

City of Beaumont
Subdivision and Development Appeal Board Agenda

November 12, 2024

9:00 am

City Hall, Council Chambers

Pages

1. **CALL TO ORDER**
2. **PURPOSE OF HEARING**
3. **INTRODUCTION OF BOARD MEMBERS AND CLERK**
4. **PRELIMINARY MATTERS**
 - 4.1 Jurisdiction to Hear Appeal 1
 - 4.2 Requests for Adjournment or Postponement
 - 4.3 Objections to Board Members/Apprehension of Bias
5. **HEARING PROCESS**
 - 5.1 Subdivision Authority Presentation 7
 - 5.2 Appellant Presentation
 - 5.3 Presentations from Affected Persons Supporting the Appeal
 - 5.4 Presentations from Affected Persons Opposing the Appeal
 - 5.5 Subdivision Authority Closing Remarks
 - 5.6 Appellant's Closing Remarks
6. **SUBDIVISION AUTHORITY PRESENTATION**
 - 6.1 Subdivision Authority Submissions

6.2 Questions to Subdivision Authority

7. **APPELLANT PRESENTATION**

7.1 Appellant's Submissions

7.2 Questions to Appellant

8. **APPLICANT PRESENTATION**

8.1 Applicant Submissions

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8.2 Questions to the Applicant

9. **PRESENTATIONS FROM AFFECTED PERSONS**

9.1 Presentations

9.2 Questions to Presenters

10. **SUBDIVISION AUTHORITY CLOSING REMARKS**

11. **APPELLANT'S CLOSING REMARKS**

12. **CHAIR'S CLOSING REMARKS AND HEARING CONCLUSION**

13. **CLOSED SESSION**

14. **ADJOURNMENT**



**NOTICE OF APPEAL
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

In accordance with Sections 678 and 686 of the *Municipal Government Act* and the City of Beaumont Bylaw, as amended, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated timeframe and each Notice of Appeal must be accompanied by the legislated fee. For filling instructions and fee payment options, see reverse side of form.

Development Permit (Check one box only)		Subdivision Application (Check one box only)		Notice of Order	
Approval	<input type="checkbox"/>	Approval	<input type="checkbox"/>	Stop Order	<input type="checkbox"/>
Conditions of Approval	<input type="checkbox"/>	Conditions of Approval	<input checked="" type="checkbox"/>		
Refusal	<input type="checkbox"/>	Refusal	<input type="checkbox"/>		

SECTION 1 - MUNICIPAL ADDRESS OF SITE UNDER APPEAL	
Municipal Address of Site Under Appeal	<u>A portion of N.W. ¼ Sec. 27-50-24-W4M</u>
Application File #	<u>SDA-24-05</u>
Date Appeal Application Received	

SECTION 2 – APPELLANT INFORMATION	
Appellant Name	RTPG GP LTD.
Agent Name (if applicable)	Invistec Consulting Ltd. c/o Scott Mackie
Address	8150 Davies Road NW
Telephone	Residential # [REDACTED]
Email (for notification purpose)	[REDACTED]

Sections 678 and 686 of the *Municipal Government Act* requires that written Notice of Appeal must contain specific reasons for the appeal.

SECTION 3 – REASONS FOR APPEAL
<p>I do hereby appeal the decision of the Development Authority/Subdivision for the following reasons (attach separate page if required):</p> <p>We are appealing condition #5 <i>That the owner/Developer provide construction cost estimates for the 50th Street shared use path, from the point along 50th street parallel to the most northern property line of the Condominium plan, to the point along 50th street parallel to the most southern property line of the Condominium plan, to the satisfaction of the Municipality, and that the Developer provide the construction cost as a result of the agreed upon construction estimates.</i></p> <p>We are appealing condition #5 as the offsite improvement is not adjacent to the proposed subdivision area.</p>

SECTION 4 – PAYMENT (In accordance to Fees & Charges Bylaw, as amended)			
Cheque	Money Order	Cash	Debit
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION 5 – SIGNATURE & DECLARATION	
<p>I certify that the information provided is true and complete to the best of my knowledge and acknowledge my authority for the purposes identified below.</p> <p>Signature: [REDACTED]</p> <p>DATE: <u>Oct 18, 2024</u></p>	
<p>This information is being collected under the authority of the City of Beaumont SDAB Bylaw (Section 686) in accordance with the FOIP Act (Section 33(c)), for the purpose of handling development appeals. This information is protected by the privacy provisions of the FOIP Act. If you have questions about the collection, contact the FOIP Coordinator at the City of Beaumont, 5600 – 49 Street, Beaumont, Alberta T4X 1A1, or Phone 929-8782.</p> <p>NOTE: This information will form part of the file available to the public.</p>	

FOR OFFICE USE ONLY			
Fee Paid Yes <input type="checkbox"/> No <input type="checkbox"/>	SDAB Appeal Number	Hearing Date	Date Received Stamp

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

APPEAL SUBMISSION INFORMATION

The Notice of Appeal must be accompanied by a filing fee in accordance to the Fees & Charges Bylaw, as amended) and must be received by the Subdivision and Development Appeal Board (SDAB) no later than the final date for appeal as specified in the *Municipal Government Act*; otherwise, the appeal will not be processed. If an appeal is withdrawn prior to the commencement of the SDAB hearing, the fee shall not be refunded.

FILING INFORMATION

If you mail the Appeal, it must be received on or before the final date for appeal or it will not be processed and a hearing before the Board will not occur.

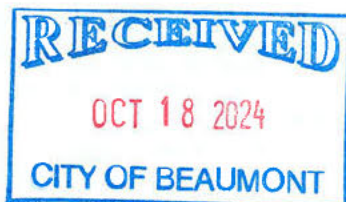
MAIL TO:	DELIVER TO:
City of Beaumont Subdivision and Development Appeal Board ATTN: SDAB Secretary 5600 49 Street Beaumont, AB T4X 1A1	City of Beaumont (Front Desk) Subdivision and Development Appeal Board ATTN: SDAB Secretary 5600 49 Street Beaumont, AB T4X 1A1

We accept cash, cheque, debit and money order at the City of Beaumont. Please make cheques/money orders payable to the City of Beaumont.

NOTE: Appeals cannot be faxed or emailed as the respective filling fee must accompany the Appeal at the time of filing.

If you require further information regarding Appeal deadlines and Board procedures, please contact:

City of Beaumont SDAB Secretary
 Phone: 780-929-1352
 Email: legislative@beaumont.ab.ca





City of Beaumont

5600 - 49 Street
Beaumont, Alberta T4X 1A1
Phone: (780) 929-8782 Fax: (780) 929-8729
E-Mail: admin@beaumont.ab.ca

OFFICIAL RECEIPT 324759

INVISTEC CONSULTING LTD
1700, 10130 -103 ST NW
EDMONTON, AB T5J 3N9

Date: Oct 18, 2024
Initials: ZW

Receipt Type	Roll/Account	Description	Outstanding Before Pmt	Receipt Amount
General	DEVAP	SUBDIVISION APPEAL - SDA-24-05	\$0.00	\$325.00

Cheque Number: 5698

----- PAYMENT SUMMARY -----

Tax Amount:	\$0.00
Receipt Total:	\$325.00
Cash Received:	
Cheque Received:	\$325.00
Other Received:	
	\$325.00



BEAUMONT
**Subdivision
and Development**
APPEAL BOARD

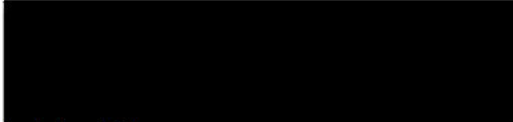
Important Information:

1. Any visual or written material received by the clerk in advance of the hearing will form part of the public record and will be made available for public inspection pursuant to section 686(4) of the *Municipal Government Act*, RSA 2000, c M-26;
2. While the clerk of the SDAB will accept visual or written material in advance of the hearing, the decision on what materials will be considered by the SDAB remains with the SDAB; and
3. Depending on the complexity and volume of the materials submitted, there may be requests for adjournments which the SDAB would consider on a case-by-case basis.

You may participate in the hearing either in person or electronically. If you wish to participate electronically, contact the clerk in advance of the hearing date to receive the required instructions.

If you have questions, please contact the clerk at legislative@beaumont.ab.ca or call the City Hall main line at 780-929-8782.

Respectfully,



Chelaine Winter,
Clerk, Subdivision and Development Appeal Board

SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING
SDAB-24-05
November 12, 2024

SUBDIVISION AUTHORITY'S REPORT

Proposed Development: Bare Land Condominium Subdivision creating 2 Units, 1 PUL, and remnant A

Decision: The Subdivision Authority approved the proposed Bare Land Condominium Subdivision with 5 conditions.

Subdivision Application: SDA-24-05

Subject Property: A portion of N.W. ¼ Sec. 27-50-24-W4M

Existing Land Use Classification: Integrated Neighbourhood District (IN)

Subject Site Description: The proposed subdivision is located along arterial roadway (50th Street), with undeveloped land to the north, south, and west zoned as Agriculture Holdings District, and partially developed land to the east zoned as Integrated Neighbourhood District. The land to the east forms a portion of the Neighbourhood this proposed subdivision falls in.

Introduction

This submission, made by the City of Beaumont File Planner on behalf of the Subdivision Authority (the "Subdivision Authority"), is in response to the appeal of condition 5 of the Subdivision Authority's decision (Exhibit 5) with respect to SDA-24-05 Le Reve Bare Land Condominium.

The purpose of this submission is to provide information regarding the application for the Bare Land Condominium Subdivision and to outline the considerations in rendering the decision and associated conditions.

Application

The Application for a Bare Land Condominium Subdivision located in the Le Reve Neighbourhood was received on February 29, 2024. Payment was processed on March 5, 2024. The Application was Deemed Complete on March 25, 2024. The application underwent review against the Land Use Bylaw, the Municipal Development Plan, the Le Reve Area Structure Plan, and the Le Reve Neighbourhood Structure Plan to ensure compliance with these statutory plans and bylaws. It was also circulated to adjacent landowners, interested parties/external agencies, and to internal staff for a 30 day period starting on March 25, 2024, and concluding on April 25, 2024. A referral summary summarizing comments received was provided to the applicant on May 10, 2024. As a result of the referral summary and the review of

the application, there were noted items that required follow up and adjustments to the proposed plans. A time extension was entered into to allow for adequate time for both parties to provide requested information. During the review against the aforementioned statutory plans and Land Use Bylaw, it was noted that there was inconsistency between the proposed subdivision and the Area Structure Plan and the Neighbourhood Structure Plan. More specifically, a shared use path along arterial road (50th street) is proposed in these statutory plans, and the shared use path was not provided for in the proposed subdivision. As a result, condition 5 noted below, was added to the approval. Once all information was received and proposed conditions drafted, the application for Bare Land Condominium Subdivision was brought to the Subdivision Authority on October 2nd, 2024, and a decision was made on October 4th, 2024. An overview of the application timeline is provided as Exhibit 8.

The Subdivision Authority approved the Bare Land Condominium Subdivision, subject to the following conditions:

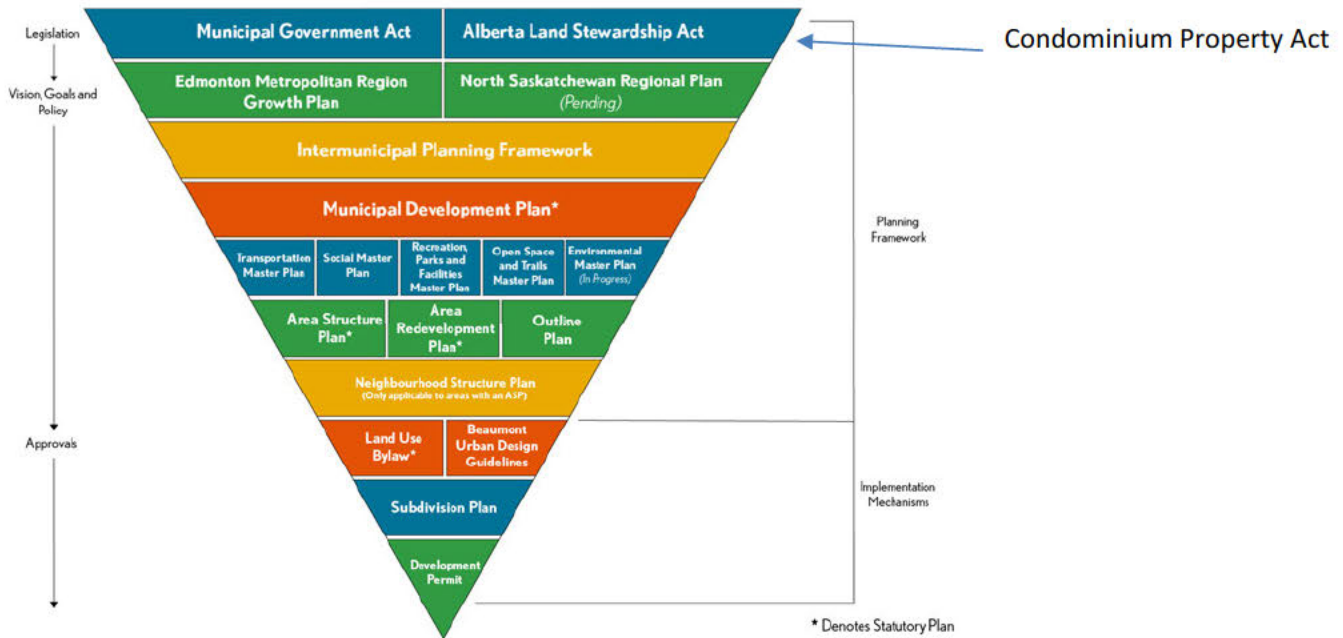
1. That the subdivision be effected by plan of survey.
2. That any outstanding taxes be paid or satisfactory arrangements be made with the City of Beaumont.
3. That all existing easements, caveats, and restrictive covenants registered to the subject property be carried over and registered on the newly created lots.
4. That easement documents required to service this parcel shall be submitted for concurrent registration at the Land Titles Office. The plan shall show a 1.5 m right-of-way on all lots adjacent to any Public Utility Lot for maintenance purposes.
5. **That the owner/Developer provide construction cost estimates for the 50th Street shared use path, from the point along 50th street parallel to the most northern property line of the Condominium plan, to the point along 50th street parallel to the most southern property line of the Condominium plan, to the satisfaction of the Municipality, and that the Developer provide the construction cost as a result of the agreed upon construction estimates.**

Condition 5, to provide construction costs for approximately 336m of trail along 50th street, adjacent to N.W. ¼ Sec. 27-50-24-W4M, is the subject of the appeal.

In order to illustrate the rationale and value of making the subdivision approval contingent on condition 5, the following sections will outline the relevant legislation, statutory plans, policies and rationale that led the Subdivision Authority to require the applicant to pay for the construction of that portion of trail.

Planning Framework

The below graphic outlines the hierarchy of the planning framework and legislation that is taken into consideration when issuing approval for subdivision, as well as permits. All new applications must be consistent with provincial legislation, plans and policies. It is important to note that throughout this report, there will be references to the Condominium Property Act. Although it is not an act that is usually considered in the overall planning framework, it is a Provincial Act that is applicable when reviewing applications that pertain to condominiums. This application is for a bare land condominium subdivision therefore the Condominium Property Act is relevant to SDA-24-05 and the subsequent appeal.



Beginning at the top of the hierarchy, below outlines the relevant regulations outlined in the Condominium Property Act, and the Municipal Government Act.



Condominium Property Act

The Condominium Property Act is a piece of provincial legislation that outlines the rules and regulations related to forming, operating, managing and residing in a condominium in Alberta for residential, commercial or any other use. As we are looking at a bare land condominium subdivision, some parts of this Act will be relevant for this appeal. Specifically, Plan of Subdivision Part 3, outlined below:

Plan of Subdivision

3 For the purposes of Part 17 of the Municipal Government Act and the Land Titles Act, **a condominium plan is a plan of subdivision.**

This regulation states that a bare land condominium application such as SDA-24-05 must be treated the same as a subdivision application and is therefore subject to the same legislative timelines, review considerations, and potential approval conditions as outlined within the Municipal Government Act regarding subdivisions. A bare land condominium subdivision differs slightly from a regular subdivision as it is a way of changing ownership of previously subdivided parcels, but as noted, must be treated as a regular subdivision, meaning any conditions that may be imposed on a regular subdivision, may also be imposed on a bare land condominium subdivision.

Municipal Government Act (MGA)

The Municipal Government Act is a piece of provincial legislation that outlines the powers, duties, and functions of municipalities in Alberta. Part 17 of the Act specifically relates to Planning & Development including statutory plans, subdivision and development. Sections 654 and 655 are referenced below, as

they outline what the Subdivision Authority must consider prior to making a decision as well as what types of conditions a Subdivision Authority is able to impose on a Subdivision.

Approval of Application

654(1) A subdivision authority **must not approve** an application for subdivision approval **unless**

- (a) The land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,
- (b) **The proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan** and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided

Conditions of Subdivision Approval

655(1) A Subdivision Authority **may impose the following conditions or any other conditions permitted** to be imposed by the subdivision and development regulations on a subdivision approval issued by it:

- (a) **Any conditions to ensure** that this Part, including section 618.3(1), and the **statutory plans** and land use bylaws and the regulations under this Part affecting the land proposed to be subdivided **are complied with;**
- (b) A condition that the applicant enter into an agreement with the municipality to do any or all of the following:
 - (i) To construct or pay for construction of a road required to give access to the subdivision;
 - (ii) To construct or pay for the construction of**
 - a. **Pedestrian walkway system to serve the subdivision,** or
 - b. **Pedestrian walkways to connect the pedestrian walkway system serving the subdivision with a pedestrian walkway system that serves or is proposed to serve an adjacent subdivision or both;**
 - (iii) To install or pay for the installation of a public utility described in section 616(v)(i) to (ix) that is necessary to serve the subdivision, whether or not the public utility is, or will be, located on the land that is the subject of the subdivision approval;

Part 17 Planning and Development

Definitions

616 In this Part,

- (a) "adjacent land" means land that is contiguous to a parcel of land that is being subdivided or redesignated and includes
 - (i) land that would be contiguous if not for a highway, road, river or stream

Regulation 654(1) b in the MGA, outlines that a subdivision authority must not approve an application unless the proposed subdivision conforms with any statutory plan. 655(1) outlines that construction or payment for construction of a pedestrian walkway system that serves the subdivision and/or connects the pedestrian walkway system that serves an adjacent subdivision may be a condition of subdivision. As the trail is identified in both the Le Reve Area Structure Plan and the Le Reve Neighbourhood Structure

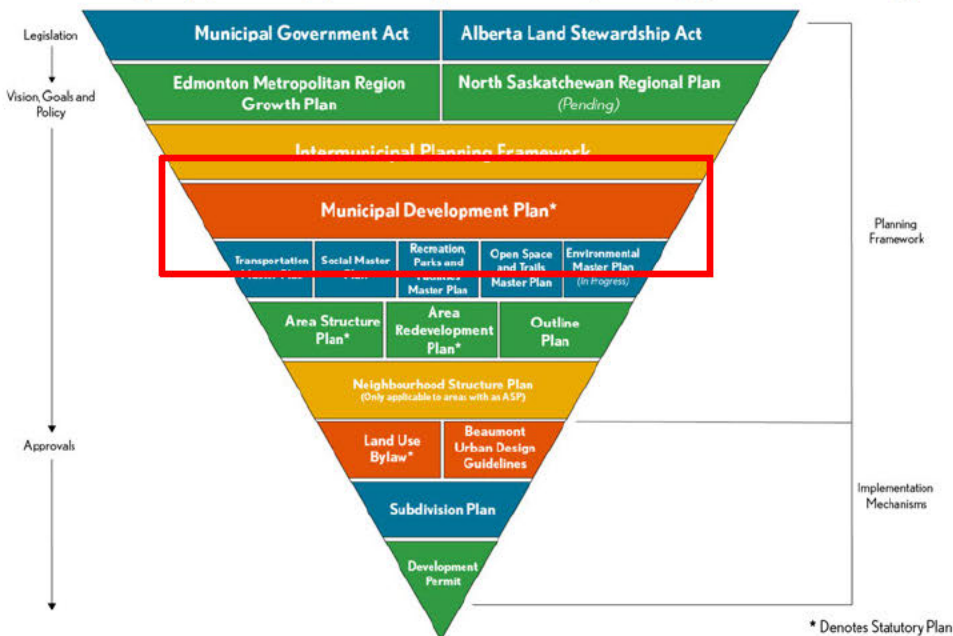
Plan (Exhibit 3), SDA-24-05 will not conform with the statutory plan should the trail be omitted from the conditions and would thereby be contrary to the MGA. The Shared Use Path is a requirement as outlined in the Area Structure Plan and therefore, cannot be varied at the discretion of the Subdivision Authority; it either must be included in the subdivision by proposed plan, condition, or agreement, or the Subdivision Authority shall not approve the proposed plan. In addition, the Subdivision Authority would have been within their rights under the MGA to require the applicant to provide construction costs for that portion of trail that is adjacent to the subdivision application, extending southward to connect to the existing trail system at 50th street and Township Road 510 increasing the length from approximately 356m to 788m. In this regard, the Subdivision Authority exercised restraint in the imposition of Condition 5 and only imposed the minimum condition required in order to ensure compliance with the statutory plans and the MGA.

