

**MINUTES OF THE MEETING OF THE SUNDRE SUBDIVISION APPROVING AUTHORITY, HELD MONDAY, JUNE 22<sup>nd</sup>, 2009, IN THE TOWN OFFICE.**

**MEMBERS PRESENT:**

Chairperson Paul Webb and members Roy Cummings, Patricia Toone, Ninette Savage, Joe Henze, Gale Henderson White and Bob McIntyre.

**STAFF PRESENT:**

Development / Subdivision Officer - John Whitesell  
Assistant Development Officer – Denica Crosbie

**OTHERS PRESENT:**

Karen Rosehill, Gabriele Granger and Trudy Paterson.

**CALL TO ORDER:**

Chairperson Paul Webb called the meeting to order at 7:10 P.M.

**AGENDA:**

Moved by Gale Henderson White to adopt the agenda. **CARRIED.**

**ADOPTION OF MINUTES:**

Minutes of the March 30<sup>th</sup>, 2009 meeting were presented for adoption.

Moved by Roy Cummings to adopt the minutes of the March 30<sup>th</sup>, 2009 meeting as presented. **CARRIED.**

**BUSINESS:**

**Subdivision Application No. SD09-01**

1290569 Alberta Inc.  
Aspen Developments Phase 1A

SW 10-33-5-W5M

as outlined on the map attached to the application.

The applicant wishes to develop this subdivision in conjunction with the Phase 1 subdivision already approved (SD 08-04) on October 9<sup>th</sup>, 2008 and to include it in the Phase 1 Development Agreement (as yet unsigned).

Fortis Alberta responded and had no objections.

BSEI reviewed the subdivision plan and responded with several comments and

requirements. Items 2, 5 & 6 are taken care of in the Development Agreement as these were dealt with in the Phase 1 agreement. Item 3, the turnaround on 2<sup>nd</sup> Street is shown on the drawings and will be provided. Item 4, the temporary flushing hydrant will be dealt with in the Development Agreement.

Adjacent land owner Karen Rosehill responded with concerns over lot sizes (specifically the width of the lots being narrower and deeper than adjacent lots and the fact that she perceives that the lots will extend into the existing tree line). In 1999 when the Town of Sundre originally registered and developed Plan 9912954, there was an unapproved concept plan for the remainder of SW 10-33-5-W5M that showed an alley on the north side of Ms. Rosehill's property (Lot 14, Block 13, Plan 9912954). In her letter of objection, she wonders how this proposed plan had now mysteriously changed. Aspen Developments, when they submitted a proposed new concept plan to the Town Council, never showed an alley in this location in any of their revisions. All revisions were circulated to all adjacent Landowners and responses were received from the adjacent landowners. These letters and verbal presentations from the adjacent landowners were heard at a Public Hearing and subsequently approved by Council on March 31<sup>st</sup>, 2008. The proposed Phase 1A subdivision is in compliance with the adopted Concept Plan and has not been changed from what was approved. The adopted Concept Plan also shows some lots extending into the forested area and was discussed at the Public Hearing. Council was aware that some lots would be into the trees but as a result of the study done by a certified Forest Technologist which stated that 60% of the trees in the area were dead and a further 20% were damaged or diseased, it was felt that the Town of Sundre Land Use Bylaw would protect the trees located in yards that do not cause a hazard to life and property or cause trees to be replaced. Future lot creation on the east side of 2<sup>nd</sup> St. N.E. will probably require the Developer to install bank armoring and erosion control along the river bank. The dry pond that Ms. Rosehill refers to behind lots 12 to 15 is still there but does not show on the subdivision plan as it is located in another subdivision and has no bearing or affect on this application. The storm pond for this property is still in it's proposed location Lot 33PUL in Block 21. In response to Ms. Rosehill's item 3, it is the intent of the Town of Sundre that the land Use Bylaw will be amended to include the 11 proposed lots in the minimum 1249 sq. ft. house size list. This can't be done until the lots are registered and have a legal description. In response to item 4, it is staff's recommendation that a condition be put on any approval that would require the Applicant to address her fence issues and to deal with the cut-off corner of her lot. Both Phase 1 and 1A are expected to be started in 2009 with a projected completion date of October 31<sup>st</sup>, 2009. The applicant is not a builder and as such is permitted to sell lots to anyone.

Robert & Gabriele Grainger also submitted response to the notifications sent with concerns over the lot sizes and tree loss. They also requested that the proposed roadway west from 2<sup>nd</sup> St. be changed to a cul-de-sac so as to deter traffic in the area.

Kim Vander Putten submitted an identical letter to the Grainger's letter.

George and Marsha Rockey responded in a letter with their concerns over lot sizes, tree removal and building restrictions.

The subdivision plan adheres to the Concept Plan that was adopted by Council at the March 31<sup>st</sup>, 2008 Council meeting.

All adjacent landowners have been notified in writing and there were no responses from any other agencies or adjacent landowners.

Moved by Bob McIntyre that Subdivision Application No. SD 09-01 be approved subject to the following conditions:

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 applicant, to the satisfaction of the Town of Sundre.

Payment of all property taxes or satisfactory arrangements to be made for payment to the Town of Sundre.

Subdivision to be affected by plan of survey.

No Municipal Reserves are required to be dedicated.

All easements, if applicable, be provided to the satisfaction of the utility companies.

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.

Payment of off-site levies in the amount of \$35,534.19 for 0.747 ha (1.846 acres) to the Town of Sundre as per By-law No. 866 (\$39,236.00 per hectare for waterworks and \$8,333.20 per hectare for wastewater treatment and disposal) and subject to the payment terms set forth in the Development Agreement.

A turnaround be built (at the developer's sole expense) at the north end of the lane located at the rear of Lots 2 to 14, Block 13, Plan 9912954 as a result of the developer's choice not to continue the laneway northward.

The developer pay for the costs of the Town of Sundre preparing and advertizing a Road Closure Bylaw to remove the cutoff on the north-east corner of Lot 14, Block 13, Plan 9912954 that will no longer be required for the lane. The Developer will also be responsible for the costs of creating title to the resulting parcel and consolidating that parcel with Lot 14.

The Developer pay for the costs for the removal of the gate located within the north

fence of Lot 14, Block 13, Plan 9912954 and to relocate the north-east corner of the fence to incorporate the land gained from the road closure.

**CARRIED.**

The reasons for this decision are as follows:

1. The proposed subdivision complies with the Municipal Development Plan, Land Use By-Law 705 with amendments and the Aspen Developments Concept Plan as adopted by The Council of the Town of Sundre on March 31<sup>st</sup>, 2008.
2. The land is suitable for the intended use.
3. There were no objections from adjacent landowners that are not addressed in the Concept Plan, the Land use Bylaw, the conditions of approval and the Development Agreement.

**ADJOURNMENT:**

Moved by Gale Henderson White that the meeting be adjourned at 7:50 P.M.

**CARRIED.**