


**SUBDIVISION APPROVING AUTHORITY ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
SUBDIVISION APPROVAL
November 13, 2024**

REQUEST FOR SUBDIVISION APPROVAL	
APPLICATION INFORMATION	
	LEGAL DESCRIPTION: Plan 1577JK, Block 2; NE 17-22-1 W5M
	LANDOWNER: Gunnar Investments Inc. / Jay Gunnarson
	AGENT: Township Planning + Design Inc. / Kristi Beunder
	AREA OF SUBJECT LANDS: 16.39 acres
	CURRENT LAND USES: 3 Lots: Country Residential Sub-district "A" Balance: Country Residential District
PROPOSAL: Subdivision to create three new +/- 2.0 acre Country Residential Sub-district "A" parcels, with a 9.28 +/- acre Country Residential District balance parcel.	
LOCATION OF SUBJECT LANDS: On the south side of 198 th Avenue West and approximately 300 m west of 64 th Street West / Spruce Meadows Way SW. This is approximately 2 km south of Spruce Meadows Train SW / Highway 22X and within the City of Calgary / Foothills County Intermunicipal Development Plan Area.	
DIVISION NO: 5	COUNCILLOR: Alan Alger
FILE MANAGER: Stacey Kotlar	

PURPOSE OF REQUEST

Request that the Subdivision Approving Authority approve the subdivision application proposing the creation of three 2.0 +/- acre County Residential Sub-district "A" parcels from Ptn. NE 17-22-1 W5M; Plan 1577JK, Block 2, leaving a 9.28 +/- Acre Country Residential District balance.

BACKGROUND

November 13, 2024 - Council granted 3rd and final reading to Bylaw 13/2023 authorizing an amendment to the Country Residential Land Use District to allow for the future subdivision of three 2.0 +/- acre Country Residential Sub-district "A" parcels, with a 9.28 +/- acre balance parcel, and an exemption to the current density provisions.

The three new parcels were designated as Country Residential Sub-district "A" to ensure that the recommendations and restrictions as outlined in the Septic Disposal Evaluations, Comprehensive Site Drainage Plan, Lot Grading Plan, and Identification of Suitable Building Envelopes 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 with all conditions of the development permit will be required.

MUNICIPAL RESERVE:

A Deferred Reserve Caveat is registered on title of the subject 16.39 acre parcel, which identifies a total of 1.949 acres of Municipal Reserve still owing, which is equal to 10% of the entire 19.49 acre parent parcel that the subject parcel was subdivided from.

In 1990, a subdivision was approved to create a 3.11 acre parcel, leaving a 16.39 acre balance parcel (subject parcel) from the original 19.49 acre parent parcel. At this time, Municipal Reserves owing for the new 3.11 acre parcel and the 16.39 acre balance parcel were deferred by way of caveat on the title of the balance 16.39 acre parcel.

As per the County's Municipal Reserve Policy, Council may require that reserve be provided by cash in lieu of land based on \$59,291 per acre on account of 10% of the 19.49 acres (i.e. 1.949 acres) as per the Deferred Reserve Caveat.

REFERRAL CIRCULATION:

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	<p>The following are recommended for the three proposed parcels:</p> <ul style="list-style-type: none"> • Septic Disposal Evaluation (PSTS) • Comprehensive Site Drainage Plan • Lot Grading Plan • Building Envelopes <p>Public Works provided the following additional comments:</p> <ul style="list-style-type: none"> • Road to be built to meet Internal Subdivision Road Standards. Engineering, estimates, insurance and 125% deposit required.
GIS Mapping	Direction required regarding numbering or naming of the proposed road. Emergency Services Department have noted preference for the road to be numbered, acknowledging this would result in changes to address of 13 other properties along 198 th Ave W.
EXTERNAL	
Fortis Alberta	No easement is required.
Telus	TELUS Communications Inc. has no objection to the above circulation. Please note that TELUS Communications Inc. will need to be covered in a General Utility Right of Way to protect services that will be placed to service the future lots.
ATCO Gas	The Landowner is required to contact ATCO Gas via Email:southlandadmin@atcogas.com to facilitate execution of Utility Right of Way to the satisfaction of ATCO Gas
PUBLIC	
Landowners (adjacent)	3 Letters were received prior to the submission of this Staff Report. They can be found under Appendix C of this report.

REQUEST OF THE SUBDIVISION APPROVING AUTHORITY

The Subdivision Approving Authority may choose to approve the subdivision of three new 2.0 +/- acre Country Residential Sub-district "A" parcels, leaving a 9.28 +/- acre Country Residential District balance parcel on Plan 1577JK, Block 2; NE 17-22-1 W5M. Should the Subdivision Authority choose to approve the proposed subdivision, the following motion has been provided for consideration:

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 follow reasons:

- The application is consistent with Section 9 of the Regulation;
- The subject lands have the appropriate land use designation; and

Further, in accordance with Section 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 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 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;
 - b. Submission of all necessary engineered drawings, cost estimates and engineering review fees for all required external and internal transportation infrastructure (namely construction of the internal subdivision road, cul-de-sac bulb, and approach construction), drainage, grading and any other necessary municipal and on-site improvements as required by Council and the Public Works Department;
 - c. Submission of all necessary Letters of Credit in accordance with the Municipal Development Agreement;
 - d. Submission of Liability Insurance requirements in accordance with the Municipal Development Agreement;
 - e. All utility right-of-way agreements and associated easements, licenses and installation requirements to be provided;
4. Executed Municipal Development Agreement to be complied with and registered on the certificate of title of the lands subject to the Development Agreement concurrently with the registration of the plan of subdivision;
5. Applicant is to provide a road naming proposal and addressing requirements, to the satisfaction of the County's GIS department. The County's GIS department is further to provide the proposal, to Council for their approval;
6. Septic Disposal Evaluation to be provided for the three new 2.0 +/- acre lots, to satisfaction of the Public Works Department;

7. Comprehensive Site Drainage Plan to be provided for the three new 2.0 +/- acre lots to the satisfaction of the Public Works Department;
8. Lot Grading Plan to be provided for the three new 2.0 +/- acre lots to the satisfaction of the Public Works Department;
9. Site plan to be provided which identifies building envelopes for the three new 2.0 +/- acre lots, that meets the requirements as outlined in Policy 9 under the Residential section of the MDP2010, to the satisfaction of the Public Works department;
10. Public Reserve: to be provided by cash-in-lieu of land based on \$59,291 per acre on the account of 10% of the 19.49 acre deferred on title;
11. Landowners are to pay all arrears of taxes on the existing parcel prior to finalization of the subdivision;
12. Submission of all required engineering review fees, to the satisfaction of the Public Works Department; and
13. Submission of subdivision endorsement fees.

APPENDICES

APPENDIX A - MAP SET:

LOCATION MAP

SITE PLAN

AERIAL PHOTO

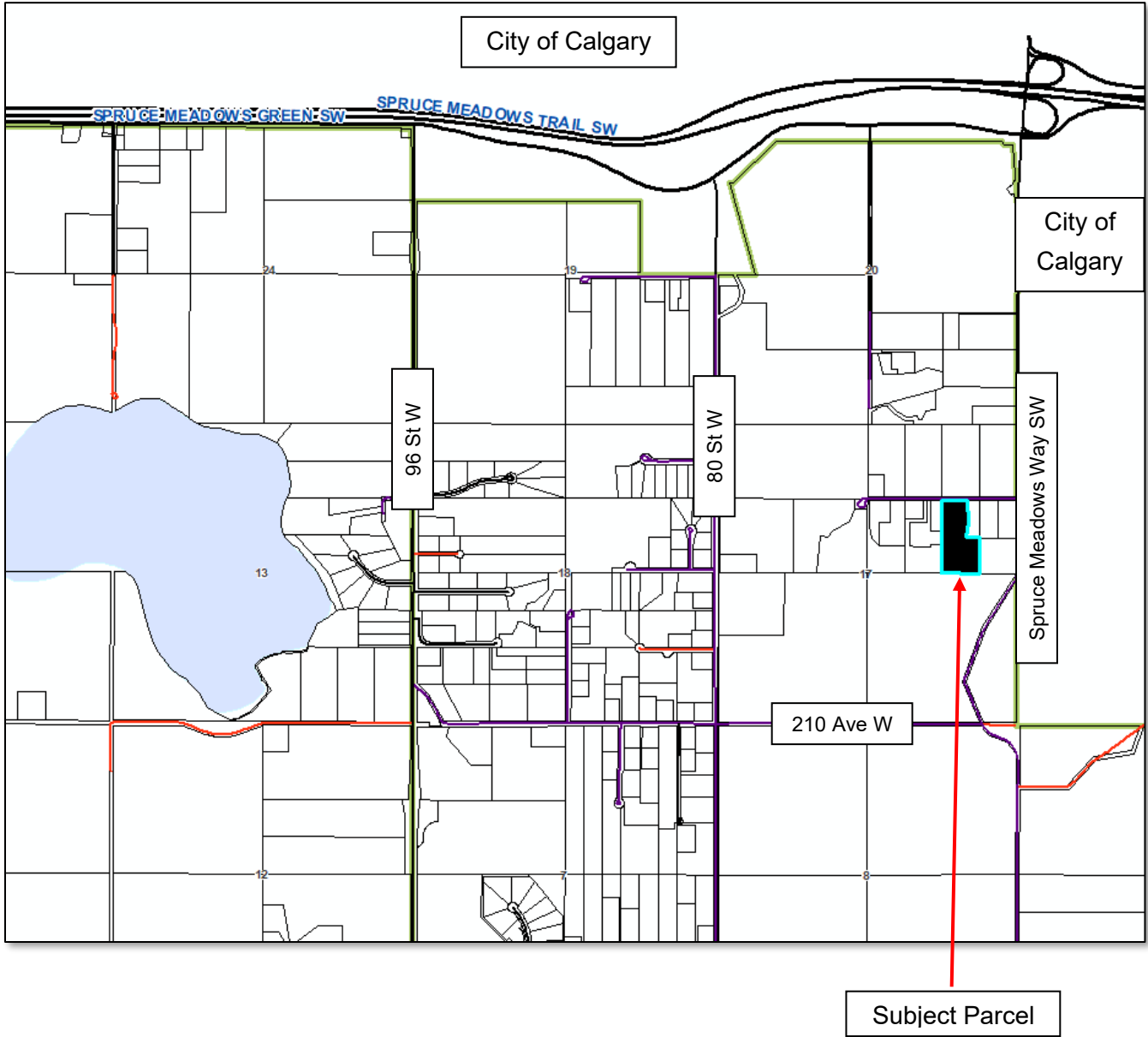
APPENDIX B:

ASSESSMENT SPREADSHEET – PUBLIC RESERVE AMOUNT FOR SUBDIVISION

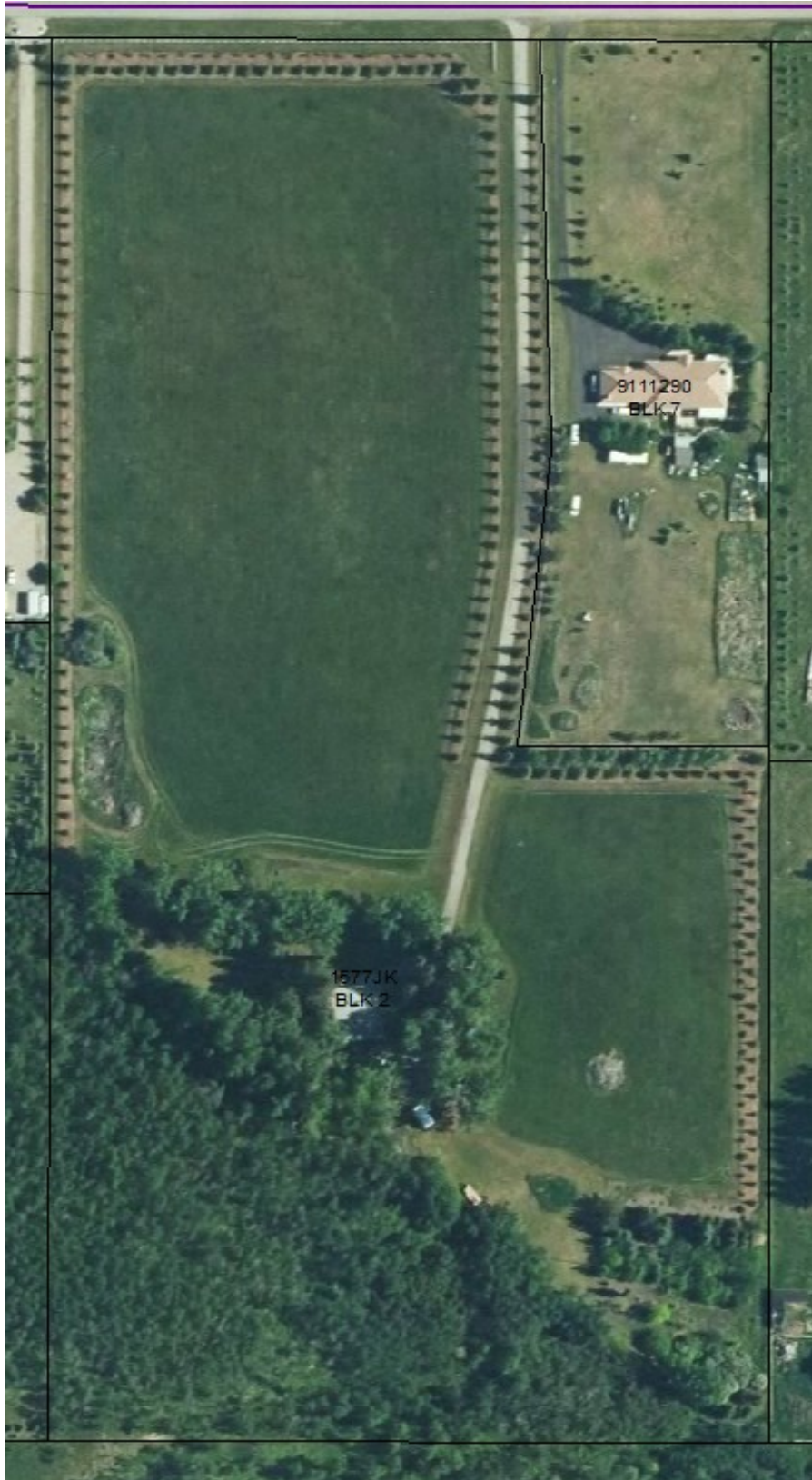
APPENDIX C:

LANDOWNER SUBMISSIONS

APPENDIX A: LOCATION MAP



APPENDIX A: ORTHO PHOTO



APPENDIX B: ASSESSMENT SPREADSHEET

INTEROFFICE MEMORANDUM

DATE: June 14 2023

TO: Planning Department

FROM: Julie Sills

3.00 Public Reserve Amount For Subdivision

File No: F2201-17NE
 Legal: NE 17-22-1 W5
 Subject: Gunnar Investments Inc.
 Parcel Size: 16.39 acres
 Mkt Zone: 1
 Trees: Few mature trees
 Views:
 River/Creek:

CONCLUSION

Based on the following sales, the fair market value for a 16.39 acre parcel in this area is : \$59,291 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 16.39 Acs
1	1	NE	07	22	01	5	Oct-20	5.35	\$520,000	1.25	\$650,000	1.00	1.46	60000	71063		\$1,080,063	\$65,898
2	3	NE	22	21	29	4	May-23	17.25	\$660,000	1.00	\$660,000	0.97	0.99	30000	71063		\$734,861	\$44,836
3	3	S	33	21	29	4	Feb-21	17.10	\$810,000	1.22	\$988,200	0.97	0.99		71063		\$1,020,031	\$62,235
4	3	SW	02	22	29	4	Jul-22	14.21	\$635,000	1.06	\$673,100	1.03	1.03	60000	71063		\$845,155	\$51,565
5	3	SW	33	21	29	4	May-23	11.10	\$750,000	1.00	\$750,000	1.10	1.08	60000	-27486		\$923,514	\$56,346
6	26	NE	03	22	01	5	Feb-22	15.84	\$800,000	1.11	\$888,000	1.07	1.01	30000	71063		\$1,060,725	\$64,718

COMMENTS:

[Empty comment box]

September 20, 2023

Foothills County
309 Macleod Trail, Box 5605
High River, Alberta T1V 1M7

To Whom It May Concern:

Re: PROPOSED SUBDIVISION - PTN. NE17-22-1 W5; Plan 1577JK, Blk 2

We received your notice of application by Agent Kristi Beunder on behalf of Gunnar Investments Inc. proposing (3) new +/- 2.0 acre County Residential (CR) lots and wish to express our objection to the subdivision.

While there are a number of personal reasons why we are not in favour of increasing residential density nearby, our greatest concern is the impact upon ground water supply and well health with increased demand.

In the less than two years that we have lived at this property, we have noticed the severe effects of drought on our trees and are concerned that this is an indication of reduced available groundwater. Moreover, periodic testing of our well has shown that while the well itself is in good working order, there has been a progressive decrease in the replenishment rate suggesting the groundwater is already under strain. Foothills county itself declared an agricultural disaster on Wednesday, June 28 due to the protracted period of drought we are experiencing. We cannot see how the county could in good conscience allow such incremental draw on the groundwater at this time or for the foreseeable future.

Our second major concern is the impact to the community aesthetic and corresponding decrease in property values. Currently our street contains 13 residences on 195 acres for an average lot size of 15 acres. This low density, while at such close proximity to the city of Calgary, is the major factor underpinning the market value of our homes. A highly visible cluster of 3 new homes on 2 acre plots would seriously detract from the general appeal of the area with a corresponding impact on property values.

While we aim to be congenial and accommodating neighbours, we cannot support this application.

Kind regards,
Natalie & Kevin Olson
64083 198 Ave W
Foothills, AB
(403) 992-6099
Email: nattieo99@gmail.com

To Whom It May Concern:

I am writing in response to a letter received regarding “ Proposed Subdivision- PTN. NE 17-22-1 W5; Plan 1577JK, Blk 2.

I am very much opposed to this development. We moved to this area because of the proximity to nature, peacefulness, and low density in adjoining properties. Our property is well treed and home to a transient population of deer, moose, bobcats, porcupine, coyotes, and various smaller mammals. Female moose and deer raise their young here each year. The existing game trails which cross fences in the area will be disrupted and the increased noise levels will drive the animals out of their habitat.

I am very concerned about the effect on the existing neighboring wells which are used for drinking and all our water needs. There are already many local wells drawing on the same groundwater area. In June 2023, Foothills County declared a municipal agricultural disaster because of severe drought conditions in the county. How is adding three additional homes in close proximity going to affect my water supplies??

There is only one access to the existing homes on 198 Ave. The addition of more homes will increase traffic and possibility of accidents with vehicles exceeding the speed limit as they pass the T intersection (which is a common practice). Trees and elevation makes it difficult for vehicles stopped at the stop sign to see oncoming traffic in both directions.

Noise levels in the area will definitely increase, especially during construction, and property values will decrease.

Please do not decrease the subdivision restrictions from what is already established.

Thank you for your consideration this matter.

Regards,
Susanne M. Olson
64083 198 Ave. W
Foothills, T1S 2W3