. We want to ensure that this property is serviced from the water main on 4th Ave. S.W. and not from the 50mm service line that runs up the back alley between the 5 houses on 6th St. and the property in question.

There was no response from any other agencies or adjacent landowners.

The Development and Subdivision Department recommends that the application be denied on the grounds that the proposed plan does not address any of the requirements of Alberta Infrastructure & Transportation nor some of the concerns of the Town’s Engineer or an adjacent landowner. Any changes to the plan to address these requirements will significantly change the plan and would bear no resemblance to the plan that is here for approval.

However, if the Subdivision plan is approved, then standard conditions of approval will apply:

- (1) That all culverts, accesses and other works authorized by Section

655(1)(b) of the Municipal Government Act, RSA 2000, Chapter M-26 be provided to both proposed and residual lots by, and at the sole expense of the landowners, to the satisfaction of the Town of Sundre.

- (2) Payment of all property taxes or satisfactory arrangements to be made for payment to the Town of Sundre.
- (3) Subdivision to be affected by plan of survey.
- (4) No Municipal Reserves are required to be dedicated.
- (5) All easements, if applicable, be provided to the satisfaction of the utility companies. Written confirmation from the utility companies is required prior to endorsement of the plan.

As well as any other conditions recommended by the Town Planners, Engineers or Subdivision Approving Authority to deal with issues arising from this subdivision.

(5) Adjournment: