


**SUBDIVISION APPROVING AUTHORITY ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
TIME EXTENSION REQUEST
May 15, 2024**

REQUEST FROM APPLICANT FOR TIME EXTENSION		
APPLICATION INFORMATION	FILE NO. F2129-29SE	
	LEGAL DESCRIPTION: Plan 0614354, Block 1, Lot 2, PTN: SE 29-21-29-W4M	
	LANDOWNER: Madhur and Katrina Anand Walia	
	AREA OF SUBJECT LANDS: 11.98 acres	
	CURRENT LAND USE: Country Residential District	
	PROPOSED LAND USES: Country Residential Sub-District "A"	
PROPOSAL: Second time extension request for completion of the conditions of the subdivision approval for one 2.0 +/- acre Country Residential Sub-District "A" lot from Plan 0614354, Block 1, Lot 2, PTN: SE 29-21-29-W4M with a 9.98 +/- acre Country Residential Sub-District "A" balance parcel.		
DIVISION NO: 6	COUNCILLOR: Don Waldorf	FILE MANAGER: Theresa Chipchase

PURPOSE OF REQUEST

Request to the Subdivision Approving Authority for consideration of a second one-year time extension to the subdivision which approved one 2.0 +/- acre Country Residential Sub-District "A" lot with a 9.98 +/- acre Country Residential Sub-District "A" balance parcel. The first, time extension approved by Council will expire on May 18th, 2024. The second extension if granted would allow the applicant until May 18th, 2025, to complete their subdivision conditions.

BACKGROUND

May 18th, 2022 – Subdivision was conditionally approved by the Subdivision Approving Authority under the following motion:

“Council moved that the subdivision of one 2.0 +/- acre Country Residential parcel from Plan 0614354, Block 1, Lot 2, PTN: SE 29-21-29 W4M with a 9.98 +/- acre Country Residential Sub-District "A" balance parcel has been evaluated in terms of Section 654 of the Municipal Government Act and Section 7 and 16 of the 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 14 and 15 of the Regulation for the following reasons:

- *The application is consistent with Section 7 of the Subdivision and Development Regulations;*
- *The subject lands have the appropriate land use designations;*

- Pursuant to Section 16 of the Regulation, written approval was received from the Minister of Transportation allowing the Subdivision Authority to grant a variance to Sections 14 and 15 of the Regulation.

In consideration of the criteria noted in Residential Policy 3 of the MDP2010, the Subdivision Authority is of the opinion that the application is compatible with the surrounding area and will not unduly interfere with neighboring land uses or affect the use, enjoyment, or value of the neighboring properties.

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) 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. Public Reserve: Reserves to be provided by cash in lieu of land based on \$43,538.00 per acre on account of 10% of the 11.98 acre parent parcel;*
- 5. Septic Disposal Evaluation to be provided for the 9.98 +/- acre balance parcel, to the satisfaction of the Public Works Department;*
- 6. Comprehensive site drainage plan to be provided for the subject parcel, to the satisfaction of the Public Works department;*
- 7. Lot Grading Plans to be provided for the 9.98 +/- acre balance parcel, to the satisfaction of the Public Works department;*
- 8. Geotechnical report completed, in accordance with County standards, to be provided for high water table testing, for foundation design for the proposed 9.98 +/- acre balance parcel, to the satisfaction of the Public Works department;*
- 9. Site plan to be provided which identifies building envelopes for the 9.98 +/- acre balance parcel, which meets the requirements as outlined in Policy 9 under the Residential section of the MDP2010 to the satisfaction of the Public Works department;*
- 10. 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;*
- 11. Landowners are to pay all arrears of taxes on the existing parcels prior to finalization of the subdivision; and*
- 12. Submission of subdivision endorsement fees.*

April 19th, 2023 – Council approved the first, time extension under the following motion:

“MOVED that the Subdivision Approving Authority has no objection to the time extension as requested and the landowner therefore has until May 18, 2024, to complete all conditions of subdivision approval as originally set forth on May 18, 2022.”

NOTE: The applicant has provided the fee required for the second time extension request along with a letter. The time extension letter has been attached as Appendix B, to this staff report.

REQUEST OF THE SUBDIVISION APPROVING AUTHORITY

The Subdivision Approving Authority is respectfully requested to consider a second one-year time extension for the subdivision originally approved on May 18th, 2022, for Plan 0614354, Block 1, Lot 2, PTN: SE 29-21-29-W4M. which expired on May 18th, 2023, and was first time extended to May 18th, 2024. Approval of this request would provide the applicant until May 18th, 2025, to complete their outstanding conditions.

APPENDICES

APPENDIX A - MAP SET:

LOCATION MAP

LAND USE AND LOT SIZES MAP

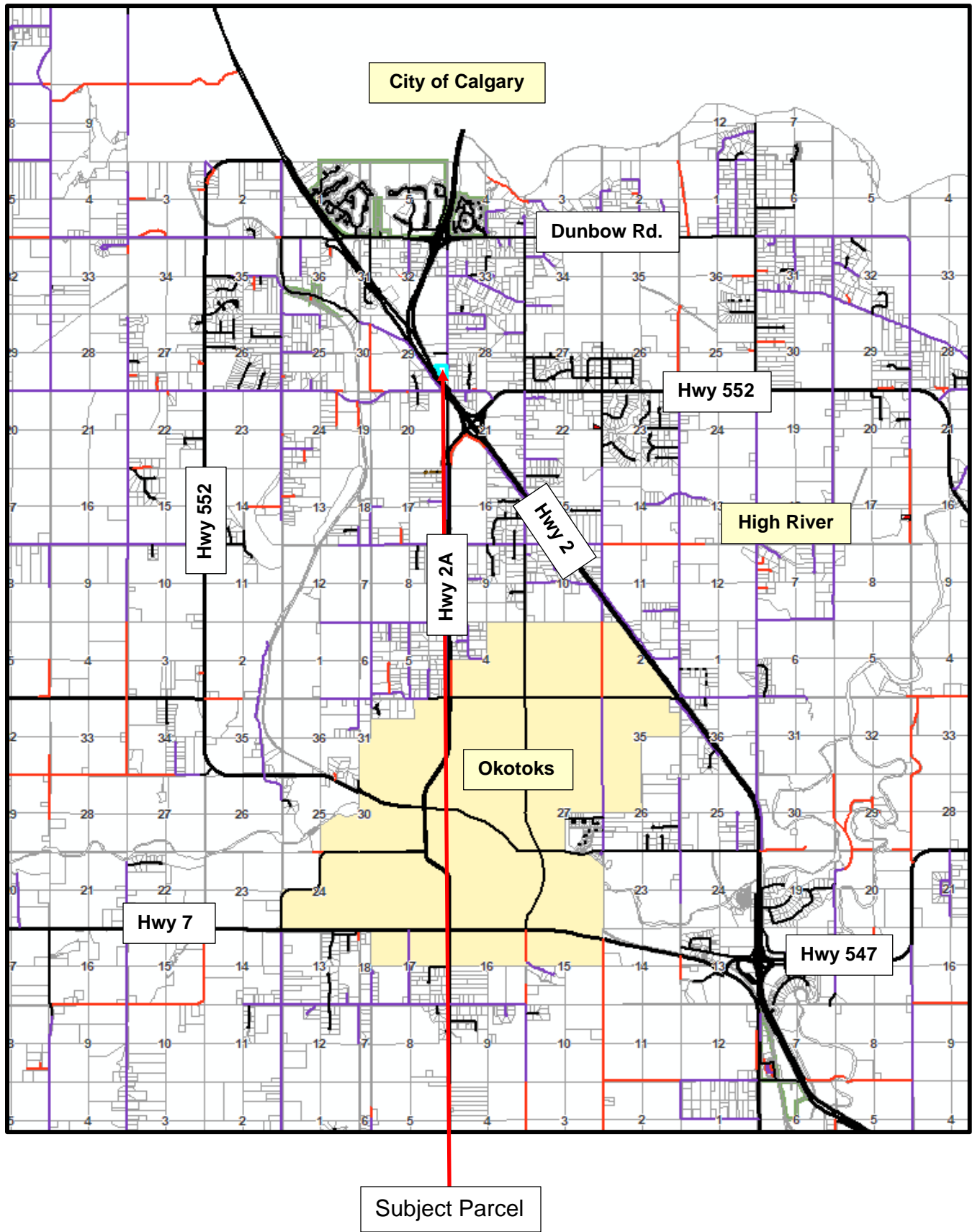
SITE PLAN

ORTHO PHOTO

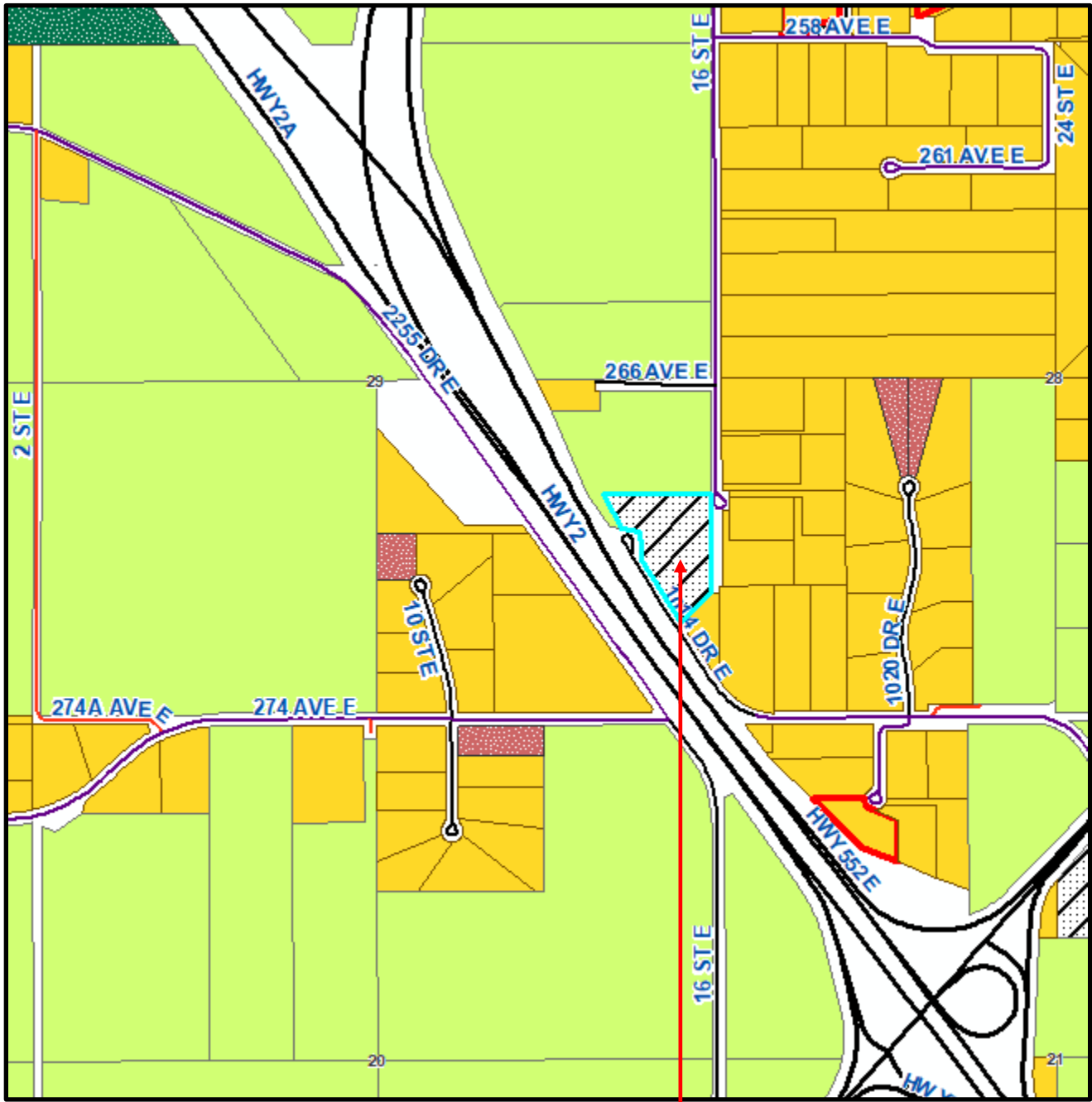
APPENDIX B:

LETTER OF REQUEST FROM APPLICANT

APPENDIX A: LOCATION MAP



APPENDIX A: LAND USE AND LOT SIZES

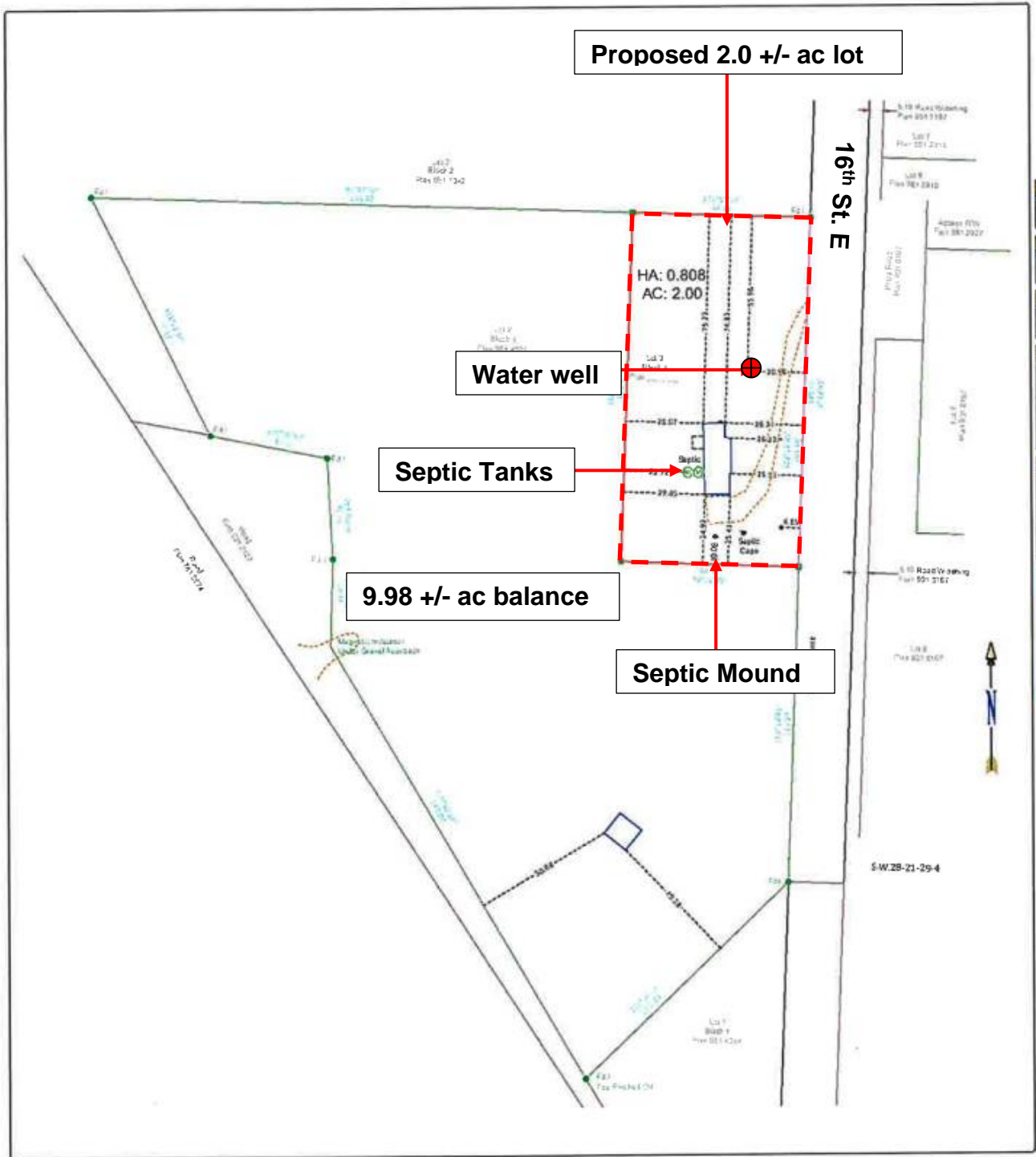


Subject Parcel

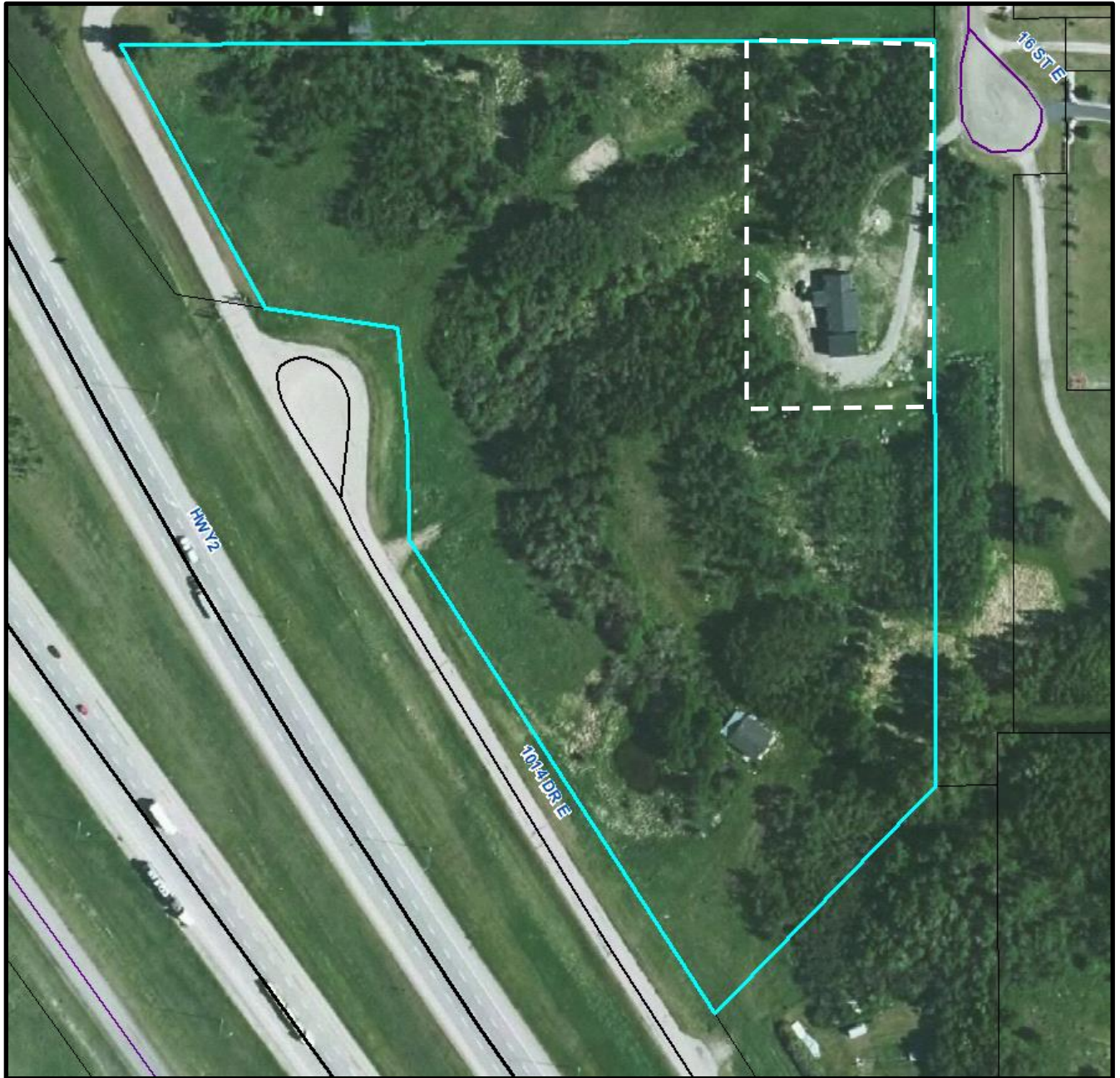
Legend

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|--|--|---|
| <ul style="list-style-type: none"> — Hard Surface (Chip/oil) — Gravel - - - Developer Pavement — Pavement Flood Hazard Protection District In Transition A- Agricultural AA- Agricultural Sub A | <ul style="list-style-type: none"> CR- Country Residential CRA- Country Residential Sub A DC - Direct Control BP- Bussiness Park RB- Rural Business INR- Natural Resource Extraction EP- Environmental Protection ER- Environmental Reserve | <ul style="list-style-type: none"> MR- Municipal Reserve MLR- Municipal Land/Reserve District |
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APPENDIX A: SITE PLAN



APPENDIX A: ORTHO PHOTO



APPENDIX B: LETTER OF REQUEST FROM APPLICANT

May 2, 2024

Foothills County

309, Macleod Trail

High River, Alberta T1V 1M7

Re: Subdivision Application Extension for One Year.

To MD of Foothills Council:

Please accept this letter for the extension of subdivision requirements completion timeline with one more year for the country residential parcel on Plan 0614354, Block1, Lot 2 PTN: SE 29-21-29-W4M. I have also provided the application payment form along with this letter. All the requirements of subdivision are complete only waiting for funds to be approved for subdivision fee.

Please let me know if you need any further information.

Thank you,

Best Regards,

Madhur Walia

Madhur (Rauj) Walia

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