


**SUBDIVISION APPROVING AUTHORITY ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
SUBDIVISION APPROVAL
May 8th, 2024**

REQUEST FOR SUBDIVISION APPROVAL		
APPLICATION INFORMATION	FILE NO. F2129-05SW	
	LEGAL DESCRIPTION: Plan 731112, Block 2, PTN: SW 05-21-29-W4M	
	LANDOWNER: Mark and Louise Campbell	
	AGENT: Township Planning and Design / Kristi Beunder	
	AREA OF SUBJECT LANDS: 14.39 Acres	
	CURRENT LAND USE: Country Residential District	
PROPOSAL: Subdivision of one 4.0 +/- acre Country Residential District lot and one 6.375 +/- acre Country Residential District lot with an approximate 4.0 +/- acre Country Residential District balance parcel from Plan 731112, Block 2, PTN: SW 05-21-29-W4M.		
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 one 4.0 +/- acre Country Residential District lot and one 6.375 +/- acre Country Residential District lot with an approximate 4.0 +/- acre Country Residential District balance parcel from Plan 731112, Block 2, PTN: SW 05-21-29-W4M.

EXECUTIVE SUMMARY

Location

The parcel is located 0.1 kilometres north of the Town of Okotoks, 0.7 kilometres west of Highway 2A (north of Okotoks), with the existing parcel bound by 8th Street East and 338th Avenue East.

Reserve Dedication

Environmental Reserve or Environmental Reserve Easement

2.04 acres of Environmental Reserve Easement have been provided within the applicant's parcel over a deep draw along the west boundary, with the subdivision of a 1.85 acre lot from the southern end of the parcel in 1998.

Municipal Reserve

The applicant's title includes the registration of a deferred reserve caveat registered in 1964 when reserves for the Section 5 Area Concept Plan were deferred by caveat on all titles.

The Subdivision Approving Authority may wish to consider the following with regards to the provision of reserves:

Reserves to be provided by cash in lieu of land for the existing 14.39 +/- acre, in accordance with Subsections 666(1) and 666(2) of the Municipal and School Reserves section of the Municipal Government Act and the County's Public Reserve Policy adopted April 18th, 1996. The reserves to be provided are to except out that portion registered as Environmental Reserve Easement.

PREVIOUS COUNCIL DIRECTION

June 28th, 2023, Bylaw 40/2023 – application approved by Council granting first reading to Bylaw 40/2023, under the following motion:

“Council gave first reading to Bylaw 40/2023 to authorize an amendment to the Country Residential District land use rules to allow for the future subdivision of one new 4.0 +/- acres and one new 6.375 +/- acres Country Residential parcels with a 4.0 +/- acre Country Residential balance parcel on Plan 731112, Block 2; SW 05-21-29-W4M.

In their consideration of the criteria noted in Residential Policy 3 and 9 of the MDP2010 Council is of the opinion that the lands are suitable for the intended residential use and that the application falls within the density provisions and lot size restrictions of the Country Residential District within the County’s Land Use Bylaw.

May 8th, 2024, Bylaw 40/2023 - Bylaw 40/2023 was granted second and third reading for an amendment to the Country Residential District land use rules to allow for the future subdivision of one new 4.0 +/- acres and one new 6.375 +/- acres Country Residential parcels with a 4.0 +/- acre Country Residential balance parcel on Plan 731112, Block 2; SW 05-21-29-W4M for the following reasons:

In their consideration of the criteria noted in Residential Policy 3 and 9 of the MDP2010 Council is of the opinion that the lands are suitable for the intended residential use and that 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	Public Works is requesting the following for the proposed 4.0 +/- acre lot and the 6.375 +/- acre lot: <ol style="list-style-type: none"> 1. Comprehensive Site Drainage Plan 2. Lot Grading Plans 3. Septic Disposal Evaluation (PSTS) 4. Building Envelopes Additional comments provided by Public Works: <ul style="list-style-type: none"> • The existing approaches will require upgrades.
GIS/Mapping	No concerns
EXTERNAL	
TELUS	TELUS communications Inc. at this time, has no concerns with the proposed activities.
FortisAlberta	We have reviewed the plan and determined that no easement is required by FortisAlberta.
ATCOGas	ATCO Gas’ existing and future lines are protected by an existing Utility Right of Way
Town of Okotoks	The Town has no comment on this application.

CIRCULATION REFERRALS

Alberta
Transportation

Transportation and Economic Corridors Notification of Referral Decision
Subdivision in Proximity of a Provincial Highway

Municipality File Number:	F2129-05SW	Highway(s):	2A
Legal Land Location:	QS-SW SEC-05 TWP-021 RGE-29 MER-4	Municipality:	Foothills County
Decision By:	Trevor Richelhof	Issuing Office:	Southern Region / Calgary
Issued Date:	2024-03-14 09:41:11	Appeal Authority:	Subdivision and Development Appeal Board
RPATH Number:	RPATH0040813		
Description of Development:	Subdivision proposing 2 new Country Residential District Parcels		




This will acknowledge receipt of your circulation regarding the above noted proposal. The subsequent subdivision application would be subject to the requirements of Section 18 and 19 of the Matters Related to Subdivision and Development Regulation (The Regulations), due to the proximity of Highway(s) 2A.

Transportation and Economic Corridors offers the following comments with respect to this application:

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.

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.

CIRCULATION REFERRALS

	<p>Transportation and Economic Corridors has the following additional comments and/or requirements with respect to this proposal:</p> <p>1. The department expects that the municipality will mitigate the impacts of traffic generated by developments approve 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.</p> <div style="border: 1px solid #ccc; padding: 10px; margin: 10px 0;">  <p>Issued by Trevor Richelhof, Development & Planning Tech, on 2024-03-14 09:41:11 on behalf of the Minister of Transportation and Economic Corridors pursuant to <i>Ministerial Order 52/20 – Department of Transportation and Economic Corridors Delegation of Authority</i></p> </div>
GIS/Mapping	No concerns
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 one 4.0 +/- acre Country Residential District lot and one 6.375 +/- acre Country Residential District lot with an approximate 4.0 +/- acre Country Residential District balance parcel from Plan 731112, Block 2, PTN: SW 05-21-29-W4M. 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 within the 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 \$11,300.00, per new lot, Community Sustainability Fee, as set out in Section 4.03 of the executed Municipal Development Agreement;
 - b. Submission of all required engineering review fees;
 - c. All utility right of way agreements, easements, licenses and installations.
4. Public Reserve: to be provided by cash in lieu of land based on \$41,104.00 per acre on account of 10% of the 14.39 acre parent parcel, subtracting 2.04 acres of existing Environmental Reserve Easement, as per Subsections 666(1), 666(2) and 666(3) of the Municipal and School Reserves section of the Municipal Government Act and the County's Public Reserve Policy (adopted April 18/96);
5. Site Plan to be provided, which identifies building envelopes for the proposed 4.0 +/- acre lot and the 6.375 +/- acre lot, which meets the requirements as outlined in Policy 9 under the Residential section of the MDP2010 and Section 17 of the Matters Related to Subdivision and Development Regulation, to be provided to the satisfaction of the Public Works department;
6. Septic Disposal Evaluation, to be provided for the proposed 4.0 +/- acre Country Residential lot and the 6.375 +/- acre lot, 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;
7. Lot Grading Plans to be provided for the 4.0 +/- acre lot and the 6.375 +/- acre lot, to the satisfaction of the Public Works department;
8. Comprehensive Site Drainage Plan, to be provided for the subject lands, to the satisfaction of the Public Works department;
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

