

MINUTES OF THE MEETING OF THE SUNDRE SUBDIVISION APPROVING AUTHORITY, HELD MONDAY, MARCH 5th, 2007, IN THE TOWN OFFICE.

MEMBERS PRESENT:

Chairperson Paul Webb and members Gale Henderson White, Joe Henze, Roy Cummings, Ninette Savage-Howe, James Brosh and Patricia Toone.

STAFF PRESENT: Development / Subdivision Officer John Whitesell.

OTHERS PRESENT: Victor Spaetgens, Arnie Bartel and James Carpenter

CALL TO ORDER:

Chairperson Paul Webb called the meeting to order at 7:58 P.M.

AGENDA:

Moved by Patricia Toone to adopt the regular agenda. **CARRIED.**

ADOPTION OF MINUTES:

Minutes of the January 22nd, 2007 meeting were presented for adoption.

Moved by Roy Cummings to adopt the minutes of the January 22nd, 2007 meeting as presented. **CARRIED.**

BUSINESS:

Subdivision Application No. SD 07-01

Legacy Land Acquisitions Inc.

SW 4-33-5-W5M; that portion of the South West quarter which lies north of Block P and Q on Plan 7720FF and north of the westerly production of the northern boundary of said Block Q containing 57.37 hectares (141.68 acres) more or less:

Excepting thereout:

Plan	Number	Hectares	Acres
Right of Way	7910216	1.81	4.47
Right of Way	8110479	9.01	22.26
Road	8610295	0.034	0.08
Subdivision	9110389	1.12	2.77

As outlined on the map attached to the application

Subdivision Officer J. Whitesell reported that all adjacent landowners had been notified in writing.

The owners of 245, 247, 249, 251 and 255 all of 4th St. N.W. were not in favour of the proposal on the grounds that they had purchased their property because the land to the west was not developed and was zoned agricultural. They also had concerns about property values, noise and upheaval that will be generated by the development.

The owners of 222 – 5th St. N.W., 224 – 5th St. N.W., 257 – 4th St. N.W. and 259 – 4th St. N.W. were also opposed to the proposed subdivision. Again their grounds were because they want the area to remain as uncrowded and serene as it has been in the past and if the development is to proceed, then have the trees left and keep the views for the existing homes.

BSEI Municipal Consulting Engineers (representing the Town of Sundre) responded to the application with the following observations and comments:

1. Access off of Highway 22 may require additional right-of-way to meet Alberta Transportation requirements for acceleration/deceleration lanes, future widening, etc.
2. Access to Lot 67 RV and Recreation site from Highway 27 will require Alberta Transportation approval and possible additional road right-of-way (minimum 15m right-of-way with 9.0m road). Alberta Transportation may require turn movements, acceleration and deceleration lanes based on traffic volumes.
3. Service road off of Highway 27 may require improvements by Alberta Transportation to accommodate additional traffic volumes.
4. Cul-de-sacs for commercial areas is not recommended.
5. 17m road right-of-way through commercial area should be minimum 21m.
6. Clarification as to whether the road dimensions are right-of-way widths or paved widths is required. It is presumed that they are right-of-way widths.
7. Water and wastewater will need to be serviced from 2nd Avenue N.W. which will require:
 - (a) Bearberry creek crossing for both utilities
 - (b) Wastewater lift station
 - (c) Site for the wastewater lift station
8. Watermain looping will be required for extended length cul-de-sacs (greater than 150m).

9. Alberta Environment approval will be required for construction near Prairie Creek. Flood mapping and setbacks from Prairie Creek to be confirmed through Alberta Environment.
10. All footings to be minimum 0.3m above high ground water level. Groundwater readings will need to be undertaken for 6 months and seasonal adjustments made.
11. All lots shall be graded to be above the 1:100 flood elevation as per Alberta Environment guidelines. Alberta Environment to be contacted for requirements.
12. Area will require appropriate reserve dedication as per Town of Sundre requirements.
13. Road crossings over pipeline right-of-ways will require approval from pipeline companies. Normally 90 degree crossings are required for utilities and roadways.
14. Geotechnical reports will be required to determine road design cross-sections and additional footing requirements.
15. Traffic accommodation plan required.
16. Environmental assessment (Level 1) required.
17. Overland drainage easements and restrictive covenants on laneless lots will need to be registered concurrently with legal plan.
18. Sound attenuation calculations will be required along Hwy 22 and Hwy 27.
19. Uniform fencing is required on all PUL, MR and laneless lots.
20. Stormwater management plan and erosion and sediment control plan will be required.
21. Future walkways will be required to be provided if the Town or Developer requests.

Parkland Community Planning Services (representing the Town of Sundre) responded to the application with the following observations and comments:

- (a) Southwest (Proposed Commercial Development)

They are concerned about the layout proposed for the commercial lands. The layout bears no resemblance to typical commercial development proposals and the layout seems to ignore commonly accepted design principals. Specifically:

1. The design does not take advantage of prime exposure to the adjacent highways by designing the commercial lots to front on minor cul-de-sacs.
2. The parcels are too small to accommodate typical highway commercial development.
3. Many of the parcels have minimal street frontage and are pie shaped which make it extremely difficult to site a commercial building and required parking on the property.
4. There is minimal frontage available on the main roads and this is the frontage most sought after by commercial developers.
5. Given the dimensions of a number of the lots, it appears they may be undevelopable for commercial uses.
6. The specific road and lot design is not flexible to accommodate commercial uses that may desire larger parcels (i.e. difficult to aggregate parcels into a developable site).
7. The width of the north/south collector road (especially the section of 17m right-of-way) varies making it difficult to design a proper roadway.
8. The current design of the north/south collector terminates at the south end of the service road adjacent to the highway and involves a couple of 90 degree turns for traffic. The collector street design should try to accommodate a direct (i.e. straight) link to Highway 27 (get rid of two 90 degree corners).
9. Some of the street design does not meet current standards. The offsetting cul-de-sacs on the 17m wide portion of the collector road, for example, would not meet engineering guidelines.
10. It would appear that the current lot layout was originally intended more for residential development than commercial development.

Overall, they suggest that a complete redesign of the commercial lot layout be required. A more conventional commercial subdivision proposal would result in a more commercially viable project and it would reduce costs for the developer by reducing the number of proposed lots.

(b) Northwest

1. Lot 52 is designated and zoned residential but it's dimensions would not seem to be typical for a residential development. The type of housing proposed for this lot should be known prior to approving this lot. This is one of the few lots in the whole subdivision plan that appear to have dimensions appropriate for a commercial development.
2. Connected to the point above, portions of lots 52 and 53 have good potential for commercial development given their exposure and good access. The Town may want to consider encouraging this type of development on those lands instead of residential development.
3. Without having topographical information, it is difficult to know if all of these lots are developable. Can lots 58 and 64, for example, actually be developed?
4. Does the Town want MR or ER along the south side of Bearberry floodway (e.g. for trail system or additional setback)? This should be considered before approving the application.
5. Has Alberta Environment been consulted with respect to any proposed crossing of Prairie Creek or the Bearberry creek?
6. Is the width of the ER parcel adjacent to Prairie Creek adequate to provide a trail connection through this corridor from north to south?
7. The purpose of the commercial zoning on lot 56 is not understood. Given all of the commercial land to the south, what is the purpose of this particular parcel?

(c) Northeast

1. Does the Town want MR or ER along the south side of Bearberry floodway (e.g. for trail system or additional setback)?
2. There is concern with the long cul-de-sac system proposed east of Prairie Creek. How many dwelling units will be accommodated in this area? Is this too many given there is only one access? What if there is an accident/fire that blocks the road into the area – how do emergency vehicles get in/out?

3. Is multi-family development desirable directly adjacent to the existing residential development to the east? This may be more appropriate development for lower density development.

(d) Southeast

1. Why is there no ER along Prairie Creek like the segment to the north? Without ER, this portion of the 'creek' becomes private land with no potential for trail links or public use.
2. The stream along the south boundary needs an ER designation.
3. What are the development intentions for this area? What type of RV park is proposed and how many sites are planned? Will they be rented or sold? Can development actually occur in this area given the nature of the adjacent watercourse? What common open space facilities are proposed for this development?
4. The proposed accesses are extremely marginal; they may not meet engineering standards.
5. The Town needs to be aware of potential liability if it permits development in this area with very restricted access – what if there is a flood, fire ? How do emergency vehicles get in? How do people get out?
6. There is good potential for a proper collector street (as shown in the growth strategy) to be extended from the southeast corner from Highway 27 to the northwest corner and then to the west. This design eliminates this option.

Overall, it is recommended that the Town proceed with extreme caution with respect to this application. From a planning perspective, the plan has a significant number of deficiencies and a number of features that are cause for significant concern.

Fortis Alberta responded to their notification and had no objections but it would be a Fortis Alberta preference that the Developer is responsible to electrically pre-service the lots.

Chinook's Edge School Division No. 73 responded and wish to advise that Chinook's Edge School Division No. 73 would require a lay by to allow school buses to load and unload students in the above mentioned subdivision.

David Thompson Health Region responded with the following comments;

1. All sources of water intended for human consumption are to be equipped, tested, maintained and disinfected so that the water will remain potable.
2. Connect water and sewage from all individual lots to the municipal water and sewage system.
3. Sewage effluent, including animal manure, is not permitted in any street, pool, ditch, gutter, watercourse, adjacent property, or any other area where it is or may become injurious or dangerous to public health.
4. residential developments should not be permitted on areas previously used for industrial, waste disposal, and landfill purposes.

Land Titles Office responded and will accept a Plan of Survey for registration of the property.

TransCanada PipeLines responded and have no objections but would like to remind the Town and Developer that anytime crossings of the pipe line right-of-way, proper crossing applications and agreements will have to be in place for both temporary and permanent crossings. They would also like to encourage the use of the right-of-way as a green space and perhaps a walking path/trail such as the environment being created in partnership with the Town south of Hwy 27 on NW 33-32-5-W5M.

Alberta Infrastructure and Transportation responded and advise that they are not prepared to recommend approval of the subdivision and are not prepared to grant the required variance at this time. Prior to recommending approval they would require a redesign of the subdivision plan. The proposed main access road from Highway 22 should not have any internal approaches for a minimum of 200 metres from the highway property line. This would ensure that there is adequate stacking distance for vehicles accessing the highway. They also require the preparation of a Traffic Impact Study to identify what improvements are necessary at the intersections on Highway 22 and Highway 27 to facilitate the proposed subdivision.

There were no responses from Alberta Environment, Mountain View County Shaw Cable or Telus Communications or any other notified agencies.

In response to some of the above mentioned comments and concerns, the Applicant has redesigned the proposed subdivision and has removed the commercial cul-de-sacs and has indicated the type of housing that will be located in most of the residential lots. They have also indicated they wish for the commercial district be primarily a commercial/residential district with specialty stores and shops with residences for the owners incorporated into the property.

Moved by James Brosh to defer the application to the March 26th, 2007 meeting to allow for further information to be received, the revised plan re-circulated for input and further clarification of the project by the Applicant. **DEFEATED.**

Chairperson Paul Webb called a temporary adjournment of the meeting at 9:43 P.M. Chairperson Paul Webb reconvened the meeting at 9:48 P.M.

Moved by Ninette Savage-Howe that Subdivision Application No. SD 07-01 be approved subject to the following conditions:

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. Municipal Reserves in the amount of 4.7845ha (11.823 acres) more or less are required to be dedicated. (Amount of dedication subject to final tally of all Environmental Reserve and road widths.
5. That the applicant enter into a Development Agreement with the Town of Sundre respecting road and access construction, servicing, storm water management and other development matters including any geotechnical studies and environmental assessments and any other studies required.
6. 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.
7. Payment of off-site levies as per Bylaw No. 798 for water supply, water storage, reservoir mains, sanitary sewer treatment and disposal in the amounts defined in the Development Agreement.
8. Payment of additional subdivision fees for the additional lots applied for in the revised subdivision plan.
9. Subject to circulation of the revised subdivision plan to Government agencies, Public Utilities and Town Engineers and Planners for further comment and approval.

CARRIED.

The reasons for this decision are as follows:

1. The proposed subdivision complies with the Municipal Development Plan and the Land Use By-Law.
2. The land is suitable for the intended use.
3. The valid objections from adjacent landowners appear to fall under the Town of Sundre Land Use Bylaw No. 705 with amendments and can be dealt with at the development stage.

ADJOURNMENT:

The meeting was adjourned on a motion by Joe Henze at 10:05 P.M. **CARRIED.**