


**SUBDIVISION APPROVING AUTHORITY ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
SUBDIVISION APPROVAL
November 22nd, 2023**

REQUEST FOR SUBDIVISION APPROVAL		
APPLICATION INFORMATION	FILE NO. F2129-21NW	
	LEGAL DESCRIPTIONS:	
	<ol style="list-style-type: none"> 1. NW 21-21-29-W4M 2. NE 21-21-29-W4M 	
	LANDOWNER: 1651993 Alberta Ltd.	
	AGENT: Township Planning and Design Inc. / Kristi Beunder	
	AREA OF SUBJECT LANDS:	
	<ol style="list-style-type: none"> 1. 1.04 acres 2. 85.43 acres 	
CURRENT LAND USES:		
<ol style="list-style-type: none"> 1. Country Residential District 2. Agricultural District 		
PROPOSED LAND USE: Country Residential District, Agricultural District, Environmental Reserve Easement and Road Plan.		
PROPOSAL: Subdivision of six (6), 3.27 +/- acre to 3.28 +/- acre Country Residential Sub-District "A" lots, with approximately 2.43 +/- acres of Environmental Reserve Easement registered over portions of Lots 1, 3, 4, and 6, and a 65.58 +/- acre Agricultural District balance remaining.		
DIVISION NO: 7	COUNCILLOR: R.D. McHugh	FILE MANAGER: Theresa Chipchase

PURPOSE OF REQUEST

Requesting approval from the Subdivision Approving Authority for the application which proposes the subdivision of six (6), 3.27 +/- acre to 3.28 +/- acre Country Residential Sub-District "A" lots, with approximately 2.43 +/- acres of Environmental Reserve Easement registered over portions of Lots 1, 3, 4, and 6, and a 65.58 +/- acre Agricultural District balance remaining.

PREVIOUS COUNCIL DIRECTION

April 19th, 2023, Bylaw 22/2023 – application approved by Council granting first reading to Bylaw 22/2023, under the following motion:

Bylaw 22/2023 was introduced into the meeting to authorize the redesignation of a portion of NE 21-21-29 W4M from Agricultural District to Country Residential District to allow for the future subdivision of six (6) 3.27 +/- acre to 3.28 +/- acre Country Residential District lots leaving a 65.58 +/- acre Agricultural District balance parcel with an Environmental Reserve Easement over a 2.43 +/- acres of the west boundary of Country Residential lots 1, 3, 4, and 6.

In their consideration of the criteria noted in Residential Policy 3 of the MDP2010, Council is of the opinion the lands are suitable for residential uses and are compatible with the surrounding

area and the existing land uses. Further the application falls within the density provisions and lot size restrictions of the municipalities Land Use Bylaw.

The six (6) 3.27 to 3.28 +/- acre lots shall be designated as Country Residential Sub-District "A" to ensure that the recommendations and restrictions as outlined in the building envelopes, septic disposal evaluations, comprehensive site drainage plans, and lot grading plans (provided as conditions of subdivision) are complied with to the satisfaction of the Public Works department. A completion certificate by a Professional Engineer verifying that all aspects of the noted reports have been met and a \$5000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.

November 22nd, 2023, Bylaw 22/2023 - Council gave third and final reading to Bylaw 22/2023 authorizing the redesignation of a portion of NE 21-21-29 W4M from Agricultural District to Country Residential District to allow for the future subdivision of six (6) 3.27 +/- acre to 3.28 +/- acre Country Residential District lots leaving a 65.58 +/- acre Agricultural District balance parcel with an Environmental Reserve Easement over a 2.43 +/- acres of the west boundary of Country Residential lots 1, 3, 4, and 6.

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CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	<p>Public Works is requesting the following for all proposed Country Residential District lots (Lots 1-6), as conditions of subdivision:</p> <ol style="list-style-type: none"> 1. Septic Disposal Evaluation (PSTS) Testing; 2. Building Envelopes; 3. Comprehensive Site Drainage Plan; 4. Lot Grading Plan; <p>Additional recommendations as provided by Public Works to be applied to a subdivision approval:</p> <ul style="list-style-type: none"> • Public Works recommends an acquisition of land be provided for 5 meters of road widening adjacent to the east boundary of the existing title. (32nd Street East) • Public Works recommends an engineered, paved road with a 30-meter wide right of way meeting the County's Internal Subdivision Road standards including cost estimates, liability insurance and a 125% letter of credit.

CIRCULATION REFERRALS

	<ul style="list-style-type: none"> Public Works recommends that the cul de sac be fully paved without a planted boulevard. Planted boulevards increase maintenance costs with respect to mowing and tree/shrub maintenance, as well as potential damages caused by snowplows. The County's current approach construction standards requires approaches to be no closer than 60 meters to mailboxes, therefore Public Works recommends that a new approach be constructed to proposed Lot 1 that is 60 meters south of the location of the mailboxes. The current approach is to remain as a safe turn around for residents who stop to pick up mail. This approach is to be fenced off and is not to be used. <p>The proposed approach for Lot 1 will require tree/brush clearing in the ditch, 20 meters to the north and south of the approach.</p> <p>NOTE: The applicant has submitted all required engineering in advance of the subdivision approval. Public works has reviewed the lot grading, site drainage, building envelopes, groundwater for foundation design reports, PSTS and road design and all have been accepted as provided.</p>
GIS/Mapping	No concerns with application.
EXTERNAL	
TELUS	TELUS communications Inc. has no objections however a Utility Right of Way will be required should a General Utility Right of Way not be registered to include telecommunications facilities.
FortisAlberta	We have reviewed the plan and determined that no easement is required by FortisAlberta.
ATCOGas	Landowner is required to contact ATCO Gas to facilitate execution of a Utility Right of Way to the satisfaction of ATCO Gas
ATCO Transmission	ATCO Transmission high pressure pipelines has no objections
Alberta Transportation	<p>The requirements of Section 18 of the Regulation are not met. Based on review of the proposal, the department is satisfied that the Highway has sufficient capacity to accommodate the proposal. Pursuant to Section 20(1) of the Regulation. Transportation and Economic Corridors grants approval for the subdivision authority to vary there requirements of Section 18 of the Regulation.</p> <p>The requirements of Section 19 of the Regulation are not met. There is no direct access to the highway and there is sufficient local road access to the subdivision and adjacent lands. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 19 of the Regulation.</p>
PUBLIC	
Landowners (Adjacent)	No letters received prior to the filing of this staff report.

REQUEST OF THE SUBDIVISION APPROVING AUTHORITY

The Subdivision Approving Authority may choose to approve the subdivision of six (6) 3.27 +/- acre to 3.28 +/- acre Country Residential District Sub-District "A" lots leaving a 65.58 +/- acre Agricultural District balance parcel with an Environmental Reserve Easement over a 2.43 +/- acres of the west boundary of Country Residential Sub District "A" lots 1, 3, 4, and 6.

The Subdivision has been evaluated in terms of Section 654 of the Municipal Government Act and Section 9 of the Matters Related to Subdivision and Development Regulation and therefore it is recommended that the application be approved as per the tentative plan for the following reasons:

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

In consideration of the criteria noted in Residential Policy of the MDP2010, the Subdivision Authority is of the opinion that the lands are suitable for the intended use and further that the application falls within the density provisions and lot size restrictions within the County's Land Use Bylaw.

Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application is approved subject to the following 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 Registrar 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 location of the adjacent municipal road(s), septic tank and field and water well(s) within the boundaries of the appropriate properties 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 County and where applicable the appropriate external agencies. These conditions include:
 - a. Payment of the \$11,300 per new lot Community Sustainability Fee;
 - b. Submission of all necessary engineering drawings, liability insurance, letters of credit, cost estimates and engineering review fees for all required transportation infrastructure, site drainage and grading;
 - c. All utility right of way agreements, easements, licenses and installation.
4. Septic Disposal Evaluation, to be provided for all six proposed 3.27 +/- ac to 3.28 +/- acre Country Residential Sub-District "A" lots, in accordance with Part 2 Section 6(4)(b) of the Matters Related to Subdivision and Development Regulation, to the satisfaction of the Public Works department;
5. Site plan to be provided, which identifies building envelopes for all six proposed 3.27 +/- ac to 3.28 +/- acre Country Residential Sub-District "A" lots, which meet the requirements as outlined in Policy 9 under the Residential section of the MDP2010, to be provided to the satisfaction of the Public Works department;

6. Lot Grading Plans, to be provided for all lots proposed, to the satisfaction of the Public Works department;
7. Comprehensive Site Drainage Plan, to be provided for the subject parcel, to the satisfaction of the Public Works department;
8. Road Acquisition Agreement to be executed by the landowner and registered by caveat, for the provision of 5.17 meters of road dedication along the east boundary of the applicant's lands (west boundary of 32nd Street East), to the satisfaction of the Public Works Department;
9. Reserves: to be provided by cash in lieu of land based on \$23,925.00 per acre on account of 10% of the six proposed 3.27 +/- ac to 3.28 +/- acre Country Residential Sub-District "A" lots. Pursuant to Section 663(b) of the Municipal Government Act, reserves would not be required for the 65.58 +/- acre Agricultural District balance parcel which is solely used for agricultural purposes;
10. Applicant to provide a road naming proposal and addressing requirements, to the satisfaction of the County's GIS department. The County's GIS department is to further provide the proposal, to the Subdivision Approving Authority, for their approval;
11. All accesses to be located and culverts and approaches to be installed to current Municipal subdivision road construction standards, to the satisfaction of the Public Works department;
12. Landowners are to pay all arrears of taxes on the existing parcels prior to finalization of the subdivision; and
13. Submission of subdivision endorsement fees.

APPENDICES

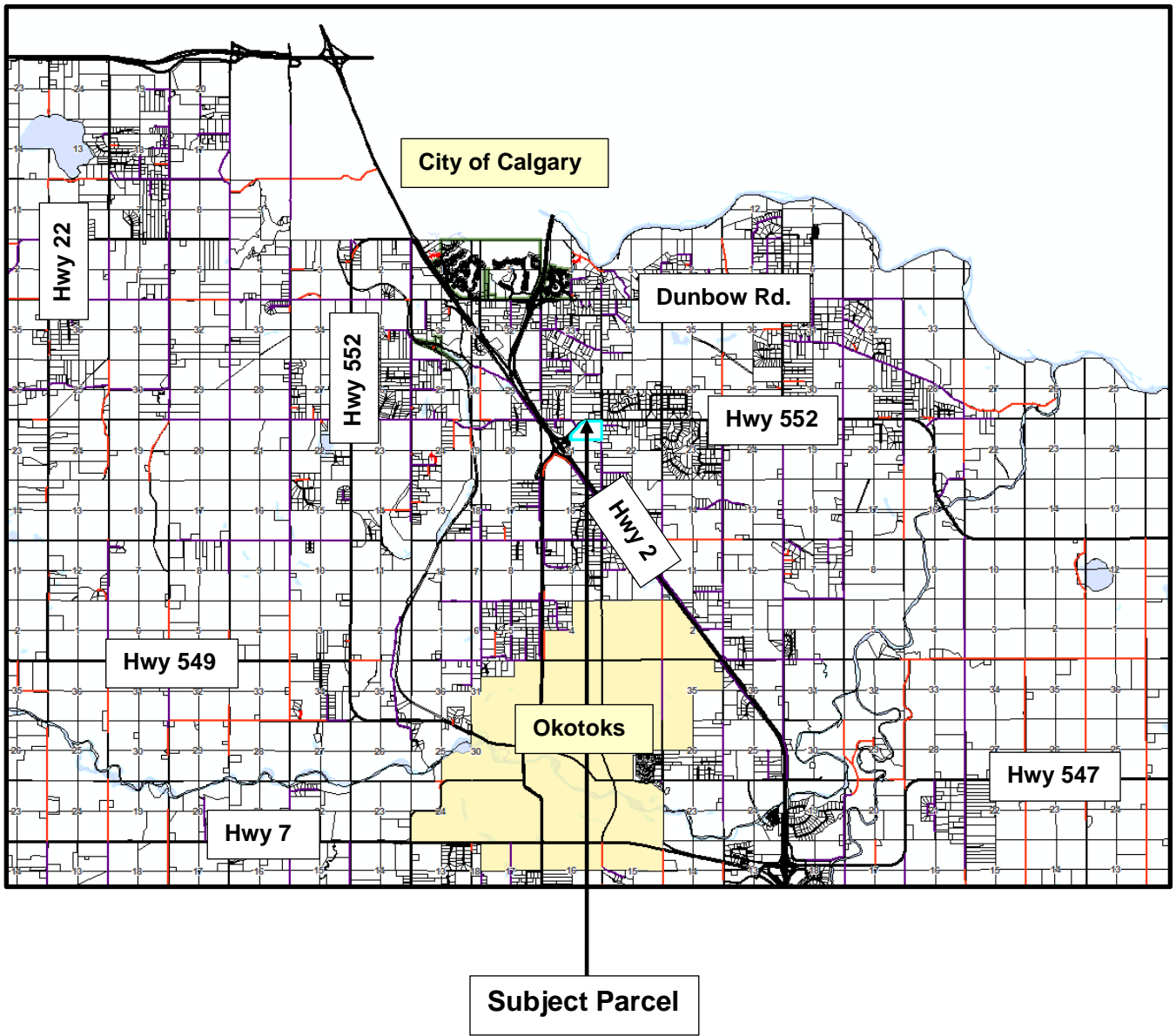
APPENDIX A - MAP SET:

