



PLANNING REPORT

Municipal Planning Commission
March 10, 2020

FILE NO: SD2020-003

DIVISION #: 5

PROPOSAL: Subdivide one +/- 10.00 acre parcel from the 160 acre titled area

LOCATION: Adjacent to Hwy. 817, approximately 7.2 km (4.5 mi) north of the Town of Strathmore

LEGAL DESCRIPTION: SW-14-25-25-W4M

TITLE AREA: +/- 160.0 Acres

EXISTING LAND USE: Agricultural General (AG) District

NUMBER OF PROPOSED PARCELS: 1

Background:

The purpose of this application is to subdivide the first parcel out of a quarter section (+/-160 acres) located within SW-14-25-25-W4M. The subject lands are at the intersection of Highway 817 and Township Road 252. The proposed parcel is approximately +/-10.00 acres of undeveloped land that is zoned Agricultural General (AG) District. The proposed parcel can be accessed from an existing approach off of Highway 817, while the remainder parcel has an access off of Township Road 252. Although the proposed parcel is undeveloped there are plans to construct a dwelling serviced by a private well and private sewage disposal system.

MUNICIPAL POLICY REVIEW

Calgary Metropolitan Regional Plan (CMRB)

The subject parcel does not fall within the jurisdiction of the Calgary Metropolitan Regional Board.

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 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 a proposed 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 a proposed dwelling.

Under Section 3.11, the proposed subdivision contains a private water well with a proposed private sewage disposal system. This complies with policy 3.11.3 of the MDP, which states that a proposal containing fewer than six (6) lots per quarter section may be serviced by privately owned wells and Private sewage disposal systems

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 a proposed dwelling.

TECHNICAL REVIEW

Access:

The proposed parcel can be accessed by an existing approach off Highway 817, while the remainder parcel can be accessed by an existing approach off of Township road 252.

Water Servicing:

A groundwater assessment was completed in August 2019, which concluded that the groundwater in the area contained a total dissolved solids (TDS) concentration of 896-943 mg/L. Most consumers will tolerate drinking water with up to 1000 mg/L TDS, though the potential exists for water under the site to require removal of sodium prior to use as drinking water. There is a proposed well on site that will service the proposed dwelling.

Sanitary Servicing:

There is currently no sanitary servicing on site, however a private sewage disposal system is being proposed. A Private Sewage Treatment Report was completed in October of 2019 which concluded that the proposed subdivision can support a private sewage disposal system.

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	<p>“This parcel situated between these two large wetlands has certainly caught my attention, while it appears that this parcel is avoiding both the north and the south wetland, I cannot say if the current shorelines are the historical wetland edge or boundaries, often wetlands increase and decrease in size over many years and the actual delineation of the shore may be different than at present. I would suggest that out of due diligence, this be referred to the Wetland boundaries unit in Edmonton, for further historical photo review, due to the very close proximity and size of both wetlands.”</p> <p>Staff circulated Wetland boundaries and Species At Risk departments at AEP, no comments were received from Water Boundaries, and Species at Risk had no concerns. See Comment Below</p> <p>“I would advise that no special setbacks be required for piping plovers on Dawson Lake. The lake should be considered very poor habitat for the species, and plovers would not be expected to occur there in the future. The 100 m setback mandated by the county would be sufficient protection for the birds if they unexpectedly showed up in the future.”</p>
AB Health Services	No comments received.
AB Transportation	<p>Alberta Transportation is not opposed to the proposal and, in this instance, the department grants an unconditional waiver of the requirements of Section 14 of the Regulation.</p> <p>However, under Section 15(2) of the Regulation, the dedication of a 30 metre wide service road right of way from the south boundary of the SW-14-25-25-W4M to the south boundary of the proposed lot, parallel and adjacent to Highway 817 at no cost to the minister is required, as highlighted on the subdivision sketch.</p> <p>Registrations of a 30 metre service road caveat has been added as a condition of subdivision</p>
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 concerns.

RECOMMENDATION:

The following are two (2) possible options for MPC's consideration:

Option #1: Subdivision Application SD2020-003 be **approved** with the conditions noted in Appendix A based on the following:

- That with the stated conditions of approval, the Subdivision Authority has determined that the proposed subdivision complies with the County's Land Use Bylaw rules and regulations and the Municipal Development Plan policies.
- The Subdivision Authority is satisfied that the proposed subdivision, with the stated conditions, is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation of the MGA.

