

MPC MEETING

WEDNESDAY SEPTEMBER 19, 2018

12:30 P.M.

TOWN HALL COUNCIL CHAMBERS



WEDNESDAY SEPTEMBER 19, 2018 - 12:30 PM

AGENDA

Pg. Agenda Item

- 1. CALL TO ORDER
- 2. ADOPTION OF AGENDA

3. PREVIOUS MINUTES

- 5 9
- A) Minutes of August 15, 2018 meeting
- B) Minutes of August 29, 2018 Special MPC meeting

4. <u>REPORTS TO MPC</u>

11

A) Dates Development Permits advertised in Cypress Courier

a. August 28, 2018 and September 4, 2018 (Ads are attached)

B) Development Permit Applications Approved/Denied by Development Officer since the last MPC meeting:

- a. Development Permit Application 18-DP-033
 Kelvin Roach
 Lot 14-15, Block 1, Plan 8150AS (911 2 Street SE)
 Approved: Boulevard Development
- b. Development Permit Application 18-DP-037
 Amron Construction
 Lot 4, Block 10, Plan 0913590 (910 9 Avenue SE)
 Approved: Duplex c/w Garages
- c. Development Permit Application 18-DP-038 Redcliff Tiny Tots Lot 11, Block 148, Plan 0714646 (115 Broadway Avenue W) Approved: Building Playground at Pre-School
- d. Development Permit Application 18-DP-039 Lacey Homes Ltd.
 Lot 21, Block 13, Plan 0913590 (935 Manor Place SE) Approved: New Home c/w Attached Garage
- e. Development Permit Application 18-DP-043 TBC Contracting Lot 6, Block 8, Plan 9912295 (114 Elbow Drive NE) Approved: Addition



WEDNESDAY SEPTEMBER 19, 2018 - 12:30 PM

AGENDA

Pg.		Age	nda It	tem	
			f.	Development Permit Application 18-DP-044 Blatz Homes Ltd. Lot 45, Block 2, Plan 0213235 (54 Riverview Drive SE) Approved: Covered Deck	
			g.	Development Permit Application 18-DP-045 Dwelling Places Inc. Lot 30, Block 10, Plan 0913590 (940 Maskell Place SE) Approved: Single Family Dwelling	
		C)	Appe meeti	als of Development Decisions received since the last MPC ing	
			a.	No appeals of Development decisions have been received.	
		D)	SDAE	3 Decisions rendered since the last MPC meeting	
			a.	No SDAB decisions have been rendered since the last MPC Meeting.	
		E)		cil Decisions and Direction related to the Land Use Bylaw the last MPC meeting	
			a.	A motion to amend the Land Use Bylaw with the application made by 2107674 AB Ltd. to include the property at #4 - 116 Broadway Avenue E. (Lot 14-18, Block 73, Plan 755AD) in the Cannabis Retail Store Overlay was defeated at Council on Aug. 20, 2018.	
		F)	Items	Received for Information	
12			a.	Email Correspondence from Canna Cabana	
	5.		ELOPMENT PERMIT APPLICATION(S) FOR MPC <pre>NSIDERATION</pre>		
13		A)	Wilde NW ½	lopment Permit Application 18-DP-042 Possibilities Sec. 16-13-6-W4 (616 Mitchell Street N) Ding Containers	
			a.	Application	
			b.	Background report	
			C.	Procedure	



WEDNESDAY SEPTEMBER 19, 2018 - 12:30 PM

AGENDA

Pg.		Age	nda l	tem	
				i.	Presentation of Development Officer
				ii.	Presentation of Applicant
				iii.	Presentation of Interested Parties
				iv.	MPC Discussion (Note, MPC may go in camera for discussion)
				V.	Decision of MPC
	6.	<u>SUBI</u>	DIVISIO	ON AP	PLICATION(S) FOR MPC CONSIDERATION
20		A)	Town Lot 5 Subd	of Rec , Block ivision	 Subdivision Application Icliff, Benchmark Geomatics Inc. (Agent) A, Plan 0211147 (101 1 Street NE) Application to create a Public Utility Lot (PUL) to Install pund Sanitary Surge Tank
			a.	Applic	cation
			b.	Backg	ground report
			C.	Proce	dure
				i.	Presentation of Director of Planning & Engineering
				ii.	Presentation of Applicant
				iii.	Presentation of Interested Parties
				iv.	MPC Discussion (Note, MPC may go in camera for discussion)
				٧.	Decision of MPC
40	B) 2014 SUB 02 - Subdivision Extension FarWest Land and Properties Inc. Lot 4-20, Block 99, Plan 1117V (110, 114 & 122 5 Street NW Subdivision Application Extension		nd and Properties Inc. ock 99, Plan 1117V (110, 114 & 122 5 Street NW)		
			a.	Proce	dure
				i.	Presentation of Planning & Engineering
				ii.	Presentation of Applicant
				iii.	Presentation of Interested Parties
				iv.	MPC Discussion (Note, MPC may go in camera for discussion)
				۷.	Decision of MPC



WEDNESDAY SEPTEMBER 19, 2018 - 12:30 PM

AGENDA

Pg. Agenda Item

- 7. ITEMS FOR MPC COMMENT
 - A) No items for MPC Comment have been received.
- 8. ADJOURNMENT

MINUTES OF THE MUNICIPAL PLANNING COMMISSION WEDNESDAY AUGUST 15, 2018 – 12:30 PM TOWN OF REDCLIFF

PRESENT: Members:

B. Duncan,
L. Leipert (left at 12:32 p.m. ret. at 12:44 p.m.)
J. Steinke, N. Stebanuk,
B. Vine,
B. Stehr

Development Officer:B. StehrDirector of Planning & EngineeringJ. JohansenPlanning SpecialistJ. ZukowskiTechnical Assistant/Recording SecretaryR. ArabskyManager of Legislative & Land ServicesS. Simon

S. Cockle, J. Beach

1. CALL TO ORDER

ABSENT:

Chairman Duncan called the meeting to order at 12:30 p.m.

2. ADOPTION OF AGENDA

Members:

L. Leipert moved that the agenda be adopted as presented. - Carried.

3. PREVIOUS MINUTES

J. Steinke moved that the previous minutes of June 20, 2018 be adopted as presented. - Carried.

4. REPORTS TO MPC

B. Vine moved to receive for information the following Reports to MPC for the MPC Meeting of August 15, 2018:

A) Dates Development Permits advertised in Cypress Courier.

a) June 19, June 26, July 17, July 31 and Aug. 7, 2018.

B) Development Permit Applications approved/denied by Development Officer.

- a) Development Permit Application 18-DP-022
 Kelvin Roach
 Lot 14-15, Block 1, Plan 8150AS (911 2 Street SE)
 Approved: Accessory Building Detached Garage
- b) Development Permit Application 18-DP-023
 Braydn Luba & Amanda Chickeluk
 Lot 10, Block 7, Plan 0021006 (122 Redcliff Way SE)
 Approved: Hot Tub

- c) Development Permit Application 18-DP-024
 William Haynes Law Office
 Lot 14-15, Block 19, Plan 1117V (411 4 Street SE
 Approved: Permit to Stay
- d) Development Permit Application 18-DP-025 Jacueline Barton Lot 22, Block 11, Plan 9511357 (739 7 Street SE) Approved: Above Ground Pool
- e) Development Permit Application 18-DP-026 Trent Krell
 Lot 109, Block 1, Plan 0213235 (39 Riverview Drive SE) Approved: In Ground Pool
- f) Development Permit Application 18-DP-028 Bruce Buckingham Lot 6, Block 2, Plan 7811074 (615 Main Street S) Approved: Deck with Pergola
- g) Development Permit Application 18-DP-029
 Yvonne Kuttnick
 Lot 12, Block 3, Plan 9011355 (612 Sangster Cr. SW)
 Approved: Home Occupation Used Clothing Sales
- h) Development Permit Application 18-DP-030 Trent Krell
 Lot 109, Block 1, Plan 0213235 (39 Riverview Drive SW) Approved: Accessory Building – Pool Shed
- i) Development Permit Application 18-DP-031 Mama's Greenhouse – Andy Vis Lot 21-28, Block 97, Plan 1117V (113 6 Street NW) Approved: Partial Demolition of Greenhouse
- j) Development Permit Application 18-DP-032 South Country Co-op Ltd.
 Lot 16, Block 1, Plan 0610051 (1631 Broadway Ave. E) Approved: Diesel Exhaust Fluid Dispenser
- k) Development Permit Application 18-DP-034
 Dwight Kilpatrick
 Lot 38-40, Block 1, Plan 8150AS (938 3 Street SE)
 Approved: Sunroom & Deck
- I) Development Permit Application 18-DP-035 Krista Evans
 Lot 15, Block 83, Plan 1117V (18 4 Street NE) Approved: Home Occupation – Photography

m) Development Permit Application 18-DP-036
 Crystal Graham
 Lot 18, Block 6, Plan 9611374 (609 2 Street SE)
 Approved: Home Occupation – Homemade Candy (Sugars)
 Note: Development Permit Approved by the Municipal Manager in absence of the Development Officer.

