

# Wheatland County

## Request for Decision

### Municipal Planning Commission

August 11, 2020

Report prepared by: Graham Allison



### SD2020-010 First Parcel Out

|                           |   |                  |   |
|---------------------------|---|------------------|---|
| <b>File Number:</b>       | SD2020-010  | <b>Division:</b> | 7 |
| <b>Proposal:</b>          | To subdivide one (1) 10.79 acre Agricultural General parcel out of an undivided quarter section within NE-24-26-19-W4M        |                  |   |
| <b>Location:</b>          | Adjacent to Range Road 190, north of its intersection with Township Road 263. Approximately 24 kilometers northeast of Hussar |                  |   |
| <b>Legal Description:</b> | NE-24-26-19-W4M   |                  |   |
| <b>Title Area:</b>        | 160 acres   |                  |   |
| <b>Existing Land Use:</b> | Agricultural General  |                  |   |
| <b>Proposed Parcels:</b>  | Agricultural General  |                  |   |

### Report

The purpose of this application is to subdivide a +/- 10.79 acre parcel from a previously undivided quarter section described as NE-24-26-19-W4M. The proposed parcel contains a dwelling with an attached garage and is serviced by an existing well and septic system. The proposed parcel can be accessed via an existing approach off Range Road 190, a new approach will need to be constructed for the remainder parcel. The dwelling and remainder parcels are both zoned Agricultural General (AG) District with no proposed redesignation. There are no plans for development at this time.

### Recommendation from Administration

THAT the Municipal Planning Commission approve subdivision application SD2020-010 subject to the following conditions:

- 1) Subdivision to be affected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) Approaches to the proposed parcel(s) and remainder built and located to County Standards and approved by the Public Works Department, at the Owners expense.
- 3) That, pursuant to Section 654(1)(d) of the *Municipal Government Act*, all outstanding taxes up to and including the year in which the subdivision is to be registered shall be paid to the municipality.
- 4) The Owners are to enter into an Agreement of Easement for Construction and Maintenance of Any Public Works with Wheatland County which shall be registered by caveat concurrently with the final plan against the title(s) being created.
- 5) The Owners are to enter into a Road Acquisition Agreement, which shall be registered by caveat concurrently with the final plan against the title(s) being created.

## **Policy Analysis**

### **South Saskatchewan Regional Plan (SSRP)**

A major objective of the South Saskatchewan Regional Plan (SSRP) is to ensure that region's agricultural industry is maintained and diversified. The implementation strategies related to this objective aim to "Maintain an agricultural land base by reducing the fragmentation and conversion of agricultural land" by discouraging development on productive land and development that fragments contiguous agricultural parcels. The SSRP also recognizes that smaller parcels contribute to the diversification of the overall agricultural economy. This proposed 10.79 acre subdivision will not contribute to the fragmentation or conversion of agricultural land and is therefore in alignment with the goals and regulations of the SSRP.

### **Regional Growth Management Strategy (RGMS)**

The RGMS provides long term guidance for development in the County. As per Section 4.2 under the Agriculture policies and goals, the proposed subdivision is a first parcel out subdivision intended to be used for farming with an existing dwelling.

### **Municipal Development Plan (MDP)**

Under Section 3.1 Agriculture, the proposal aligns with policy 3.1.1.2 and 3.1.1.3 by neither contributing to the reduction nor fragmentation of agricultural lands. The proposed subdivision will remain in agricultural use with an existing dwelling.

### **Land Use Bylaw (LUB)**

As per Section 9.1, The proposed subdivision will remain Agricultural General (AG), therefore there is no conflict with adjacent parcels. The subdivided parcel does not contribute to the loss or fragmentation of agricultural land, which aligns with the purpose and intent of the Agricultural General (AG) district of the land use bylaw. The parcel will remain farmland with an existing dwelling.

## **Technical Review**

### **Approaches:**

The proposed parcel can be accessed via an existing approach off Range Road 190. A new approach for the remainder parcel will be required if the subdivision is approved.

### **Water Servicing:**

The existing dwelling located on site is serviced by an existing private well within the boundaries of the proposed subdivision. The remainder parcel contains no water servicing.

### **Sanitary Servicing:**

The existing dwelling is serviced by an existing private septic disposal system that is contained within the proposed parcel. There is no sanitary servicing within the remainder parcel.

### **Municipal Reserve:**

As per the *Municipal Government Act*, Municipal Reserve is not required on the subject parcel. As Section 663 states that a subdivision authority may not require the owner of a parcel of land subject to a proposed subdivision to provide reserve land or cash lieu if the subdivision is the first lot subdivided from a quarter section. The proposed subdivision is a first parcel out subdivision and will not be required to pay municipal reserve.

## **Circulation Comments**

The proposal was circulated to all landowners within 1.0 mile of the subject lands. No letters were received in support or objection to the application at the time this report was prepared.

| EXTERNAL AGENCIES                        | COMMENTS              |
|--|-----------------------|
| AB Community Development                 | No comments received. |
| AB Culture                               | No comments received. |
| AB Energy Regulator                      | No comments received. |
| AB Environment & Parks                   | No comments received. |
| AB Health Services                       | No comments received. |
| AB Transportation                        | No objections.        |
| ATCO Electric                            | No comments received. |
| ATCO Gas                                 | No objections.        |
| ATCO Pipelines                           | No objections.        |
| AB Utilities Commission                  | No comments received. |
| Canada Post                              | No comments received. |
| Encana Corporation                       | No comments received. |
| Fortis Alberta                           | No comments received. |
| Golden Hills School Division             | No comments received. |
| Redeemer Catholic School Division        | No comments received. |
| Telus                                    | No comments received. |
| Western Irrigation District              | No objections.        |
| INTERNAL DEPARTMENTS                     |                       |
| Agricultural Services                    | No concerns.          |
| Emergency Services                       | No concerns.          |
| Development Services                     | No concerns.          |
| Protective Services                      | No concerns.          |
| Transportation & Infrastructure Services | No Comments Received  |

## **Response Options**

Option 1: THAT MPC accepts/approves the recommendation as proposed.

Option 2: THAT MPC does not accept/approve the recommendation as proposed.

Option 3: THAT MPC accepts/approves an alternate recommendation of MPC's choosing.

## **Follow-up Action / Communications**

Staff will notify the applicant of MPC's decision.

## Report Approval Details

|                      |                        |
|----------------------|------------------------|
| Document Title:      | SD2020-010.docx        |
| Attachments:         | - SD2020-010 Maps.docx |
| Final Approval Date: | Aug 4, 2020            |

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in black ink, appearing to read "Sherry Baers". The signature is fluid and cursive, with the first name "Sherry" written in a larger, more prominent script than the last name "Baers".

Sherry Baers

A handwritten signature in black ink, appearing to read "Matthew Boscarol". The signature is written in a cursive style, with the first name "Matthew" and last name "Boscarol" clearly visible, followed by a small mark that looks like a stylized "B" or "D".

Matthew Boscarol