Option #2: Subdivision Application SD2020-003 be **refused**.

Staff recommends **Option #1 – Approval** for the following reasons:

- The proposed application generally aligns with the objectives and policies of the MDP.
- The proposed application aligns with the rules and regulations of the LUB.
- Staff has no concerns with the servicing and access for this proposed subdivision.

Respectfully submitted,

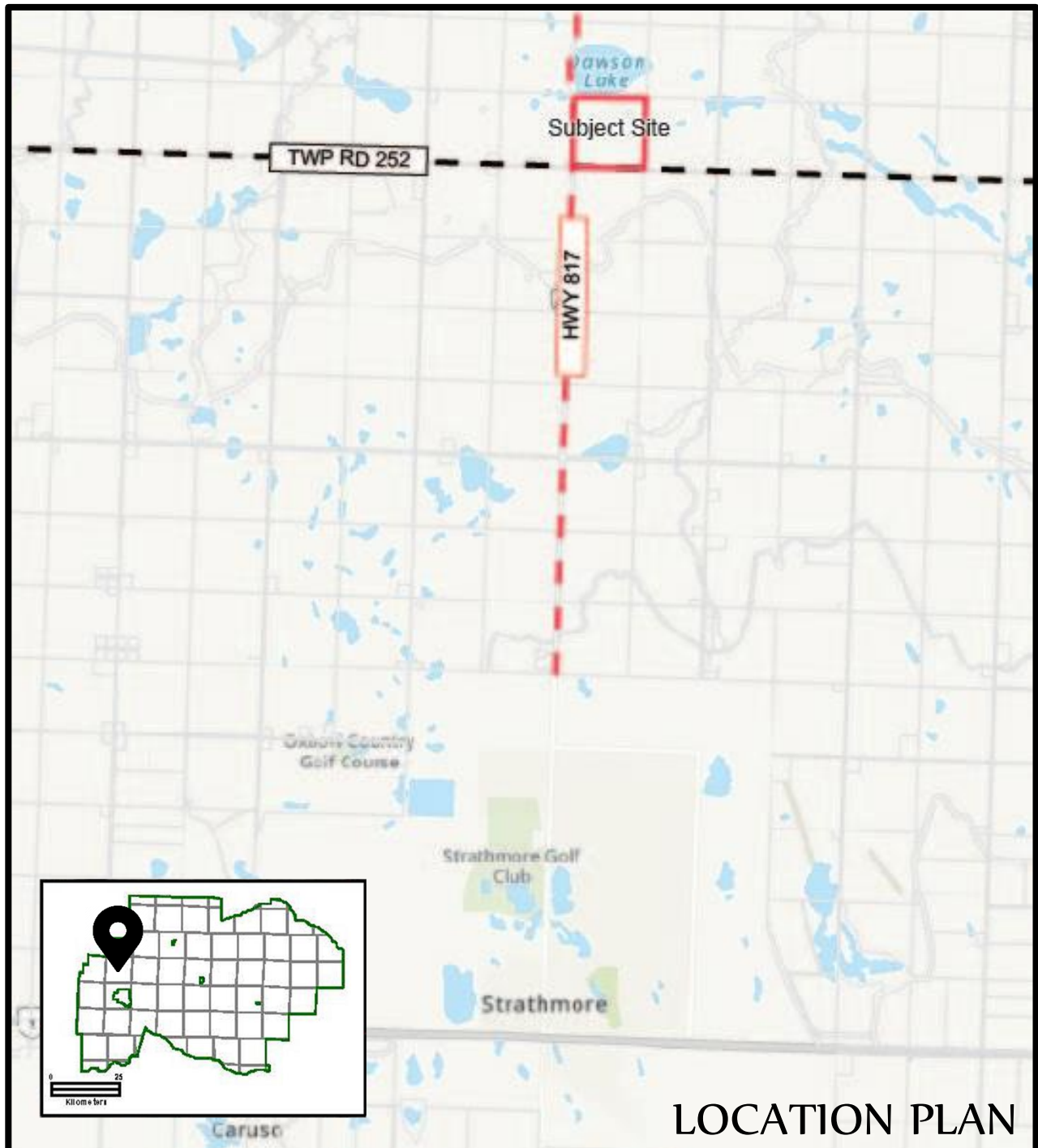


Graham Allison, Planner 1
Wheatland County

Appendix A

Proposed Conditions for Approval:

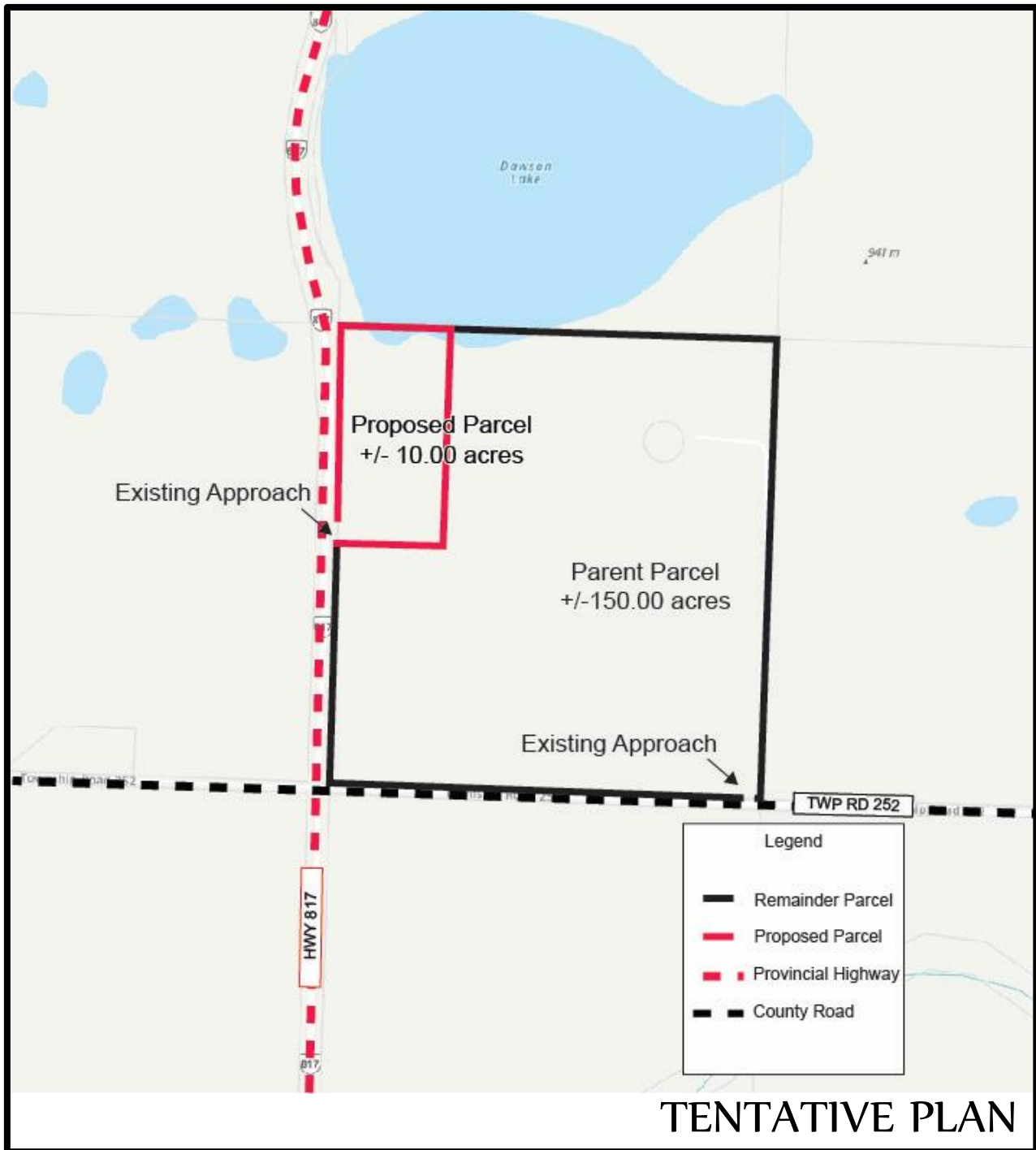
- 1) Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) That, pursuant to Section 654(1)(d) of the *Municipal Government Act*, all outstanding taxes up to and including the year in which the subdivision is to be registered shall be paid to the municipality.
- 3) 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.
- 4) The Owner is 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 Owner is 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) 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 of the +/-150.00 acre remainder parcel, to the satisfaction of Alberta Transportation through a caveat and agreement prepared by a registered Alberta Land Surveyor.