In the Notice of Appeal Form the appellant has indicated under section 3 - Reasons for Appeal that the offsite improvement [trail along 50th street] is not adjacent to the proposed subdivision area. Part 17 defines "adjacent land" as including area that is contiguous with the subdivision or would otherwise be if not for road. The trail will be constructed within the road right of way of ROAD PLAN 132 4405 which is contiguous with the subdivision area and meets the definition as outlined in the MGA.

Condition 5 is not only important to comply with the regulations outlined in the MGA above, but to ensure the intent and function of important pedestrian infrastructure for the neighbourhood is built out in accordance with the relevant statutory plans.

Statutory Plans: Municipal Development Plan (MDP)

Bylaw 938-19 *Our Complete Community*, Beaumont’s Municipal Development Plan is a statutory long-range policy document to guide Beaumont in making sustainable, responsible, and accountable decisions with respect to land use, development and service provisions. The Plan was developed in light of extensive community engagement and reflects the vision and goals of the community and provides direction to Council and Administration in making planning decisions. This plan is meant to reflect land use strategies, planning practices, and corresponding policies that support the future growth of the City.



In the MDP, there are policies that outline active transportation and how it shall be considered when new subdivisions/neighbourhoods are designed and adopted.

Part 6: Effective Movement of People and Goods.

6.1 General Policies:

6.1.4 The principles of Complete Streets shall be implemented when designing new neighbourhoods and transportation corridors or upgrading existing corridors. Transportation corridors will be designed to:

- a) balance the needs and priorities of various users within the right-of-way, including pedestrians, cyclists, transit vehicles and users, goods and services vehicles, emergency vehicles, and motorists;
- b) allow users of all ages and abilities to safely move along and across the street;
- c) provide space for street elements, such as utilities and services, trees and landscaping, green infrastructure, snow and stormwater management, wayfinding, boulevard cafés, marketing and vending, and street furniture;
- d) improve the quality and convenience of active transportation options;
- e) serve community destinations and public gathering spaces; and
- f) provide building and amenity access.

6.1.5 Prioritize investment in Beaumont's transportation system that are multi-modal and promote active lifestyle and transit oriented options

6.3 Biking and Walking

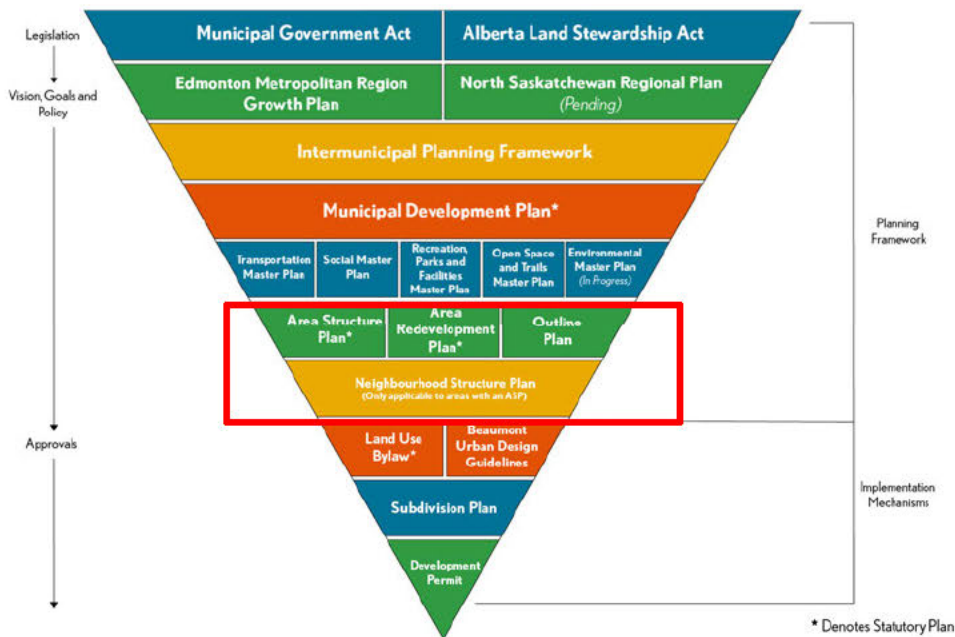
6.3.1 A "pedestrian prioritized" philosophy will be implemented throughout the community with trails, sidewalks, and crossings designed to support pedestrian safety and ease of use while balancing the needs of all users and roadway classifications (speed and volume)

The above legislation outlines the requirement of the City to consider active transportation in newly proposed neighbourhoods and shaped the development of the Le Reve Area Structure Plan and Neighbourhood Structure Plan. The core principal of Beaumont's transportation policies is to provide users with choice. The City of Beaumont is striving to create a transportation network that offers safe, convenient, and comfortable for residents of all ages and abilities to walk, cycle, take transit, or drive as they go about their daily activities. Currently, the only transportation option that Le Reve offers to connect to surrounding areas, is to drive. Providing the funding for their proportionate share of the trail along 50th street presents the first step in achieving the transportation vision outlined in the Municipal Development Plan.

Area Structure Plan (ASP) and Neighbourhood Structure Plan (NSP)

The ASP and NSP are statutory documents that outline how the neighbourhood shall be built out at a larger scale (ASP) and at a smaller scale (NSP). Statutory plans are critical documents that are reviewed against all subdivisions to ensure that neighbourhoods are built out in a way that conforms with Council's direction as a result of adopting these plans. Both plans for Le Reve were created by the consultant Invistec for the developer Redco. The plans were then presented to City Council and both documents

adopted in 2021, making them the mandatory framework for the neighbourhood and the Statutory Plans for Le Reve. In adopting the ASP and NSP, it is the way the City ensures the neighbourhood is also in compliance with the MDP policies, noted above. In imposing Condition 5 on the subdivision application at issue which ensures the provision of amenities outlined in the Statutory Plans, the Subdivision Authority is guaranteeing adherence to and compliance with the mandatory plan for the neighborhood as directed by Council through the Statutory Plans. The below graphic shows where these plans sit in the order of the planning hierarchy.



Bylaw 944-21 Le Reve Area Structure Plan:

The Le Reve Area Structure Plan was adopted in 2021 by City of Beaumont Council to provide a framework for subdivision and development for the Le Reve neighbourhood and to guide future development by establishing a land use concept, transportation network, servicing concept and development policies.

The Le Reve neighbourhood emphasizes active transportation and pedestrian connectivity by creating a strong pathway network that extends throughout the neighbourhood and connects residents and visitors to features within Le Reve and surrounding areas. The following are excerpts from the Le Reve ASP:

4.3 Active Transportation Network

Le Reve's active transportation network will encourage a variety of active modes through an efficient and continuous network of greenways, multi-use trails, sidewalks, and park and open spaces. This includes connecting park areas, such as the district park, to commercial areas and entrances of the neighbourhood through an active transportation network that prioritizes pedestrian through multi-use trails, seating areas, and activity areas.

In addition, multi-use trails will be located along arterial roadways, connecting the neighbourhoods green network to City of Beaumont's existing and future open space network, and opportunities to connect to the City of Edmonton's future open space network. The intent of

the active transportation network is to provide different choices for people to access goods and services, utilize alternative modes of transportation, as well as have access to a diverse range of recreation opportunities. While it is intended that multi-use trails will be located within park and open spaces, the active transportation network on roadways could consist of multi-use trails, shared streets, or separated active modes lanes.

Note: Shared Use Path is considered a multi-use trail.

4.3.1a Active Transportation Policies

i. An active transportation network shall be provided to promote walkability, connectivity to adjacent and future neighbourhoods, a variety of active modes, and access to neighbourhood amenities.

Location of Shared Use Path along Arterial Roadway (50th Street) for this portion of subdivision

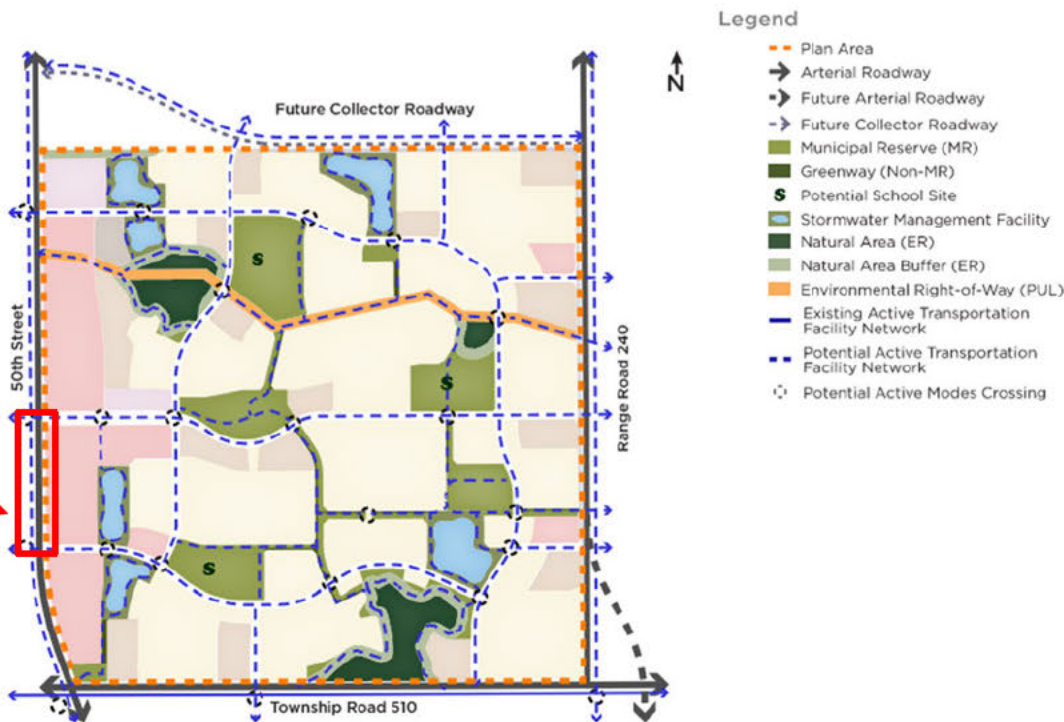


Figure 14 - Active Transportation Network

Scale: N.T.S.

Le Reve AREA STRUCTURE PLAN

This map in the Le Reve Area Structure Plan shows where the active transportation networks may go in accordance with section 4.3 Active Transportation Network.

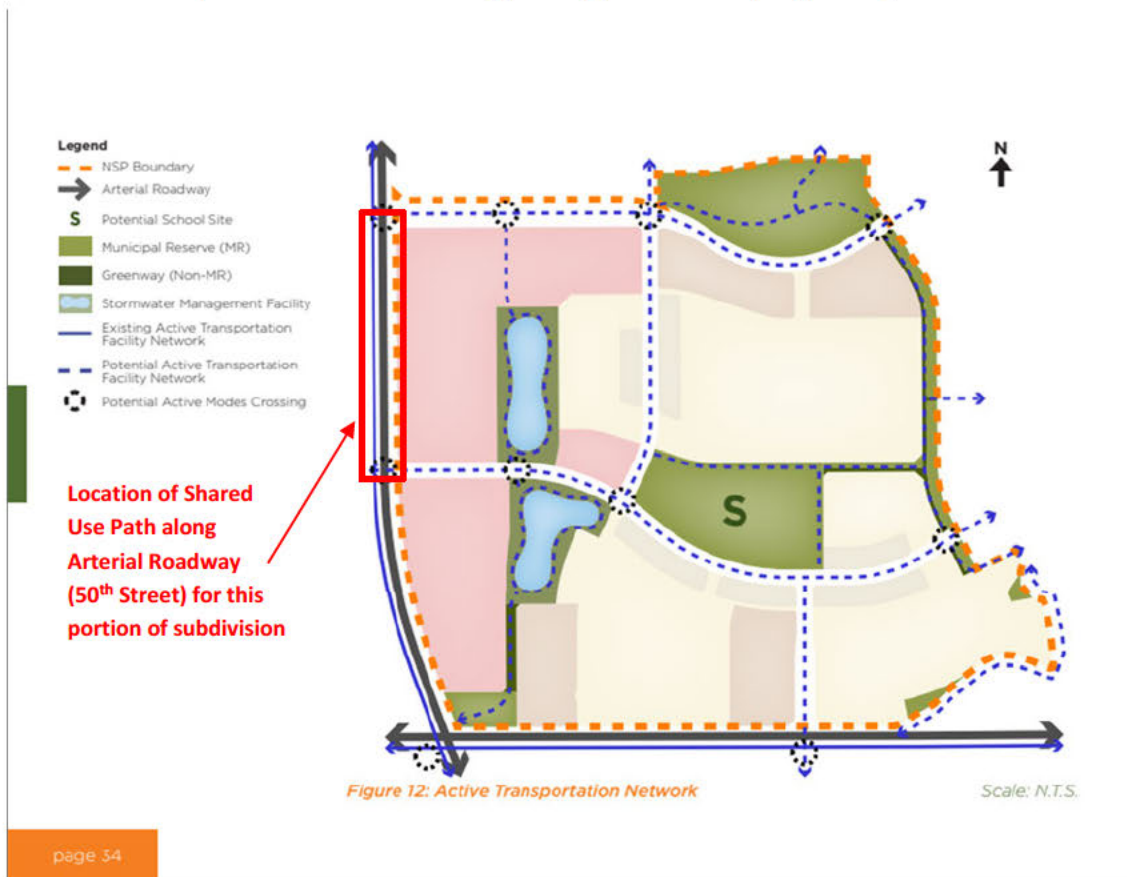
Bylaw 996-21 Le Reve Neighbourhood Structure Plan

The emphasis on the active transportation network within the Le Reve ASP is carried forward to the Le Reve NSP. The following are excerpts from the Le Reve NSP, adopted by Council in 2021:

4.3 Active Transportation Network

The Plan Area's active transportation network consists of both local and perimeter multi-use trails, greenways, sidewalks, and parks and open spaces. The active transportation network will connect to the neighbourhood's focal points, such as park areas, the district park, stormwater management facilities, the school site, commercial areas, greenways, as well as connect to Beaumont's open space and trails network. This includes existing and future multi-use trails located along and across arterial roadways, such as 50 street and township road 510, which provide connections from the Plan Area to existing and future neighbourhoods.

The portion of the active transportation network along the collector roadway from 50 Street to the district park will be designed to be enhanced with a wider boulevard and landscaping features. The intention is to create the experience of a grand boulevard to promote traffic calming, safety, and visually appealing entrance to the neighbourhood.



This map in the Le Reve Neighbourhood Structure Plan shows where the active transportation networks may go in accordance with section 4.3 Active Transportation Network.

The NSP and ASP shows that Active Transportation Networks in the form of Shared Use Paths shall be provided along arterial roads. 50th street, highlighted on both maps for reference, is an arterial road and is the road the Bare Land Condominium Subdivision was conditioned to provide the funds to construct the Shared Use Path. The condition imposed on this Subdivision is intended to ensure that the amenities of the neighbourhood, outlined in the NSP and ASP, get built to a suitable standard that will ultimately support the neighbourhood and the goals outlined in the above statutory plans. Furthermore, the condition imposed on this Subdivision is also intended to ensure adherence to the statutory plans; because they are mandatory plans, there is no room for discretion by the Subdivision Authority in what

the Developer can or cannot provide with respect to what the plan outlines. The ASP and NSP are plans that the City must adhere to.

Decision Rationale

The above regulations in the Condominium Property Act and the Municipal Government Act provide the framework for how to proceed with evaluating and issuing Bare Land Condominium Subdivision applications and approvals. The above statutory plans (Le Reve Area Structure Plan and Neighbourhood Structure Plan) provide direction as to how this neighborhood shall be built out. With the above considered, the following summarizes the legislation for the decision in approving the Bare Land Condominium Subdivision with Conditions:

1. The condominium act identifies a bare land condominium as a subdivision and that it should be treated as such.
2. Section 655(1)(a) of the MGA provides the authority to impose conditions on a subdivision approval to ensure alignment with statutory plans and, in section 655(1)(b)(ii) to provide for the construction of or payment for the construction of pedestrian pathways.
3. Section 654(1)(b) of the MGA states that a Subdivision Authority must NOT approve a subdivision unless it complies with statutory plans.
4. Section 616 of the MGA defines adjacent land and confirms that the conditioned trail is indeed adjacent to the proposed subdivision.

Once the Bare Land Condominium Subdivision application was received by the City, processing the application commenced. In processing the application, the City reviewed the proposal against the statutory documents to ensure alignment with the higher order plans, as these plans are mandatory to be complied with. During the review, it was noted that there is a Shared Use Path identified in the Le Reve Area Structure Plan that shall be constructed and will be located along arterial roadways. The Le Reve Neighbourhood Structure Plan confirms the location of this Shared Use Path as well. This Shared Use Path was not proposed to be constructed in this application. Therefore, the following condition was imposed on the subdivision:

1. *That the owner/Developer provide construction cost estimates for the 50th Street shared use path, from the point along 50th street parallel to the most northern property line of the Condominium plan, to the point along 50th street parallel to the most southern property line of the Condominium plan, to the satisfaction of the Municipality, and that the Developer provide the construction cost as a result of the agreed upon construction estimates*

The decision for including this condition in asking for payment for construction of the portion of the shared use path that is adjacent to this subdivision is to help support the best interest of the neighbourhood as well as working to accommodate the applicant in providing their requirements for subdivision. As noted above, a Bare Land Condominium Subdivision is one that when applied for, changes ownership of an already subdivided area. There are no other servicing or road construction requirements as part of the subdivision, therefore it was determined that it would be an undue burden on the applicant to require construction as a condition of approval. Instead, construction costs were required to allow the City to undertake the work to construct the trail at a time that is more appropriate. A partially constructed trail could lead to safety concerns, and fragmented connectivity, as the entirety of the trail would not be built out at this time and therefore, not be connected to the existing trail network around it. This would not only pose safety concerns, but reduce consistency in the construction of the trail, as well as

inconsistency with the intent of the statutory plans where connection to existing trail networks is identified as a direction of Council in the La Reve neighbourhood.

