

Wheatland County

Request for Decision

23.81Municipal Planning Commission

June 9, 2020

Report prepared by: Graham Allison



SD2020-006

File Number: SD2020-007

Divisions: 2, 6

Proposal: To subdivide the southern half of SW-15-25-23-W4M to create two parcels (2) consisting of 9.73 ha (23.81 ac), a 28.30 ha (68.93 ac), and a remainder consisting of 25.88 ha (63.96 ac) to be consolidated with 25.88 ha (63.96 ac) in the northern part of NW-15-25-23-W4M to facilitate the creation of three new parcels.

Location: Adjacent to Range Road 233 approximately 6.5 miles (10.5 km) west of Standard

Legal Description: SW-15-25-23-W4M and NW-15-25-23-W4M

Title Area: 320 acres

Existing Land Use: Agricultural General (AG) District

Proposed Parcels: 3 new

Report

This is a proposal to create three (3) new parcels within two (2) undivided quarter sections legally described as SW-15-25-23-W4M and NW-15-25-23-W4M. Proposed parcel 1 is approximately 9.73 hectares (23.81 acres) in size and contains a dwelling, garage barn, cattle shelter, grain bins, and a pond. The dwelling is serviced by a well and a private sewage disposal system. Proposed parcel 2 is approximately 28.30 Hectares (68.93 acres) in size and is undeveloped. The third proposed parcel contains the remaining 25.88 ha (63.96 ac) of cultivated land in the northern portion of SW-15-25-23-W4M, which is to be consolidated with NW-15-25-23-W4M to create one (1) 89.59 hectare (221.39 acre) parcel of agricultural land. All three of the proposed parcels can be accessed via existing approaches. There are no plans for development on any of the proposed parcels.

Recommendation from Administration

THAT the Municipal Planning Commission approve subdivision application SD2020-006 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) 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.
- 3) That the 10% municipal reserve requirement, pursuant to Section 666 of the *Municipal Government Act* be provided by payment of cash-in-lieu in accordance with the per acre value of \$4,365 as stated in the appraisal prepared by I. Weleschuk (2020/03/27) on the first parcel totaling +/-23.81 acres. The amount of cash-in-lieu of Municipal reserve owing to Wheatland County will be approximately \$10,393. The exact amount will be determined based on the final plan of survey.

- 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.

Policy Analysis

South Saskatchewan Regional Plan (SSRP)

Section 5 of the South Saskatchewan Regional Plan (SSRP) advocates for the efficient use of land by discouraging the conversion and fragmentation of agricultural parcels. This section also aims to reduce the rate at which land is converted from an undeveloped state into permanent, built environment. The proposed subdivision is in alignment with this policy as it is consolidating the cultivated land between the two quarter sections into one parcel, while the parcels to be subdivided from the southern portion of contain a residence and undeveloped pasture land with no proposed development.

Regional Growth Management Strategy (RGMS)

The RGMS provides long term guidance for development in the County with a goal of protecting productive agricultural land by concentrating development in built out areas. Section 4.2 encourages the preservation of agriculturally zoned land. All cultivated land and pastureland is being maintained in this subdivision with no plans for new development.

Municipal Development Plan (MDP)

The proposal aligns with the MDP. It supports the Agricultural section's objectives and policies through maintaining the agricultural land use.

Land Use Bylaw (LUB)

All of the proposed parcels are currently zoned Agricultural General (AG) District and is in general alignment with the goals and regulations of this district.

Technical Review

Access:

All the proposed parcels have existing access. The first parcel in the southwest portion of SW-15-25-23-W4M has an approach off Range Road 233. The second parcel can be accessed off Township Road 252. The third parcel has an approach off Range Road 233 on the northern portion of NW-15-25-23-W4M.

Water Servicing:

The existing dwelling in the first parcel is serviced by a private water well. The second parcel and third parcel contain no water servicing.

Sanitary Servicing:

The first parcel is serviced by a private septic disposal system. The second and third parcels are undeveloped and are not serviced.

Municipal Reserve:

As per the *Municipal Government Act*, Municipal Reserve is not required on the second and third parcels. 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 16.0 hectares or more. Both parcels are larger than 16.0 hectares.

Municipal Reserve is required for the first parcel. Wheatland County's policy is to take cash-in-lieu as a condition of subdivision. Staff engaged an assessor to appraise the market value of the property, it was determined to be \$4,365/acre for the 23.81 acre parcel. The amount of cash-in-lieu of Municipal reserve owing to Wheatland County will be approximately \$10,393. The exact amount will be determined based on the final plan of survey.

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>In reviewing this site, it appears to show evidence of a watercourse in southern section, that may be crown claimable under section 3 of the Public Lands Act. A determination can only be made by an Alberta land surveyor, with the possible assistance of the waterbodies unit in Provincial Approvals Section, Edmonton. These watercourse should be carefully considered in connection with the Provincial wetland policy, prior to the county making approval for this application.</p> <p>The Waterbodies Unit was circulated with the following response:</p> <p>Please note that a review of historical aerial imageries of the area does not support the existence of any permanent and naturally occurring body of water or a watercourse with a discernible and continuous bed within the existing gully in the SW ¼ Section 15-25-23-4. As such, no Crown owned bed and shore is affected by the proposed subdivision.</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	<p>No concerns</p> <p>The approaches are currently paved on RR 233 and appear to be of a high standard off of Twp. Rd 252. (Luis can you confirm?)</p> <p>The standard road widening acquisition and easement agreements should apply.</p>

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.

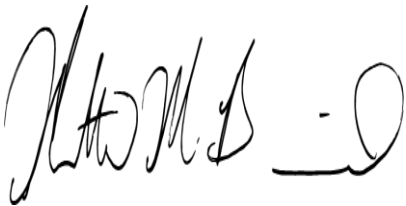
Report Approval Details

Document Title:	SD2020-006.docx
Attachments:	- SD2020-006 Maps.docx
Final Approval Date:	Jun 3, 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