

MACKENZIE COUNTY REQUEST FOR DECISION

| | |
|----------------------|--|
| Meeting: | Regular Council Meeting |
| Meeting Date: | June 23, 2014 |
| Presented By: | Byron Peters, Director of Planning and Development |
| Title: | ADDITION Time Extension for 45-SUB-12 Mustus Energy Ltd. (La Crete Rural) |

BACKGROUND / PROPOSAL:

On November 27, 2012, Council approved subdivision application 45-SUB-12 for Mustus Energy on Plan 112 3040, Block 3, Lot 3. (Location is within a Direct Control District)

The proposed application was to subdivide out a smaller portion of the existing subdivision for the proposed Mustus Energy site in order to provide individual title for each plant.

The Development Agreement was sent out to be signed by Mustus Energy on December 17, 2012. Mustus Energy had some concerns with the conditions and wanted to ensure that the new Development Agreement and the original Development Agreement (28-DP-08) would not affect their current project.

Due to this delay, Mackenzie County did not receive the signed Development Agreement until May of this year. A signed agreement is required in order to proceed with registration of the proposed subdivision. Subdivision 45-SUB-12 has expired and now requires a Time Extension from the County in order proceed with registration.

COSTS & SOURCE OF FUNDING:

All costs will be borne by the applicant

Author: L. Lambert **Reviewed by:** _____ **CAO** _____

SUSTAINABILITY PLAN:

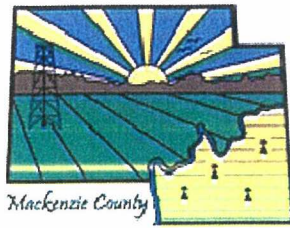
The Sustainability Plan does not address Time Extension. As such, the proposed re-zoning neither supports nor contradicts the Sustainability Plan.

COMMUNICATION:

A signed letter will be sent out to the applicant. No other communication is required.

RECOMMENDED ACTION: (Requires Unanimous)

That a Time Extension be GRANTED to Subdivision Application 45-SUB-12 in the name of Mustus Energy, on Plan 112 3040, Block 3, Lot 3 (Part of SE 27-106-14-W5M). The Time Extension will expire on June 23, 2015.



REQUEST FOR SUBDIVISION TIME EXTENSION

| | | |
|---|------------------|--------------------------|
| NAME OF APPLICANT Mustus Energy Ltd. | | |
| ADDRESS 600, 340-12 Avenue SW | | |
| POSTAL CODE T2R 1L5 | TELEPHONE (RES.) | (BUS.) (403) 800-4744 |

| | | |
|--|------------------|--------------------------|
| NAME OF REGISTERED OWNER Mustus Energy Ltd. | | |
| ADDRESS 600, 340-12 Avenue SW | | |
| POSTAL CODE T2R 1L5 | TELEPHONE (RES.) | (BUS.) (403) 800-4744 |

FILE NO. 45-SUB-12

LEGAL DESCRIPTION

| | | | | |
|-----------|------|------|-------|----|
| QTR./L/S/ | SEC. | TWP. | RANGE | M. |
| | | | | |

OR

| | | |
|----------------------|------------|----------|
| PLAN NO. 112 3040 | BLOCK 3 | LOT 3 |
|----------------------|------------|----------|

EXPIRY DATE OF SUBDIVISION APPROVAL


| | | |
|----|----|----|
| MM | DD | YY |
| 11 | 27 | 13 |

EXTENDED TIME REQUESTED

| | | |
|----|----|----|
| MM | DD | YY |
| 05 | 31 | 14 |

REASONS FOR EXTENSION REQUEST (attach additional information if required) Mustus was concerned with the conditions of the subdivision approval when we initially received it. Specifically, Mustus wanted to ensure that Mackenzie County understood that conditions from the original development agreement (28-DP-08) for SE 13-106-14-W5M and the new development agreement for the subdivision would not affect our current project and any requirements that were similar in both development agreements could be satisfied with a single document or plan which complies with both requirements. The subdivision approval expired and Mustus needs an extension to register for final endorsement. Extended time requested is required to have the survey completed which is required for the subdivision.

I/We have enclosed the required Application Fee of \$ 250.00

 - Mitchell Coleman
APPLICANT/OWNER

Dec 20/13
DATE

NOTE: Registered Owner's signature required if different from applicant.

REGISTERED OWNER

DATE

PLEASE RETURN INFORMATION TO THE NEAREST MACKENZIE COUNTY OFFICE ATTENTION DEVELOPMENT OFFICER



Mackenzie County
P.O Box 640, Fort Vermilion AB T0H 1N0
Phone (780) 927-3718 Fax (780) 927-4266

November 27, 2012

File No. 45-SUB-12

Mustus Energy Ltd.
Box 1420
La Crete, AB T0H 2H0

Dear Ross Maxwell:

Subdivision Decision on SE 13-106-14-W5M

Your application for subdivision has been APPROVED subject to the conditions set out on the attached Decision Form.

If any of these conditions are unacceptable to you, you may file an appeal to the Subdivision and Development Appeal Board. This appeal must be filed within 14 days of the receipt of this letter. The date of receipt is deemed to be 5 days from the date of this letter. The appeal, along with a \$250 fee, must be submitted to:

Secretary, Mackenzie County
Subdivision and Development Appeal Board
P.O. Box 640
FORT VERMILION, AB T0H 1N0

If you are satisfied with the above decision, you may proceed to comply with the attached conditions prior to getting your subdivision registered at the Land Titles Office. The approval is valid for 1 year only; therefore, prior to **November 27, 2013**, you should prepare and submit to this office a plan suitable for registering for final endorsement. Prior to proceeding with your subdivision, please contact Liane Lambert at (780)-928-3983 to review the subdivision procedure.

Yours truly,

Byron Peters,
Director of Planning & Development

cc: Northern Lights Gas Co-op
ATCO Electric
TELUS
John Klassen, Director of Operations - Mackenzie County

MACKENZIE COUNTY
DECISION

FILE: 45-SUB-12
LEGAL: SE 13-106-14-W5M
DATE: November 27, 2012

DECISION: Based on those matters considered under Section 7 of the *Subdivision Regulation*, the submissions received from those agencies referred to under Section 5 of the *Subdivision Regulation* and submissions from adjacent landowners pursuant to Section 653(5) of the *Municipal Government Act*, the Subdivision Approving Authority hereby **APPROVES** the proposed subdivision subject to the following conditions:

1. This approval is for a single lot Industrial subdivision, 11.71 acres (4.74 hectares) in size.
2. Applicant/developer shall enter into a Development Agreement with the Mackenzie County which shall contain, but is not limited to:
 - a) Prior to any development on the proposed Industrial subdivision, the developer shall obtain a development permit from the Municipality.
 - b) Provision of access to the subdivision and the balance of the lands on the quarter section in accordance with Mackenzie County standards at the developer's expense.
 - c) Provision of municipal reserve in the form of money in lieu of land. Specific amount is based on 10% of the subject land and on the current market value. The current market value for this property is \$2,561.91 per acre. Municipal reserve is charged at 10%, which is \$256.19 per subdivided acre. **11.71 acres times \$ equals \$3,008.41.**
 - d) All sewage disposals shall conform to the Alberta Private Sewage Systems Standard of Practice 2009.
 - e) **Provision of a storm water management plan. Contact Planning and Development staff at 780-928-3983 to discuss the requirements for your subdivision.**

- f) Any outstanding property taxes are to be paid on the land proposed to be subdivided prior to registration.
- g) Provision of utility right-of-way as required by ATCO Electric, Telus and Northern Lights Gas and others.
- h) Provision of and negotiations for utility rights-of-way and/or easements as required by utility companies. The Developer shall be responsible for any line relocation or correction costs that occur as a result of this development. Responses from utilities companies are shown in Schedule "C" hereto attached.