C) Appeals of Development Decisions received since the last MPC Meeting.

a) No appeals of Development decisions have been received.

D) SDAB Decisions rendered since the last MPC Meeting.

a) No SDAB decisions have been rendered since the last MPC Meeting.

E) Council Decisions and Direction related to the Land Use Bylaw since the last MPC.

- a) Council amended the Land Use Bylaw Cannabis Retail Store Overlay to include Lot 28, Block 80, Plan 0613199 (631 South Railway Drive NE).
- Carried.

5. DEVELOPMENT PERMIT APPLICATION(S) FOR MPC CONSIDERATION

A) No Development Permit Applications for MPC Consideration have been received.

L Leipert moved that no Development Permit Applications for MPC consideration have been received. - Carried.

6. ITEMS FOR MPC COMMENT

 A) Land Use Bylaw Amendment Application 2107674 AB Ltd.
 #4 – 116 Broadway Avenue E. (Lots 14-18, Block 73, Plan 755AD) Cannabis Retail Store Overlay

L. Leipert declared a pecuniary interest and abstained from discussion and voting. L. Leipert left the meeting at 12:32 p.m.

J. Steinke moved, with regard to the Application for Land Use Bylaw Amendment from 2107674 AB Ltd. at #4 - 116 Broadway Avenue E. (Lot 14-18, Block 73, Plan 755AD), that the following comment be submitted to Council:

Consensus of the Municipal Planning Commission is that it does not support the application for Land Use Amendment Application from 2107674 AB Ltd. to include the property at #4 - 116 Broadway Avenue E. (Lot 14-18, Block 73, Plan 755AD) in the Cannabis Retail Store Overlay as presented. – Defeated.

L. Leipert returned to the meeting at 12:44 p.m.

Municipal Planning Commission Meeting Minutes – August 15, 2018

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7. ADJOURNMENT

J. Steinke moved adjournment of the meeting at 12:44 p.m. – Carried.

Chairman

Secretary

MINUTES OF THE SPECIAL MUNICIPAL PLANNING COMMISSION MEETING WEDNESDAY AUGUST 29, 2018 – 12:30 PM TOWN OF REDCLIFF

PRESENT: Members:

B. Duncan, L. Leipert, S. Cockle, J. Steinke, B. Vine

ABSENT: Members:

J. Beach N. Stebanuk,

1. CALL TO ORDER

Chairman Duncan called the meeting to order at 12:30 p.m.

2. ADOPTION OF AGENDA

Steinke moved that the agenda be adopted as presented. - Carried.

3. DEVELOPMENT PERMIT APPLICATION(S) FOR MPC CONSIDERATION

 A) Development Permit Application 18-DP-046 Monarch Land Ltd.
 Lot 12, Block 1, Plan 041 1924 (2450 South Highway Drive SE)

L. Leipert moved that Development Permit Application 18-DP-046 for a Storage Yard – Mini Storage be approved with the following conditions:

- 1. The contents of the Storage Yard are limited to those items as defined as a Recreational Vehicle in Redcliff's Land Use Bylaw;
- 2. Storage of dilapidated vehicles is not allowed;
- 3. Shipping Containers will require a separate Development Permit.
- Carried.

Municipal Planning Commission Meeting (Special) Minutes – August 29, 2018

Page 2 of 2

4. ADJOURNMENT

B. Vine moved adjournment of the meeting at 12:44 p.m. – Carried.

Chairman

Recording Secretary

Cypress Courier, The 40 Mile County Commentator, Bow Island, Alberta, Tuesday, August 28, 2018-11

	LOPMENT PERMITS					
NOTICE OF DECISION OF THE DEVELOPMENT OFFICER						
Discretionary Uses:						
Development Permit Application #	Details					
18-DP-045	Lot 45, Block 2, Plan 0213235 (54 Riverview Drive SE) APPROVED: Covered Deck be affected by a Development Per	:				
Discretionary Use m	ay appeal to the Subdivision and De mitting a \$150.00 fee, and written not					
Discretionary Use m Appeal Board by sub reasons for the Appear after this notice is pu	al to the Town Manager within twenty on blished.					
Discretionary Use m Appeal Board by sul reasons for the Appea	mitting a \$150.00 ree, and when you al to the Town Manager within twenty on blished. or Information Only: Details					
Discretionary Use m Appeal Board by suit reasons for the Appea after this notice is put Permitted Uses – For Development	mitting a \$150.00 ree, and when you al to the Town Manager within twenty on blished. In Information Only:					
Discretionary Use m Appeal Board by suit reasons for the Appeal after this notice is puid Permitted Uses – For Development Permit Application #	mitting a \$150.00 ree, and when twenty on al to the Town Manager within twenty on blished. Information Only: <u>Details</u> Lot 11, Block 148, Plan 0714646 (115 Broadway Ave. W)	e (21) da				

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8-Cypress Courier, The 40 Mile County Commentator, Bow Island, Alberta, Tuesday, September 4, 2018

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NOT	DEVELOPMENT PERMITS
Disc	cretionary Uses:
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Dor	u Analigation # Details
1 .	
18-	
	Storage Yard - The Storage
	Development Permit for a
De la	arsons claiming to be affected by a bottom and Development
1	inarctionary Use may appear
	and the submitting a \$150.00 fee, and the submitting the submittin
	ppeal Board by submitting a \$150.00 fee, and writes ppeal Board by submitting a \$150.00 fee, and writes easons for the Appeal to the Town Manager within twenty one (21) days
re	easons to a so the published.
11	Permitted Uses – For Information Only:
1.	
	Lot 6, Block 8, Plan 55 (22-
- 1	(114 Elbow Drive NE)
11	APPROVED: Addition Brian Steh
100	

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Brian Stehr

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er

Dear Brian,

I am so sorry, we would like to withdraw or cancel our development permit application for **Unit #1 631 South Railway Drive NE TOJ 2P0 Redcliff, AB.**

We reached our capacity for 37 locations in Alberta, and cannot take on more. We thank you so much for all of your assistance, and regret having to withdraw. We look forward to working with you in the future if the licensing cap allows us more cannabis retail locations. We greatly appreciate the work of Council, your staff and your assistance.

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:ANN CABANA

Irene Ho

 Marketing Coordinator

 #149, 2634 45 Ave SE, Calgary, Alberta, T2B 3M1

 P: 403.265.4207
 F: 403.265.4244

 C: 587.889.8892

 www.cannacabana.com

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DEVELOPMENT PERMIT APPLICATION

Application #: 18-DP-04

APPLICANT INFORMATION							
Applicant			Property Owner (if different)				
WILDE POSS	IBILIT	IES		있다. 이번 100 - 100 - 100 위험 이번 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100 - 100			
Phone			Phone				
403 979	1789						
+swilde@ha			Email				
Mailing Address 626 1st STR	LEET S	Ŵ	Mailing Address				
city MEDICINE HAT	Province AB	Postal Code	City	Province	Postal Code		

LOCATION OF DEVELOPMENT					
Civic Address	MITCHELL ST NE, REDCLIFF AB				
Legal Address	NW 1/4 SEC 16- 13-6-W 4th Plan.				

DESCRIPTION OF DEVELOPMENT					
Proposed Development:					
SEA CONTAINER STORAGE SITE					
Proposed Application:	Proposed Setbacks:				
	Front: 0.00				
New Residential	Left: 0.00				
Commercial/Industrial	Back:				
Home Occupation	Right:				
Permit to Stay					
Addition Land Use District					
Change of Use	UR-URBAN RESERVE DISTRICT				
□ Sign	Value of Development				
Accessory Building	\$170 000				
Deck Estimated Completion Date					
Demolition					
DV Other (please specify) SEA CONTAINER MAY 157, 2019					