LAND USE MAP

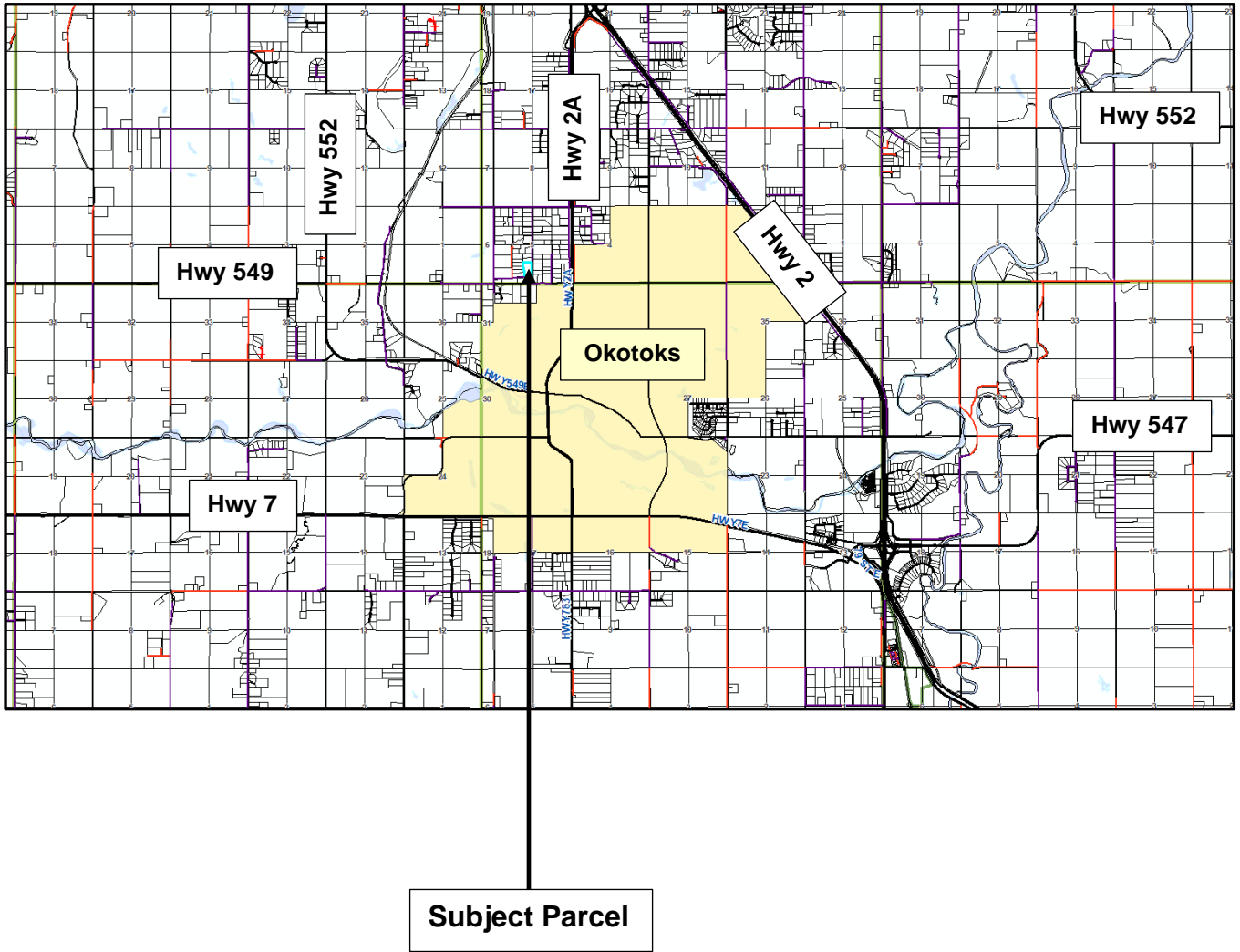
LOT SIZES MAP

SITE PLAN

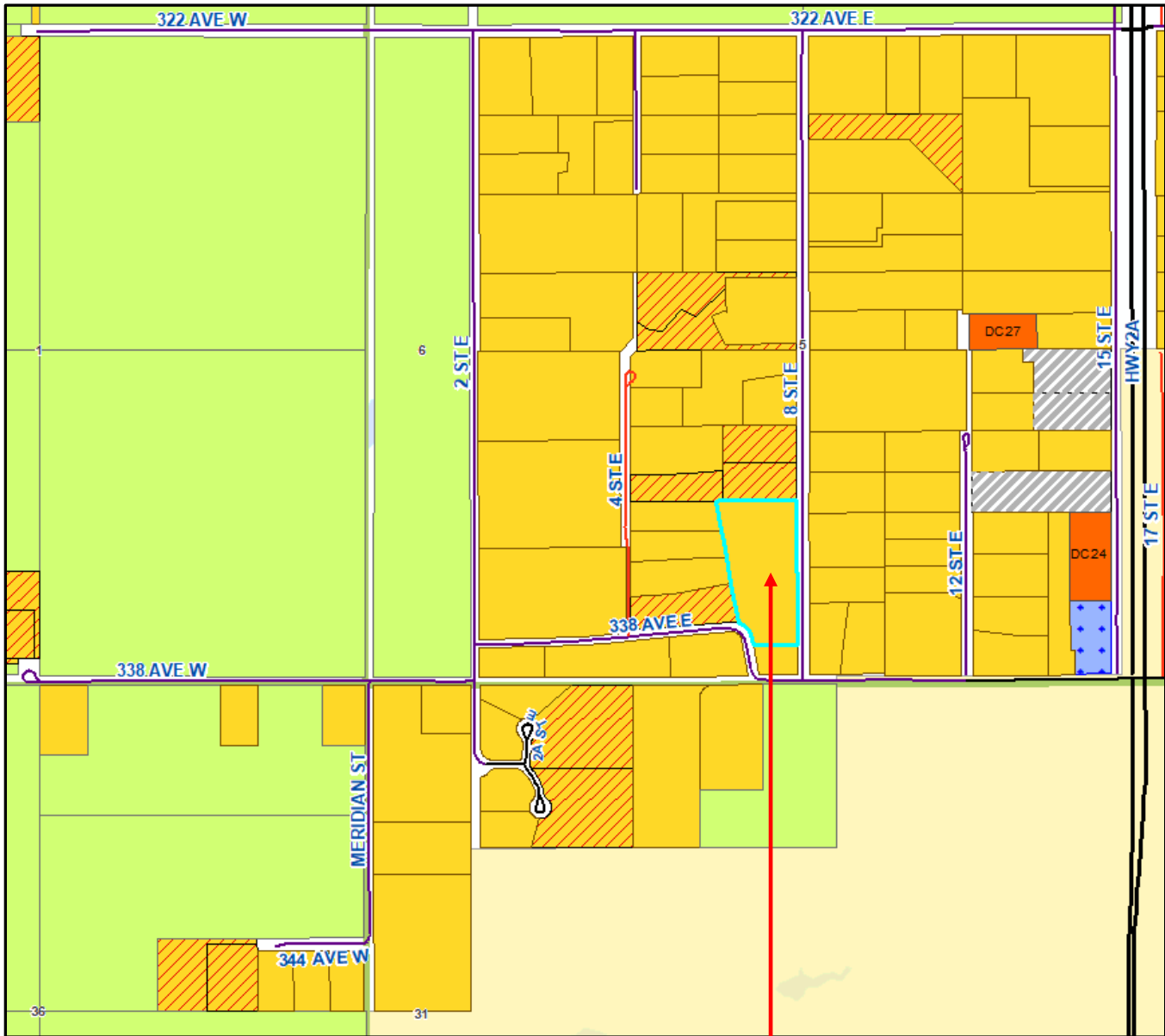
ORTHO PHOTO

PUBLIC RESERVE AMOUNT FOR SUBDIVISION

