


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

REQUEST FOR SUBDIVISION APPROVAL		
APPLICATION INFORMATION	FILE NO. F2001-34W	
	LEGAL DESCRIPTION: Plan 0614719, Block 2, Lot 2; PTN: W 34-20-01 W5M	
	LANDOWNERS: David and Elsie Limpert	
	AGENT: Township Planning and Design Inc. / Kristi Beunder	
	AREA OF SUBJECT LANDS: 170.75 Acres	
	CURRENT LAND USE: Agricultural District	
	PROPOSED LAND USE: Country Residential District	
PROPOSAL: Subdivision of three 3.89 to 3.92 +/- acre Country Residential Sub-District "A" lots with an approximate 159.03 +/- acre Agricultural District balance parcel from Plan 0614719, Block 2, Lot 2, PTN: W-34-20-01-W5M.		
DIVISION NO: 5	COUNCILLOR: Alan Alger	FILE MANAGER: Theresa Chipchase

PURPOSE OF REQUEST

Requesting approval from the Subdivision Approving Authority for the application which proposes the subdivision of three 3.89 to 3.92 +/- acre Country Residential Sub-District "A" lots with an approximate 159.03 +/- acre Agricultural District balance parcel.

PREVIOUS COUNCIL DIRECTION

January 11th, 2023, Bylaw 03/2023 – application approved by Council granting first reading to Bylaw 03/2023, under the following motion:

"Bylaw 03/2023 was introduced into the meeting to authorize the redesignation of a 11.72 +/- acre portion of Plan 0614719, Block 2, Lot 2, PTN: W 34-20-01-W5M from Agricultural District to Country Residential District to allow for a future subdivision of three new Country Residential parcels (3.92 +/- acres, 3.91 +/- acres, and 3.89 +/- acres) with an approximate 159.03 +/- acre Agricultural District balance parcel.

In their consideration of the criteria noted in Agricultural Policy 4 of the MDP2010, Council is of the opinion that fragmentation of the subject lands would not be detrimental to the agricultural nature of the area. Additionally, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County's Land Use Bylaw.

The three 3.89 to 3.92 +/- acre parcels shall be designated as Country Residential Sub-District 'A' to ensure that the recommendations and restrictions as outlined in the comprehensive site drainage plan, lot grading plan, building envelopes and septic disposal evaluation, (all 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 \$5,000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.

Council moved first reading.”

November 22nd, 2023, Bylaw 03/2023 - Council gave third and final reading to Bylaw 03/2023 authorizing the redesignation of a 11.72 +/- acre portion of Plan 0614719, Block 2, Lot 2, PTN: W 34-20-01-W5M from Agricultural District to Country Residential District to allow for a future subdivision of three new Country Residential parcels (3.92 +/- acres, 3.91 +/- acres, and 3.89 +/- acres) with an approximate 159.03 +/- acre Agricultural District balance parcel for the following reasons:

In their consideration of the criteria noted in Agricultural Policy 4 of the MDP2010, Council is of the opinion that fragmentation of the subject lands would not be detrimental to the agricultural nature of the area. Additionally, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County’s Land Use Bylaw.

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	<p>Public Works requested the following for the proposed 3.89, 3.91 and 3.92 +/- acre parcels:</p> <ol style="list-style-type: none"> 1. Septic Disposal Evaluation (PSTS); 2. Building Envelopes; 3. Comprehensive Site Drainage; 4. Lot Grading Plans. <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, and groundwater for foundation design reports, and all have been accepted as provided.</p> <p>Additional comments provided by Public Works:</p> <ul style="list-style-type: none"> • 40th Street West is no longer a private road and was taken over by the County in August of 2022. • The landowner may choose to approach Bar None Ranches with an endeavor to assist, but it is not required by the County; <p>Upgrades to the existing approaches are not required, new approaches are to be constructed to current standards.</p>
GIS/Mapping	No concerns with application.
EXTERNAL	
TELUS	TELUS communications Inc. has no objection to the notification.
FortisAlberta	We have reviewed the plan and determined that no easement is required by FortisAlberta.
ATCOGas	ATCO Gas’ has no need for a Utility Right of Way currently
ATCO Transmission	ATCO Transmission high pressure pipelines has no objections

CIRCULATION REFERRALS

Alberta Transportation	<p>The requirements of Section 18 of the Regulation are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the 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 three new Country Residential parcels (3.92 +/- acres, 3.91 +/- acres, and 3.89 +/- acres) with an approximate 159.03 +/- acre Agricultural District balance parcel.