STORAGE SITE



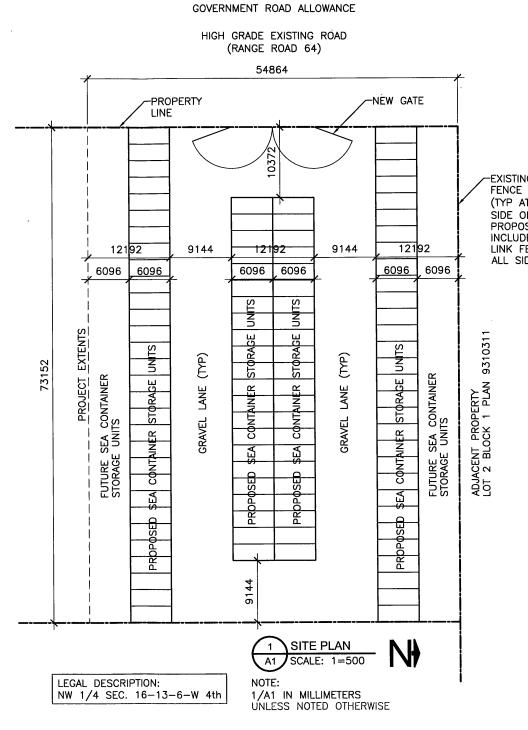
DEVELOPMENT PERMIT APPLICATION

- 1. Failure to fully complete this form and/or supply the required information may result in a delay of the application process.
- 2. Development Permit fees must accompany this application prior to its review.
- 3. A Development Permit does not become effective until the appeal period has expired or until any made appeal has been heard and a decision rendered.
- 4. If a decision has not been issued within 40 days of the date the application is deemed refused. An appeal of the refusal may be made to the Subdivision and Development Appeal Board within 14 days.
- 5. A Development Permit shall be void after 12 months of no progress.
- 6. A Development Permit is NOT a Building Permit or Business License. Any approvals granted regarding this application does not excuse the applicant from complying with Federal, Provincial, or other Municipal requirements.
- 7. The Development Permit does not override conditions of any easement, restrictive covenant, architectural controls, or agreement affecting the building and/or lands. The Applicant is still responsible to comply with any and all of these conditions.
- 8. An authorized person designated by the municipality is allowed to enter subject land and buildings for the purpose of an inspection with respect to this application only. The time and date of inspection to be mutually agreed upon by both parties.

I have read, understood, and agree to the above information. The information I have provided is true, and to the best of my knowledge and abilities, is accurate and complete.

NAME (please print): THOMAS	WILDE				
SIGNATURE: HUSSING WILdus					
DATE: AUGUST 14,2018					
FOR OFFICE USE ONLY					
Received by: Brian	Date: lugust 16/1	8			
Permitted Use	Designated Use:				
 Discretionary Use – Development Of Discretionary Use - MPC 	fficer Storage ford- off Date Issued:	ini Storas			
Receipt # 47168 Fee 200	Date Issued:				
Current Certificate of Title					
Notes:					

Personal information collected on this form is collected in accordance with Sections 683, 685, and 686 of the Alberta Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy Act. <u>Please note that such information may be made public.</u> If you have any questions about the collection of information, please contact the Town of Redcliff's FOIP Coordinator at 403.548.3618.



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PRIME CONSULTANT:				
ISSUED FOR:	DATE:			
CLIENT REVIEW	2018.08.08			
<u> </u>				
REVISION:	REVISION: DATE:			
PROJECT: STORAGE CONTAINER FACILITY PROJECT				
CLIENT: THOMAS S. WILDE				
DRAWN: SCALE: JB AS NOTED				
DRAWING TITLE: EXISTING & NEW FLOOR PLANS				
A 1	1			

-EXISTING CHAINLINK

FENCE (TYP AT NORTH SIDE OF PROPERTY) PROPOSAL TO INCLUDE CHAIN LINK FENCE ON ALL SIDES

Wilde Possibilities

626 1st Street SW Medicine Hat, AB T1A 3Z4 403 979 1789 (cell) tswilde@hotmail.com

14th August 2018

Town of Redcliff

Brian Stehr, Development Officer #1 3rd Street NE Redcliff, AB TOJ 2P0

To Brian Stehr, Development Officer;

In the challenging market for light industrial land that we are presently faced with, Wilde Possibilities is exploring various options to facilitate subdividing areas in this ¹/₄ section.

One option is to look into a condo corp business park with individual office shop areas and one common office with a shared secretary and boardroom. This could also have a shared storage area. This concept has been successful in many cities because it has a very broad based clientele.

In the meantime, the area we are looking at for our storage site would likely be the last portion to be subdivided. This project would create interest in the area and attract potential buyers into our concept. This will generate capital to be used in our plans for future development.

Sincerely,

These with

Thomas Wilde Wilde Possibilities



MUNICIPAL PLANNING COMMISION

Planning & Engineering Report

September 6, 2018Development Permit Application:18-DP-042Applicant:Wilde PossibilitiesOwner:Wilde PossibilitiesProperty Address:616 Mitchell Street NLegal Address:4;6;13;16;W4Land Use:UR – Urban Reserve DistrictDevelopment Officer:Brian Stehr

1. BACKGROUND:

On August 16, 2018 P. Wilde of Wilde Possibilities submitted a Development Permit Application for a Storage Yard – Mini Storage yard at the north side of 616 Mitchell Street N.

2. PLANNING & ENGINEERING COMMENTS

Wilde Possibilities is looking to utilize a portion of their lands for a storage yard consisting of storage containers.

Section 111 **UR – Urban Reserve District** of the Town's Land Use Bylaw lists a Storage Yard – Minis Storage as a **Discretionary Uses - Commission** Section 93 **C-HWY Highway Corridor Commercial District** of the Town's Land Use Bylaw lists Storage Yard – Mini Storage as a **Discretionary Uses – Commission** and is being brought forward to the Municipal Planning Commission for a decision.

Redcliff's Land Use Bylaw defines Storage Yard - Mini Storage as:

 Means a development designed for the storage of goods, materials and/or equipment, or development including a series of enclosed storage bays or lockers. Shipping Containers may be used for storage purposes. Outdoor Storage is a separate use.

The submitted Site Plan indicates that the Applicant intends to fence the area with the entrance onto Mitchell Street N.

A visual inspection of the property indicates that the area is in the fringe area of developed areas within the Town. Adjacent property is an oil and gas servicing industry, and vacant lands.

The properties that are adjacent to Mitchell Street north of the Trans-Canada highway, are a mixture of Commercial and Industrial businesses, with an acreage on the west side of the road.

The properties along this section of Mitchell Street would not be negatively impacted by the increased traffic from the proposed development.

The Municipal Development Plan has identified this area as future industrial development. In the opinion of the Development Officer the proposed development will not hinder future industrial development in this area, because of the temporary nature of the proposed development.

The Director of Planning & Engineering has no concerns with another access onto Mitchell Street N.

Because of the size of the proposed development a Site Drainage Plan is recommended to ensure proper and responsible management of storm water.

3. RECOMMENDATION:

- 1. MPC member ______ moved that Development Permit Application 18-DP-042 for a Shipping Container be approved with the following conditions:
 - 1. The Shipping Containers must maintain a minimum of 1.0 meters from the property line;
 - 2. The Shipping Containers are to be a neutral color, and in good condition;
 - 3. Access from proposed site onto Mitchell Street N. to be approved by the Director of Planning & Engineering and to meet the Town of Redcliff's construction standards;
 - 4. A Site Drainage Plan approved by the Director of Planning & Engineering;
 - 5. The Development Permit is valid for five (5) years;
 - 6. The Town will issue a permit in year 4 if in the opinion of the Development Authority that the Shipping Container is not causing a negative impact on the adjacent properties, and still complies with the Site Plan, and the conditions of the Development Permit;
 - 7. Where the Town finds that the conditions of the Development Permit &/or the Site Plan are not been met or that the use is causing undesirable impacts to the Town, the Town will issue a notice to the Applicant six (6) months in advance of the expiring permit, that the Town will not be automatically renewing the use and Development Permit. The notice to the Applicant must include:
 - i. The reasons the permit is not being renewed,
 - ii. The date of the permit expiring, and
 - iii. That if the Applicant wishes to continue with the use, the Applicant must make submit a new application for a Development Permit.
 - 8. Should the Town fail to issue a new Development Permit before the expiration of this Development Permit the Development will automatically be renewed for another five (5) years.



P.O. Box 40 - 1 – 3rd Street NE Redcliff, Alberta TOJ 2P0 Phone 403-548-3618 Fax 403-548-6623 Email <u>redcliff@redcliff.ca</u> www.redcliff.ca

Subdivision Authority Report

File: (2018) SUB 01

Applicant / Agent of Applicant: Town of Redcliff, Benchmark Geomatics Inc. (Agent)

Applicant / Agent contact information

Box 40, #1 – 3rd Street N.E. Redcliff, AB T0J 2P0

Legal Surveyor: Dean Fischer A.L.S., Benchmark Geomatics Inc.