APPENDIX A: LOCATION MAP



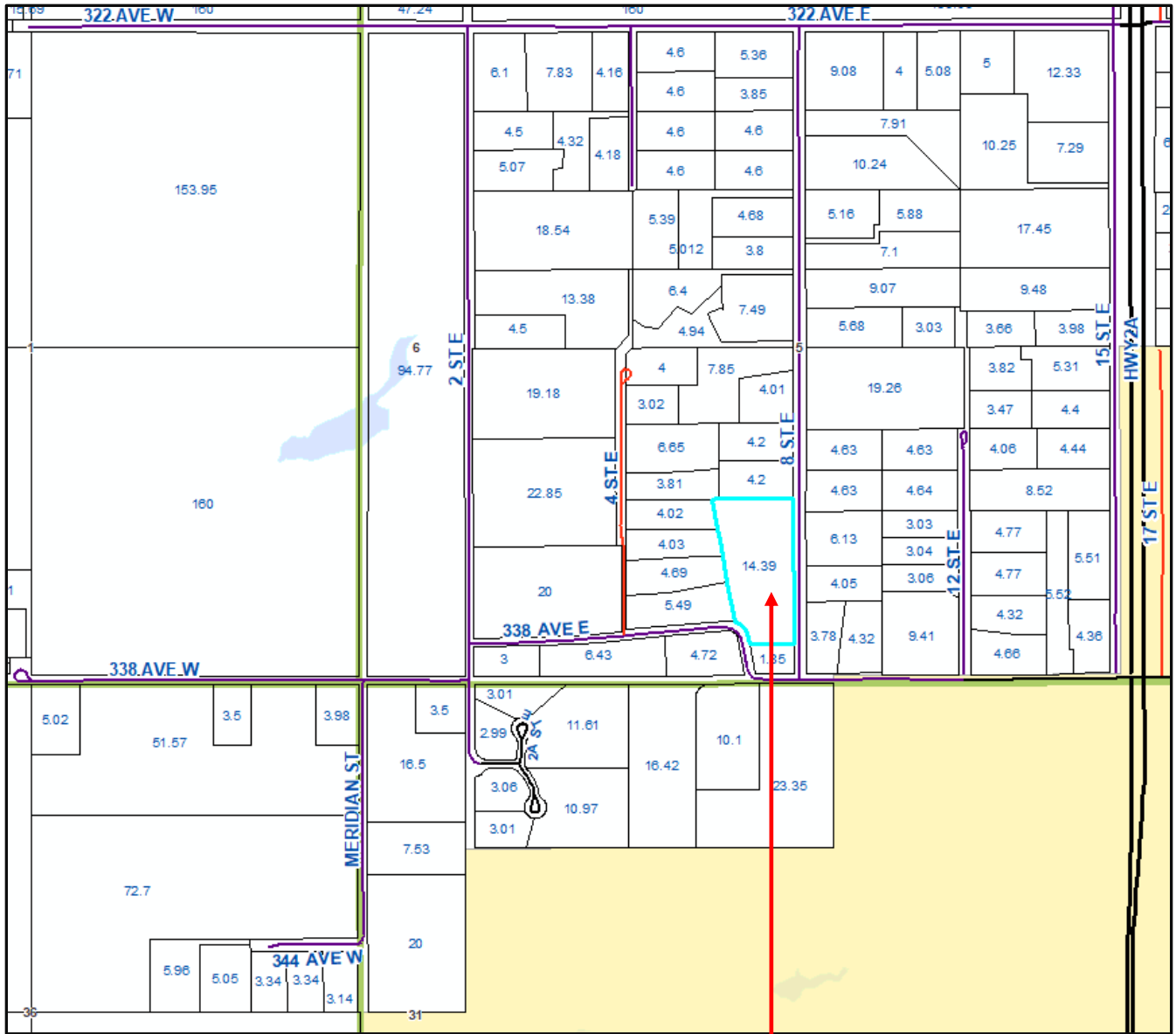
APPENDIX A: HALF MILE MAP – LAND USE



Subject Parcel

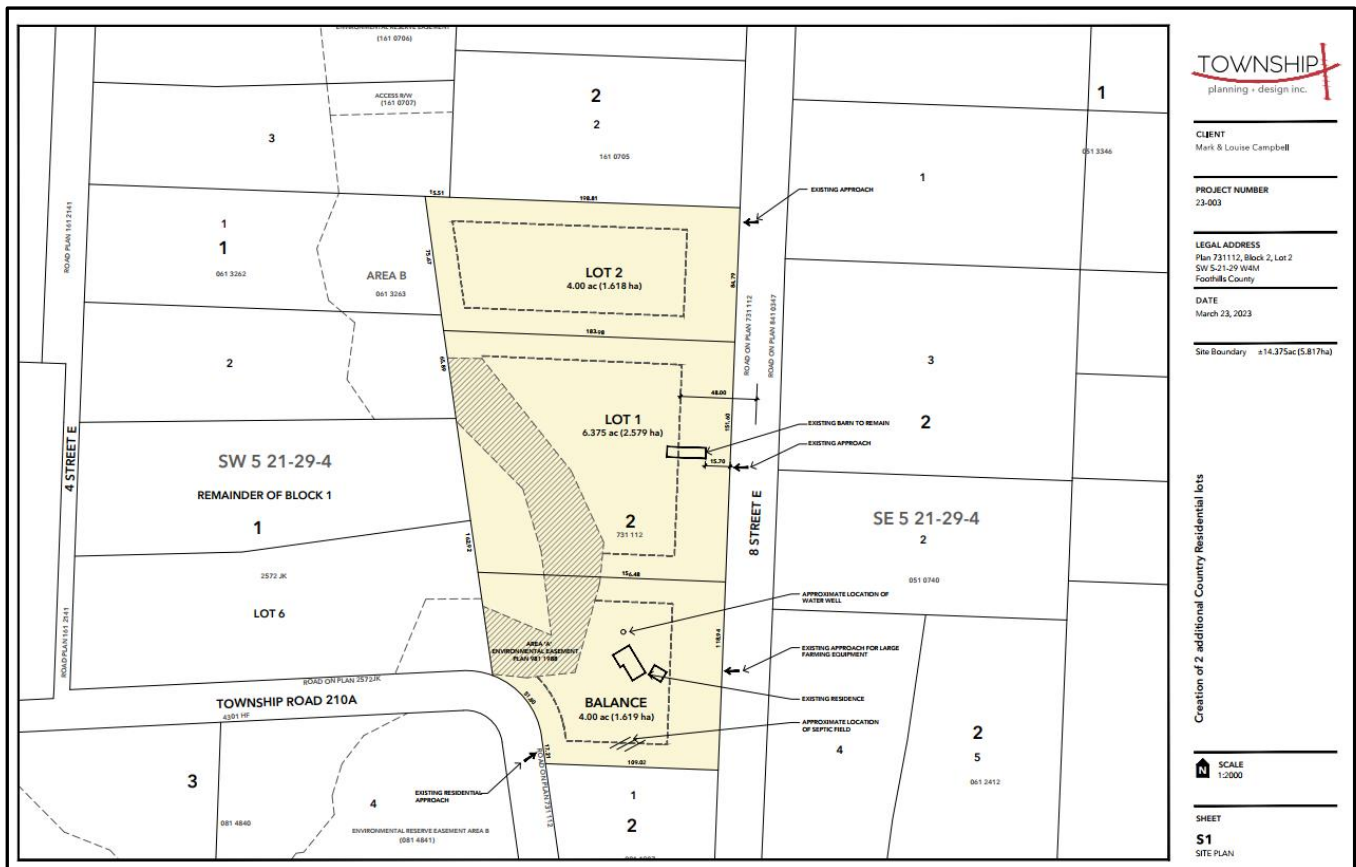
