


**SUBDIVISION APPROVING AUTHORITY ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
TIME EXTENSION REQUEST
January 8, 2025**

REQUEST FROM APPLICANT FOR TIME EXTENSION	
APPLICATION INFORMATION	File No. F2104-35NW
	LEGAL DESCRIPTION(S): Parcel #1: Ptn. NW 35-21-04 W5M Parcel #2: Ptn. SW 35-21-04 W5M
	LANDOWNERS: Parcel #1: Michael & Donna Kanovsky Parcel #2: Michael & Donna Kanovsky
	AREA OF SUBEJCT LANDS: Parcel #1: 159 acres Parcel #2: 160 acres
	CURRENT LAND USES: Agricultural District (A)
PROPOSAL: Time extension request for completion of the conditions of the boundary adjustment, resulting in one +/- 154.84-acre parcel being Parcel #1: Ptn. NW 35-21-04 W5M, and one +/- 164.16-acre parcel being Parcel #2: Ptn. SW 35-21-04 W5M	
LOCATION: The subject parcel is located directly west and adjacent to the intersection of Highway 546 and 264 St W, and approximately 6.3km west of the Town of Diamond Valley.	
DIVISION NO: 3	COUNCILLOR: Barb Castell
FILE MANAGER: Brittany Smith	

PURPOSE OF REQUEST

Request to the Subdivision Approving Authority for consideration of a one-year time extension to the subdivision which approved a Boundary Adjustment, resulting in one +/- 154.84-acre parcel being Parcel #1: Ptn. NW 35-21-04 W5M, and one +/- 164.16-acre parcel being Parcel #2: Ptn. SW 35-21-04 W5M.

The subdivision approval expired on December 13, 2024. The time extension if granted would allow the application until December 13, 2025, to complete their subdivision conditions.

BACKGROUND:

December 13, 2023: Subdivision was conditionally approved by the Subdivision Approving Authority under the following motion:

“Council moved that the boundary adjustments whereby 4.16 +/- acres from Ptn. NW 35-21-04 W5M is consolidated into Ptn. SW 35-21-04 W5M, resulting in one 154.84 +/- acre parcel (Ptn. NW 35-21-04 W5M) and one 164.16 +/- acre parcel (Ptn. SW 35-21-04 W5M) has been evaluated in terms of Section 654 of the Municipal Government Act and Section 9 and 20 of the Matters Related to Subdivision and Development Regulation; 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 Regulation;
- The subject lands have the appropriate land use designation; and
- Pursuant to Section 20 of the Regulation, written approval was received by the Minister of Transportation as no variance is required to Sections 18 and 19 of the Regulation.

Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application is approved subject to the following conditions:

1. Boundary adjustment and consolidation 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 adjusted parcels and that the site plan is surveyed according to municipal setback requirements;
3. Landowners are to provide all utility easements and agreements to the satisfaction of the County and the utility companies;
4. Public Reserve: In accordance with Section 663(b) of the Municipal Government Act and Section I. b. of the County's Municipal Reserve Policy, reserves are not required to be provided for the subject Agricultural District Parcels;
5. Landowners are to pay all arrears of taxes on the existing parcels prior to finalization of the subdivision;
6. Landowners are to fully execute a Municipal Development Agreement(s) for the purpose of construction of a portion of either the road allowance to the North/East or the road allowance to the West to provide access to the subject parcels in the event that the benefitting parties of the access easement wish to have access to a developed public roadway or should any future issues arise with the access easements. Any road construction would be at no expense to the Municipality and shall be constructed to the standards that are adopted by the Municipality at the time of road construction at the sole cost of the landowners;
7. Submission of subdivision endorsement fees.

NOTE: The applicant has provided the fee required for the time extension request along with a letter. The letter from the applicant's agent regarding the request for the time extension is attached to this staff report as Appendix B.

REQUEST OF THE SUBDIVISION APPROVING AUTHORITY:

The Subdivision Approving Authority is respectfully requested to consider a one-year time extension for the boundary adjustment originally approved on December 13, 2023, for one +/- 154.84-acre parcel being Parcel #1: Ptn. NW 35-21-04 W5M, and one +/- 164.16-acre parcel being Parcel #2: Ptn. SW 35-21-04 W5M, which expired on December 13, 2024. Approval of this request would provide the applicant until December 13, 2025, to complete their outstanding conditions.

