


**SUBDIVISION APPROVING AUTHORITY ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
SUBDIVISION APPROVAL
February 8, 2023**

REQUEST FOR SUBDIVISION APPROVAL	
APPLICATION INFORMATION	FILE NO. F2104-02NW
	LEGAL DESCRIPTION: NW 2-21-4 W5M
	LANDOWNERS: Richard & Lauren Silvester
	AREA OF SUBJECT LANDS: 154.99 acres
	CURRENT LAND USES: 6.78 +/- acre new lot: Country Residential District (CR) 148.21 +/- acre balance: Agricultural District (A)
LOCATION: The subject parcel is adjacent to and on the east side of Highway 762, and adjacent to and on the north side of Highway 549 West.	
PROPOSAL: Subdivision to create one new 6.78 +/- acre Country Residential District parcel, leaving a 148.21 +/- acre Agricultural District Balance parcel.	
DIVISION NO: 3	COUNCILLOR: Barb Castell
FILE MANAGER: Martine Callum	

PURPOSE OF REQUEST:

Request of the Subdivision Approving Authority to approve the subdivision application proposing the creation of one 6.78 +/- acre Country Residential District lot as the first parcel out of the quarter section being NW 2-21-4 W5M, leaving a 148.21 +/- acre Agricultural District balance.

BACKGROUND:

February 8, 2023: Council granted 2nd and 3rd reading to Bylaw 48/2022 authorizing the redesignation of a 6.78 +/- acre portion of NW 2-21-4 W5M from Agricultural District to Country Residential District in order to allow for the future subdivision of one new 6.78 +/- acre Country Residential District with a 148.21 +/- acre Agricultural District balance parcel.

REFERRAL CIRCULATION:

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	No comments or concerns.
EXTERNAL	
Alberta Transportation	Alberta Transportation had the following comments: <ul style="list-style-type: none">The requirements of Section 18 of the Regulation are not met. The department anticipate minimal impact on the highway from this

CIRCULATION REFERRALS	
and Economic Corridors	<p>proposal. Pursuant to Section 20(1) of the Regulation, Alberta Transportation grants approval for the subdivision authority to vary the requirements of Section 18 of the Regulation.</p> <ul style="list-style-type: none"> The requirements of Section 19 of the Regulation are not met. Pursuant to section 20(1) of the Regulation, Alberta Transportation grants approval for the subdivision authority to vary the requirements of section 19 of the Regulation. <p>Alberta Transportation also provided the additional comments:</p> <ul style="list-style-type: none"> The department expects that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, pursuant to Policy 7 of the Provincial Land Use Policies and Section 618.4 of the Municipal Government Act.
Fortis Alberta	No easement required
ATCO Gas	No objections
ATCO Pipelines	No objections
TELUS Communications	No objections
PUBLIC	
Landowners (adjacent)	No submissions received.

REQUEST OF THE SUBDIVISION APPROVING AUTHORITY:

Council, as the Subdivision Approving Authority is respectfully requested to consider approval of the subdivision of one 6.78 +/- acre Country Residential District parcel, as the first parcel out of the quarter section being NW 2-21-4 W5M, leaving a balance of 148.21 +/- acres to remain designated as Agricultural District. Should Council choose to approve the proposed subdivision, the following motion has been provided for consideration:

The subdivision of one 6.78 +/- acre Country Residential District parcel has been evaluated in terms of Section 654 of the Municipal Government Act and Sections 9 and 20 of the Matters Related to Subdivision and Development Regulation and therefore it is recommended that the application be approved as per the tentative plan and that a variance be granted to Sections 18 and 19 of the Regulation for the following reasons:

- The application is consistent with Section 9 of the Regulation;
- The subject lands have the appropriate land use designation; and
- Pursuant to Section 20 of the Regulation, written approval was received from the Minister of Transportation and Economic Corridors allowing the Subdivision Authority to grant a variance to Sections 18 and 19 of the Regulation.

Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application is approved subject to the following conditions:

Recommended Conditions:

1. Subdivision to be effected by Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Register of the South Alberta Land Titles District;
2. It is the applicant's responsibility to provide a Real Property Report or an 'as built' drawing signed and sealed by an Alberta Land Surveyor, certifying the locations of the adjacent municipal road(s), water well(s) within the boundaries of the appropriate parcels and that the site plan is surveyed according to municipal setback requirements;
3. Completion of all pre-release conditions as noted in the executed Municipal Development Agreement to the satisfaction of the Municipality and where applicable the appropriate external agencies. These conditions include:
 - a. Payment of the \$11,300.00 per new lot Community Sustainability Fee;
4. All accesses to be located and culverts and approaches to be installed to the satisfaction of Alberta Transportation;
5. Landowners are to provide all utility easements and agreements, to the satisfaction of the County and the utility companies;
6. Public reserve: As per section 663(a) of the Municipal Government Act and the County's Municipal Reserve Policy, reserve is not required to be provided when one lot is to be created from a quarter section;
7. Landowners are to pay all arrears of taxes on the existing parcel prior to finalization of the subdivision;
8. Submission of subdivision endorsement fees.

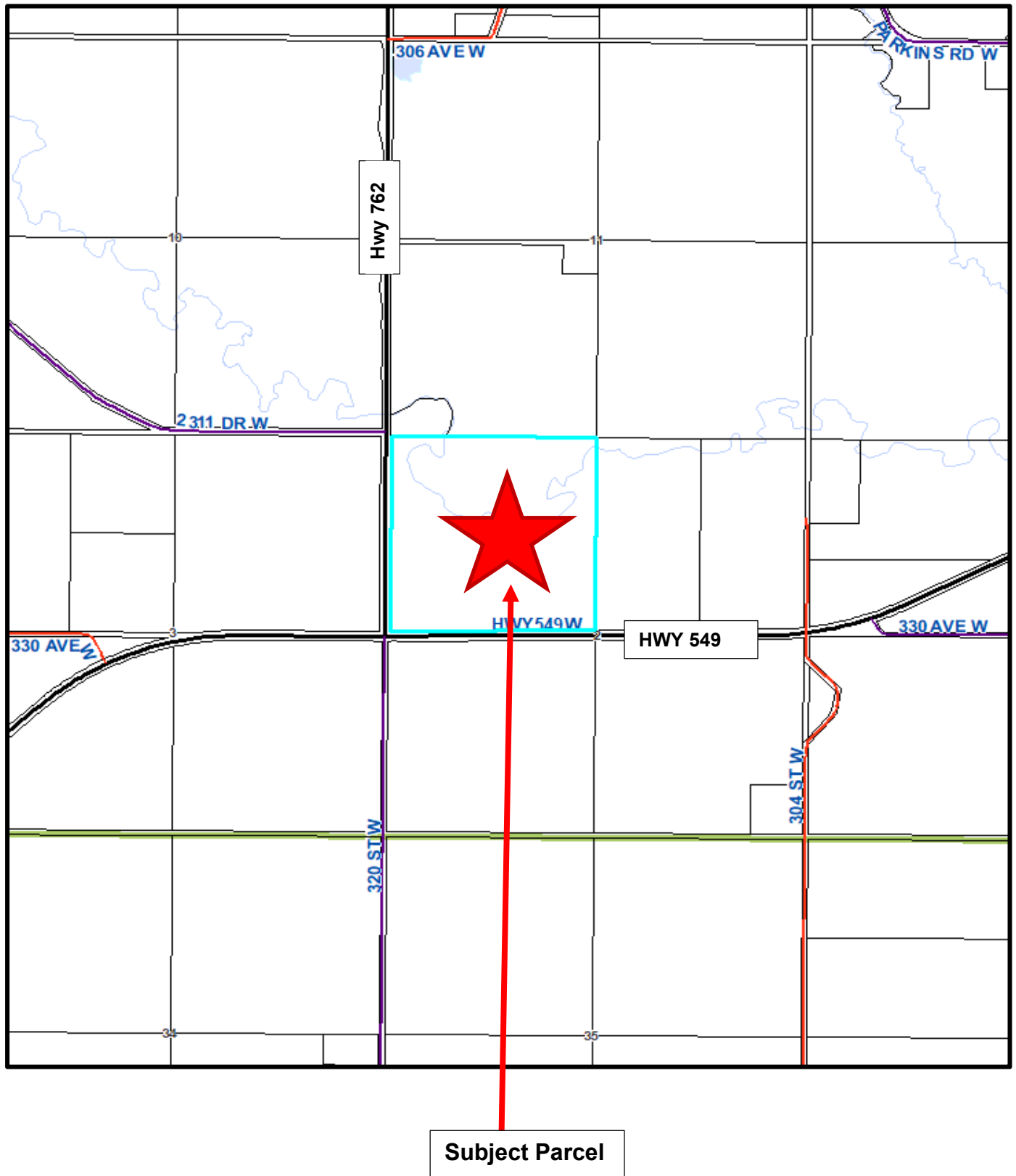
APPENDICES:**APPENDIX A: MAP SET**

LOCATION MAP

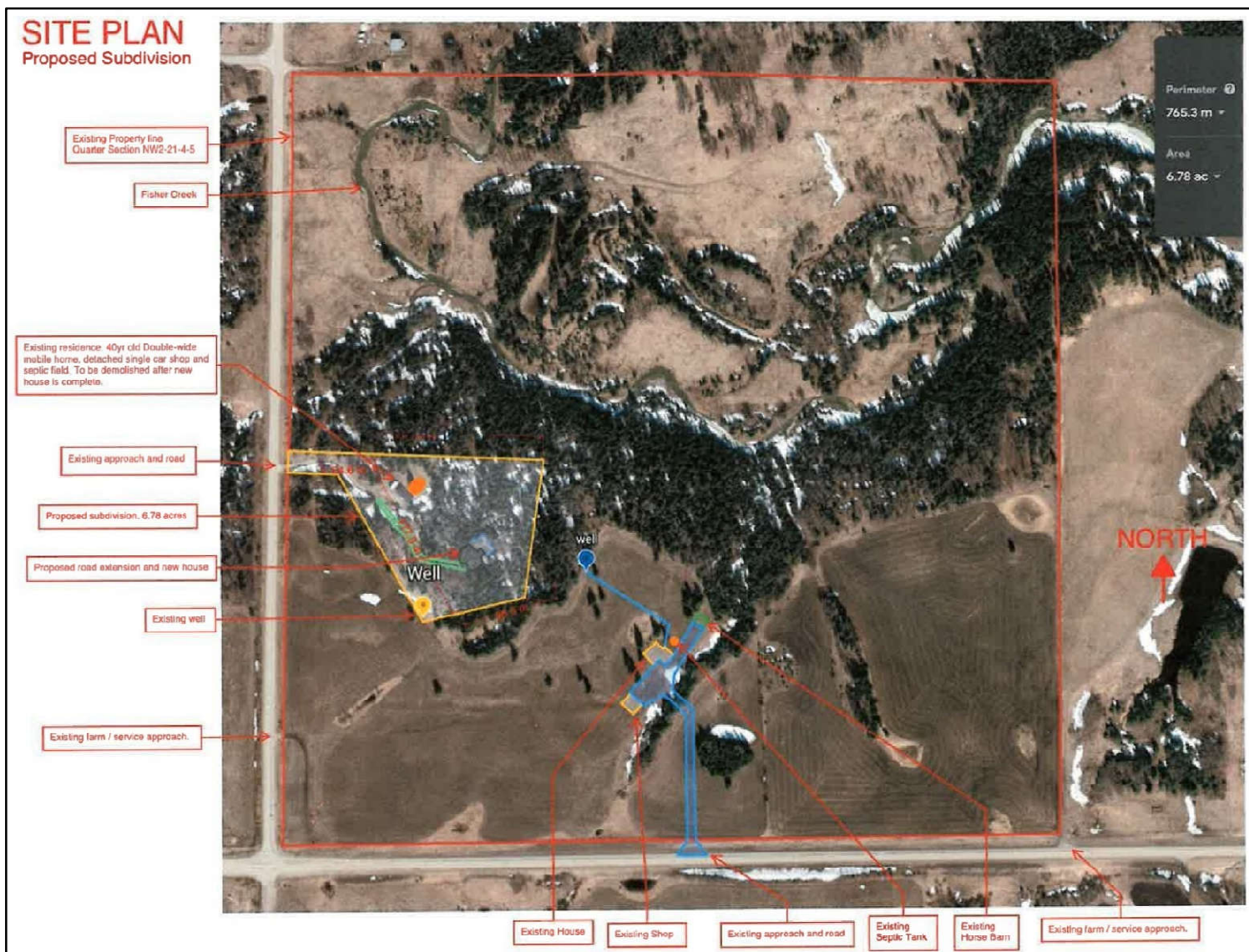
SITE PLAN

SITE PLAN – CLOSE UP OF THE +/-6.78 ACRE CR LOT

APPENDIX A: LOCATION MAP



APPENDIX A: SITE PLAN



APPENDIX A: SITE PLAN – CLOSE UP OF THE 6.78+/- ACRE CR LOT (outlined in yellow)