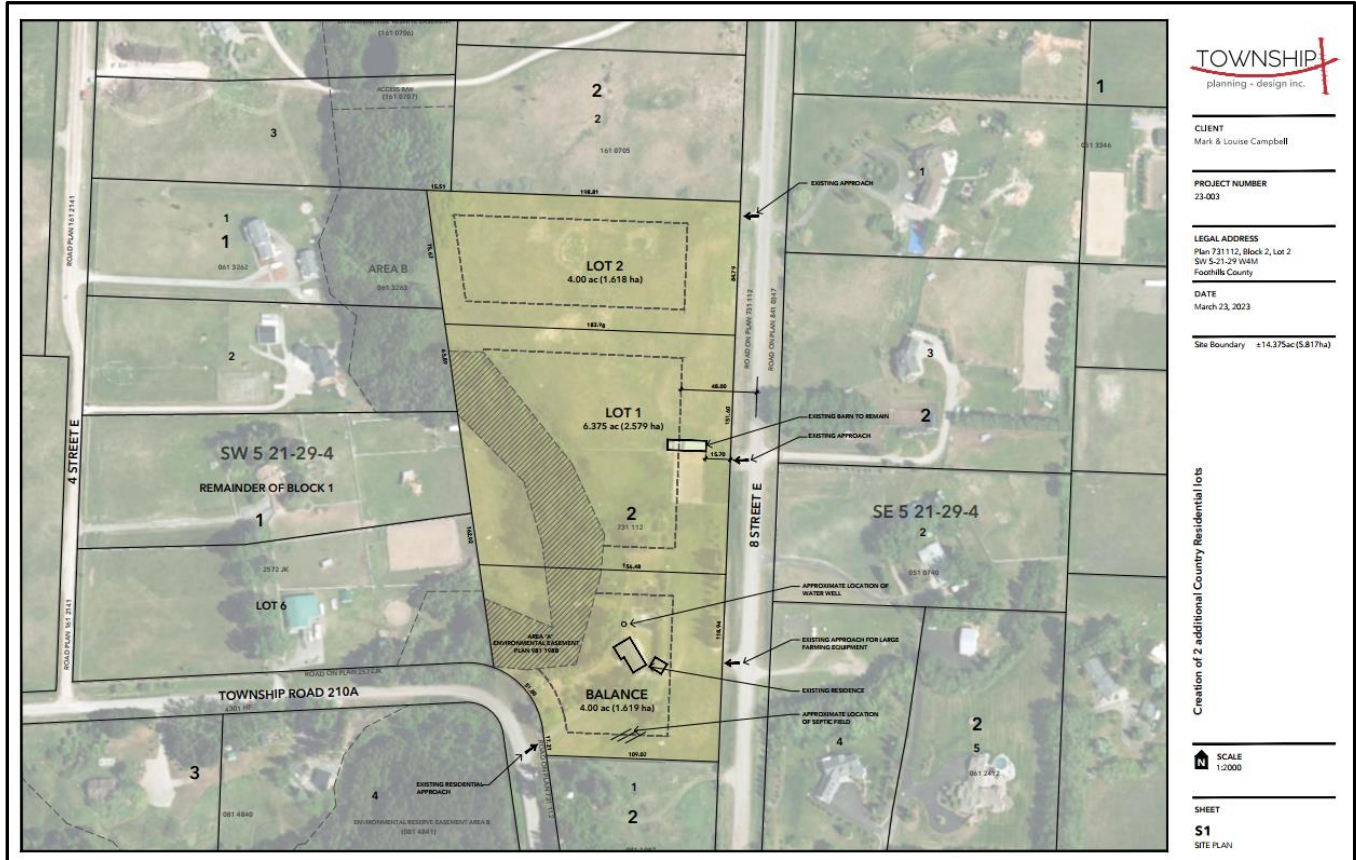
Legend		
Hard Surface (Chip/oil)	CR- Country Residential	MR- Municipal Reserve
Gravel	CRA- Country Residential Sub A	MLR- Municipal Land/Reserve District
Developer Pavement	DC - Direct Control	
Pavement	BP- Bussiness Park	
Flood Hazard Protection District	RB- Rural Business	
In Transition	INR- Natural Resource Extraction	
A- Agricultural	EP- Environmental Protection	
AA- Agricultural Sub A	ER- Environmental Reserve	

