

Wheatland County

Request for Decision

Regular Council Meeting

September 15, 2020

Report prepared by: Megan Williams



Bylaw 2020-31 Public Hearing, Second and Third Reading: Municipal Reserve Disposal

Recommendation from Administration

Resolution 1: That Council undertake the Public Hearing for Bylaw 2020-31.

Resolution 2: That Council move Second Reading of Bylaw 2020-31, this being a bylaw for the purpose of disposing of Municipal Reserve in Lot 1MR, Block 8, Plan 011 2812 comprising of +/- 0.282 hectares (+/-0.70 acres) in accordance with Sections 674 and 675 of the *Municipal Government Act Chapter M-26* revised statutes of Alberta 2000, as amended as shown on the attached Schedule 'A'.

Resolution 3: That Council move Third Reading of Bylaw 2020-31, this being a bylaw for the purpose of disposing of Municipal Reserve in Lot 1MR, Block 8, Plan 011 2812 comprising of +/- 0.282 hectares (+/-0.70 acres) in accordance with Sections 674 and 675 of the *Municipal Government Act Chapter M-26* revised statutes of Alberta 2000, as amended as shown on the attached Schedule 'A'.

Chief Administrative Officer's Comments

N/A

Report

Division: Division 6

Staff is bringing forward this bylaw to dispose of +/-0.70 acres of Municipal Reserve (MR) for the purpose of constructing a storm water pond to service the conditionally approved Rosebud River Ridge subdivision. The stormwater master plan for this development has determined the best placement for the stormwater pond is on County property, as shown on the attached map. This parcel has also been designated as municipal reserve. As a storm water pond is not an accepted use for municipal reserve, the MR designation needs to be removed from the applicable area.

To compensate for the MR being disposed of for the storm pond, one of the conditions for subdivision endorsement include the dedication of four Municipal Reserve lots totalling 0.32 acres. There is also an area of 1.82 acres of Environmental Reserve that contains a steep slope. These lots have been highlighted in the map package. The tentative subdivision plan has been updated to show two parcels designated as municipal reserve. These two parcels total 0.32 acres which would satisfy the spirit of the Municipal Reserve lot conditions.

During First Reading, Council asked if the parent parcel was within a flood plain. Alberta Government hasn't completed flood hazard mapping for the Rosebud area. Staff has no recollection of the 2018 floods impacting this parcel, nor of any flooding in years previous. The Rosebud River is separated from the proposed storm

pond area by an abandoned rail line. The storm pond has been designed to receive runoff not only from the conditionally approved subdivision, but the stormwater runoff that naturally flows into this parcel.

The proposed +/-0.70 acre MR disposal would be subdivided from the titled parcel and converted into a public utility lot (PUL). The parcel will remain County property, and once the storm water pond's guarantee period is complete, it will become the County's responsibility to maintain.

The conditionally approved subdivision expires October 1, 2020. Where the applicants have been steadily working towards completion of the subdivision conditions, staff deemed it appropriate to bring forward the MR Disposal bylaw.

At the time of writing this report, staff had not received any comments from adjacent landowners or residents within the hamlet of Rosebud.

Relevant Policies, Practices, and Legislation

Municipal Government Act
South Saskatchewan Regional Plan
Regional Growth Management Strategy
Municipal Development Plan
Rosebud Area Structure Plan
Rosebud River Ridge Concept Plan

Alignment with the Strategic Plan

The South Saskatchewan Regional Plan, Municipal Development Plan, and Regional Growth Management Strategy don't specifically address Municipal Reserve Disposal. The latter two documents encourage the retention and growth of recreational areas, of which this parcel is one. They also encourage proper stormwater management of new developments. This storm pond will also accept and filter overland flow from other parts of the hamlet.

The Rosebud Area Structure Plan identifies this parcel as 'open space' and suggests an amphitheatre as a use. Though a storm water pond isn't typically considered an appropriate use for 'open space', there is the potential for the pond to be an amenity to the existing open space.

Though the storm water pond will be removing a portion of the Municipal Reserve from the County's inventory, the conditionally approved subdivision will be contributing approximately 0.32 acres of Municipal Reserve and 2 acres of Environmental Reserve to the County's inventory. The developers have proposed a pathway for one of the MR parcels and have finished the landscaping plan which includes benches, a paved pathway, and vegetation.

The proposal aligns with the Rosebud River Ridge Concept Plan.

Response Options

Option 1: THAT the proposed recommendation is accepted/approved.

Option 2: THAT the proposed recommendation is not accepted/approved.

Option 3: THAT an alternate recommendation is accepted/approved.

Implications of Recommendation

General

N/A

Organizational

N/A

Financial

N/A

Environmental, Staff, and Public Safety

N/A

Follow-up Action / Communications

If approved, staff will notify the developer and continue to assist with the subdivision conditions where appropriate.

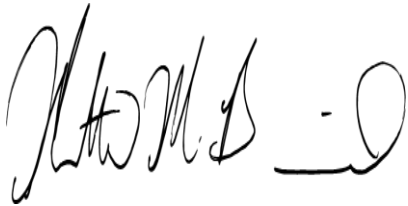
Report Approval Details

Document Title:	Bylaw 2020-31 Public Hearing, 2nd, 3rd MR Disposal.docx
Attachments:	<ul style="list-style-type: none">- Bylaw 2020-31 MR disposal.docx- MR Disposal Comment summary.docx- Map Package.pdf
Final Approval Date:	Sep 8, 2020

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



Sherry Baers



Matthew Boscarol



Brian Henderson