LOCATION MAP
SITE PLAN
AERIAL PHOTO

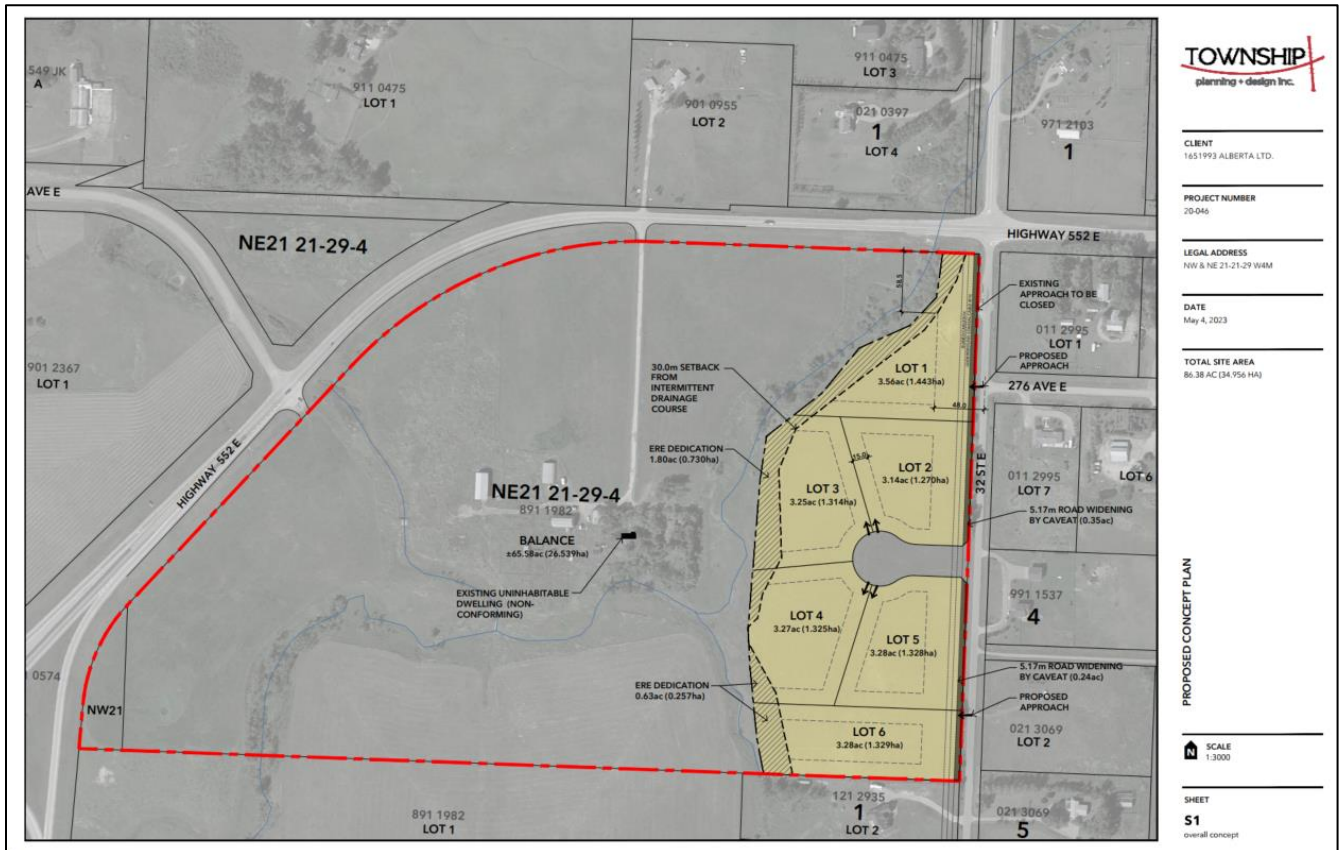