Current Legal Description: Lot 5, Block A, Plan 021 1147

Municipal Address: 101 1st Street NE

Land Owner: Redcliff Fibre LP

Type of Subdivision: I2 - Heavy Industrial District

Purpose of Subdivision: To create a Public Utility Lot (PUL) for lift station surge tanks

Subdivision by: (x) Plan () Instrument

Current Zoning: I2 – Heavy Industrial District

Number of Lots Created: 2

Reserve Status: () Required (x) Not Required

Items attached to this report:

a. Proposed Subdivision Background Report



P.O. Box 40 - 1 – 3rd Street NE Redcliff, Alberta TOJ 2P0 Phone 403-548-3618 Fax 403-548-6623 Email <u>redcliff@redcliff.ca</u> www.redcliff.ca

- i. Subdivision Application Form
- ii. Tentative Plan Showing Subdivision of a Portion of Lot 5, Block A, Plan 021 1147
- iii. Subject Lands Sketch
- iv. Certificate of Title
- v. Map of Abandoned Wells
- b. Circulation list
 - i. Town of Redcliff Administration
 - ii. Affected Agencies
 - iii. Adjacent Property Owners
- c. Proposed Subdivision Evaluation Checklist

Administrative Summary

Subdivision Authority Report: (September 12, 2018)

This application was circulated to affected agencies, adjacent property owners, and Town of Redcliff Administration to comment. Comments were to be received by September 10, 2018.

The following is a summary of the comments received by September 10, 2018 from affected Agencies:

City of Medicine Hat Electric Department - no concerns or comments on the project

City of Medicine Hat Gas Department – Distribution – no comments or concerns

City of Medicine Hat Planning and Development Services - no concerns

Cypress County Planning Department - no objections or further comments

Alberta Infrastructure & Transportation – The subject property is within the noted control lines; however, given that development setbacks will be maintained by default and all access to the highway is indirect by way of the town's internal street system, in this instance, a **permit from Alberta Transportation will not be required**, and development of the public utility lot could proceed under the direction, control, and management of the Town of Redcliff subdivision and development land use authority.

All other agencies circulated did not return comments.



P.O. Box 40 - 1 – 3rd Street NE Redcliff, Alberta TOJ 2P0 Phone 403-548-3618 Fax 403-548-6623 Email <u>redcliff@redcliff.ca</u> www.redcliff.ca

The following is a summary of the comments received by September 10, 2018 from Town of Redcliff Administration:

Director of Public Services - No comments/concerns on this application

Taxation Department - Taxes are paid on this property

The following is a summary of the comments received from adjacent land owners:

Resident of Lot 56, Block 132, Plan 0613922 was concerned with the property's view being obstructed by aboveground surge tanks, and concerned with the look of the site and potential odours.

This resident received explanation that the surge tanks will be below ground, and will not obstruct views. The resident also received an explanation that the surge tanks will only be used during extreme wet weather events and in emergency situations, and will be equipped with an interior sprinkler system to clean the surge tanks after they have been used, greatly reducing the potential for odours being released.

Administration Recommendation(s)

The Town of Redcliff recommends Approval of Subdivision Application (2018) SUB 01 with the following conditions:

- i. All taxes paid, and
- ii. Properties Lot 6PUL, Block A, Plan 021 4367and Lot 7PUL, Block A, Plan _____ are consolidated within six months of endorsement.



P.O. Box 40 - 1 – 3rd Street NE Redcliff, Alberta TOJ 2P0 Phone 403-548-3618 Fax 403-548-6623 Email <u>redcliff@redcliff.ca</u> www.redcliff.ca

Proposed Subdivision Background Report

File: (2018) SUB 01

Applicant / Agent of Applicant: Town of Redcliff, Benchmark Geomatics Inc. (Agent)

Applicant / Agent contact information

Box 40, #1 – 3rd Street N.E. Redcliff, AB T0J 2P0

Phone Number: (403) 548 9263

Fax Number: (403) 548 6623

Email: rebeccaa@redcliff.ca

Legal Surveyor: Dean Fischer A.L.S., Benchmark Geomatics Inc.

Current Legal Description: Lot 5, Block A, Plan 021 1147

Municipal Address: 101 1st Street NE

Land Owner: Redcliff Fibre LP

Type of Subdivision: I2 - Heavy Industrial District

Purpose of Subdivision: To create a Public Utility Lot (PUL) for lift station surge tanks

Subdivision by: (x) Plan () Instrument

Current Zoning: I2 – Heavy Industrial District

Number of Lots Created: 2

Reserve Status: () Required (x) Not Required



P.O. Box 40 - 1 – 3rd Street NE Redcliff, Alberta TOJ 2P0 Phone 403-548-3618 Fax 403-548-6623 Email <u>redcliff@redcliff.ca</u> www.redcliff.ca

Administrative Review

Background Information: (Aug. 27, 2018)

This application is intended to subdivide a 12.445 ha (30.752 acres) I2 – Heavy Industrial parcel (Lot 5, Block A, Plan 021 1147) into two parcels with separate certificates of title. The land is currently zoned I2- Heavy Industrial and has a factory on the parcel, as well as a vast amount of vacant land.

The proposed subdivision will create a 0.107 hectare (0.264 acres) Public Utility Lot (PUL) to install lift station surge tanks. Once this new parcel is subdivided it will be consolidated with Lot 6PUL, Block A, Plan 021 4367 directly to the west to create one large site, and certificate of title for the sanitary lift station and surge tanks. The purpose of this subdivision application is to ensure sanitary infrastructure and capacity is available for future growth.

There are residential properties located directly to the north and west of the proposed subdivision, currently zoned R4 – Manufactured Home Residential District and R3 – Medium Density Residential District.

Under Section 2.1 of the Highway Vicinity Highway Management Agreement, and Section 14 of the Subdivision and Development Regulation, this proposed subdivision falls within this Agreement. Section 2.3 of this Agreement confirms this subdivision application does not need to be referred to the Deputy Minister of Transportation because the parcel being subdivided is not directly adjacent to the Trans Canada Highway. Also, Section 3.3 of this Agreement and the Subdivision and Development Regulation states that land meeting the requirements of the Land Use Bylaw is also deemed to meet the land use requirements as per Section 14(d) of the Subdivision and Development Regulation.

The Tri-Area Intermunicipal Development Plan (IDP) identifies the Urban Referral Area. This subdivision application is located within this area. Under Section 2.14.2(c) in the Tri-Area IDP this subdivision application is being circulated to Cypress County to provide information regarding urban planning in the Town of Redcliff.

According to Geodiscover there are no abandoned gas wells in the location of the proposed subdivision. Map attached.

SUBDIVISION AND DEVELOPMENT REGULATION (section 4)

APPLICATION FOR SUBDIVISION APPROVAL	For official use only		
Date of receipt of completed Form 2018-06-11	Fee submitted:	File No.	

THIS FORM IS TO BE COMPLETED IN FULL WHEREVER APPLICABLE BY THE REGISTERED OWNER OF THE LAND THAT IS THE SUBJECT OF THE APPLICATION OR BY A PERSON AUTHORIZED TO ACT ON THE REGISTERED OWNER'S BEHALF

NAME OF REGISTERED OWNER OF LAND TO BE SUBDIVIDED. ADDRESS, POSTAL CODE AND PHONE NO. -

Redcliff Fibre LP NAME OF AGENT (PERSON AUTHORIZED TO ACT ON BEHALF OF REGISTERED OWNER), IF ANY. ADDRESS, POSTAL 2. CODE AND PHONE NO. Dean Fischer, A.L.S. / Benchmark Geomatics Inc. #102 - 2201 Box Springs Blvd. NW, Medicine Hat, AB. T1C 0C8 3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED All/part of the 1/4 sec west of meridian twp. range Reg. Plan No. _0211147 _{С.О.Т. No} 051 340 861 Being all/parts of Lot 5 Block A 12.44 30.74 Area of the above parcel of land to be subdivided hectares acres Municipal address (if applicable) 4. LOCATION OF LAND TO BE SUBDIVIDED a. The land is situated in the municipality of ______Redcliff AB Yes 🗆 b. Is the land situated immediately adjacent to the municipal boundary? If "yes", the adjoining municipality is Yes 🗹 c. Is the land situated within 0.8 kilometres of the centre line of a highway right of way? If "yes", the highway is No. #1 d. Does the proposed parcel contain or is it adjacent to a river, stream, lake or other body of water or by a drainage ditch or

Yes 🗆 No 🗹 canal? If "ves", state its name

e. Is the proposed parcel within 1.5 kilometres of a sour gas facility?	Yes 🗆	No

5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

- Describe:
- a. Existing use of the land vacant b. Proposed use of the land Public Utility lot for lift station

c. The designated use of the land as classified under a land use bylaw Heavy Industrial 6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED (WHERE APPROPRIATE)

a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) ______Flat

b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc., - sloughs, creeks, etc.) Non-manicured grass

c. Describe the kind of soil on the land (sandy, loam, clay, etc.) Sandy

7. EXISTING BUILDINGS ON THE LAND TO BE SUBDIVIDED

Describe any buildings and any structures on the land and whether they are to be demolished or moved None

8. WATER AND SEWER SERVICES

If the proposed subdivision is to be served by other than a water distribution system and a wastewater collection system, describe the manner of providing water and sewage disposal.