Secondly, the area for this application for subdivision only covers a portion of the neighbourhood, and therefore, only a portion of the trail that shall be constructed as outlined in the Le Reve ASP as well as the Le Reve NSP has been required. In the City's best efforts to reduce fragmentation, increase safety, support connectivity, and work with the applicant, the City proceeded with imposing Condition 5 on the subdivision approval so that the developer would only have to provide funds for the portion of the trail the subdivision is adjacent to, rather than require the developer to:

- a) construct a portion of the trail or;
- b) construct or provide cost of the full trail along 50th street from Le Reve Drive to Township Road 510.

The condition as proposed meets the intent and requirements of the relevant statutory plans, allows the applicant to only pay for their proportionate share of the trail without placing undue burden on the applicant, and allows the City to ensure that connectivity is established in a safe and orderly manner.

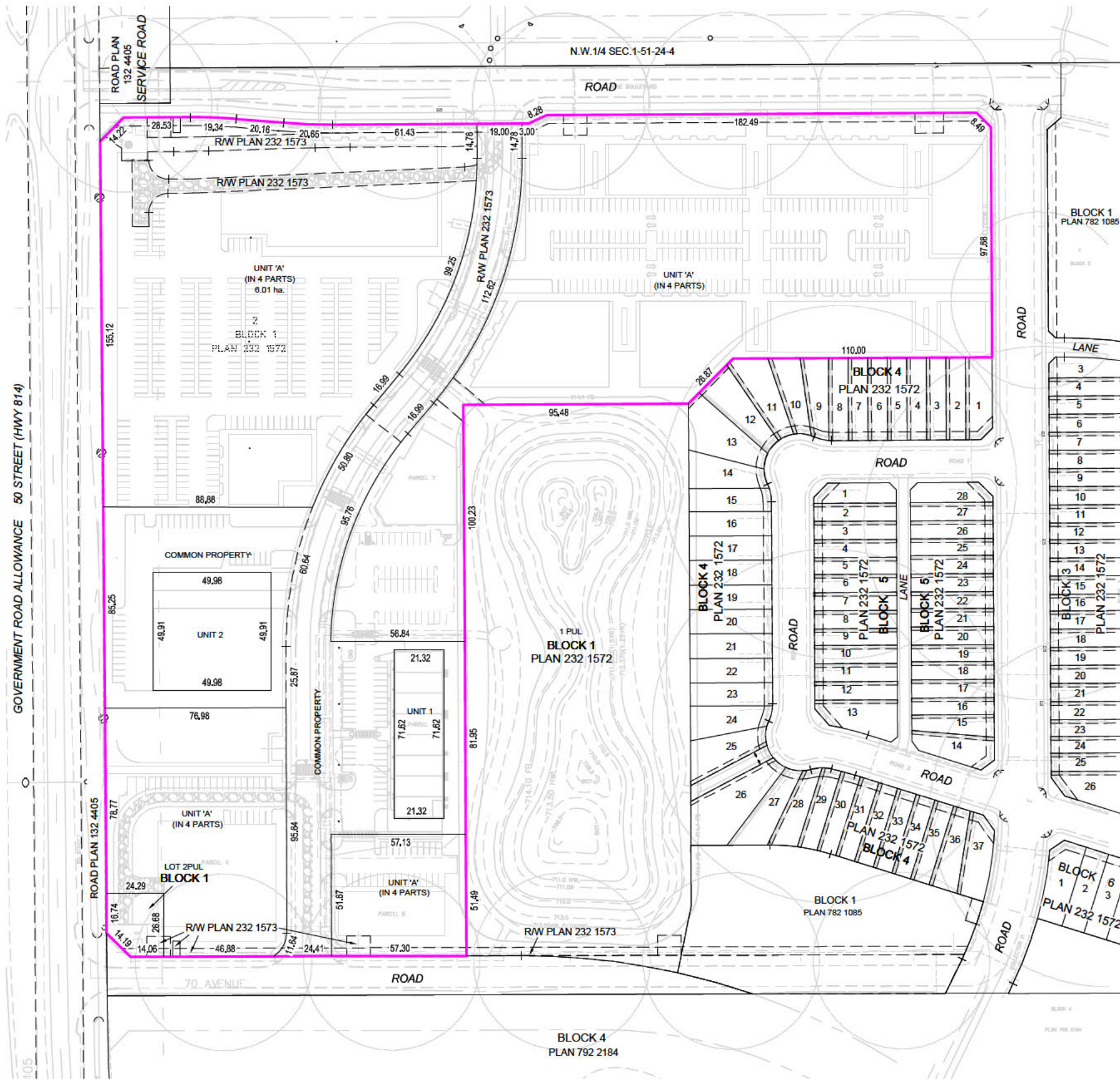
Finally, the City also wanted to ensure an equitable outcome for Beaumont residence. If the trail is not conditioned to be accounted for at this time, the responsibility for constructing the trail in alignment with the ASP and NSP falls upon the municipality which places undue hardship on the taxpayer. It should not be the tax payer dollars to construct infrastructure that 1) predominantly serves one neighborhood; 2) that is the Developers responsibility to construct and 3) has been established as a necessary component of development in Le Reve since the adoption of the Area Structure Plan.

Therefore, exercising their authority under section 654 and 655 of the MGA as stated above, the Subdivision Authority issued conditional acceptance of the Bare Land Condominium Subdivision Application, with the condition that funds for the portion of the trail adjacent to the subdivision area be provided to the City in lieu of construction in accordance with section 655(1)(b)(ii)(A) of the MGA.

On October 4th, 2024, the Notice of Decision was issued, and a copy of the decision can be found as Exhibit 5.

Exhibits:

1. [Location Map/Proposed Subdivision Plan](#)
2. [Municipal Government Act Regulations](#)
3. [Le Reve Area Structure Plan and Le Reve Neighbourhood Structure Plan Land Use Map and Active Transportation Map](#)
4. [Subdivision Application](#)
5. [Notice of Decision SDA-24-05](#)
6. [Email correspondence](#)
7. [Condominium Act Regulations](#)
8. [Time line](#)



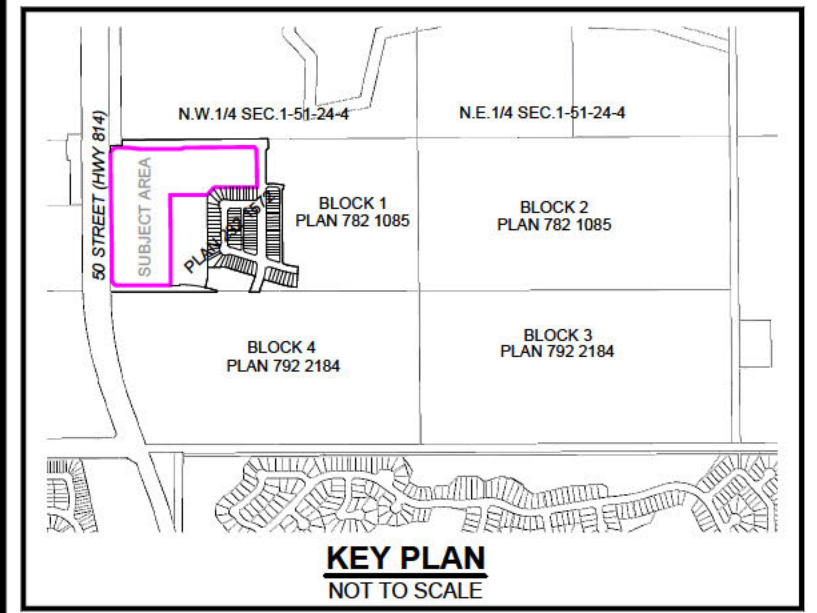
UNIT NUMBER	UNIT FACTOR	UNIT AREA Approx. sq.m.
1	278	1527.2
2	454	2494.7
UNIT 'A'	9,268	6.01 ha.
TOTAL	10,000	

9,268 UNIT FACTORS HAVE BEEN ASSIGNED TO UNIT 'A' FOR FUTURE USE. THE REMAINING 732 UNIT FACTORS HAVE BEEN DIVIDED PROPORTIONALLY AMONGST THE 2 RESIDENTIAL UNITS, BASED ON INDIVIDUAL UNIT AREAS SHOWN ON THE ARCHITECTURAL PLAN.

SHEET 1 OF 1 SHEETS

NOTES:

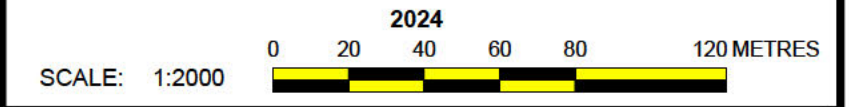
- ALL DISTANCES ARE SHOWN IN METRES AND DECIMALS THEREOF.
- ALL DISTANCES ON CURVED BOUNDARIES ARE ARC LENGTHS.
- ALL INFORMATION SHOWN ON THIS PLAN IS BOTH TENTATIVE AND PRELIMINARY, AND SUBJECT TO CHANGE BY THE 'PLAN OF SURVEY'.
- THE BOUNDARY SHOWN, EVEN IF ANNOTATED, IS SUBJECT TO CHANGE BY THE 'PLAN OF SURVEY'.
- THE ZONING OF THIS SUBJECT AREA IS IN _____
- PLAN TO BE SUBDIVIDED SHOWN OUTLINED THUS: _____ AND CONTAINS: 7.93 ha.



REV. NO.	DATE	ITEM	BY
3	JUL. 24/24	REVISED LIFT STATION	JF
2	FEB. 06/24	REV.	JF
1	JAN. 9/24	REV.	JF
0	JUNE 19/23	ORIGINAL PLAN COMPLETED	JF

REVISIONS

LE REVE
 TENTATIVE PLAN SHOWING PROPOSED
PHASED BARE LAND CONDOMINIUM
 OF
 LOT 2, BLOCK 1, PLAN 232 1572
 WITHIN THE
 S.W. 1/4 SEC.1-TWP.51-RGE.24-W.4TH MER.
BEAUMONT - ALBERTA



Pals Geomatics Corp. Phone: (780) 455 - 3177 Fax: (780) 451 - 2047
 Email: edmonton@palsgeomatics.com
 10704-176 Street NW, Edmonton, Alberta T5S 1G7

FILE NO.	12000258T	DRAFTED BY:	JF	CHECKED BY:	MK/JB
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(3) The time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the subdivision authority.

(4) If the subdivision authority does not make a determination referred to in subsection (1) within the time required under subsection (1) or (3), the application is deemed to be complete.

(5) If a subdivision authority determines that the application is complete, the subdivision authority must issue to the applicant an acknowledgment in the form and manner provided for in the land use bylaw that the application is complete.

(6) If the subdivision authority determines that the application is incomplete, the subdivision authority must issue to the applicant a notice in the form and manner provided for in the land use bylaw that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the subdivision authority in order for the application to be considered complete.

(7) If the subdivision authority determines that the information and documents submitted under subsection (6) are complete, the subdivision authority must issue to the applicant an acknowledgment in the form and manner provided for in the land use bylaw that the application is complete.

(8) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in subsection (6), the application is deemed to be refused.

(9) If an application is deemed to be refused under subsection (8), the subdivision authority must issue to the applicant a notice in the form and manner provided for in the land use bylaw that the application has been refused and the reason for the refusal.

(10) Despite that the subdivision authority has issued an acknowledgment under subsection (5) or (7), in the course of reviewing the application, the subdivision authority may request additional information or documentation from the applicant that the subdivision authority considers necessary to review the application.

(11) Repealed 2020 c39 s10(37).

2016 c24 s108;2020 c39 s10(37)

Approval of application

654(1) A subdivision authority must not approve an application for subdivision approval unless

- (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,
- (b) the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,
- (c) the proposed subdivision complies with this Part and Part 17.1 and the regulations under those Parts, and
- (d) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.

(1.1) Repealed 2018 c11 s13.

(1.2) If the subdivision authority is of the opinion that there may be a conflict or inconsistency between statutory plans, section 638 applies in respect of the conflict or inconsistency.

(2) A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,

- (a) the proposed subdivision would not
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

- (b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.

(3) A subdivision authority may approve or refuse an application for subdivision approval.

RSA 2000 cM-26 s654;2016 c24 s109;2018 c11 s13

Conditions of subdivision approval

655(1) A subdivision authority may impose the following conditions or any other conditions permitted to be imposed by the subdivision and development regulations on a subdivision approval issued by it:

(3) If a municipality registers a caveat under subsection (2), the municipality must discharge the caveat when the agreement has been complied with.

(4) Where a condition on a subdivision approval has, prior to the coming into force of this subsection, required the applicant to install a public utility or pay an amount for a public utility referred to in subsection (1)(b)(iii), that condition is deemed to have been validly imposed, whether or not the public utility was located on the land that was the subject of the subdivision approval.

RSA 2000 cM-26 s655;2009 cA-26.8 s83;2015 c8 s71;
2020 c39 s10(38)

Decision

656(1) A decision of a subdivision authority must be given in writing to the applicant and to the Government departments, persons and local authorities to which the subdivision authority is required by the subdivision and development regulations to give a copy of the application.

(2) A decision of a subdivision authority must state

- (a) whether an appeal lies to a subdivision and development appeal board or to the Land and Property Rights Tribunal, and
- (b) if an application for subdivision approval is refused, the reasons for the refusal.

(3) If an application for subdivision approval is refused, the subdivision authority may refuse to accept for consideration, with respect to the same land or part of the same land, a further application for subdivision approval submitted to it within the 6-month period after the date of the subdivision authority's decision to refuse the application.

(4) Subsection (3) does not apply in the case of an application that was deemed to be refused under section 653.1(8).

RSA 2000 cM-26 s656;2016 c24 s111;2018 c11 s13;
2020 cL-2.3 s24(41)

Subdivision registration

657(1) An applicant for subdivision approval must submit to the subdivision authority the plan of subdivision or other instrument that effects the subdivision within one year from the latest of the following dates:

- (a) the date on which the subdivision approval is given to the application;

- (a) authorizing a municipality to enter into an agreement under section 5.81 of the *Aeronautics Act* (Canada);
- (b) specifying the terms and conditions under which a municipality may enter into the agreement.

(3) The *Aeronautics Act Agreements (City of Medicine Hat and Cypress County) Regulation* (AR 33/2014) is deemed to have been made under this section.

2015 c8 s60

Part 17

Planning and Development

Definitions

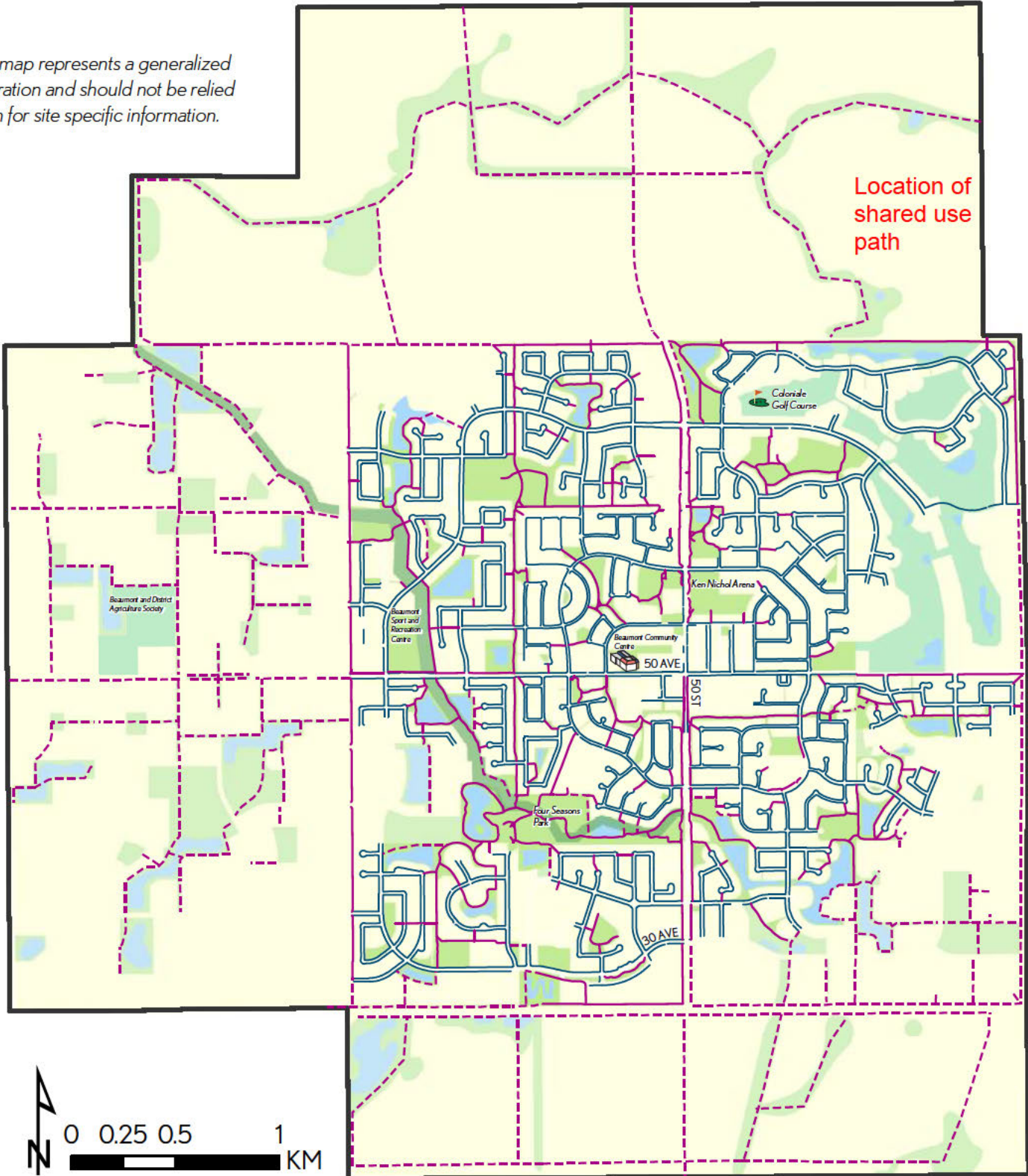
616 In this Part,

- (a) “adjacent land” means land that is contiguous to a parcel of land that is being subdivided or redesignated and includes
 - (i) land that would be contiguous if not for a highway, road, river or stream, and
 - (ii) any other land identified in a land use bylaw as adjacent land for the purpose of notification under sections 653, 679, 680 and 692;
- (a.01) “agricultural operation” means an agricultural operation as defined in the *Agricultural Operation Practices Act*;
- (a.1) “building” includes anything constructed or placed on, in, over or under land, but does not include a highway or road or a bridge that forms part of a highway or road;
- (a.11) “community recreation facilities” means indoor municipal facilities used primarily by members of the public to participate in recreational activities conducted at the facilities;
- (a.2) “community services reserve” means the land designated as community services reserve under Division 9;
- (a.3) “conservation reserve” means the land designated as conservation reserve under Division 8;
- (b) “development” means
 - (i) an excavation or stockpile and the creation of either of them,

- (a) any conditions to ensure that this Part, including section 618.3(1), and the statutory plans and land use bylaws and the regulations under this Part affecting the land proposed to be subdivided are complied with;
- (b) a condition that the applicant enter into an agreement with the municipality to do any or all of the following:
 - (i) to construct or pay for the construction of a road required to give access to the subdivision;
 - (ii) to construct or pay for the construction of
 - (A) a pedestrian walkway system to serve the subdivision, or
 - (B) pedestrian walkways to connect the pedestrian walkway system serving the subdivision with a pedestrian walkway system that serves or is proposed to serve an adjacent subdivision,or both;
 - (iii) to install or pay for the installation of a public utility described in section 616(v)(i) to (ix) that is necessary to serve the subdivision, whether or not the public utility is, or will be, located on the land that is the subject of the subdivision approval;
 - (iv) to construct or pay for the construction of
 - (A) off-street or other parking facilities, and
 - (B) loading and unloading facilities;
 - (v) to pay an off-site levy or redevelopment levy imposed by bylaw;
 - (vi) to give security to ensure that the terms of the agreement under this section are carried out.

