

Wheatland County

Request for Decision

Regular Council Meeting

September 15, 2020

Report prepared by: Graham Allison



SD2019-020 Time Extension Request

Recommendation from Administration

- Resolution 1: That Council approve a subdivision time extension request for Subdivision Application SD2019-020 for a period of 12 months. extending the expiry of the conditionally approved subdivision to November 19, 2021.
- Resolution 2: That Council refund the applicant the \$250 subdivision extension application fee.

Chief Administrative Officer's Comments

N/A

Report

Division: Division 2

On November 19, 2018, Municipal Planning Commission (MPC) conditionally approved SD2019-020 subject to four (4) conditions. The applicant is requesting the time extension due to unforeseen circumstances related to the COVID-19 pandemic, and an inability to procure the gravel necessary to construct an approach. The applicant is also requesting that council refund the \$250.00 time extension fee, citing that the County's temporary closure to the public due to the Covid-19 interfered with their ability to obtain gravel to build an approach.

The following subdivision conditions remain outstanding:

- 1) Subdivision to be effected 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) 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.
- 3) A joint approach to the proposed and remainder parcels built and located to Alberta Transportation specifications and approved by Alberta Transportation, at the Owners expense.
- 4) The Owners are to enter into a Deferred Services Agreement for water and wastewater with Wheatland County which shall be registered by caveat concurrently with the final plan against the title(s) being created.

Relevant Policies, Practices, and Legislation

According to Section 657(1), (4), and (6) of the *Municipal Government Act*, a conditional subdivision approval is void if a plan of subdivision isn't submitted a year after the approval is granted, and that Council may grant a 1 year extension:

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.

(4) If the plan of subdivision or other instrument is not submitted to the subdivision authority within the time prescribed by subsection (1) or any longer period authorized by the council, the subdivision approval is void.

(6) The council may extend

(a) the one-year period referred to in subsection (1).

Alignment with the Strategic Plan

N/A

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

Staff will notify the applicant of Council's decision and if approved will continue working with them to meet their conditions.

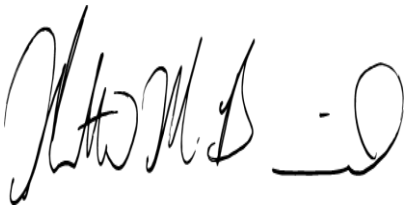
Report Approval Details

Document Title:	SD2019-020 Subdivision Extension.docx
Attachments:	- SD2019-020 Extension Map.docx
Final Approval Date:	Sep 8, 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 script is cursive and fluid.

Sherry Baers

A handwritten signature in black ink, appearing to read "Matthew Boscarol". The script is cursive and fluid.

Matthew Boscarol

A handwritten signature in black ink, appearing to read "Brian Henderson". The script is cursive and fluid.

Brian Henderson