APPENDIX A: HALF MILE MAP – LOT SIZES

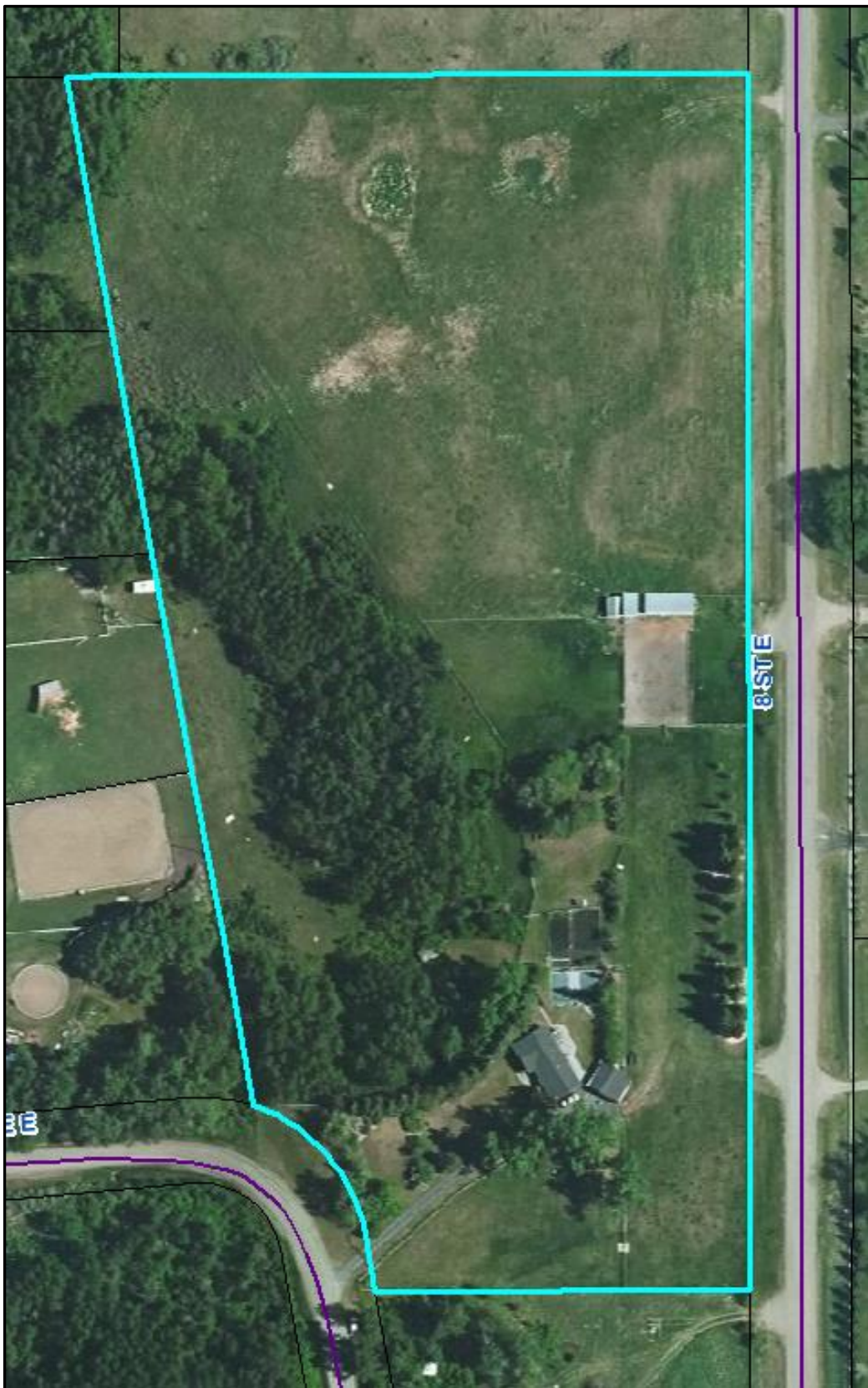


Subject Parcel

APPENDIX A: SITE PLAN



APPENDIX A: ORTHO PHOTO



PUBLIC RESERVE AMOUNT FOR SUBDIVISION

INTEROFFICE MEMORANDUM

DATE: March 6 2024

TO: Planning Department

FROM: Julie Sills

3.00 Public Reserve Amount For Subdivision

File No: F2129-05SW
 Legal: SW 5-21-29 W4 (2129052510)
 Subject: Mark and Louise Campbell
 Parcel Size: 14.39 acres
 Mkt Zone: 5
 Trees: Lots mature trees
 Views:
 River/Creek:

CONCLUSION

Based on the following sales, the fair market value for a 14.39 acre parcel in this area is : **\$41,104** 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 14.39 Acs
1	22	SW	36	21	02	5	08-15-2023	15.42	\$695,000	1.00	\$695,000	0.95	0.98	60000	-77189		\$629,856	\$43,770
2	5	NW	05	21	29	4	07-11-2023	4.60	\$475,000	1.00	\$475,000	1.00	1.27	55000			\$658,250	\$45,744
3	3	SW	02	22	29	4	07-27-2022	14.21	\$635,000	1.07	\$679,450	0.62	1.00	60000			\$481,259	\$33,444
4	3	NW	02	22	29	4	08-22-2023	6.05	\$523,950	1.00	\$523,950	0.78	1.22	10000			\$508,591	\$35,343
5	5	NW	05	21	29	4	04-28-2023	4.94	\$450,000	1.01	\$454,500	1.00	1.26	60000			\$632,670	\$43,966
6	5	SW	05	21	29	4	03-15-2023	4.20	\$400,000	1.03	\$412,000	1.00	1.29	60000			\$591,480	\$41,104
7	3	SW	33	21	29	4	05-01-2023	11.10	\$750,000	1.01	\$757,500	0.65	1.07	60000	-70683		\$516,158	\$35,869