(2) A municipality may register a caveat under the *Land Titles Act* in respect of an agreement under subsection (1)(b) against the certificate of title for the parcel of land that is the subject of the subdivision.

This map represents a generalized illustration and should not be relied upon for site specific information.



Location of shared use path

LEGEND

- - - - Conceptual Multi-Use Trail
- Current Multi-Use Trail
- Existing Sidewalk
- Municipal Boundary
- █ Leblanc Canal
- █ Storm Water Facility
- █ Private Park
- █ Park
- █ Future Proposed Park
- █ Future Proposed Storm Water Facility

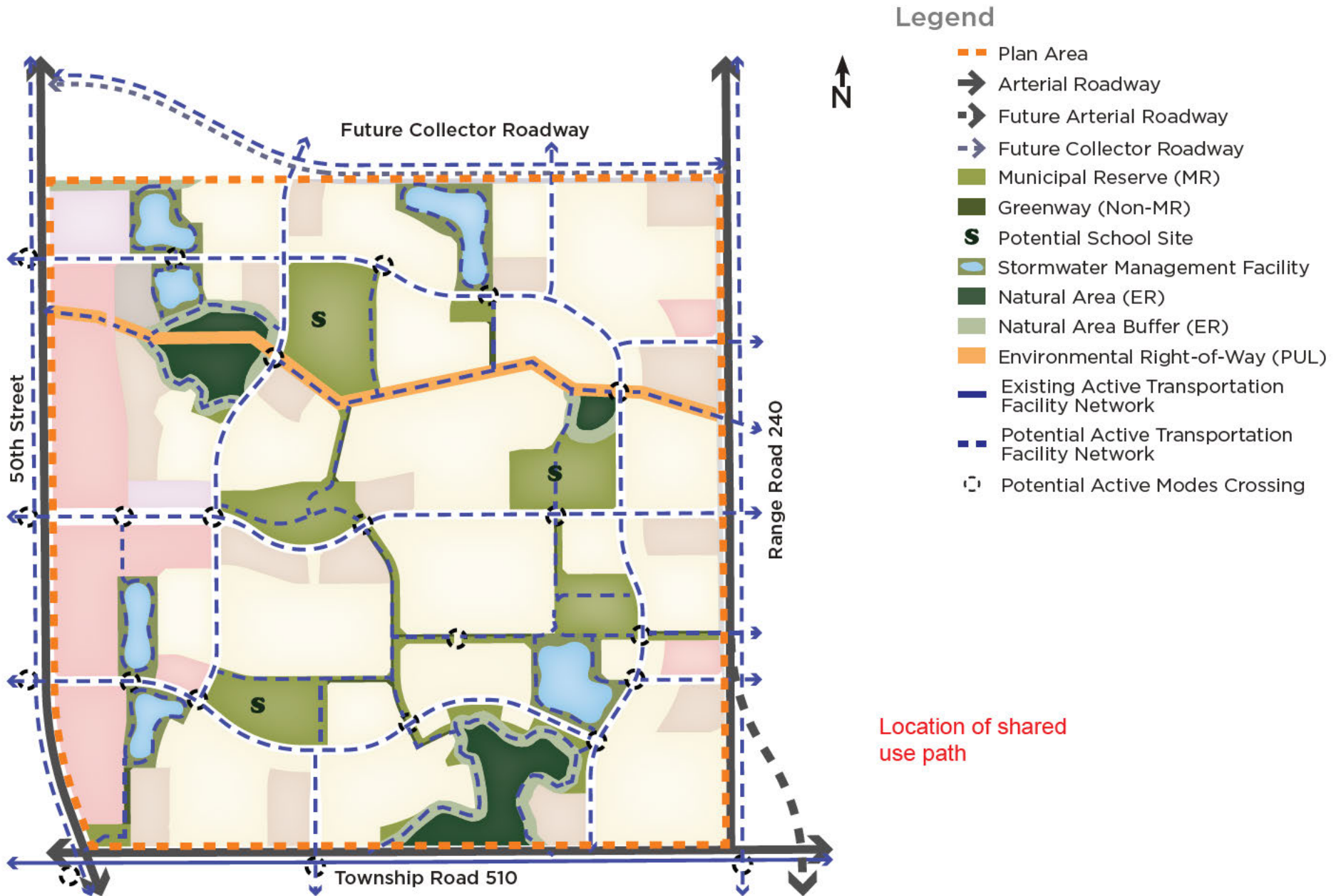





Figure 14 - Active Transportation Network

Scale: N.T.S.

Legend

-  NSP Boundary
-  Arterial Roadway
-  Potential School Site
-  Municipal Reserve (MR)
-  Greenway (Non-MR)
-  Stormwater Management Facility
-  Existing Active Transportation Facility Network
-  Potential Active Transportation Facility Network
-  Potential Active Modes Crossing

Location of shared use path



Figure 12: Active Transportation Network

Scale: N.T.S.



City of Beaumont

New Subdivision Application Package

Updated: 2022-09-16

INCLUDES:

Application Documents

- New Subdivision Application Checklist
- Subdivision Application
- Subdivision Computation Sheet
- Owner's Authorization Form
- Right-of-Entry Authorization Form
- Abandoned Wells Confirmation

City of Beaumont
Planning & Development
5600-49 Street
Beaumont, AB T4X 1A1
Phone: 780-929-8782
Email: planning@beaumont.ab.ca

All forms and supporting documents (listed below) **MUST** be submitted at time of application.

- Subdivision Application Form (Attached)
- Subdivision Computation Sheet (Attached)
- Owner's Authorization Form (Attached)
- Right-of-Entry Authorization Form (Attached)
- Abandoned Wells Confirmation Form (Attached)
- Certified up-to-date (30 days or less) Copy of Title and copies of any easements, caveats or other registered agreements that affect the use of the subject lands
- A real property report for any lot with buildings that will remain
- A Shadow Plan for all future phases of development that demonstrate how overall density minimum, and rear lane percentage is achieved (in AutoCAD, PDF and GIS format (shapefile or geodatabase))
- A Proposed Plan of Subdivision (in AutoCAD, PDF and GIS format (shapefile or geodatabase))
 - Files must be projected with a defined coordinate projection of NAD83, 3TM 114W
 - Shows location, dimensions and boundaries of the lot(s) to be subdivided;
 - The proposed lot(s) to be registered in a land titles office;
 - The location, dimensions, and boundaries of each new lot to be created and any reserve land;
 - Existing rights-of-way of each public utility or other rights-of-way;
 - The location, use, and dimensions of buildings on the parcel that is the subject of the application and specifying those buildings that are proposed to be demolished or moved;
 - The location and boundaries of the bed and shore of any river, stream, watercourse, lake, or other body of water that is contained within or bounds the proposed or existing lot(s);
 - The location of any existing or proposed wells, any private sewage disposal systems, and the distance from these to existing or proposed building and existing or proposed lot lines;
 - All accesses, existing and proposed, to all lot(s), existing and proposed; and
 - The location of any tree stands or wetlands on the existing and proposed lot(s).
- Additional information may be required by the Subdivision Authority (refer to Land Use Bylaw 5.9.2)
- Fees (See current Planning, Development & Building Permit Fee Schedule)
MUST BE PAID AT TIME OF APPLICATION (cash/debit/cheque payable to City of Beaumont)

Questions regarding planning or completing application: planning@beaumont.ab.ca | 780-929-8782

Planning & Development
5600 - 49 Street
Beaumont, AB T4X 1A1
780-929-8782
planning@beaumont.ab.ca



OFFICE USE ONLY	
SDA Number:	
Land Use District(s):	
Subdivision Name:	
Fees	Receipt #:
Subdivision Application:	
Notification Fee:	
Total Fees:	

1. Property Information

All/part of the _____ ¼ Sec. _____, Twp. _____, Rge _____, West of the 4th Meridian
OR Being all/part of Lot: 2 Block 1 Plan 2321572
OR Municipal Address: _____
C.O.T. No(s): 232 201 847
Area of the above parcels of land to be subdivided 7.93 Hectares (19.60 Acres)

2. Applicant and Property Owner Information

Applicant/Consultant Name: Pals Geomatics Corp.
Mailing Address: 10704-176 Street NW
Municipality: Edmonton Province: Alberta Postal Code: T5S 1G7
Phone: _____ Cell Phone: _____
Email (required): _____

Is the Applicant also the Registered Owner? Yes (Do not fill out below) No (Fill out below - written authorization from registered owner required)
Owner Name: RTPG GP Ltd.
Mailing Address: 8105 Davies Road NW
Municipality: Edmonton Province: Alberta Postal Code: T6E 4N1
Phone: _____ Cell Phone: _____
Email (required): _____

3. Location of Land to be Subdivided

a. Is the land situated immediately adjacent to the municipal boundary? No Yes
If "yes", the adjoining municipality is: _____

b. Is the land situated within 1.6 kilometers (1 mile) of the right of way of a highway? No Yes
If "yes", the Highway is No.: 814

c. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water or by a drainage ditch or canal? No Yes
If "yes", state its name: _____

d. Is the proposed parcel within 1.5 kilometers (0.9 miles) of a sour gas facility? No Yes

e. Does the proposed parcel contain an abandoned well? No Yes
If "yes", please attach a map showing the actual well bore location of the abandoned well with a description of the minimum setback requirements as set out in ERCB Directive 079.

4. Existing and Proposed Use of Land to be Subdivided

a. Existing use of Land: Integrated Neighbourhood District

b. Proposed use of Land: Integrated Neighbourhood District

5. Physical Characteristics of Land to be Subdivided

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

b. Describe the nature of vegetation and water on the land (brush, cleared, shrubs, tree stands, woodlots, sloughs, creeks, etc.):
cleared

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

6. Existing Buildings on the Land to be Subdivided

a. Describe any buildings and any structures on the land and whether they are to be demolished or moved:
vacant

7. Water and Sewer Services

a. 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 or indicate N/A: _____

8. Applicant Authorization

I, Ben De Jong of Pals Geomatics Corp. hereby certify that
_____ I am the registered owner,
 I am the agent authorized to act on behalf of the registered owner

And 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 to this application for subdivision approval.

Address: 10704-176 Street Edmonton T5S 1G7 Signed: _____

The personal information requested on this form is being collected under the authority Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. The information collected will be used in the management and administration of the City of Beaumont's land development planning processes and may be communicated to relevant City Business Units. If you have any questions about the collection or use of your personal information, contact the City of Beaumont's FOIP Coordinator at 5600-49th Street, Beaumont, Alberta, T4X 1A1 or 780.929.8782.

Subdivision Computation Sheet

Date Submitted: _____ Subdivision File #: _____

Area Structure Plan	
Neighbourhood Structure Plan	
Subdivision Name and Phase	Le Reve
Legal Description or Municipal Address	Lot 2 Block 1 Plan 232 1572

Land Use	Number of Hectares	% of Total Hectares	Number of Units	Density (net residential)	% of Total Units	Projected Population
Single Family						
Semi-Attached						
Multi-Attached						
Apartment						
Commercial						
Mixed Use						
Total						

Public Dedication	Total # of Hectares	% of Total Hectares
A. Circulation		
Streets		
Arterial		
Collector		
Local		
Lanes		
Walkways		
Emergency Access		
Total Dedication		
B. Public Utility Lots		
Total Dedication		

Public Dedication	Total # of Hectares	% of Total Hectares
C. Municipal Reserve Dedication		
Linkages		
Parks		
School Sites		
Total Dedication		
Balance		
BALANCE DEFERRED TO:		
Cash in Lieu		
D. Environmental Reserve Dedication		
Total Dedication		

NOTES:



5600-49 Street
Beaumont, AB T4X 1A1

P: (780) 929-8782
F: (780) 929-3300
planning@beaumont.ab.ca

Owner's Authorization Form

I, RTPG GP Ltd. being registered owner(s) of
NAME OF REGISTERED OWNER(S)

Lot 2 Block 1 Plan 232 do hereby authorize Pals Geomatics Corp
LEGAL DESCRIPTION OF PROPERTY INDIVIDUAL OR FIRM
SEEKING APPLICATION

to make application for subdivision affecting the above noted property.

RTPG GP Ltd.
REGISTERED OWNER(S)

 JOHN LYSENKO
Vice President

8105 Davies Road Edmonton
ADDRESS

Feb. 14/2024
DATE

PLEASE NOTE:

The above signed Authorization pertains only to the above noted subdivision application to which it is attached.

The personal information requested on this form is being collected under the authority Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. The information collected will be used in the management and administration of the City of Beaumont's land development planning processes and may be communicated to relevant City Business Units. If you have any questions about the collection or use of your personal information, contact the City of Beaumont's FOIP Coordinator at 5600-49th Street, Beaumont, Alberta, T4X 1A1 or 780.929.8782.



5600-49 Street
Beaumont, AB T4X 1A1

P: (780) 929-8782
F: (780) 929-3300
planning@beaumont.ab.ca

**Municipal Government Act, 2000 (Section 653)
Right-of-Entry Authorization Form**

Owners' consent to the Right-of-Entry by an authorized person of the City of Beaumont for the purpose of a land site inspection relative to a proposed subdivision application.

Section 653 (2) of the Municipal Government Act stipulates that:

"If a subdivision application includes a form on which the applicant for subdivision approval may or may not consent to the municipality or its delegate carrying out an inspection, at a reasonable time, of the land that is the subject of the application, and if the applicant signs a consent to the inspection, a notice of inspection is not required to be given under Section 542(1)."

In accordance with this Section and the subdivision application requirements of the City, it is necessary that this form be completed and returned with your application submission.

I do X or do not _____ grant consent for an authorized person of the City of Beaumont to enter upon the subject land for a site inspection.

Lot 2 Block 1 Plan 23215

LEGAL LAND DESCRIPTION

RTPG GP Ltd.

NAME IN BLOCK CAPITALS

8105 Davies Road Edmonton

ADDRESS

FRB 14/2024
DATE



**JOHN LYSENKO
Vice President**

SIGNATURE

The personal information requested on this form is being collected under the authority Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. The information collected will be used in the management and administration of the City of Beaumont's land development planning processes and may be communicated to relevant City Business Units. If you have any questions about the collection or use of your personal information, contact the City of Beaumont's FOIP Coordinator at 5600-49th Street, Beaumont, Alberta, T4X 1A1 or 780.929.8782.

DECLARATION - ABSENCE OF ABANDONED WELLS ON PARCEL

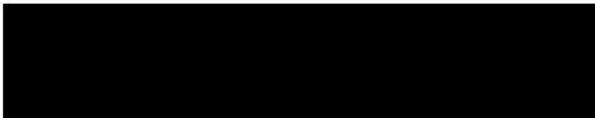
I, Ben De Jong of Pals Geomatics Corp., have reviewed information from the Energy Resource and Conservation Board ("ERCB") and can advise that the information shows the absence of any abandoned wells on the parcel that is the subject of the attached application for Subdivision Application.

Subdivision Name: Le Reve

Lot: 2 Block: 1 Plan: 2321572

Municipal Address: _____

Certificate of Title: 232 201 847



Signature

Ben de Jong, ALS

Printed Name

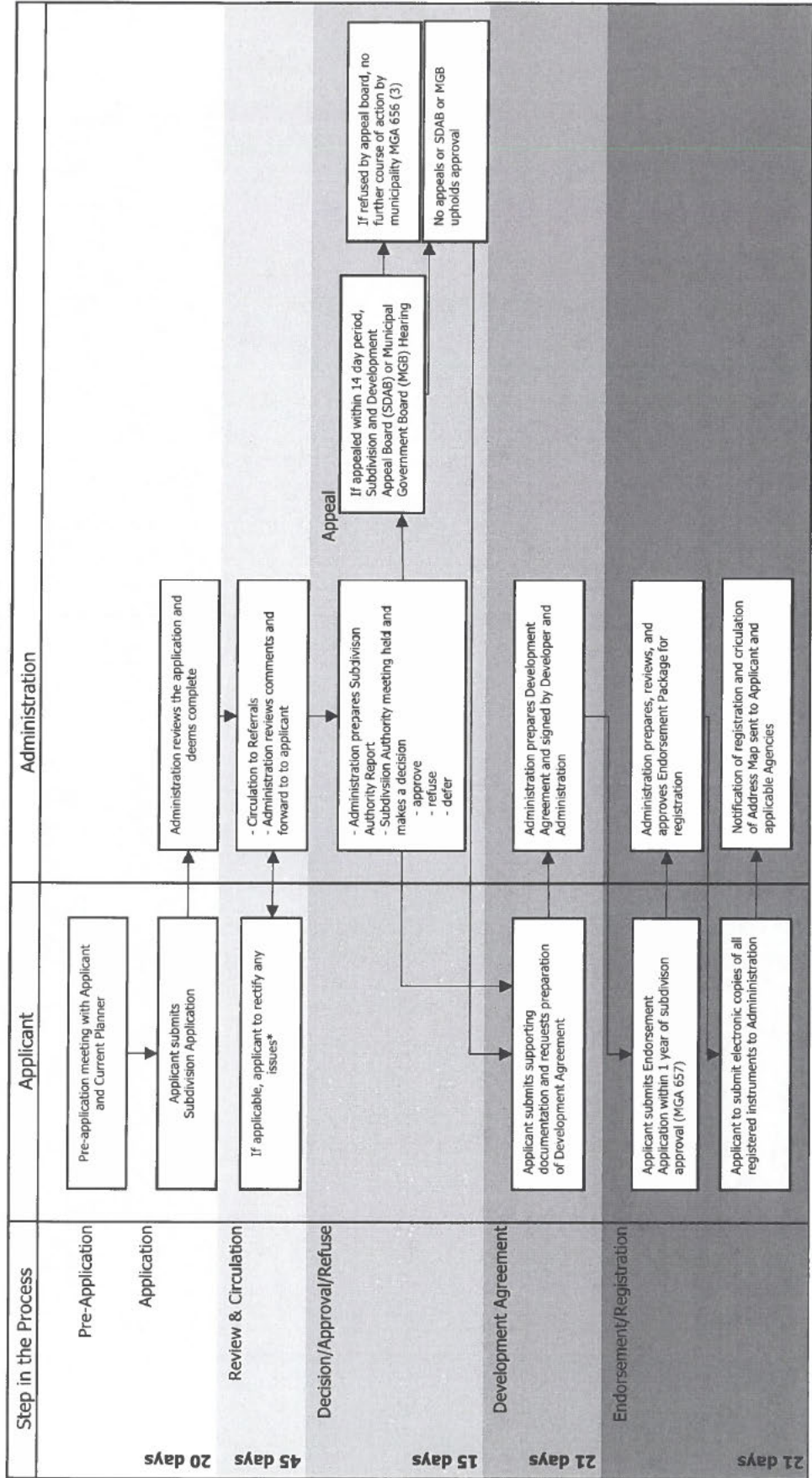
2024-02-13

Date

The personal information requested on this form is being collected under the authority Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. The information collected will be used in the management and administration of the City of Beaumont's land development planning processes and may be communicated to relevant City Business Units. If you have any questions about the collection or use of your personal information, contact the City of Beaumont's FOIP Coordinator at 5600-49th Street, Beaumont, Alberta, T4X 1A1 or 780.929.8782.



SUBDIVISION APPLICATION PROCESS



Updated: July 23, 2020

Notes:

This diagram describes a General Subdivision Process

Process timeframe 4 + months (processing timeframe depends on Applicant submissions and possible revisions required)

* Concerns addressed and application finalized. Public Meeting may be held. Additional reports/studies may be required. Repeat technical review may be necessary.