Bill Neufeld, Reeve

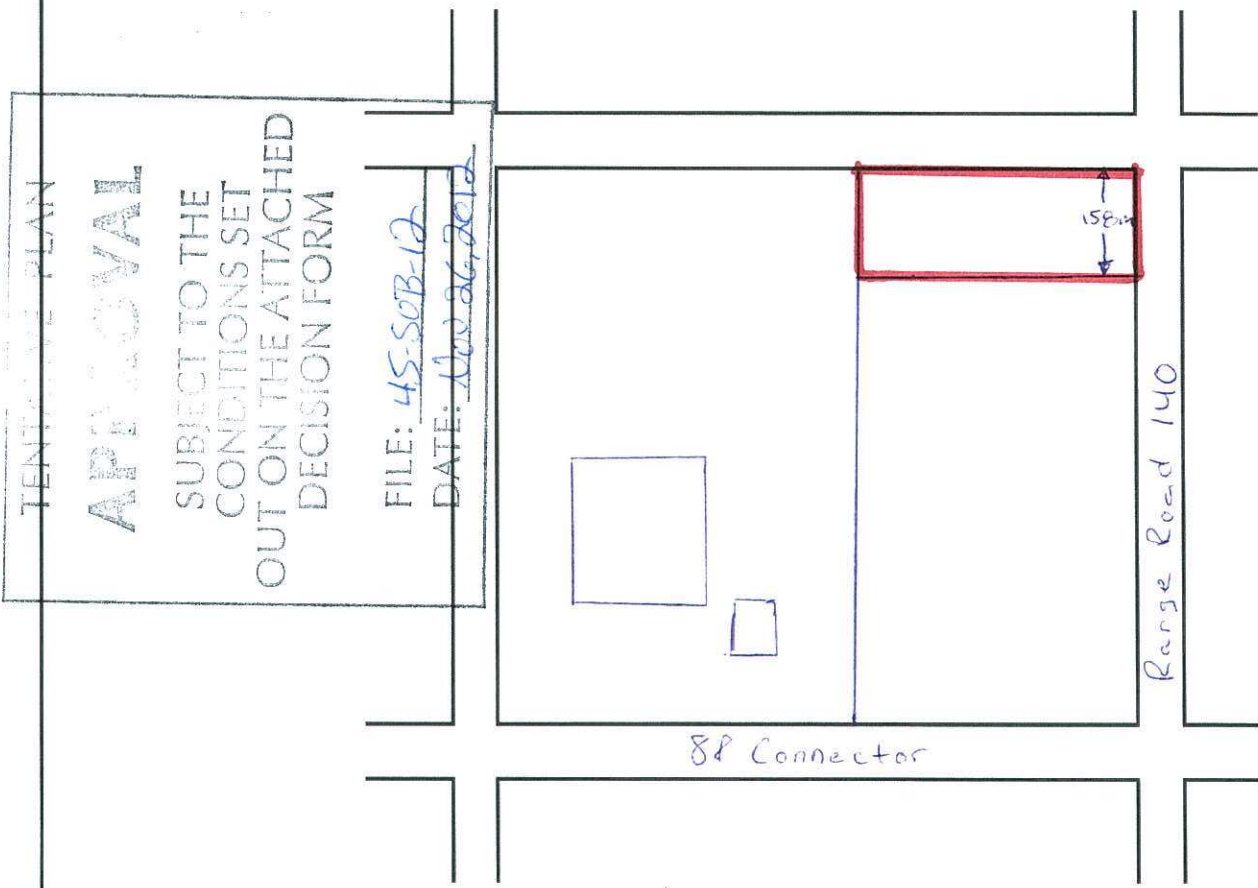
DATE

SUBDIVISION APPLICATION SITE PLAN

QTR./L.S. **SEC** **TWP** **RG** **M.** **PLAN NO.** **BLK.** **LOT**
 _____ or 112 3040 3 3

Date of site plan: Sept 7 2012

Comments: _____



Site Plan Checklist

- Location of existing buildings from property lines
- Location of proposed subdivision from property/quarter lines
- Location of access/driveway and distance from intersections
- Ravines, creeks, lakes, sloughs and any other water bodies
- Location of shelterbelts and/or treed areas
- Location of road(s) and/or road allowances
- Length and width of proposed subdivision