No 🗹

No 🗆

SUBDIVISION AND DEVELOPMENT REGULATION (section 4)

REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S B

9.	REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF
	Dean Fischer, A.L.S.
	(Full Name)
	□ I am the registered owner, or □ I am the agent authorized to act on behalf of the registered owner
and	I that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating
	his application for subdivision. Heress #102 - 2201 Box Springs Blvd. NW, Medicine Hat, AB. T1C 0C8 (Signed)
Ado	dress (Signed) (Signed)
Pho	Date 2018-06-11
тні	E FOLLOWING ADDITIONAL INFORMATIION MUST BE PROVIDED
1.	Number of Parcels being created 1
2.	Size of parcels being created 0.11 ha
3.	Reason for Subdivision To create a Public Utility Lot for the purposes of a lift station
4	Any other relevant information in support of application Application requested by James Johansen,
4.	Director of Planning & Engineering for the Town of Redcliff.
insp	SHT OF ENTRY: I hereby authorize the agent of the Redcliff Planning Board to enter my land for the purpose of conducting a site section in connection with the application for subdivision approval. This right is granted pursuant to Section 653 (2) of the Municipal vernment Act.
	Property Owner's Signature

The application fee is \$350.00 plus \$100.00 per proposed lot, excluding parcels proposed as reserve or public utility lots.

After approval has been granted a fee of \$100.00 must be paid to have the final plan of survey or other instrument checked and endorsed prior to registration at the Land Titles Office.

NOTE: There is no obligation for the Subdivision Approving authority to return to the applicant either a subdivision application or any documentation accompanying it. Fees are not refundable once a complete application has been accepted.

THIS SECTION FOR OFFICAL USE

SUBDIVISION AND DEVELOPMENT REGULATION (section 4)

APPLICATION FOR SUBDIVISION APPROVAL	For official use only	
Date of receipt of completed Form 2018-06-11	Fee submitted:	File No.

THIS FORM IS TO BE COMPLETED IN FULL WHEREVER APPLICABLE BY THE REGISTERED OWNER OF THE LAND THAT IS THE SUBJECT OF THE APPLICATION OR BY A PERSON AUTHORIZED TO ACT ON THE REGISTERED OWNER'S BEHALF

1. NAME OF REGISTERED OWNER OF LAND TO BE SUBDIVIDED. ADDRESS, POSTAL CODE AND PHONE NO. -

Redcliff GP Inc. Suite 204, 430 - 6th Avenue SE, Medicine Hat, AB, T1A 2S8

2. NAME OF AGENT (PERSON AUTHORIZED TO ACT ON BEHALF OF REGISTERED OWNER), IF ANY, ADDRESS, POSTAL CODE AND PHONE NO.

Dean Fischer, A.L.S. / Benchmark Geomatics Inc.

#102 - 2201 Box Springs Blvd. NW, Medicine Hat, AB. T1C 0C8

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED

5.	LEGAL DESCRIPTION	AND AREA OF	LANDIO	BE SUBDIVIDED	,				
	All/part of the	_ 1/4 sec	twp	range	west of	merid	ian		
	Being all/parts of Lot	;	Block A	_ Reg. Plan No.	0211147	C.O.	т. _{No} _051	34	0 861
	Area of the above parce			12 11	hectares	30.74	acres		
	Municipal address (if ap	pplicable)							
4.	LOCATION OF LAND	TO BE SUBDIV	IDED						
	a. The land is situated i	in the municipali	ty ofRedo	cliff AB					
	b. Is the land situated ir	mmediately adja	cent to the m	unicipal bounda	γ?	Yes		No	
	If "yes", the adjoinin	g municipality is	N						
	c. Is the land situated w If "yes", the highway		res of the ce	ntre line of a hig	nway right of wa	y? Yes		No	
	d. Does the proposed p	parcel contain or	is it adjacent	t to a river, stream	n, lake or other l	oody of water o	r by a draina	nge d	itch or
	canal? If "yes", state its nam	ie				Yes		No	
	e. Is the proposed parc	el within 1.5 kilo	metres of a s	our gas facility?		Yes		No	
5.	EXISTING AND PROP	OSED USE OF	LAND TO BI	E SUBDIVIDED					
	Describe:								
	a. Existing use of the la								
	b. Proposed use of the	land Public l	Jtility lot f	for lift station	1				
	c. The designated use	of the land as cla	assified unde	r a land use byla	w Heavy Ind	dustrial			
6.	PHYSICAL CHARACT								
	a. Describe the nature of	of the topograph	y of the land	(flat, rolling, stee	p, mixed) Flat				
	b. Describe the nature of creeks, etc.) Non-manicured	of the vegetation	and water o	n the land (brush	n, shrubs, tree st	ands, woodlots	, etc., - slou	ghs,	
	c. Describe the kind of	soil on the land (sandy, loam,	, clay, etc.) Sar	ndy				
7.	EXISTING BUILDINGS								
	Describe any buildings None	and any structur	es on the lar	nd and whether t	ney are to be der	molished or mo	oved		

8. WATER AND SEWER SERVICES

If the proposed subdivision is to be served by other than a water distribution system and a wastewater collection system, describe the manner of providing water and sewage disposal.

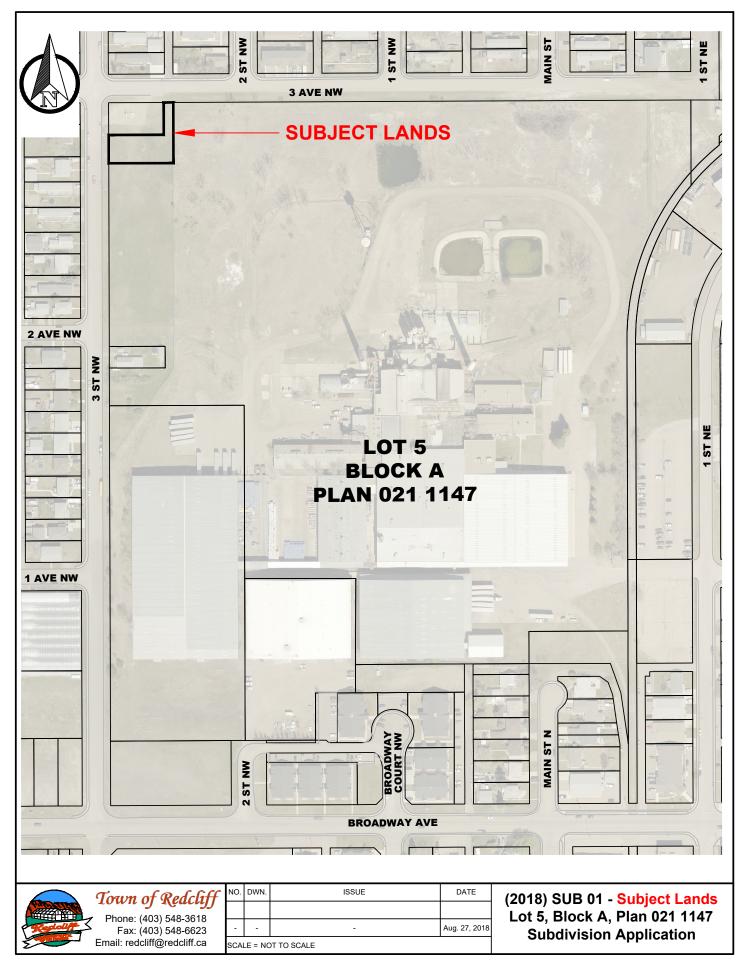
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SUBDIVISION AND DEVELOPMENT REGULATION (section 4)

NOTE: There is no obligation for the Subdivision Approving authority to return to the applicant either a subdivision application or any documentation accompanying it. Fees are not refundable once a complete application has been accepted.