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 by the Minister of Transportation allowing the Subdivision Authority to grant a variance to Section 18 and Section 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 review fees;
 - c. All utility right of way agreements, easements, licenses and installation.
4. Septic Disposal Evaluation, to be provided for the proposed 3.89 +/- acre, 3.91 +/- acre, and 3.92 +/- 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 the proposed 3.89 +/- acre, 3.91 +/- acre and 3.92 +/- acre 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 the subject parcel, 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. Reserves: to be provided by cash in lieu of land based on \$14,566.00 per acre on account of 10% of the proposed 3.89 +/- acre, 3.91 +/- acre and 3.92 +/- acre Country Residential Sub-District "A" lots. Pursuant to Section 663(b) of the Municipal Government Act, reserves would not be required for the 159.03 +/- acre Agricultural District balance parcel which is solely used for agricultural purposes;
9. 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;
10. Landowners are to pay all arrears of taxes on the existing parcels prior to finalization of the subdivision; and
11. Submission of subdivision endorsement fees.

APPENDICES

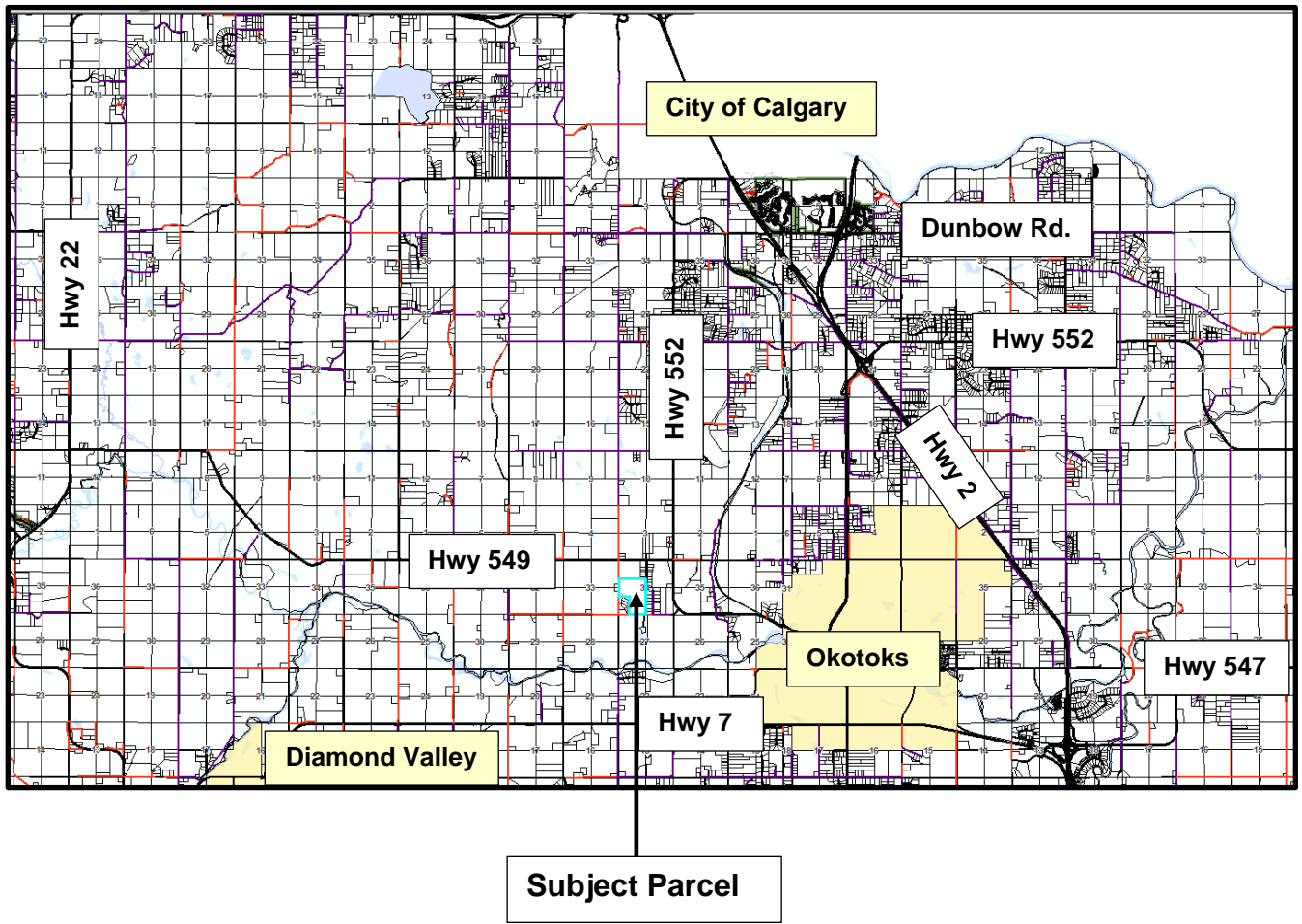
APPENDIX A - MAP SET:

LOCATION MAP
SITE PLAN
AERIAL PHOTO

APPENDIX B:

ASSESSMENT SPREADSHEET – PUBLIC RESERVE AMOUNT FOR SUBDIVISION

APPENDIX A: LOCATION MAP



APPENDIX A: SITE PLAN



CLIENT
LIMPERT PROPERTIES

PROJECT NUMBER
22-025

LEGAL ADDRESS
SW 34-20-01 W5M
LOT 2, BLOCK 2, PLAN 061 4719

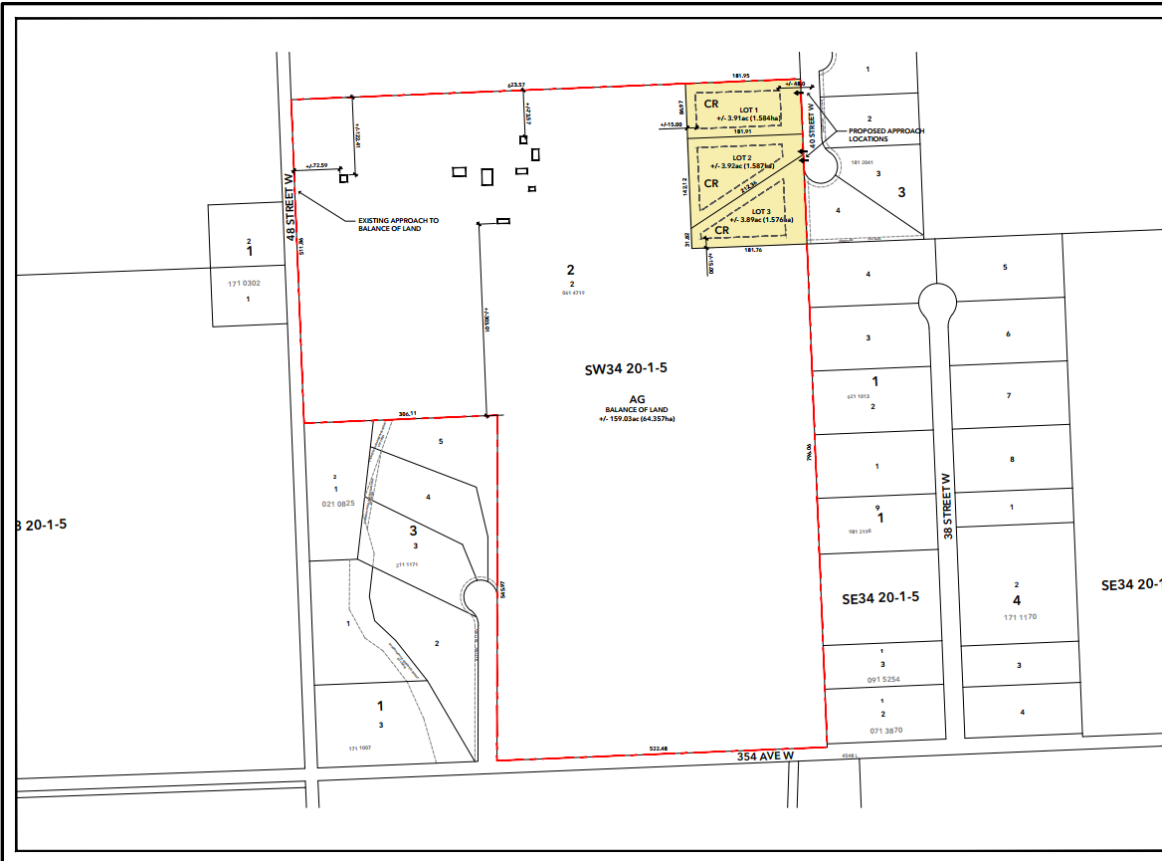
DATE
July 15, 2022

Total Site Area = 1.17075ac (49.10ha)
AG to CR 11.72ac (4.74ha)