NOTE: Where buildings are existing, the property must be surveyed by a qualified land surveyor.

Subdivision Application Map



File No. 45-SUB-12



Mackenzie County

Not to Scale

Mackenzie County

MEMORANDUM

ATTENTION: John Klassen
FROM: Liane Lambert
DATE: October 3, 2010
SUBJECT: Comments on Attached Subdivision Application
45-SUB-10

Please provide your comments on the attached subdivision boundary adjustment application from Mustus Energy Ltd., by Monday, October 22, 2012.

Comments: *No concerns, will require an access.*

Signature:  _____

Date: *Nov 13/12*



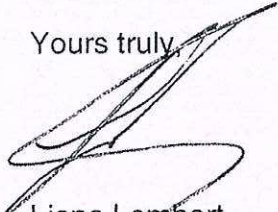
Mackenzie County
 P.O. Box 1690, La Crete Alberta T0H 2H0
 Phone (780) 928-3983 Fax (780) 928-3636

DATE: October 3, 2012
 FILE: 45-SUB-12
THIS ITEM IS SENT BY FAX ONLY

OWNERS: Mustus Energy Ltd.
LEGAL: Part of SE 13-106-14-W5M & Lot 3 Block 3 Plan 1123040
PROPOSED LAND USE: Direct Control "DCI"
DEVELOPER/AGENT/SURVEYOR: Mustus Energy Ltd.

Please provide us with your agencies comments regarding the proposed subdivision boundary adjustment by Monday, October 22, 2012. Please mark any required easements or utility rights-of-way on the attached sketch as well as any additional comments.

Yours truly,

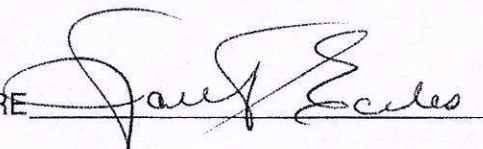


Liane Lambert,
 Development Officer

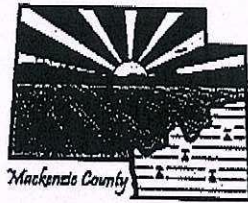
- ATCO Electric – Dan Fehr 780-928-4657 (barb.goertzen@atcoelectric.com)
- Northern Lights Gas Co-op – Jack Eccles Fax - 780-928-2166 nlgc@telusplanet.net
- TELUS – Dan Nellis Fax 780-538-8632
- Fort Vermilion School Division No. 52 – Norman Buhler Fax - 780-927-4625
normanb@fvsd.ab.ca
- Alberta Environmental Protection – Terry Sawchuk Fax - 780-624-6335
terry.sawchuk@gov.ab.ca

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COMMENTS:

Please ensure our URW remains on all titles

SIGNATURE 

Comments received may be deemed public information



Mackenzie County
 P.O. Box 1690, La Crete Alberta T0H 2H0
 Phone (780) 928-3983 Fax (780) 928-3636

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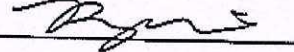
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Liane Lambert,
 Development Officer

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- Alberta Environmental Protection – Terry Sawchuk Fax - 780-624-6335 terry.sawchuk@gov.ab.ca

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COMMENTS: Close proximity to LA CRETE
 SCHOOLS. Thanks

SIGNATURE _____ 

Comments received may be deemed public information