THIS SECTION FOR OFFICAL USE

TENTATIVE PLAN SHOWING SUBDIVISION OF A PORTION OF LOT 5, BLOCK A, PLAN 021 1147 STREET STREET 0613922 NN NN LANE BLOCK 130 BLOCK 131 BLOCK 131 PLAN 981 1474 PLAN 981 1474 PLAN 1117 V က 2 **3 AVENUE 3 AVENUE NW** NW 6.8 R/W PLAN 021 4368 LOT 6PUL PLAN 1117 STREET NW **BLOCK A** PLAN 021 4367 39.0 42. LOT 5 BLOCK A PLAN 021 1147 20.0 LOT 7PUL BLOCK 121 **BLOCK A** က AREA: 1071m² 0300 45.8 0.107 ha LOT 5 981 **BLOCK A** PLAN 021 1147 PLAN BLOCK 121 0300 981 LOT 5 **BLOCK A** PLAN PLAN 021 1147 BLOCK 121 -AN 1117 V STREET NW LOT 5 **BLOCK A** 2 AVENUE PLAN 021 1147 NW BLOCK 101 3221 က **PLAN 1117 V** LAN 001 Π FILE NO. 18060260 Benchmark Geomatics Inc. SCALE: 1.1000 Unit 102, Westside Common #2201 Box Springs Boulevard NW Medicine Hat, AB T1C 0C8 Phone (403)527-3970 Fax (403)527-3908 DATE: JULY 25/18 DRAWN BY: CLF CHECKED BY: DDF





LAND TITLE CERTIFICATE

S LINC SHORT LEGAL TITLE NUMBER 051 340 861 0029 722 394 0211147;A;5 LEGAL DESCRIPTION DESCRIPTIVE PLAN 0211147 BLOCK A LOT 5 CONTAINING 12.44 HECTARES (30.74 ACRES) MORE OR LESS EXCEPTING THEREOUT: PLAN HECTARES (ACRES) MORE OR LESS NUMBER SUBDIVISION 0214367 0.089 0.22 EXCEPTING THEREOUT ALL MINES AND MINERALS ATS REFERENCE: 4;6;13;17;S ESTATE: FEE SIMPLE MUNICIPALITY: TOWN OF REDCLIFF REFERENCE NUMBER: 021 451 941 +1 _____ REGISTERED OWNER(S) REGISTRATION DATE (DMY) DOCUMENT TYPE VALUE CONSIDERATION ------_____ 051 340 861 15/09/2005 TRANSFER OF LAND SEE INSTRUMENT OWNERS REDCLIFF GP INC. OF SUITE 204,430-6TH AVENUE SE MEDICINE HAT ALBERTA T1A 2S8 _____ ENCUMBRANCES, LIENS & INTERESTS REGISTRATION NUMBER DATE (D/M/Y) PARTICULARS -----_____ - - - -831 196 856 26/10/1983 CAVEAT **RE : EASEMENT** CAVEATOR - THE CITY OF MEDICINE HAT. ATTENTION: GAS UTILITIES MANAGER

(CONTINUED)

_____ ENCUMBRANCES, LIENS & INTERESTS PAGE 2 # 051 340 861 REGISTRATION NUMBER DATE (D/M/Y) PARTICULARS _____ . _ _ _ _ _ _ _ _ _ _ _ -----CITY HALL 580-1 ST SE MEDICINE HAT ALBERTA T1A8E6 "DATA UPDATED BY: TRANSFER OF CAVE NO 871039365" 961 214 836 16/09/1996 UTILITY RIGHT OF WAY GRANTEE - THE TOWN OF REDCLIFF. AS TO PORTION OR PLAN: 9611917 971 083 588 26/03/1997 UTILITY RIGHT OF WAY GRANTEE - THE TOWN OF REDCLIFF. AS TO PORTION OR PLAN: 9710589 021 100 096 26/03/2002 CAVEAT **RE : DEVELOPMENT AGREEMENT** CAVEATOR - THE TOWN OF REDCLIFF. C/O PRITCHARD & COMPANY BOX 100 430 6TH AVE S.E. MEDICINE HAT ALBERTA T1A7E8 AGENT - WILLIAM J ANHORN 021 451 945 23/12/2002 UTILITY RIGHT OF WAY GRANTEE - THE TOWN OF REDCLIFF. AS TO PORTION OR PLAN:0214368 TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 21 DAY OF AUGUST, 2018 AT 04:29 P.M.

ORDER NUMBER: 35740542

CUSTOMER FILE NUMBER: 2018 SUB 01



END OF CERTIFICATE

PAGE 3 # 051 340 861

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

Map Results



Legend

Abandoned Wells (Large Scale)

O Revised Well Location (Large Sca

Revised Location Pointer
 Citations

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Alberta Government GeoDiscover Alberta

Tuesday, August 21, 2018 12:35:54 -06:00		
0.5	0.23	0.5Kilometers Map Scale: 1: 9,028
	0	

		Town of Redcliff Administration
Town of	Redcliff Mu	nicipal Manager
Town of	Redcliff Pul	blic Services
		islative & Land Services
Town of	Redcliff Co	mmunity & Protective Services
Town of	Redcliff Fin	ance Department
		ation Department
Town of	Redcliff Mu	nicipal Planning Commission Chairman
		Affected Agencies
Prairie F	Rose Region	al Division #8
		Electric Department
		Gas Department - Distribution
		Gas Department - Natural Gas & Petroleum Resources
		, Planning & Development Services
	ommunicatio	
	able System	is G.P.
Canada		
Alberta	Infrastructur	e & Transportation
		nning Department
Area Ma	anager, Can	adian Pacific Railway
		Adjacent Bronerty Owners
		Adjacent Property Owners
Lot	Block	Plan
Lot 42	Block 121	
		Plan
42	121	Plan 9810300
42 41	121 121	Plan 9810300 9810300
42 41 23-25 21-22 43	121 121 121 121 121 130	Plan 9810300 9810300 1117V
42 41 23-25 21-22	121 121 121 121 121	Plan 9810300 9810300 1117V 1117V
42 41 23-25 21-22 43	121 121 121 121 130 131 131	Plan 9810300 9810300 1117V 1117V 9811474 9811474 1117V
42 41 23-25 21-22 43 43 38-40 56	121 121 121 121 130 131 131 132	Plan 9810300 9810300 1117V 1117V 9811474 9811474 1117V 0613922
42 41 23-25 21-22 43 43 38-40 56 14	121 121 121 121 130 131 131 132 100	Plan 9810300 9810300 1117V 1117V 9811474 9811474 1117V 0613922 0013221
42 41 23-25 21-22 43 43 38-40 56 14 13	121 121 121 121 130 131 131 132 100 100	Plan 9810300 9810300 1117V 1117V 9811474 9811474 1117V 0613922 0013221 0013221
42 41 23-25 21-22 43 43 38-40 56 14 13 12	121 121 121 130 131 131 132 100 100 100	Plan 9810300 9810300 1117V 1117V 9811474 9811474 1117V 0613922 0013221 0013221 0013221
42 41 23-25 21-22 43 43 38-40 56 14 13	121 121 121 121 130 131 131 132 100 100	Plan 9810300 9810300 1117V 1117V 9811474 9811474 1117V 0613922 0013221 0013221 0013221 0013221 0013221
42 41 23-25 21-22 43 43 38-40 56 14 13 12 11 1	121 121 121 121 130 131 131 132 100 100 100 100 A	Plan 9810300 9810300 1117V 1117V 9811474 9811474 1117V 0613922 0013221 0013221 0013221 9710588
42 41 23-25 21-22 43 43 38-40 56 14 13 12 11 11 19-20	121 121 121 121 130 131 131 132 100 100 100 100 A 101	Plan 9810300 9810300 1117V 1117V 9811474 9811474 1117V 0613922 0013221 0013221 0013221 0013221 1117V
42 41 23-25 21-22 43 43 38-40 56 14 13 12 11 1 19-20 39-40	121 121 121 121 130 131 131 132 100 100 100 100 A 101 121	Plan 9810300 9810300 1117V 1117V 9811474 9811474 9811474 0613922 0013221 0013221 0013221 9710588 1117V
42 41 23-25 21-22 43 43 38-40 56 14 13 12 11 1 19-20 39-40 37-38	121 121 121 121 130 131 131 132 100 100 100 100 100 A 101 121 121	Plan 9810300 9810300 1117V 1117V 9811474 9811474 1117V 0613922 0013221 0013221 0013221 9710588 1117V 1117V
42 41 23-25 21-22 43 43 38-40 56 14 13 12 11 1 19-20 39-40	121 121 121 121 130 131 131 132 100 100 100 100 A 101 121	Plan 9810300 9810300 1117V 1117V 9811474 9811474 9811474 0613922 0013221 0013221 0013221 9710588 1117V
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42 41 23-25 21-22 43 43 38-40 56 14 13 12 11 19-20 39-40 37-38 45	121 121 121 121 130 131 132 100 100 100 100 100 100 A 101 121 121 121	Plan 9810300 9810300 1117V 1117V 9811474 9811474 1117V 0613922 0013221 0013221 0013221 9710588 1117V 1117V 9810300

(2018) SUB 01 – Circulation List

1-2	133	1117V
41	133	9811474
60	133	9812329
38-40	134	1117V
1	135	0111821
6	117	8210827
7PUL	1117	8210827
2	117	8210827
1	117	8210827
	С	2326JK
U1	D	4476JK
1	D	4476JK
6	87	9610108
5	87	9610108
43PUL	88	0111562
29-30	88	1117V
42PUL	88	0111562
Unit	00	0710130
27		0710130
		0710120
Unit		0710130
28		0740400
Unit		0710130
29		0740400
Unit		0710130
30		
Unit		0710130
31		
Unit		0710130
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Unit		0710130
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Unit		0710130
39		
Unit		0710130
40		
Unit		0710130
41		0110100
Unit		0710130
42		0710130
42 Unit		0710130
		07 10130
43	0.0	0540070
44	88	0512979