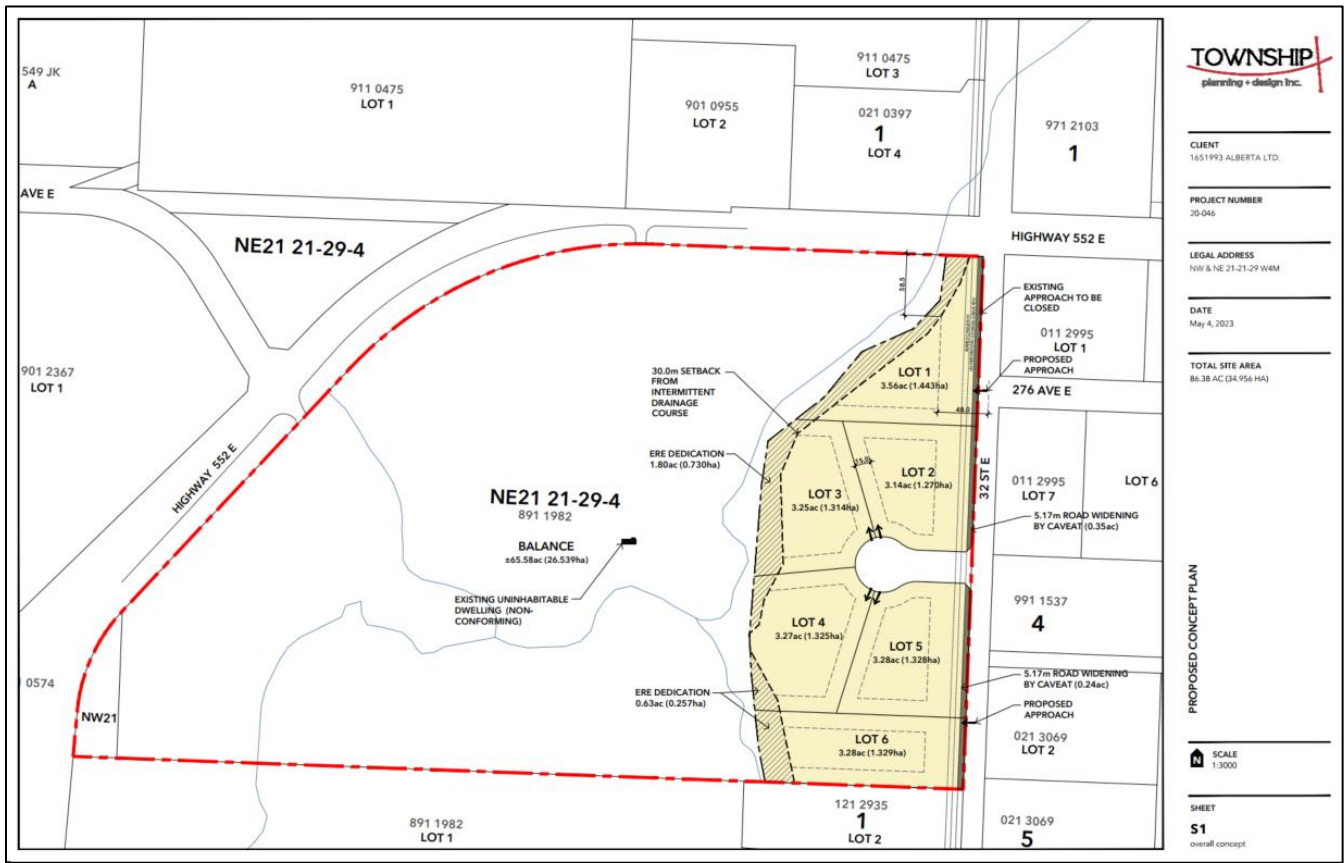
APPENDIX B:

ASSESSMENT SPREADSHEET – PUBLIC RESERVE AMOUNT FOR SUBDIVISION

APPENDIX A: LOCATION MAP



APPENDIX A: SITE PLANS



APPENDIX A: ORTHO PHOTO



**APPENDIX B:
ASSESSMENT SPREADSHEET – PUBLIC RESERVE AMOUNT FOR SUBDIVISION**

INTEROFFICE MEMORANDUM

DATE: July 23 2023

TO: Planning Department

FROM: Julie Sills

3.00 Public Reserve Amount For Subdivision
 File No: F2129-21 NW
 Legal: NE 21-21-29 W4 (South of Rdway on PL 7410574)
 Subject: 1651993 AB Ltd.
 Parcel Size: 85.34 acres
 Mkt Zone: 3
 Trees: Lots mature
 Views:
 River/Creek: Creek

CONCLUSION
 Based on the following sales, the fair market value for a 85.34 acre parcel in this area is : \$23,925 per acre.

Sale	Mz	Qr	Sec	Twp	Rge	M	Sale Date	Acres	Sale Price	Time Adj	Time Adj Sale Price	Loc Adj	Size Adj	Trees Adj	View Adj	River/Creek Adj	Final Adjusted Sale Price	Indicated Price Per Acre For 85.34 Acs
1	11	SE	01	19	02	5	Aug-23	82.53	\$800,000	1.00	\$800,000	2.26	1.02	10000	135843	135843	\$2,125,846	\$24,910
2	11	SE	08	19	01	5	Apr-23	80.00	\$650,000	1.02	\$663,000	2.26	1.03	60000	135843	135843	\$1,875,017	\$21,971
3	13	SW	25	20	03	5	Jul-22	80.06	\$840,000	1.08	\$907,200	2.09	1.03	60000	4352	135843	\$2,153,124	\$25,230
4	13	E	35	19	04	5	Nov-21	80.06	\$570,000	1.16	\$661,200	2.09	1.03	60000	135843	135843	\$1,755,051	\$20,565
5	23	NE	04	20	02	5	Jul-22	79.49	\$750,000	1.08	\$810,000	2.03	1.04	60000	135843	135843	\$2,041,758	\$23,925
6	23	W	04	20	29	4	Apr-21	79.96	\$560,000	1.21	\$677,600	2.03	1.03	60000	4435	135843	\$1,617,072	\$18,949
7	23	SW	35	19	01	5	May-22	78.00	\$725,000	1.11	\$804,750	2.03	1.05	60000	135843	135843	\$2,047,011	\$23,987