Notice of Decision

Date of Decision: October 4, 2024

Pals Geomatics Corp.
10704 176 Street NW
Edmonton, AB T5S 1G7

Subdivision File Name:	SDA-24-05
Legal Description:	A portion of N.W. ¼ Sec. 27-50-24-W4M
Land Use District:	Integrated Neighbourhood
Proposed Subdivision:	Bare Land Condominium creating 2 units, 1 PUL, and remnant A

Pursuant to Section 654 of the MGA, the above-described Subdivision was **APPROVED on October 4, 2024**, subject to the following conditions:

1. That the subdivision be effected by plan of survey.
2. That any outstanding taxes be paid or satisfactory arrangements be made with the City of Beaumont.
3. That all existing easements, caveats, and restrictive covenants registered to the subject property be carried over and registered on the newly created lots.
4. That easement documents required to service this parcel shall be submitted for concurrent registration at the Land Titles Office. The plan shall show a 1.5 m right-of-way on all lots adjacent to any Public Utility Lot for maintenance purposes.
5. That the owner/Developer provide construction cost estimates for the 50th Street shared use path, from the point along 50th street parallel to the most northern property line of the Condominium plan, to the point along 50th street parallel to the most southern property line of the Condominium plan, to the satisfaction of the Municipality, and that the Developer provide the construction cost as a result of the agreed upon construction estimates

The Subdivision Authority is of the opinion, after considering factors set out in Section 7 of the Subdivision and Development Regulation and the comments from adjacent landowners, that the land is suitable for the purpose for which the subdivision is intended.

This approval is valid for one year expiring on October 4, 2025. Pursuant to the Land Use Bylaw 944-19, any extensions of the Subdivision approval may be authorized by the Subdivision Authority.

Attachment 1 is a list of advisements. Attachment 2 is a map of the subdivision and the location of specific condition requirements.

With regard to the conditions of approval, they are to be met and satisfied prior to the submission of the final plan of subdivision, which is to be prepared by an Alberta Land Surveyor.

Once all conditions of approval have been complied with, the final plan of subdivision and endorsement plans/documents can be submitted. Please see our website for endorsement submission requirements at <https://www.beaumont.ab.ca/DocumentCenter/View/6055/Endorsement-Application-Package>.

An endorsement fee will be required to be paid upon submission of the final plan. Endorsement fees are subject to change. If the fee schedule is amended before you submit the final plan of subdivision for endorsement, the new fees will apply.

Notice of Decision

Date of Decision: October 4, 2024

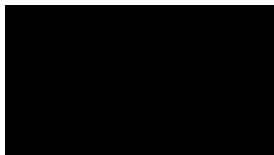
Pals Geomatics Corp.
10704 176 Street NW
Edmonton, AB T5S 1G7

Subdivision File Name: SDA-24-05
Legal Description: A portion of N.W. ¼ Sec. 27-50-24-W4M
Land Use District: Integrated Neighbourhood
Proposed Subdivision: Bare Land Condominium creating 2 units, 1 PUL, and remnant A

Appeal Information

Please be advised that an appeal may be submitted in accordance with Section 678 of the Municipal Government Act with the Subdivision and Development Appeal Board within 14 days of the written decision. Please visit our website for more details at www.beaumont.ab.ca

If you have any further questions, please contact Sara Boulos at planning@beaumont.ab.ca or 780-340-1784



Kendra Raymond, RPP, MCIP
Subdivision Authority

Encl:
Advisements
Conditions of Approval Map
Application for Subdivision
Tentative Subdivision Plan Conditionally Approved by the Subdivision Authority

cc: RTPG GP Ltd.

Notice of Decision

Date of Decision: October 4, 2024

Subdivision File: SDA-24-05

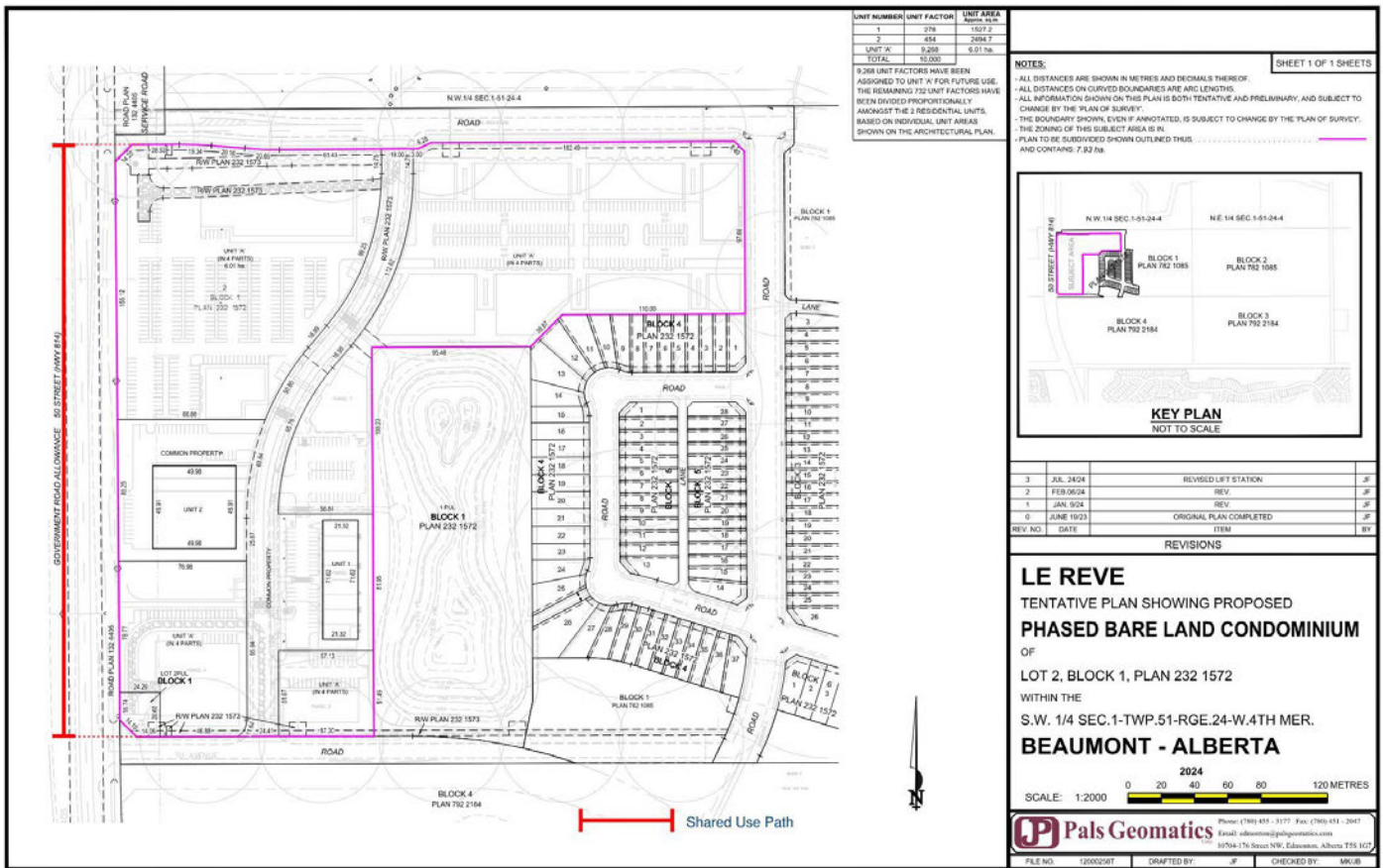
Attachment 1: Advisements

1. Homebuilders should be made aware of that any home placed on a lot with a zero lot line maintenance easement, requires a side yard setback of 1.5 m along the zero lot line side.
2. Homebuilders should be made aware that zero lot line properties must connect roof leaders to sump pump discharge services.
3. Homebuilders should be made aware that all building permit applications for Beaumont must meet construction requirements in the National Building Code Alberta Edition 2019 (NBC-AE 2019) for a location without a 10 minute response time as applicable.
4. Homebuilders must be made aware that lots with front or rear attached or detached garage product will not be permitted to construct a driveway within a corner cut as per the GDS (section 2.1.1.3 e. iv.).
5. The City of Beaumont will not vary the GDS to permit owners/builders to construct a driveway extension into the corner cut triangle. Buyers and/or builders of corner lot properties should be made aware of the development constraint.

Notice of Decision

Date of Decision: October 4, 2024

Subdivision File: SDA-24-05



**REFERRAL CIRCULATION SUMMARY:
SDA-24-05 Le Reve Phase 1A Bare Land Condominium
2024-04-25**

The following are comments and concerns heard through the referral process:

City Administration		
Comments Received		Action Required
1.	Land Use Bylaw Regulations 1. This subdivision meets block and subdivision as per SDA-21-02 Conditional Approval 2. This subdivision meets the lot width requirements as per SDA-21-02 Conditional Approval	Note
2.	Ensure right in right out is considered for the site layout prior to building permits so no conflict occurs with location in relation to parking stalls and drive isles	Note
3.	Recommend excluding Parcel 4 from the Subdivision until the Sanitary Lift Station PUL size is defined and agreed upon by the city	Applicant to respond and address
4.	Define the size of the PUL for the lift station	Note/follow up
5.	Current Spine Road may require upgrade from private to Public	City to provide more details
6.	Developer to construct shared use path along 50 th street	Condition
7.	Developer to construct the east-west shared use path connection towards 50 th street	Condition
8.	Potential future infrastructure and associated easements near or on lands	Note
Specific Conditions Required		
	That the owner/developer construct the shared-use path along 50 th street as per the Neighbourhood Structure Plan in accordance with the City of Beaumont General Design Standards and to the satisfaction of the Municipality, as shown on the "conditions of Approval" map.	



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Agencies	
Name	Comments Received
Alberta Health Services	<p>This application proposes to subdivide 7.93 ha (19.60 ac). The existing use of land, and proposed use of land is described as Integrated Neighbourhood District. A Preliminary Geotechnical Investigation (J.R. Paine & Associates Ltd., March 14, 2013, File No: 4455-2) was previously reviewed. Further geotechnical studies were to be completed on a staged basis for future redistricting or subdivision applications.</p> <p>A Phase I Environmental Site Assessment (ESA) (CT & Associates Engineering Inc., October 2020, File No. 02-3081) was reviewed for Block 1, Plan 7821085. There were no concerns identified in the ESA requiring further investigation for these lands.</p> <p>Alberta Health Services – Environmental Public Health has no concerns with the subdivision application at this time.</p>
Apex	<p>Apex Utilities Inc. has no objection to the proposed subdivision described in the file mentioned above.</p> <p>Please notify Utility Safety Partners at 1-800-242-3447 to arrange for “field locating” should excavations be required within the described area.</p> <p>We wish to advise that any relocation of existing facilities will be at the expense of the developer and payment of contributions required for new gas facilities will be the responsibility of the developer.</p>
Fortis Alberta	<p>Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.</p>



	<p>FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.</p> <p>Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.</p>
City of Leduc	<p>There is a future CRSWSC water line that is anticipated to run along Hwy 814 from the north edge of Beaumont and running to the north. It is unknown at this time whether it would run on the east or west side of Hwy 814. This would potentially interfere with the proposed development. Can you please give me a call at 780-980-7123 to discuss options and what would be involved in order to possibly set up an easement for the future water line in this area?</p>
Shaw Cable	SHAW/ROGERS has no concerns with this subdivision application.
St. Thomas Aquinas Roman Catholic Schools	no comment
Telus Communications Inc.	<p>Thank you for including TELUS in your circulation</p> <p>At this time, TELUS has no concerns with the proposed activities.</p>

Adjacent Landowners

SDA-24-05 was circulated to 7 adjacent landowners. **No comments were received.**





Tom Ternes

Project Coordinator/Designer

Invistec Consulting Ltd.

Suite 1700, 10130 – 103 Street NW

Edmonton, Alberta, T5J 3N9

Direct: [REDACTED]

Email: [REDACTED]

www.invistec.ca

From: Ben DeJong [REDACTED]
Sent: Monday, September 16, 2024 10:22 AM
To: Sara Boulos [REDACTED]
Cc: Tom Ternes [REDACTED]
Subject: RE: SDA-24-05 Le Reve 1A Bare Land Condo

Thanks for the update Sara. Is there any way we can get this sooner? It has been in with the City for quite some time.

Regards,

Ben de Jong, ALS
Manager, Land Development

(P) Pals Geomatics
Corp.

10704-176 Street N.W.

Edmonton, AB T5S 1G7

Direct: [REDACTED]

Office: [REDACTED]

Toll Free: [REDACTED]

[REDACTED]
General Email: [REDACTED]

Website: www.palsgeomatics.com

Information contained in this communication may be confidential and is intended only for the use of the recipient(s) named above subject to surveyor client privilege. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication or any of its contents is strictly prohibited. If you received this communication in error please return it to the sender and contact.



From: Reuben Ross [REDACTED]
Sent: Wednesday, May 29, 2024 9:52 AM
To: Sara Boulos [REDACTED] >
Cc: Ben De Jong [REDACTED]
Subject: FW: SDA-24-05 Le Reve 1A Bare Land Condo

Caution: This is an external email and has a suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, contact your IT Business Unit or CA&T Department.

Hi Sara,

Ben forwarded this email to me. I wanted to clarify some of the items in the first paragraph:

- What are the plans that need to be submitted to the city for review?
- What are the potential road upgrades? Is there any action from our end?

Please let us know if you require any additional information from us.

Thanks,

<http://www.invistec.ca/> style='position:absolute;margin-left:0;margin-top:0;width:70.9pt;height:85.05pt;z-index:-251658752;visibility:visible;mso-wrap-style:square;mso-width-percent:0;mso-height-percent:0;mso-wrap-distance-left:9pt;mso-wrap-distance-top:0;mso-wrap-distance-right:9pt;mso-wrap-distance-bottom:0;mso-position-horizontal:absolute;mso-position-horizontal-relative:text;mso-position-vertical:absolute;mso-position-vertical-relative:text;mso-width-percent:0;mso-height-percent:0;mso-width-relative:page;mso-height-relative:page'

Reuben Ross, P.Eng.

Project Director

Invistec Consulting Ltd.

Suite 1700, 10130 - 103 Street NW

Edmonton, Alberta, T5J 3N9

Direct: [REDACTED]

Email [REDACTED]

From: Ben DeJong [REDACTED]
Sent: Wednesday, May 29, 2024 9:47 AM
To: Reuben Ross [REDACTED]
Subject: FW: SDA-24-05 Le Reve 1A Bare Land Condo

of a parcel of land as defined in Part 17 of the *Municipal Government Act*, and

- (b) each building located on the parcel that contains a unit contains 2 or more units.

1983 c71 s3;1995 c24 s100

Plan of subdivision

3 For the purposes of Part 17 of the *Municipal Government Act* and the *Land Titles Act*, a condominium plan is a plan of subdivision.

1983 c71 s3;1995 c24 s100

Subdivision of buildings into units

4(1) A building or land may be designated as a unit or part of a unit or divided into 2 or more units by the registration of a condominium plan under this Act.

(2) The Registrar shall not register a condominium plan unless that condominium plan describes 2 or more units in it.

(3) For the purposes of the *Land Titles Act*, a condominium plan is deemed on registration to be embodied in the register.

(4) This Act applies only with respect to land held in fee simple, excepting from the fee simple all mines and minerals.

(5) Notwithstanding subsection (4), if land is held under lease and a certificate of title has been issued under the *Land Titles Act* in respect of the lease, this Act applies to the land described in the certificate of title, excepting from that title all mines and minerals.

RSA 1980 cC-22 s2;1983 c71 s4

Certificate of title for unit

5(1) On registering a condominium plan, the Registrar

- (a) shall cancel the certificate of title to the parcel described in the plan, except as to any mines and minerals comprised in it, and
- (b) shall issue a separate certificate of title for each unit described in the plan,

and any interests affecting the parcel that are noted on the certificate of title cancelled under clause (a) shall be endorsed on the certificates of title issued under clause (b).

(2) No more than one unit may be included in one certificate of title and no other land, except the owner's share in the common

February 29, 2024 - Bare Land Condominium Subdivision application received

March 5, 2024 – Payment for B Subdivision application received

March 25, 2024 –Subdivision application Deemed Complete

March 25 – April 25, 2024 – 30 day circulation period of Subdivision

May 10, 2024 – referral summary summarizing the comments from the 30 day circulation period was provided to the applicant

May 27, 2024 – Time extension provided to the applicant to complete and provide back to the City

July 16, 2024 – Applicant provided requested information as a result of the referral summary

August 21, 2024 – Applicant provided signed time extension back to the City

October 2, 2024 – Application went to the Subdivision Authority

October 4, 2024 – Application was approved with conditions by the Subdivision Authority

October 8, 2024 – Notice of Decision was sent to the applicant and affected parties

Subdivision Authority Presentation

November 12, 2024



Proposed Development



SDA-24-05

Bare Land Condominium Creating 2 Units,
1PUL, and remnant lot A located on a
portion of N.W. ¼ Sec. 27-50-24-W4M



