

Wheatland County

Request for Decision

Municipal Planning Commission

April 14, 2020

Report prepared by: Graham Allison



SD2020-004

File Number:	SD2020-004
Proposal:	Subdivide one +/- 40.0 acre parcel from the titled area
Location:	Adjacent to Township Road 272A and approximately 0.8 west of Range Road 220A; 2 km (1.2 mi) west of the Hamlet of Rosebud.
Legal Description:	SE-14-27-22-W4M
Title Area:	+/-160 acres
Existing Land Use:	Public Utility (PU) District
Proposed Parcels:	1

Report

The purpose of this application is to subdivide a +/-40 acre parcel from an undivided quarter section described as SE-14-27-22-W4M in order to accommodate the construction of a municipal sewage lagoon for the Hamlet of Rosebud.

Recommendation from Administration

THAT the Municipal Planning Commission approve SD2020-004, to subdivide one +/- 40 acre parcel from the titled area, subject to the following conditions:

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 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.
5. 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.
6. 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

Calgary Metropolitan Regional Plan

The subject lands do not fall within the plan area of the Calgary Metropolitan Regional Plan.

South Saskatchewan Regional Plan

Section 8 of the SSRP discusses strategies for community development with the stated goal of promoting the development of healthy and sustainable communities. Strategy 8.4 aims to set aside adequate land with the physical infrastructure required to accommodate future population growth. The subdivision of a 40 acre agricultural parcel for the construction of a new wastewater lagoon is essential to support the concentration and expansion of an existing development by increasing the servicing capacity of the Hamlet of Rosebud. The subdivision and conversion of agricultural land to accommodate a public utility will support the future expansion and development of an existing hamlet.

Regional Growth Management Strategy

Section 3.2.4 of the RGMS dictates municipal directions on growth with a series of policies that focus on managing pressures associated with urban growth, effectively managing community infrastructure, and protecting the natural environment. This subdivision and the subsequent construction of a wastewater lagoon aligns with these goals by increasing the wastewater capacity of an existing Hamlet. This subdivision particularly aligns with policy 3.2.4.1 to “Encourage growth in existing communities. Investments in infrastructure, such as roads and schools, are used efficiently, and developments do not unnecessarily take up new land.” The proposed subdivision supports this policy through providing an increased capacity for wastewater management to the Hamlet of Rosebud. According to Table 9 in the RGMS, the Hamlet’s current sewage disposal system has a design capacity for a population of 100, while the actual population of Rosebud at the time of the RGMS’ publication was 108. Therefore, this subdivision is necessary to support Rosebud’s current population and to accommodate future growth within the Hamlet.

Municipal Development Plan

Section 3.11 of the MDP, entitled Infrastructure and Utilities, outlines policies and objectives to manage the movement of wastewater, stormwater and potable water to, from and within residential, commercial, industrial and institutional areas of the County. Objective 3.11.1.1 is to “Maintain and improve the level of municipal water and wastewater servicing provided throughout the County.” As mentioned above, the population of Rosebud has outgrown the design capacity of its current wastewater infrastructure. The purpose of this subdivision is to improve the level of wastewater servicing to residents of the County and therefore it aligns with the objectives of the MDP.

Land Use Bylaw

This parcel was redesignated to Public Utility (PU) District on February 4th, 2020. The purpose and intent of the Public Utility (P-U) district is to accommodate the utilities required to service public and private facilities, businesses and residences within the county. As per Land Use Bylaw 2016-01, a sewage lagoon falls under the ‘Utility Services, Major Infrastructure’ use, which is a discretionary use within the Public Utility (P-U) district.

Technical Review

Access:

The remainder parcel can be accessed from 272A on the north side of the parcel, a new road will be built within the road allowance the east side of the quarter section to provide access to the proposed parcel.

Water Servicing:

There are currently no wells on this site and water servicing will not be required.

Sanitary Servicing:

A 100mm sanitary force main will be constructed from a pump station on the west side of Rosebud to the east side of the subject parcel (approximately 2.5 km), where the sewage lagoons are proposed. A 150 mm discharge pipe will connect to the sewage lagoon on the east side of the parcel and will extend 1.42 km south to an outfall in the Rosebud River.

Municipal Reserve:

As per the Municipal Government Act, Municipal Reserve is not required on the subject parcel as this is the first subdivision out of a quarter section.

Circulation Comments**Circulation to Adjacent Landowners:**

The proposal was circulated to all landowners within 2.0 miles of the subject lands. No letters were received in either 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>"In reviewing this subdivision application, there is an identified .98 ha. Wetland located within the proposed area.</p> <p>This wetland may or may not be already crown claimed, or crown claimable, under section 3 of the Public lands act.</p> <p>Contact with the Water Boundaries unit within the Provincial approvals section in Edmonton should be completed to determine this wetland ownership."</p> <p>Staff circulated Water Boundaries Unit; they had no concerns.</p>
AB Health Services	No comments received.
AB Transportation	No comments received.
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.

Response Options

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

- Option #1:** Subdivision Application SD2020-004 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 SD2020-004 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. The statutory and guiding document align with the SSRP for agricultural preservation and efficient use of land, which is reflected in the proposed subdivision.

Follow-up Action / Communications

Inform the applicant and landowner of MPC's decision.

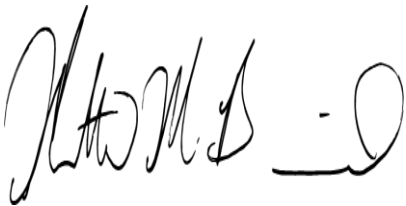
Report Approval Details

Document Title:	SD2020-004.docx
Attachments:	- Attachments for SD2020-004.docx
Final Approval Date:	Apr 6, 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