SW-14-27-20-W4M

Date: March 10, 2020

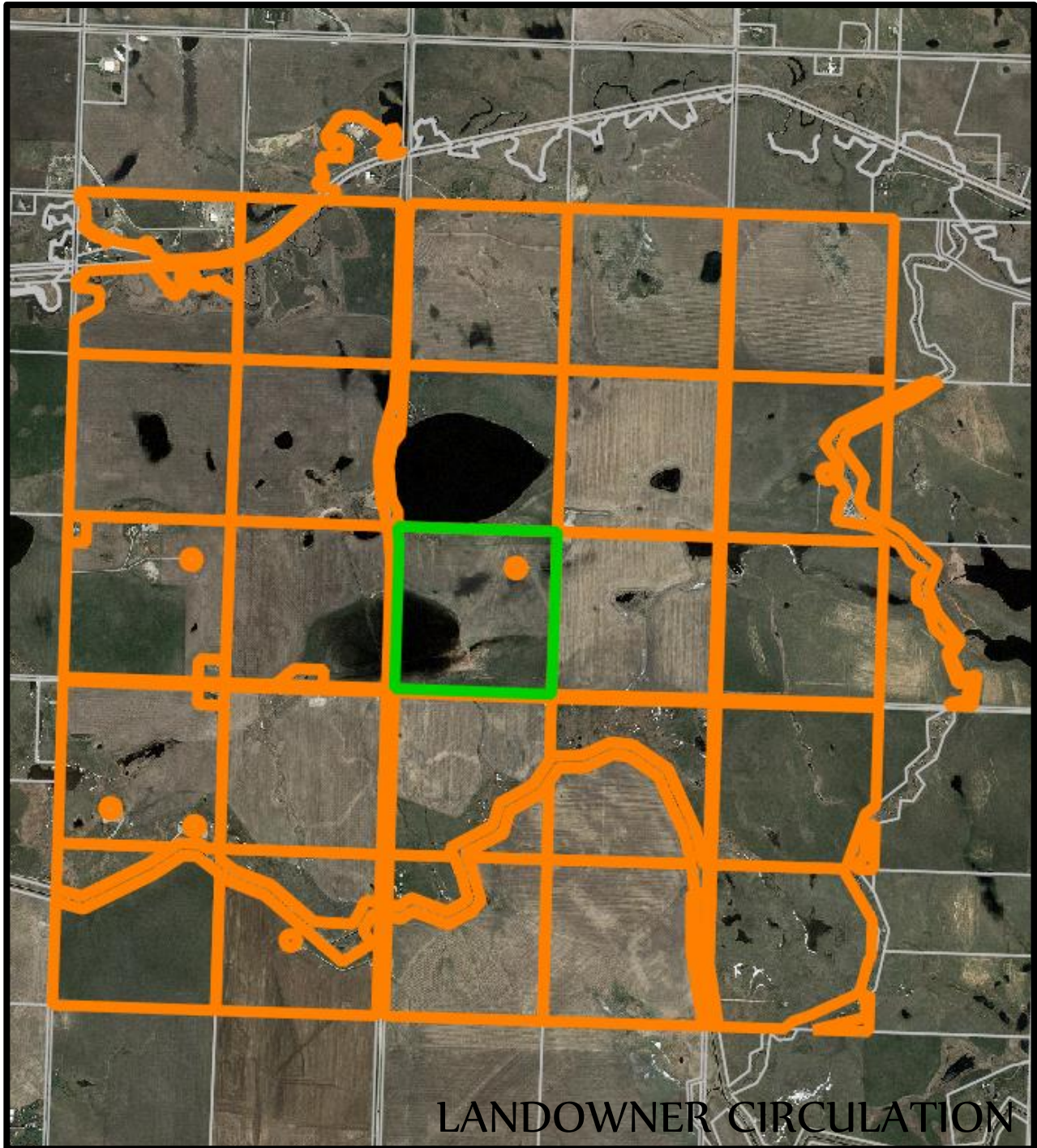
File: SD2020-003



SW-14-27-20-W4M

Date: March 10, 2020

File: SD2020-003



SW-14-27-20-W4M

Date: March 10, 2020

File: SD2020-003