Future Development

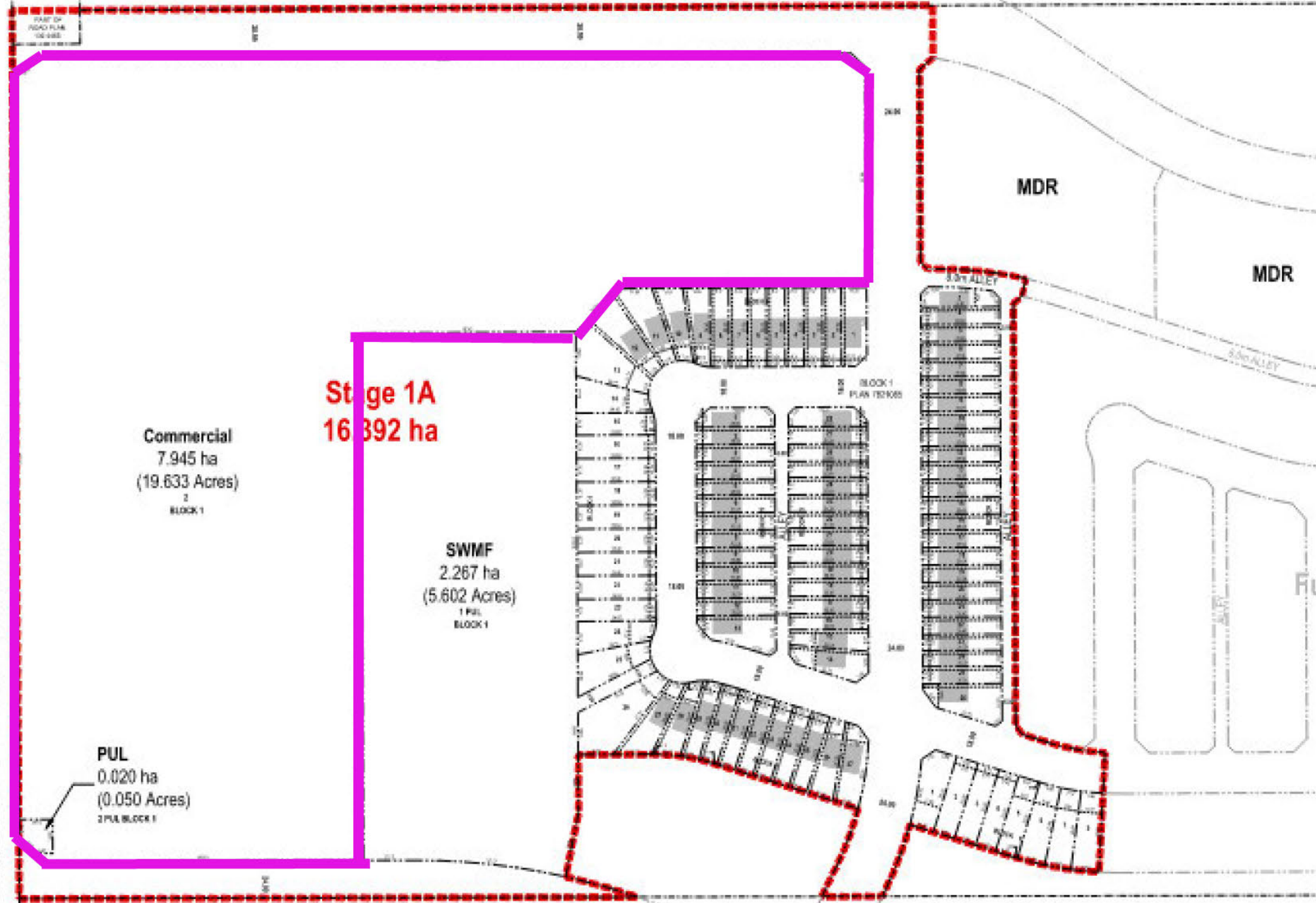
N.W. 1/4 SEC. 1-51-24-4

RAV PLAN 202-0808

SERVICE ROAD

ROAD PLAN 132-6887

50 Street



Stage 1A
16,392 ha

Commercial
7.945 ha
(19.633 Acres)
BLOCK 1

SWMF
2.267 ha
(5.602 Acres)
1 PUL
BLOCK 1

PUL
0.020 ha
(0.050 Acres)
2 PUL, BLOCK 1

Future Development

BLOCK 4,
PLAN 7922184



Presentation Outline

1. Legislative Considerations

1. Municipal Government Act
2. Condominium Property Act

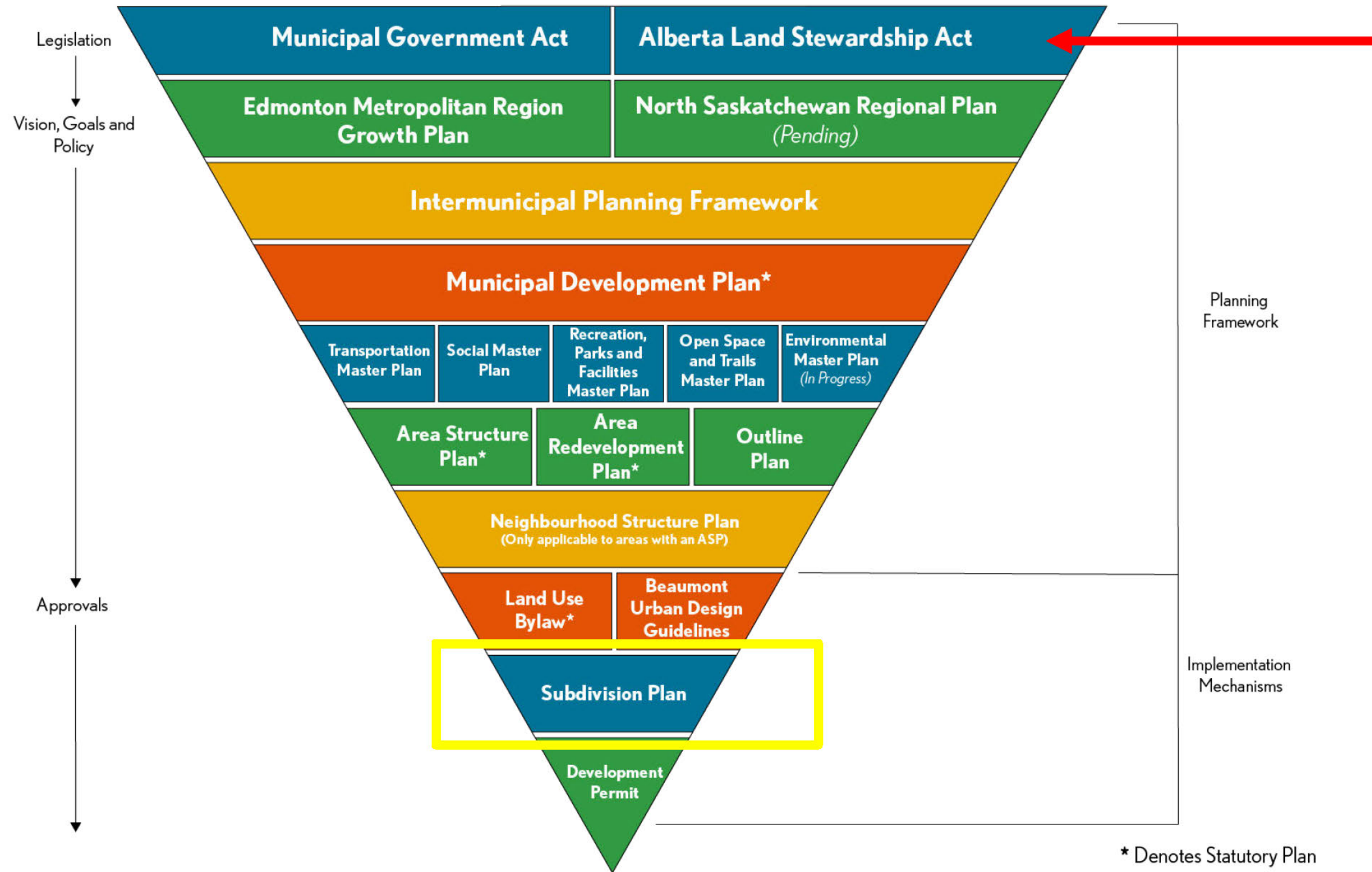
2. Compliance with Statutory Plans

1. Municipal Development Plan
2. Le Reve Area Structure Plan
3. Le Reve Neighbourhood Structure Plan

3. Seeking Equity

1. Conditioning of the permit

Legislative Considerations

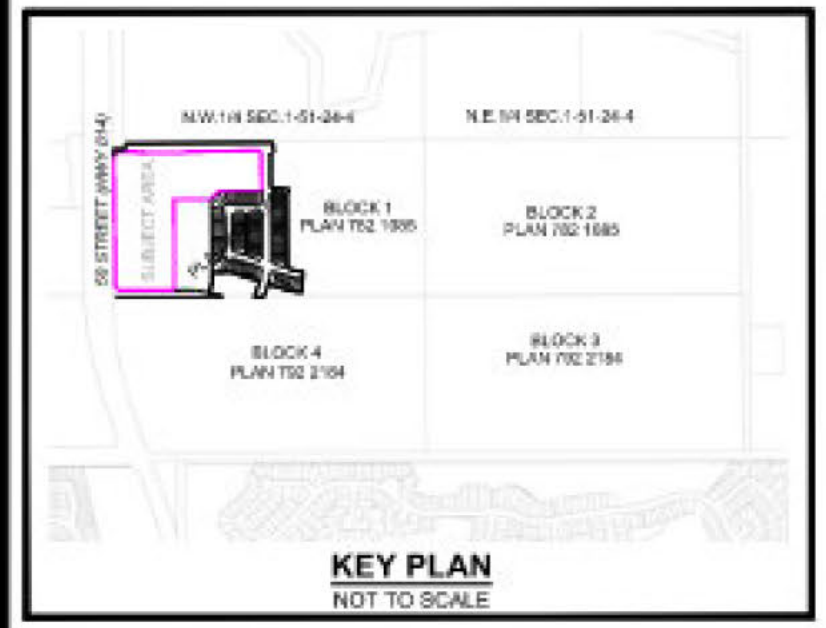
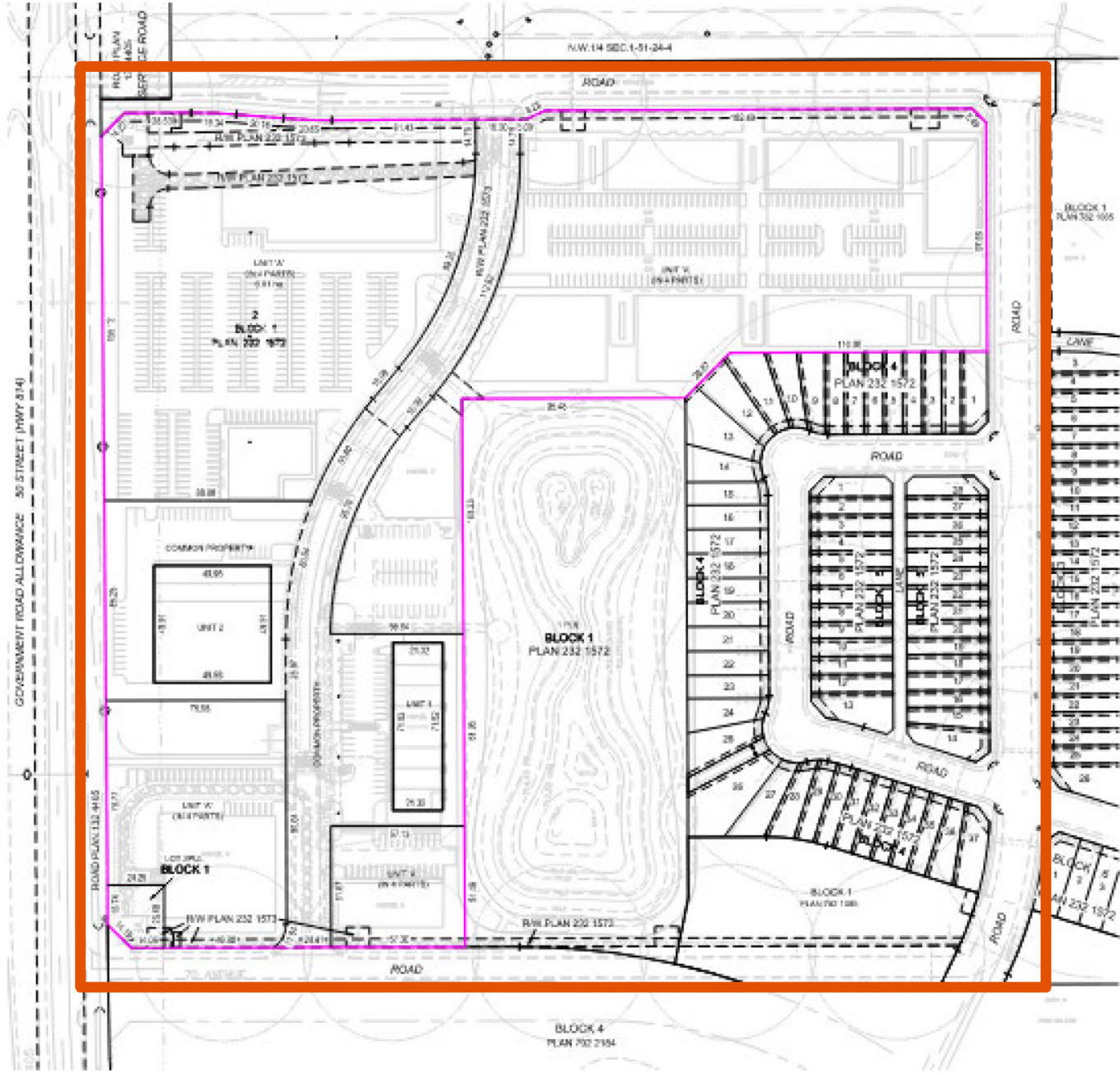


Condominium
Property Act
(CPA)

CPA
Plan of
Subdivision
3 For the
purposes of Part
17 of the MGA
and the LTA, a
condominium
plan is a plan of
subdivision

TOTAL 16380
 6288 UNIT FACTORS HAVE BEEN ASSIGNED TO UNIT W FOR FUTURE USE. THE REMAINING 732 UNIT FACTORS HAVE BEEN DIVIDED PROPORTIONALLY AMONGST THE 2 RESIDENTIAL UNITS, BASED ON INDIVIDUAL UNIT AREAS SHOWN ON THE ARCHITECTURAL PLAN.

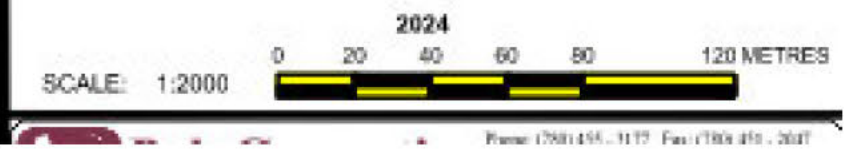
NOTES:
 - ALL DISTANCES ARE SHOWN IN METRES AND DECIMALS THEREOF.
 - ALL DISTANCES ON CURVED BOUNDARIES ARE ARC LENGTHS.
 - ALL INFORMATION SHOWN ON THIS PLAN IS BOTH TENTATIVE AND PRELIMINARY, AND SUBJECT TO CHANGE BY THE PLAN OF SURVEY.
 - THE BOUNDARY SHOWN, EVEN IF ANNOTATED, IS SUBJECT TO CHANGE BY THE PLAN OF SURVEY.
 - THE ZONING OF THIS SUBJECT AREA IS RM.
 - PLAN TO BE SUBDIVIDED SHOWN OUTLINED THUS AND CONTAINS 7.83 ha.



REV. NO.	DATE	ITEM	BY
3	JUL 2024	REVISED LIFT STATION	JF
2	FEB 09/24	REV.	JF
1	JAN 02/24	REV.	JF
0	JUNE 19/23	ORIGINAL PLAN COMPLETED	JF

REVISIONS

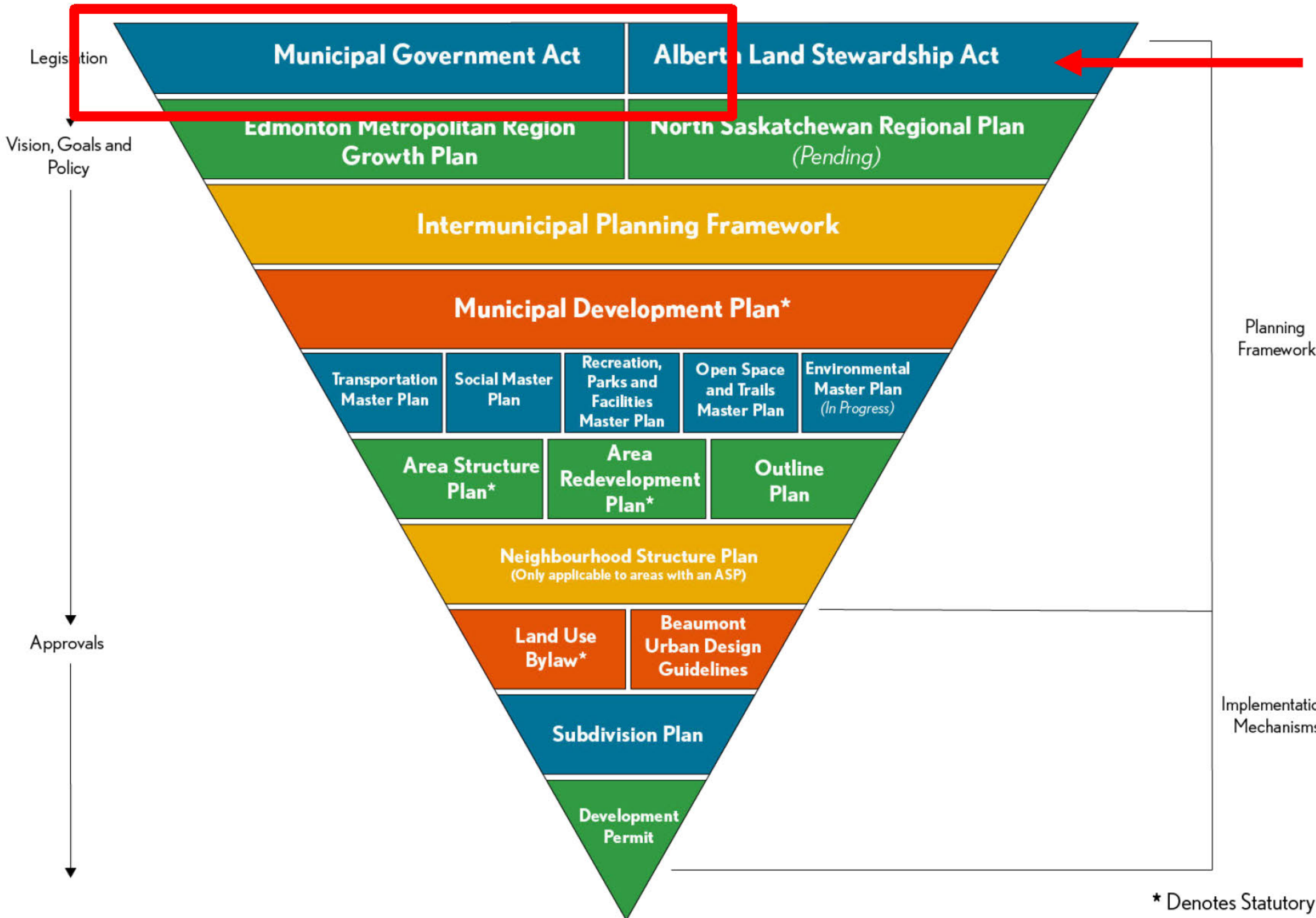
LE REVE
 TENTATIVE PLAN SHOWING PROPOSED
PHASED BARE LAND CONDOMINIUM
 OF
 LOT 2, BLOCK 1, PLAN 232 1572
 WITHIN THE
 S.W. 1/4 SEC.1-TWP.51-RGE.24-W.4TH MER.
BEAUMONT - ALBERTA



Conditions of Approval:

1. That the subdivision be effected by plan of survey.
2. That any outstanding taxes be paid or satisfactory arrangements be made with the City of Beaumont.
3. That all existing easements, caveats, and restrictive covenants registered to the subject property be carried over and registered on the newly created lots.
4. That easement documents required to service this parcel shall be submitted for concurrent registration at the Land Titles Office. The plan shall show a 1.5 m right-of-way on all lots adjacent to any Public Utility Lot for maintenance purposes.
- 5. That the owner/Developer provide construction cost estimates for the 50th Street shared use path, from the point along 50th street parallel to the most northern property line of the Condominium plan, to the point along 50th street parallel to the most southern property line of the Condominium plan, to the satisfaction of the Municipality, and that the Developer provide the construction cost as a result of the agreed upon construction estimates.**

Legislative Considerations



Condominium Property Act (CPA)

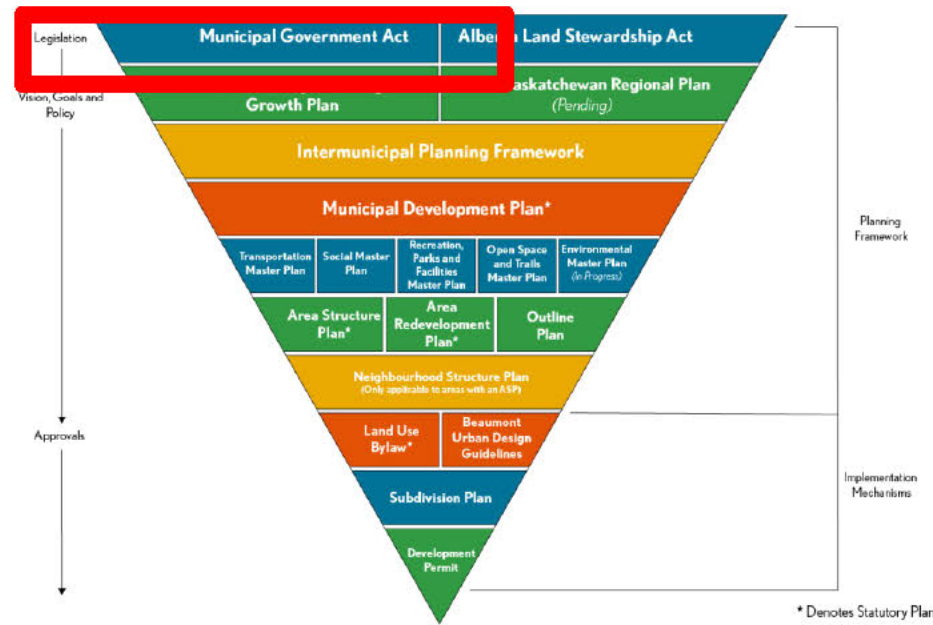
Key sections of the MGA for interpretation:

616 In this Part,
 (a) “adjacent land” means land that is contiguous to a parcel of land that is being subdivided or redesignated and includes
 (i) land that would be contiguous if not for a highway, road, river or stream

Interpretation Act:

Must: is to be constructed as imperative;
 Shall: is to be constructed as imperative

Legislative Considerations



Approval of Application

654(1) A subdivision authority **must not approve** an application for subdivision approval **unless**

(a) The land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,

(b) **The proposed subdivision conforms** to the provisions of any growth plan under Part 17.1, **any statutory plan** and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided

Conditions of Subdivision Approval

655(1) A Subdivision Authority **may impose the following conditions or any other conditions permitted** to be imposed by the subdivision and development regulations on a subdivision approval issued by it:

(a) **Any conditions** to ensure that this Part, including section 618.3(1), and the **statutory plans** and land use bylaws and the regulations under this Part affecting the land proposed to be subdivided **are complied with;**

(b) A condition that the applicant enter into an agreement with the municipality to do any or all of the following:

(i) To construct or pay for construction of a road required to give access to the subdivision;

(ii) **To construct or pay for the construction of**

a. **Pedestrian walkway system to serve the subdivision,** or

b. Pedestrian walkways to connect the pedestrian walkway system serving the subdivision with a pedestrian walkway system that serves or is proposed to serve an adjacent subdivision or both;

Presentation Outline

1. Legislative Considerations

1. Municipal Government Act
2. Condominium Property Act

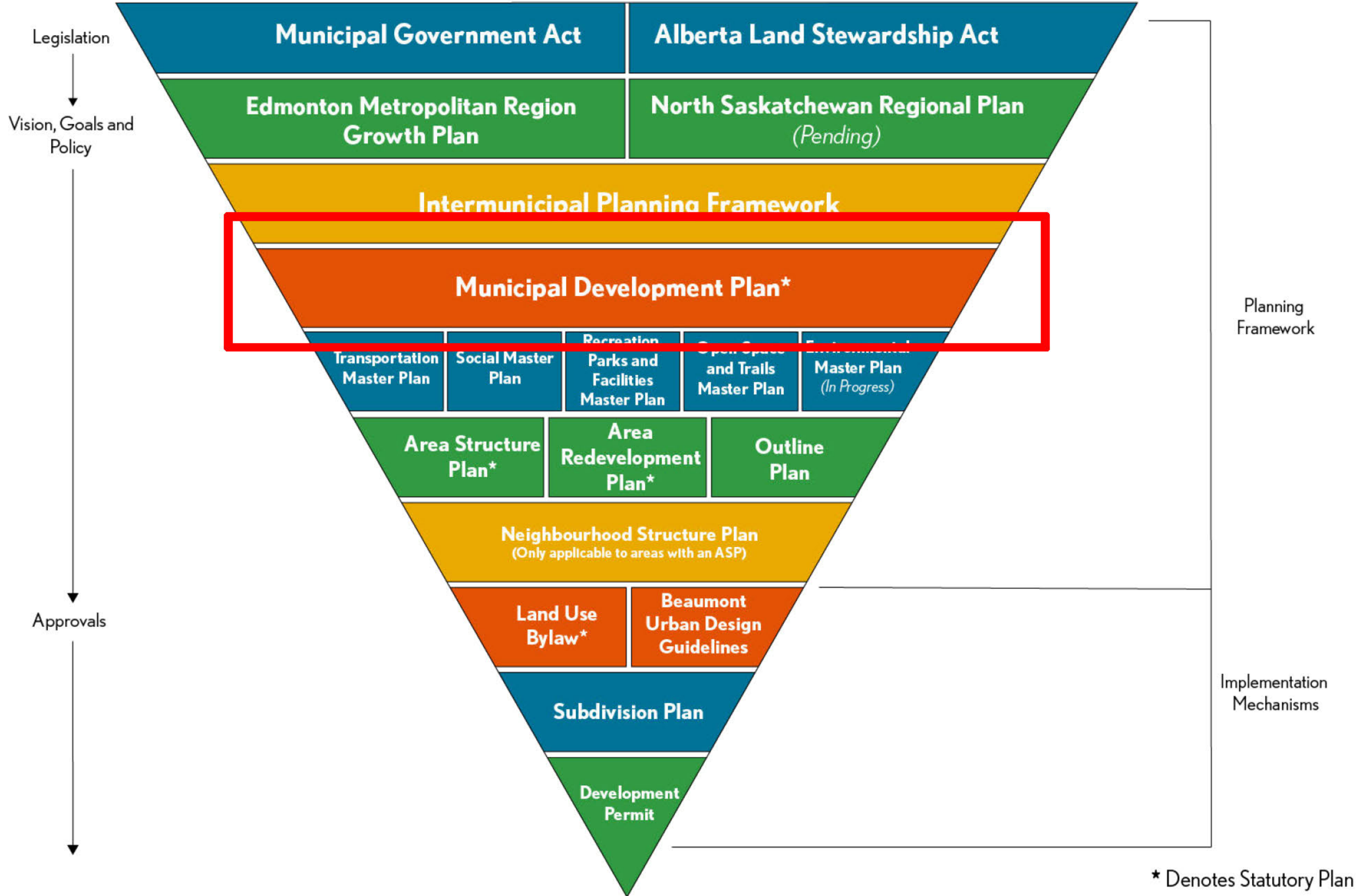
2. Compliance with Statutory Plans

1. Municipal Development Plan
2. Le Reve Area Structure Plan
3. Le Reve Neighbourhood Structure Plan

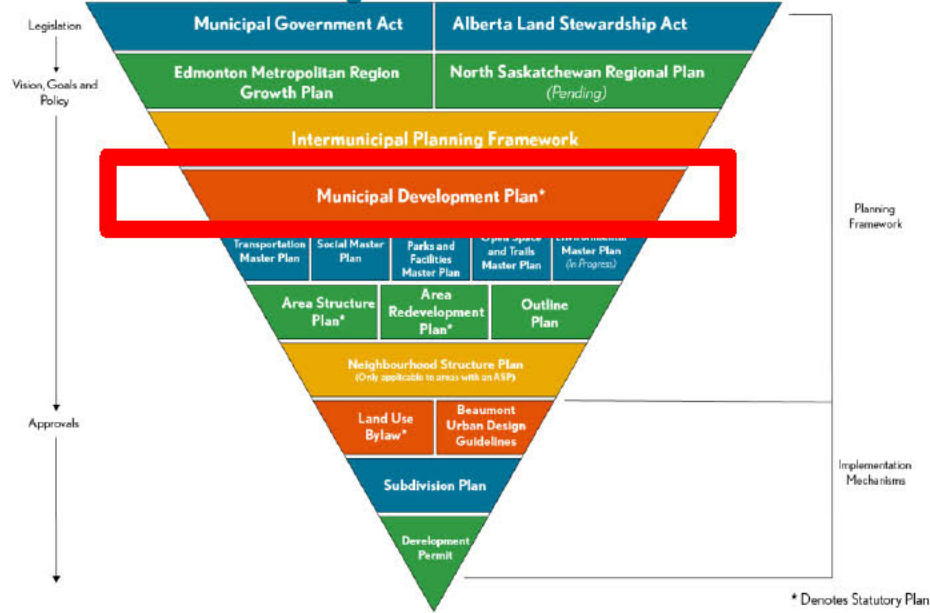
3. Seeking Equity

1. Conditioning of the permit

Statutory Plans



Statutory Plans: Municipal Development Plan



Part 6: Effective Movement of People and Goods.

6.1 General Policies:

6.1.4 The principles of Complete Streets shall be implemented when designing new neighbourhoods and transportation corridors or upgrading existing corridors. Transportation corridors will be designed to:

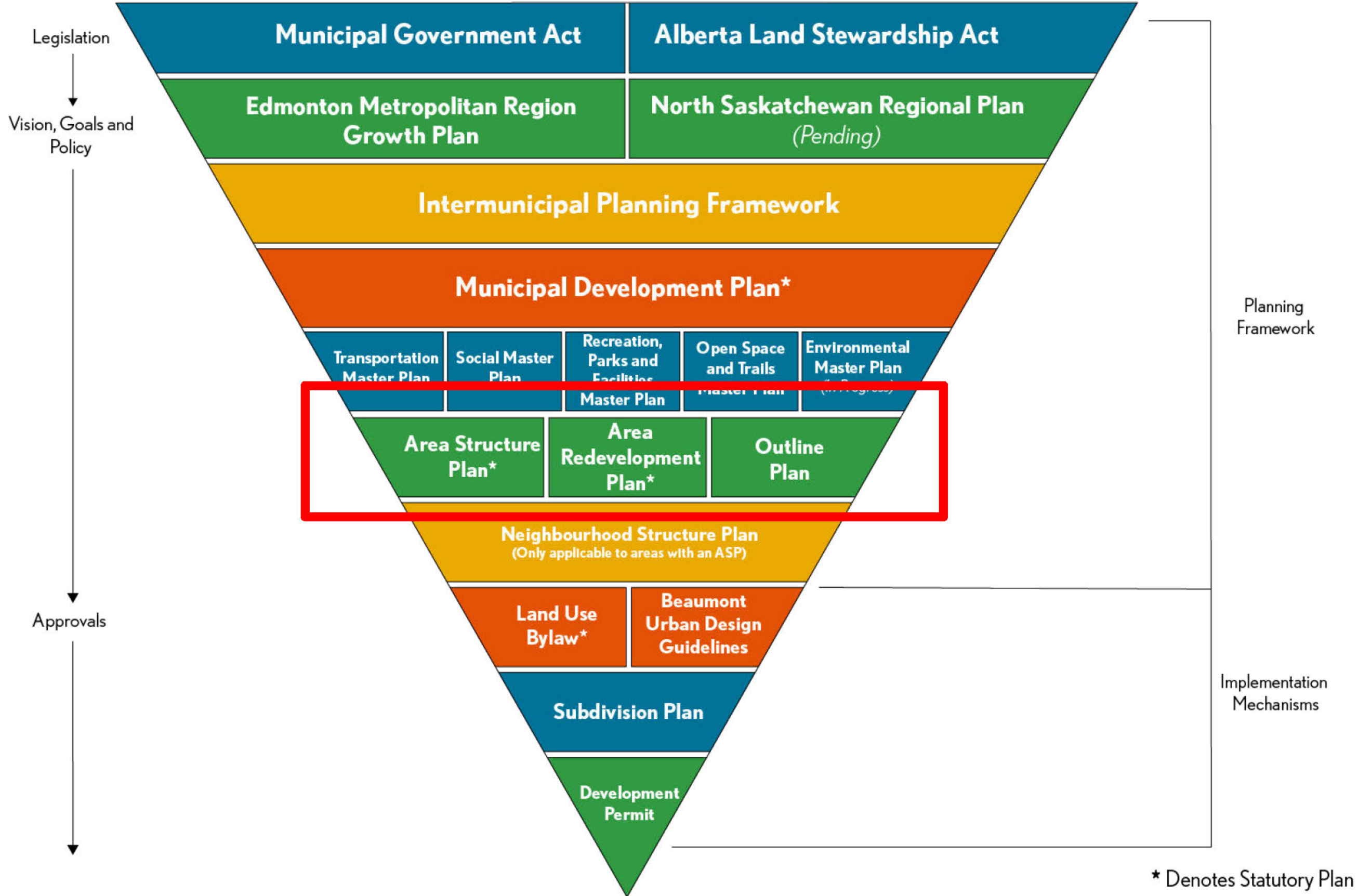
- balance the needs and priorities of various users within the right-of-way, including pedestrians, cyclists, transit vehicles and users, goods and services vehicles, emergency vehicles, and motorists;
- allow users of all ages and abilities to safely move along and across the street;
- provide space for street elements, such as utilities and services, trees and landscaping, green infrastructure, snow and stormwater management, wayfinding, boulevard cafés, marketing and vending, and street furniture;
- improve the quality and convenience of active transportation options;
- serve community destinations and public gathering spaces; and
- provide building and amenity access.

6.1.5 Prioritize investment in Beaumont's transportation system that are multi-modal and promote active lifestyle and transit oriented options

6.3 Biking and Walking

6.3.1 A "pedestrian prioritized" philosophy will be implemented throughout the community with trails, sidewalks, and crossings designed to support pedestrian safety and ease of use while balancing the needs of all users and roadway classifications (speed and volume)

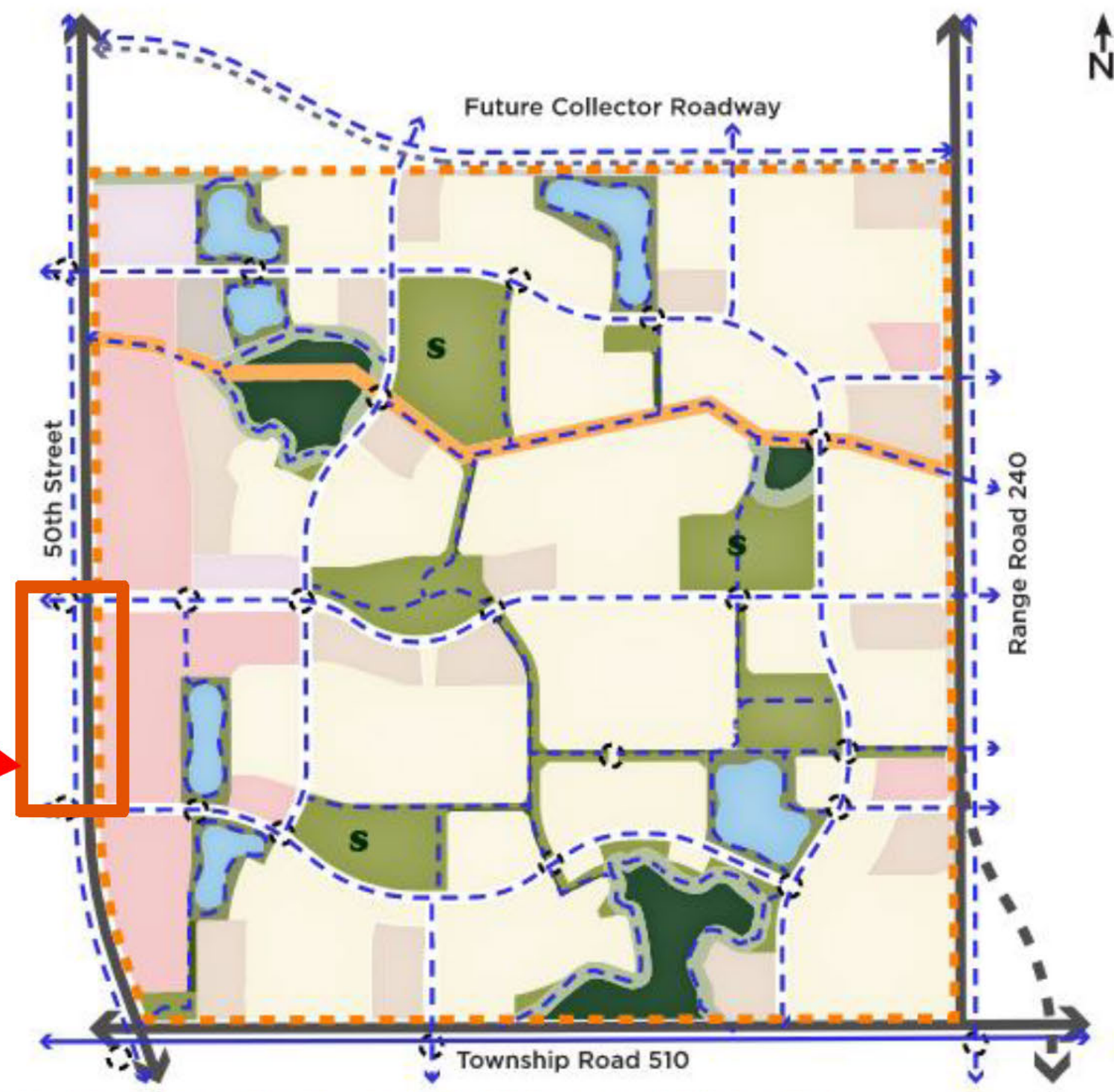
Statutory Plans



Statutory Plans: Le Reve Area Structure Plan

Legend

- - - Plan Area
- Arterial Roadway
- - - → Future Arterial Roadway
- - - - - → Future Collector Roadway
- Municipal Reserve (MR)
- Greenway (Non-MR)
- S Potential School Site
- Stormwater Management Facility
- Natural Area (ER)
- Natural Area Buffer (ER)
- Environmental Right-of-Way (PUL)
- Existing Active Transportation Facility Network
- - - Potential Active Transportation Facility Network
- Potential Active Modes Crossing



Location of Shared Use Path along Arterial Roadway (50th Street) fort his portion of Subdivision

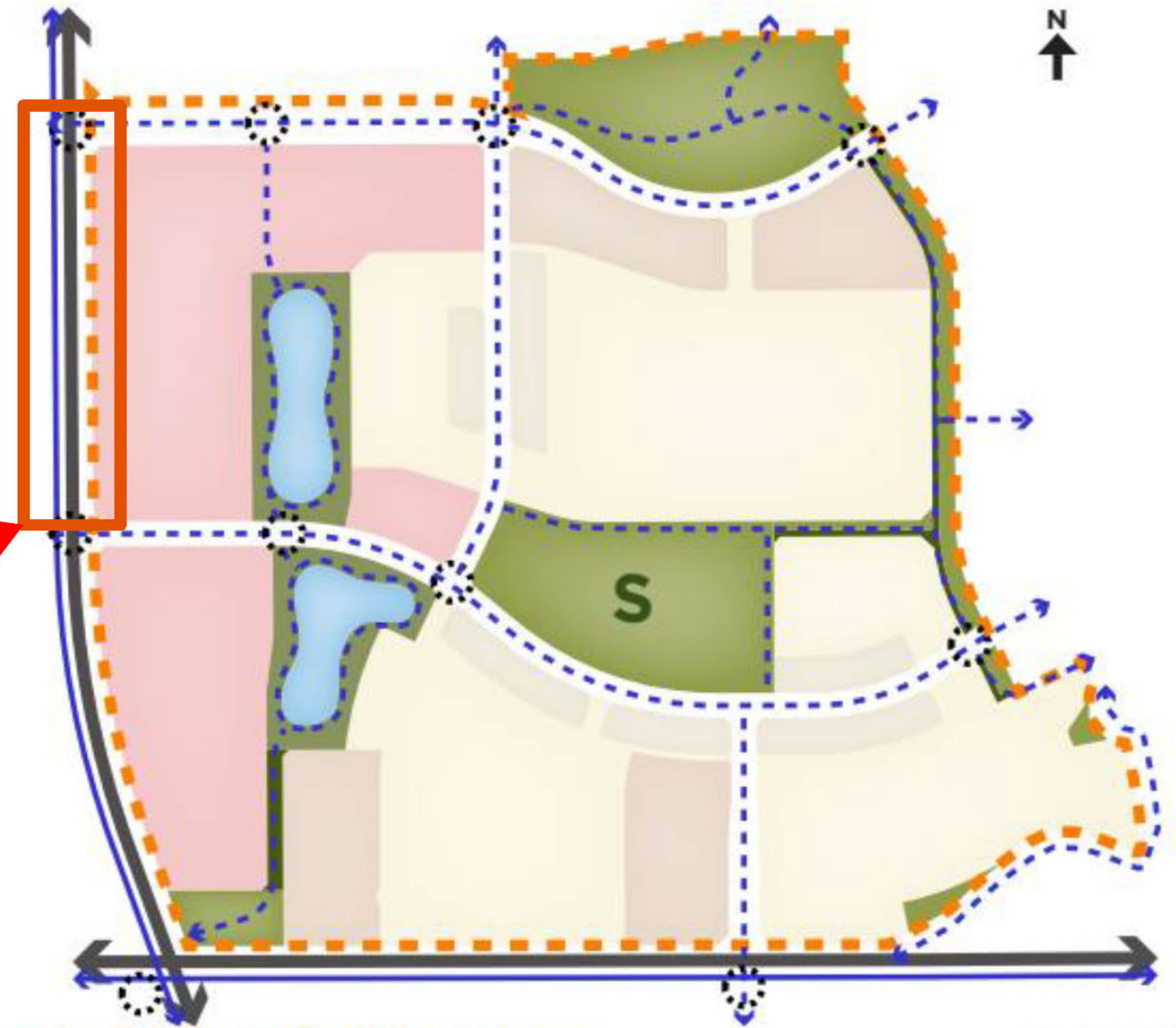


Figure 14 - Active Transportation Network

Scale: N.T.S.

