

Wheatland County

Request for Decision

Municipal Planning Commission

November 17, 2020

Report prepared by: Graham Allison



SD2020-015 First Parcel Out

File Number:	SD2020-015	Division:	7
Proposal:	To subdivide a +/- 12.36 acre parcel from a 160 acre quarter section legally described as SW-16-24-20-W4M		
Location:	Adjacent to Highway 561, approximately 4.5 km west of Hussar		
Legal Description:	SW-16-24-20-W4M		
Title Area:	160 acres		
Existing Land Use:	Agricultural General (AG) District		
Proposed Parcels:	1 new parcel		

Report

This application is to subdivide the first parcel out of a quarter section located within SW-16-24-20-W4M. The proposed parcel has an area of 12.36 acres and contains a dwelling serviced by a well and private sewage disposal system. It also contains a shop, barn, and grain bins. The proposed and remainder parcels are both zoned Agricultural General (AG) District and are in compliance with the regulations of the AG District; redesignation is not required. The proposed and remainder parcels both have existing approaches. There are no plans for further development on either parcel at this time.

Recommendation from Administration

THAT the Municipal Planning Commission approve subdivision application SD2020-015 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) 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) Existing approaches to the proposed and remainder parcel to meet County Standards and approved by the Public Works Department, at the Owner's expense.
- 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.

- 6) The Owner is 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.
- 7) As per Section 15 of the Subdivision and Development Regulation, a 30-meter wide service road right of way shall be dedicated across the highway frontage on the proposed +/-12.36 acre parcel, to the satisfaction of Alberta Transportation through a caveat and agreement prepared by a registered Alberta Land Surveyor.

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 12.36 acre subdivision is a farmyard separation that 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 farmyard subdivision and will not convert any cultivated land.

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 no proposed development

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.

Technical Review

Approaches:

The proposed parcel and the remainder parcel can both be accessed via existing approaches, the proposed parcel can be accessed off Highway 561, while the remainder parcel has an existing approach off Range Road 204.

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 sewage 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	<p>The above noted subdivision proposal meets Section 14 of the Regulation. Due to the direct access to the provincial highway, Section 15 has not been met. Alberta Transportation anticipates minimal impact on the highway from this proposal. Therefore, Pursuant to Section 16 of the Regulation, Alberta Transportation grants approval for the subdivision authority to grant a variance of Section 14 and pursuant to Section 15, the department will accept a service road that meets the requirements below.</p> <ol style="list-style-type: none"> 1. All highway accesses are to be considered temporary. No compensation shall be payable to the landowner or their assigns or successors when the Department removes or relocates the temporary access or if highway access is removed and access provided via municipal road. 2. Use of existing highway access may continue on a temporary basis. 3. No additional highway access will be permitted 4. Pursuant to Section 15 of the Subdivision and Development Regulation Alberta Transportation requires dedication of a 30 metre service road right of way along the highway frontage of the proposed parcel, to facilitate future access management plans along the Highway. The service road dedication may occur by registration of a caveat. Please reference Alberta Transportation's website for further assistance in this regard.
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	Parcel appears to have accesses to the subdivision and remainder parcel, road widening and land acquisition agreements required.

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 that the subdivision has been approved.

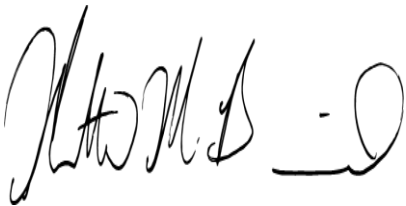
Report Approval Details

Document Title:	Subdivision SD2020-015 First Parcel Out.docx
Attachments:	- SD2020-015 Maps.docx
Final Approval Date:	Nov 5, 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 flourish.

Matthew Boscarol