File: (2018)	SUB	01
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Schedule 7 – Subdivision Evaluation	Checklist			
MUNICIPAL PLANNING COMMISSION	N - SUBDIVI	SION EVAL	UATION CHE	
Subdivision File Number: (2018) SUB	3 01 Da	ate: Sept. 12,	, 2018	
Type of Subdivision: I2 – Heavy Indus	strial District			
Land Use District				
Existing Land Use District: I2 – Heavy In	ndustrial Distric	rt -		
Correct District for this subdivision? No			w amendmen n Application	
Yes	es√_ Pr	oceed to nex	t section	
Municipal Development Plan Does the subdivision conform to the Mun Comments:				
Property Taxes				
Have taxes been paid on the property to	be subdivided	d? Exempt	Yes_∕	No
Land Use Bylaw				
Does the proposed subdivision meet the	e requirements	of the Land	Use Bylaw ar	nd the District?
Minimum lot size:		N/A_✓	Yes	No
Other District Requirements?			Yes∕_	No
If no, explain:				
Are there existing buildings on the prope	erty impacted ł	by the subdiv	vision? Yes_	No_✓
Has a real property report been submitte	ed? N/	A	Yes	No✓_

File: (2018) SUB 01

Property File

Review and/or update Property File?	Yes	No_✓
Comments: Due to the purpose of the proposed subdiv being separated off there is no need to review the property file or		
Adjacency Matters		
Is the subdivision located on the edge of Town?	Yes	No✓_
Has the adjacent municipality responded? N/A	Yes✓_	No
Comments: No concerns were noted from the City of Mec	licine Hat and C	Cypress County.
Have any notified adjacent land owners responded?	Yes_√	No
Comments: Looking for more information on potential odd once surge tanks are installed.	ours and how th	e site will look
Are there any gas or oil wells within 100 m of the subdivision? Other:	Yes	
Comments:		
Are there any rights of way crossing the property?	Yes∕_	No
Is the subdivision located along the TransCanada Highway?	Yes	No✓_
Is the subdivision within 300 metres of a non-operating landfill?	Yes	No∕_
(Section 13(3)(b) of the Subdivision and Development Regulation	ו)	
If yes, has notification been provided to Alberta Environm	ent? Yes_	No
(Note: Subdivision shall not be approved without consent	t of Alberta Env	ironment)
What type of development is adjacent to this subdivision?		
R3 – Medium Density Residential District, R4 - Manufactu I1 – Light Industrial District, I2 – Heavy Industrial District	ired Home Resi	idential District,

Land considerations that affect or restrict this subdivision

Is the topography of the site suitable for subdivision?	Yes_ √	No
Are the soil characteristics suitable?	Yes_✓	No

File: (2018) SUB 01

Is there adequate drainage for this site?	Yes_√	No
Can storm water be collected and disposed?	Yes_✓	No
Is the land suitable for the proposed subdivision?	Yes_✓	No
Comments:		
Environmental Assessment		
Are there problems related to subsidence, flooding or ero	sion? Yes	No_√
Is an Environmental Site Assessment (ESA) required?	Yes	No_√
Servicing Matters		
Is there direct access to a developed public street?	Yes_✓	No
Are municipal water and sewer services available?	Yes_✓	No
Are gas, electrical, telephone, cable services available?	Yes_✓	No
Have the utility companies raised any concerns?	Yes	No_√
Municipal Reserve		
Is the subdivision subject to the dedication of reserve?	Yes	No_√
If yes, what is the land area required (10%):		_haac
Should land be dedicated as part of the subdivision	on? Yes	No
Should reserve be deferred at this time by caveat	? Yes	No
Should money in place of reserve be paid?	Yes	No
If yes, what is the value of the land? #	/ha	\$/ha
Off-Site Levies	Yes	N/A✓_
Service Agreement		
Is an agreement with the Town required to deal with the o	construction or ins	stallation of:
Streets and lanes	Yes	No_✓
Municipal utilities	Vec	No 🖌

Streets and lanes	Yes	No_√
Municipal utilities	Yes	No_✓
Other utility services	Yes	No_✓
Sidewalks	Yes	No_✓
Off-street parking or loading	Yes	No_✓
Curb, gutter, streetlights	Yes	No_✓

Subdivision Extension Background Information / Review

Date: September 19, 2018

Applicant: Subdivision Application: Civic Address:

Legal Address: Land Use: FarWest Land & Properties 2014 SUB 02 110 5 Street NW 114 5 Street NW 122 5 Street NW Lot 4-20, Block 99, Plan 1117V R-1 Single Family Residential District

Background:

FarWest Land & Properties has requested a fourth time extension for the aforementioned subdivision application.

General Items for MPC to Consider When Granting a Subdivision Time Extension

- 1. Extensions to subdivision approvals are sometimes necessary to ensure that there is adequate time to meet the conditions of the subdivision approval. As the Subdivision Approving Authority, the Municipal Planning Commission should take into account the following when considering a subdivision approval extension:
 - Have there been changes to Federal or Provincial statues that impact the subdivision approval;
 - Have there been changes to municipal bylaws &/or policies that impact the subdivision approval;
 - Have there been changes to municipal standards that change what infrastructure is to be installed by the Developer;
 - Has the Developer demonstrated that they are proceeding with the project by:
 - Entering into agreements
 - Actively constructing (or constructed) development installed improvements
 - Actively marketing the property
- 2. In accordance with the Municipal Government Act, and the Subdivision and Development Regulation AR 43/2002 the Municipal Planning Commission, as the Subdivision Approving Authority, in granting an extension cannot change the conditions of approval.

Typical Land development process

- 3. Subdivision is proposed by the developer
- 4. Subdivision is approved subject to conditions which typically include payment of:
 - Fees, levies, and taxes,
 - Providing servicing,
 - Dedicating infrastructure and land to the municipality,
 - Posting performance security typically in the form of a letter of credit. In the past security was typically taken at 50% of the estimated construction value of the project. Current typical municipal practice in Alberta is to take security at 150% of the estimated construction value of the project.
 - Developer entering into a service agreement which typically contains clauses with respect to:
 - Developer and Municipal responsibilities,
 - Timelines,
 - Dedication of Land and infrastructure to the municipality,
 - Provision and release of security,
 - Right of the developer to work on municipal lands,
 - Endorsement of the subdivision usually contingent on the developer posting security.
- 5. Developer retains an engineering consultant to prepare municipal infrastructure plans, receive plan approval, prepare specifications and tender documents, tender the project, oversee construction, and apply for and receive municipal construction completion certificates and final acceptance certificates.
- 6. Developer posts security as required by the municipality and pays all costs of the security.
- 7. Developer pays for all construction costs. If there is municipal cost sharing the municipality typically reimburses the developer after the municipality accepts the infrastructure which is typically much after the contractors have been paid.

With respect to this subdivision

8. Following is a timeline of the subdivision application.

July 17, 2014	-	Application for Subdivision received. Application made by Global Raymac on behalf of FarWest Land & Properties.
July 23, 2014	-	Application for Subdivision was approved by Subdivision Approving Authority (Council) with conditions.
September 4, 2014	-	Appeal of conditions of Subdivision Approval was heard and a decision rendered by the SDAB.
May 11, 2015	-	Subdivision Approving Authority (Council) granted an extension to September 16, 2016.
July 20, 2016	-	Subdivision Approving Authority (MPC) granted an extension to September 16, 2017.
September 20, 2017		Subdivision Approving Authority (MPC) granted an extension to September 16, 2018.
September 10, 2018		Request for a subdivision extension received.

- 9. A more detailed timeline which includes many of the other key events and communication between the Town and Farwest Land & Properties is attached.
- 10. In an effort to move this project forward the Town has taken on much of the work load that a developer normally performs and has rearranged the service agreement to reduce the developer's cash requirements. To this end the Town has agreed to the following:
 - take on the responsibility and cost tender the project. This is normally the developer's responsibility.
 - take the lead on construction thereby allowing the developer not to have to finance the Town's portion of the cost sharing. This is normally the developer's responsibility.
 - only require security for infrastructure that the Town cannot contract to be installed that is the Town's responsibility. In this case only the security for the street lights. Normally the developer is responsible for all infrastructure costs and is only reimbursed by the municipality once the project is completed.
 - have the developer post his share of the cost of municipal infrastructure improvements in his lawyers trust account thereby guaranteeing that the Town can only access the funds when actual payments to contractors are required. Normally a municipality would require the developer to pay the estimated construction cost up front and then return any unused monies to the developer.