Statutory Plans: Le Reve Neighbourhood Structure Plan

- Legend**
- NSP Boundary
 - Arterial Roadway
 - S Potential School Site
 - Municipal Reserve (MR)
 - Greenway (Non-MR)
 - Stormwater Management Facility
 - Existing Active Transportation Facility Network
 - - - Potential Active Transportation Facility Network
 - ⊙ Potential Active Modes Crossing



Location of Shared Use Path along Arterial Roadway (50th Street) fort his portion of Subdivision

Figure 12: Active Transportation Network

Scale: N.T.S.

Presentation Outline

1. Legislative Considerations

1. Municipal Government Act
2. Condominium Property Act

2. Compliance with Statutory Plans

1. Municipal Development Plan
2. Le Reve Area Structure Plan
3. Le Reve Neighbourhood Structure Plan

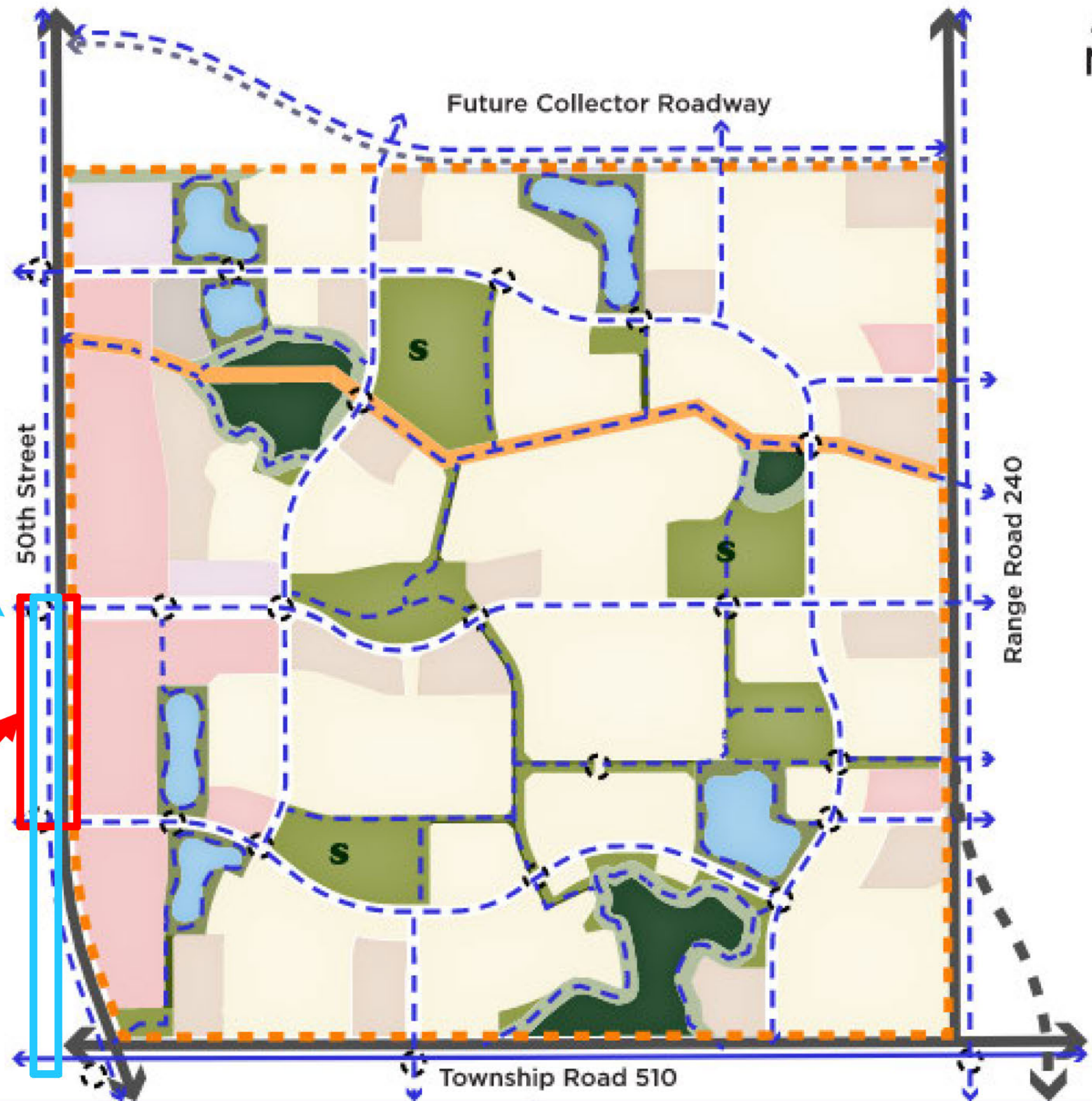
3. Seeking Equity

1. Conditioning of the permit

Seeking Equity

Full length of trail the SA could have conditioned (788m)

Portion of the trail the SA conditioned (356m)



Legend

- Plan Area
- Arterial Roadway
- Future Arterial Roadway
- Future Collector Roadway
- Municipal Reserve (MR)
- Greenway (Non-MR)
- Potential School Site
- Stormwater Management Facility
- Natural Area (ER)
- Natural Area Buffer (ER)
- Environmental Right-of-Way (PUL)
- Existing Active Transportation Facility Network
- Potential Active Transportation Facility Network
- Potential Active Modes Crossing

Compliance

Regulation 654(1) b) in the Municipal Government act states: *A subdivision authority must not approve an application for subdivision approval unless b) the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided*

because the trail is identified in the ASP and the NSP, and both these documents are statutory plans. Therefore, this application is not compliant with the MGA, NSP or NSP

Options for moving forward

- impose a condition to ensure compliance with the MGA/stat plans by either:
 - a) providing cash in lieu of construction, for their proportionate share of the trail;
 - b) providing cash in lieu or to construct the entirety of the trail along 50th street
 - c) refuse the application

Presentation Outline

1. Legislative Considerations

1. Municipal Government Act
2. Condominium Property Act

2. Compliance with Statutory Plans

1. Municipal Development Plan
2. Le Reve Area Structure Plan
3. Le Reve Neighbourhood Structure Plan

3. Seeking Equity

1. Conditioning of the permit

Summary

1. Legislative compliance

- Section 654 and 655 of the MGA

2. Statutory plan adherence

- Le Reve Area Structure Plan and Le Reve Neighbourhood Structure Plan

3. Seeking Equity

- The City conditioned the subdivision that the Developer provide funds for their proportionate share of the 50th street trail outlined in the ASP and NSP, to reduce fragmentation of the trail, eliminate safety concerns that come from a half built trail, and elevate the burden of required construction at this time from the Developer
- Protecting the public interest and equity for the taxpayer

Questions?

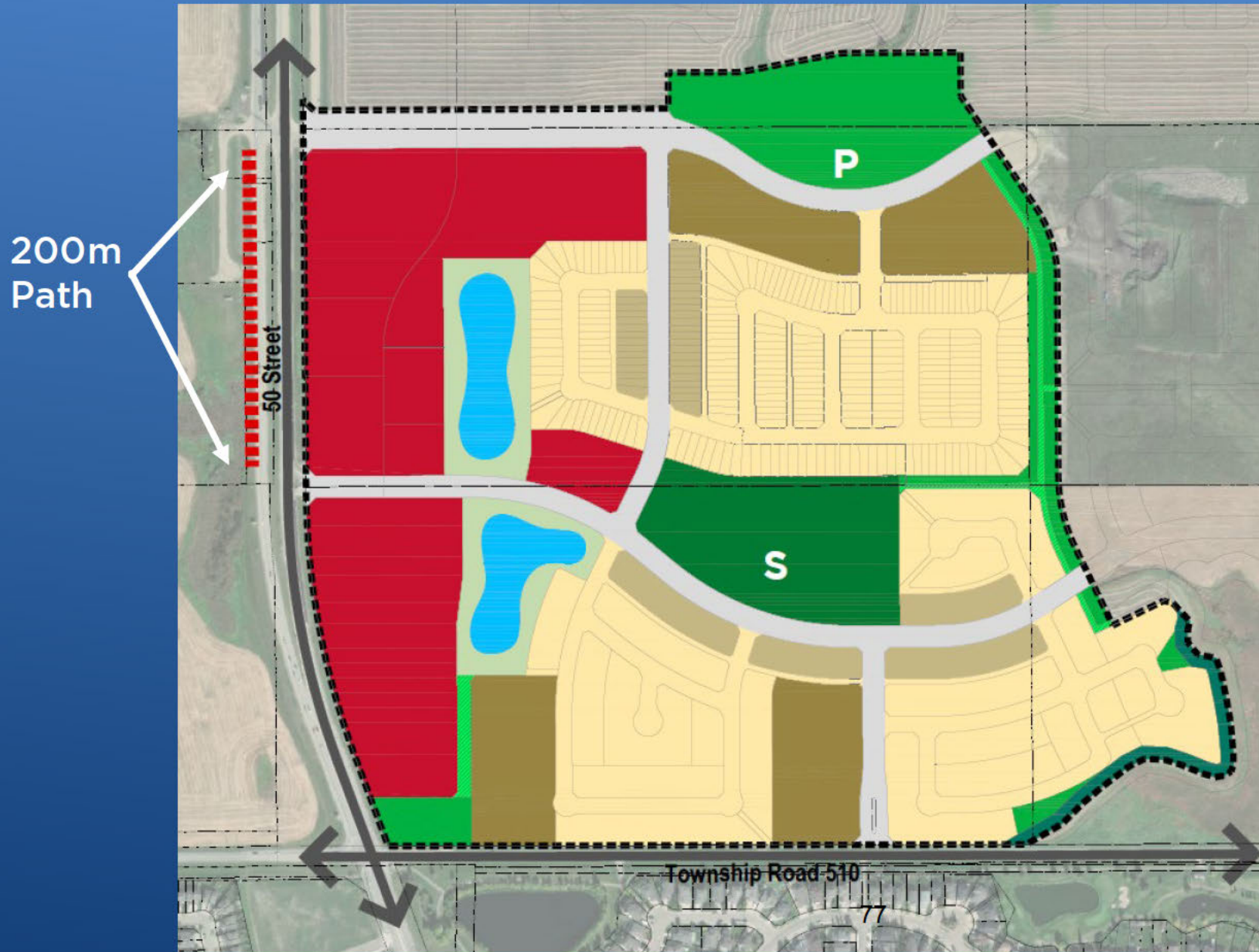


SDAB CITY OF BEAUMONT LE REVE COMMERCIAL SUBDIVISION

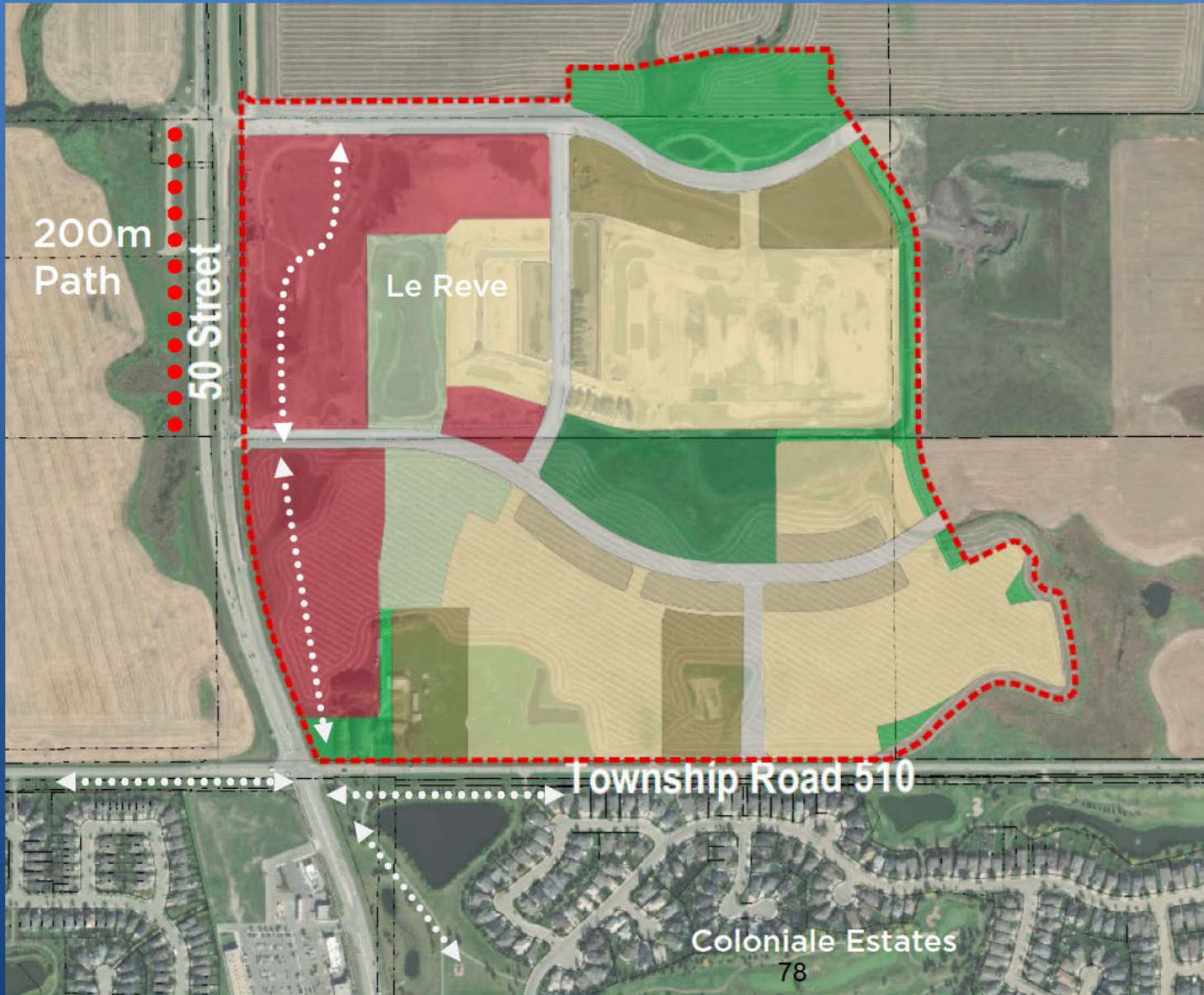
November 2024



LE REVE COMMERCIAL SUBDIVISION



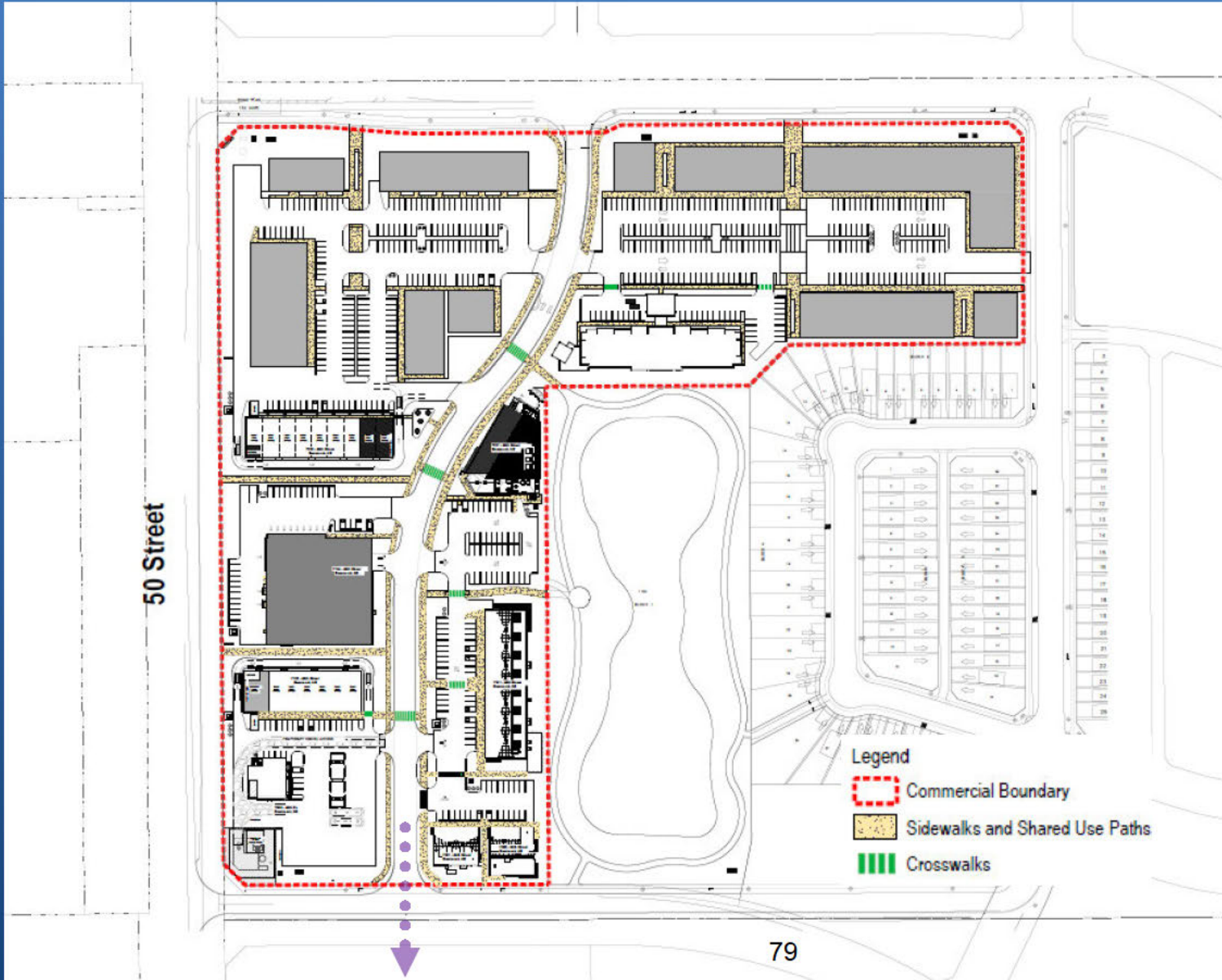
LE REVE COMMERCIAL SUBDIVISION



Invistec

urban design | planning | engineering

LE REVE COMMERCIAL SUBDIVISION



QUESTIONS