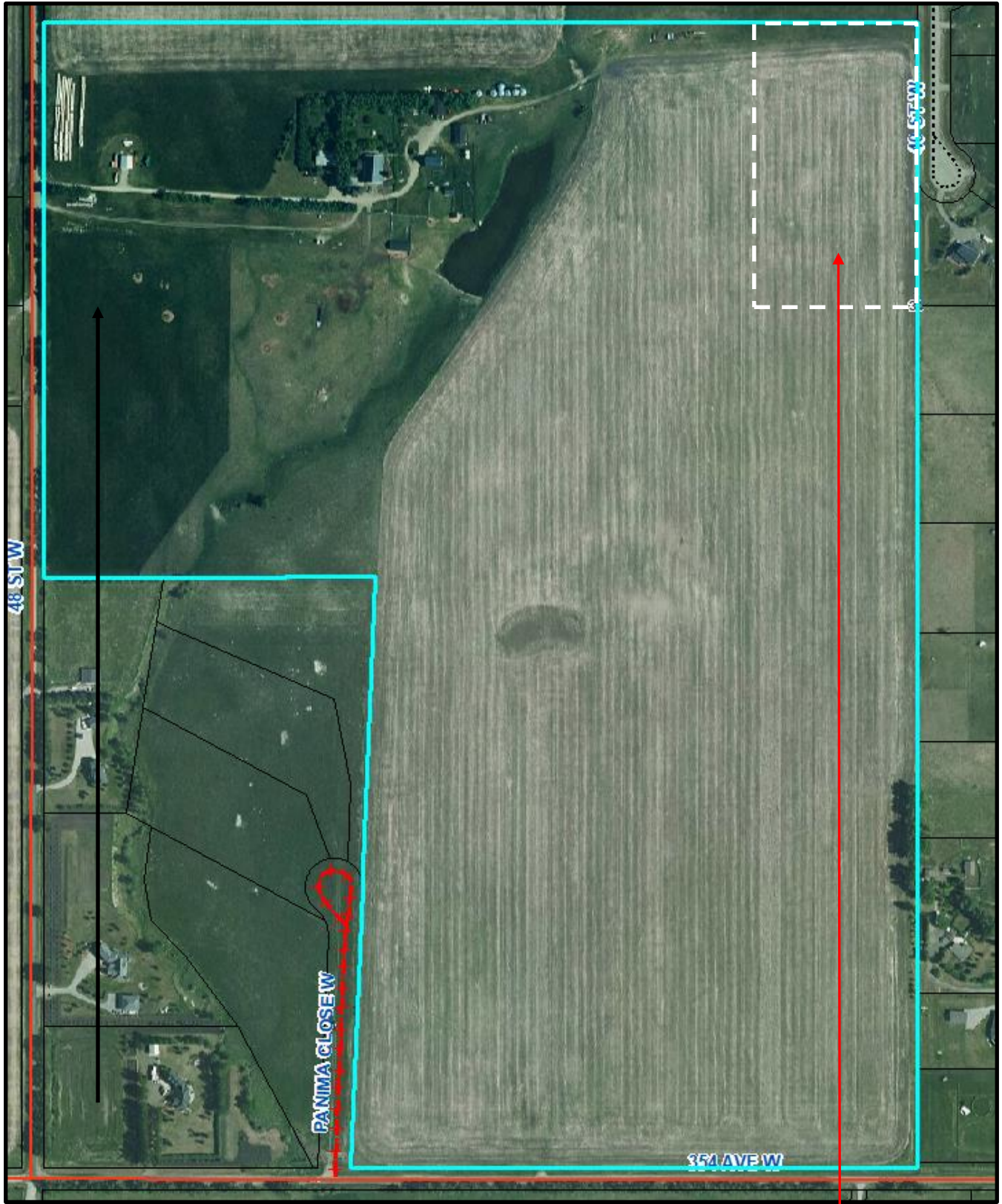
LANDUSE REZONING
SITE PLAN

SCALE
1:5000

SHEET
S1
SITE PLAN



APPENDIX A: ORTHO PHOTO



Subdivision area

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

INTEROFFICE MEMORANDUM

DATE: May 10 2023

TO: Planning Department

FROM: Julie Sills

3.00 **Public Reserve Amount For Subdivision**
 File No: F2001-34W
 Legal: W 34-20-1-5
 Subject: David and Elsie Limpert
 Parcel Size: 170.75 acres
 Mkt Zone: 2
 Trees: Few mature trees
 Views: Full country and part mountain view
 River/Creek:

CONCLUSION

Based on the following sales, the fair market value for a 170.75 acre parcel in this area is : **\$14,556** 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 170.75 Acs
1	2	SE	13	21	02	5	Jan-23	160.00	\$2,500,000	1.00	\$2,500,000	1.00	1.04	40000			\$2,640,000	\$15,461
2	2	SE	32	21	02	5	Sep-22	160.00	\$2,400,000	1.06	\$2,544,000	1.00	1.04	40000			\$2,685,760	\$15,729
3	2	SE	33	21	02	5	Nov-22	158.75	\$2,329,000	1.00	\$2,329,000	1.00	1.05	40000			\$2,485,450	\$14,556
4	16	NW	05	22	04	5	Aug-21	160.00	\$1,295,000	1.16	\$1,502,200	1.26	1.04	-20000	-582425		\$1,366,058	\$8,000
5	16	NW	07	22	04	5	Mar-21	164.10	\$1,270,000	1.22	\$1,549,400	1.26	1.03	-10000	-177528		\$1,823,283	\$10,678