11. The approximate total municipal infrastructure value of this project is \$730k with the developers portion being \$330k. The following table lays out what the Town has offered the developer vs the normal process:

	Normal Process		Towns Proposed	
	50% Security	150% Security	Process	
Security	\$365,000	\$1,095,000	\$30,000	
Construction payments to contractor	\$730,000	\$730,000	\$330,000	
Total developers cash flow commitment	\$1,095,000	\$1,825,000	\$360,000	
Typical developer security costs for an LOC at 1.5% per annum for 1 year.	\$5,475	\$16,425	\$450	
Typical Construction Completion Engineering Costs (CCC & FAC)	\$15,000	\$15,000	\$0	
Typical Warranty and maintenance Costs (Developer's Share)	\$33,000	\$33,000	\$0	
Town payment of its share of costs	\$400,000	\$400,000	\$0	
Total developer cash outlay at end of project	\$383,475	\$394,425	\$330,450	

Impacts of the Delay in Signing the Service Agreement.

- 12. Farwest Land & Properties not signing the service agreement, posting security, paying outstanding fees and placing their part of the monies for construction of municipal infrastructure improvement in their solicitors trust account in a timely matter has resulted in issues for the Town because:
 - Council instructed Administration not to enter into a contract for the construction of municipal infrastructure improvements without the Farwest Land & Properties monies being in place.
 - Under the terms of the tender as the contractor was only obligated to hold his prices for 90 days (30 to 60 days is typical in the construction industry) which was August 13, 2018. The issues that this creates are outlined in points 13 & 14 below. This fact was communicated to Farwest Land & Properties when the Service Agreement and Tender Summary were forwarded to them on May 23, 2018.
- 13. The Town to proceed at this time is obligated to either:
 - enter into contract negotiations with the low bidder, with the work likely being performed in 2019. The low bidder is able to request whatever price adjustments they want for whatever reasons, or
 - retender the project, however contract tendering laws do not allow the project to be retendered without substantial changes for two years.

- 14. The Town if forced to proceed would either:
 - negotiate with the low bidder from a disadvantaged position, or
 - redesign the project to be compliant with tendering law, or
 - wait two years to retender.
- 15. The Town would incur additional costs in time and money to carry out any of these options with the lowest cost option being to wait.

Recomendation

- 16. The Town Administration recommends that the Subdivision Extension not be granted by MPC. The reasons for this are:
 - The Town has invested substantially in this project but has not received any indication from the developer that they will actually proceed with this project as they have not:
 - paid the assessed fees,
 - placed monies with their solicitor,
 - signed the service agreement, or
 - put up security.
 - Regulatory conditions, development standards and practices have changed in the four years since the subdivision was approved, and
 - This would be the lowest cost option for the Town.

The developer if they wish to proceed would still be able to initiate a new subdivision application.

Project Timeline

Date	Item
July 17, 2014	Application for subdivision received by the Town. Application made by Global Raymac on behalf of Far West Land & Properties
July 23, 2014	Application for subdivision was approved by the Subdivision Approval Authority (Council) with conditions.
September 4, 2014	Appeal of conditions of Subdivision Approval was heard and a decision was rendered by SDAB.
September 8, 2014	Farwest Land & Properties paid for a water and sanitary services to be installed at 102 -5th Street NW
March 22, 2015	Farwest Land & Properties engineering consultant submitted infrastructure drawings for approval.
May 3, 2015	Farwest Land & Properties engineering consultant submitted revised infrastructure drawings for approval.
May 11, 2015	Subdivision Approval Authority (Council) granted a subdivision extension to September 16, 2016.
June 11, 2015	Farwest Land & Properties engineering consultant submitted revised infrastructure drawings for approval.
July 31, 2015	Letter sent by the Town to Farwest Land & Properties with respect to cost sharing that had been approved by Council
November 4, 2015	Farwest Land & Properties engineering consultant submitted revised infrastructure drawings for approval.
May 11, 2016	Letter sent to Farwest Land & Properties with respect to the development. This letter again highlighted the need to receive written confirmation from Farwest Land & Properties that they would pay the legal costs associated with preparing the service agreement.
May 17, 2016	Town met with Farwest Land & Properties and this development was discussed. Farwest Land & Properties reiterated their opposition to the Infrastructure Capacity Fee.
May 17, 2016	New revised infrastructure drawings were received from Farwest Land & Properties engineering consultant for the subdivision servicing.
May 19, 2016	Received Email from Farwest Land & Properties noting that they would be submitting for a subdivision extension next week.
May 30, 2016	Comments on the infrastructure drawings received on May 17, 2016 were forwarded to Farwest Land & Properties and their engineering consultant.
May 30, 2016	Received by Email a complaint from Farwest Land & Properties on the Town's comments on the Plans received on May 17, 2016.
May 30, 2016	Replied by email to the complaint.
June 6, 2016	Town requested a cost estimate from Farwest Land & Properties engineering consultant for construction of infrastructure.
June 9, 2016	The Town forwarded the cost sharing letter dated July 31, 2015 to Farwest Land & Properties consultant for their information and to prepare a cost estimate based on the cost sharing.

Date	Item
June 20, 2016	Meeting with Farwest Land & Properties engineering consultant to review the drawings in an effort to be able for the drawings to receive approval.
June 29, 2016	Town forwards a letter to Farwest Land & Properties solicitor with respect to the request for a partial endorsement of the subdivision. The letter states that the Town, as a show of good faith, will grant a partial endorsement to facilitate Farwest Land & Properties resolution of a dispute with another party.
July 20, 2016	Subdivision Approval Authority (MPC) granted a subdivision extension to September 16, 2017.
July 25, 2016	Revised infrastructure drawings received from Farwest Land & Properties engineering consultant.
July 27, 2016	Met with Farwest Land and Properties engineering consultant to review infrastructure drawings.
July 27, 2016	Infrastructure Drawings are approved by the Town.
September 12, 2016	Farwest verbally confirmed that they would pay the legal fees for the preparation of the Service Agreement.
October 20, 2016	Town receives an Email from Farwest Land and Properties with respect to receiving a service agreement.
October 21, 2016	Town replies to the Email from Farwest Land and Properties. (Note: The Town has not yet received written confirmation from Farwest Land and Properties that they will pay the Legal costs of the service agreement preparation.)
October 27, 2016	The Town's share of the cost sharing for the Farwest Land and Properties project is added to the proposed capital budget.
November 10, 2016	Draft Service Agreement forwarded to Farwest Land & Properties by the Town.
November 28, 2016	Interim approval of the 2017 Capital Budget given by Council including the Town's share of the project costs.
December 12, 2016	Email received from Farwest Land & Properties with respect to the letter sent on June 29, 2016 to their solicitor respecting the Town agreeing to a partial endorsement of the subdivision.
December 12, 2016	Town responds to the email received on December 12, 2016 offering to meet.
December 21, 2016	Town partially endorses the plan of subdivision.
April 24, 2017	Final approval of the 2017 Capital Budget given by Council including the Town's share of the project costs.
August 9, 2017	Informed by a new engineering consultant that they were reviewing the Service Agreement on behalf of Far West Land & Properties. Sent the consultant the service agreement as a MS Word document to assist their review.
September 20, 2017	Subdivision Approval Authority (MPC) granted a subdivision extension to September 16, 2018.
November 6, 2017	Farwest Land & Properties engineering consultant requested a meeting to review the service agreement.
November 6, 2017	Town responds to the email received on November 6, 2017 laying out what administration could and could not change in the content service agreement and when it was available to meet.

Date	Item
Dale	
November 8, 2017	Farwest's engineering consultant provided their mark-up of the proposed service agreement.
November 20, 2017	Meeting between the Town and Farwest Land & Properties
November 21, 2017	Farwest Land & Properties engineering consultant requested a meeting to review the service agreement.
November 27, 2017	Interim approval of the 2018 Capital Budget given by Council with the Town's share of the project costs carried forward from the 2017 Capital Budget.
November 27, 2017	Town Administration receives Council approval to take the lead on municipal services installation.
January to April, 2018	Town prepares drawings, tender documents, and specifications suitable for municipal public tender.
April 19, 2018	Town Tenders the infrastructure for development.
April 23, 2018	Final approval of the 2018 Capital Budget given by Council with the Town's share of the project costs carried forward from the 2017 Capital Budget.
May 15, 2018	Tenders close and three bids received.
May 23, 2018	Tender summary and revised service agreement based on the Town taking the lead on installation of municipal infrastructure sent to Farwest Land & Properties and their engineering consultant.
May 28, 2018	Farwest Land & Properties acknowledges by email receipt of the tender summary and revised service agreement.
September 10,2018	Request for subdivision extension received by the Town.