APPENDICES:

APPENDIX A: MAP SET

LOCATION MAP

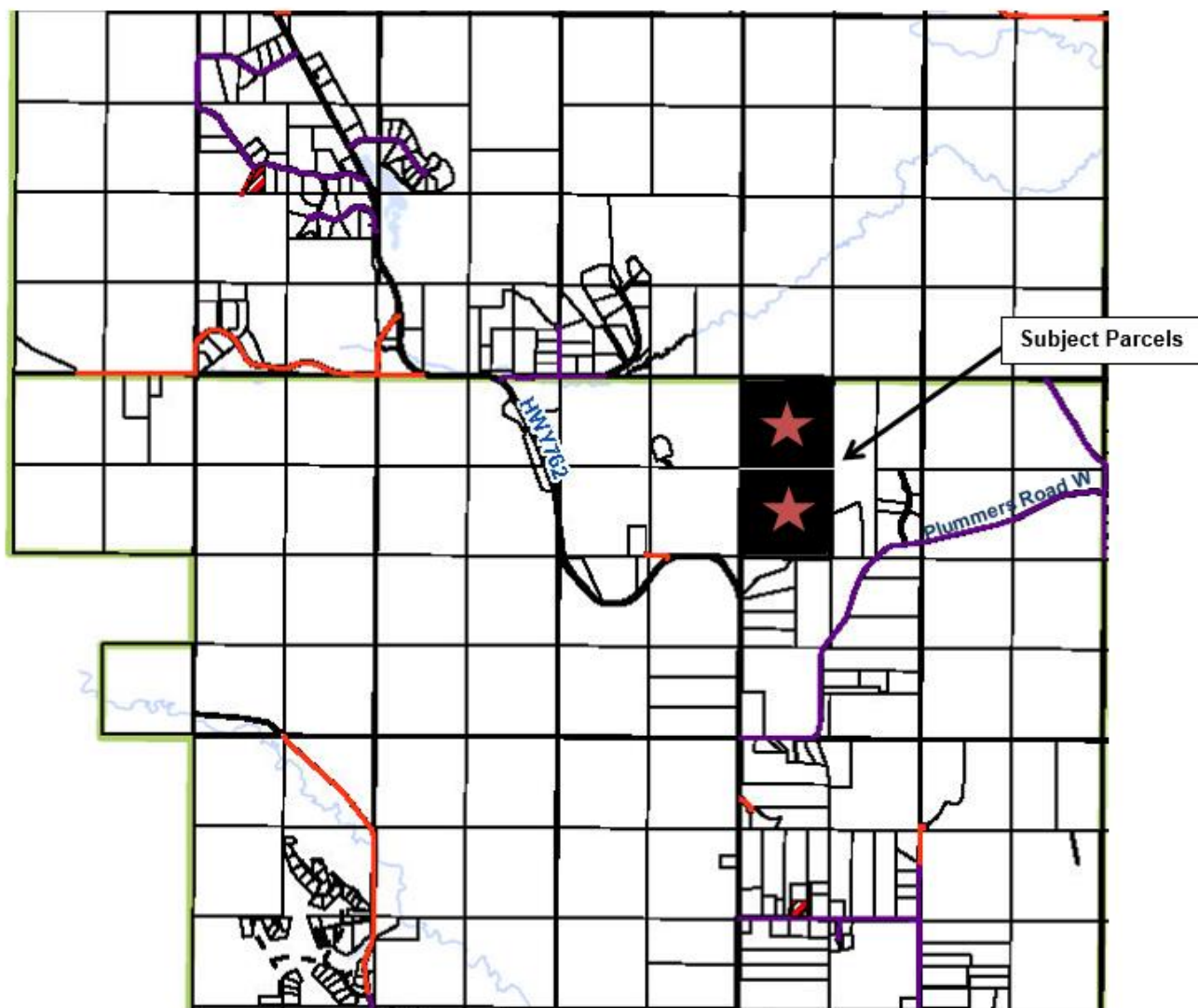
LAND USE AND LOT SIZES MAP

SITE PLAN

ORTHO PHOTO

APPENDIX B: LETTER OF REQUEST FROM APPLICANT

APPENDIX A: LOCATION MAP



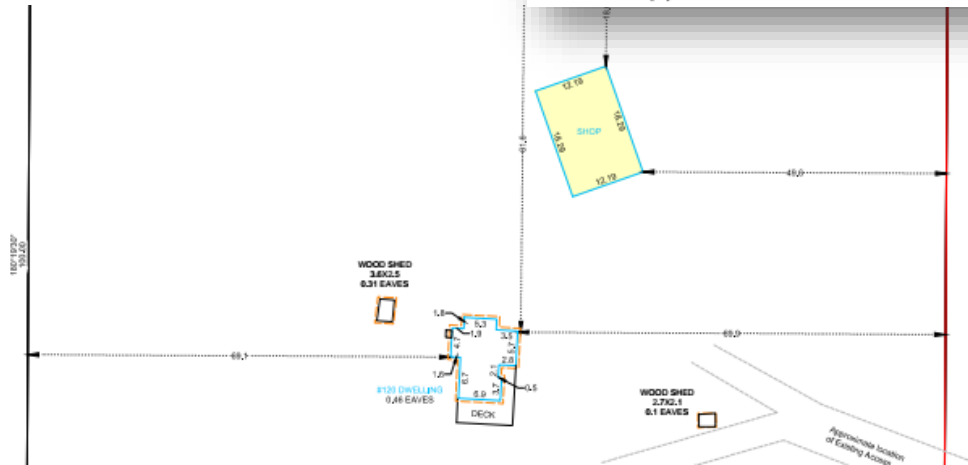
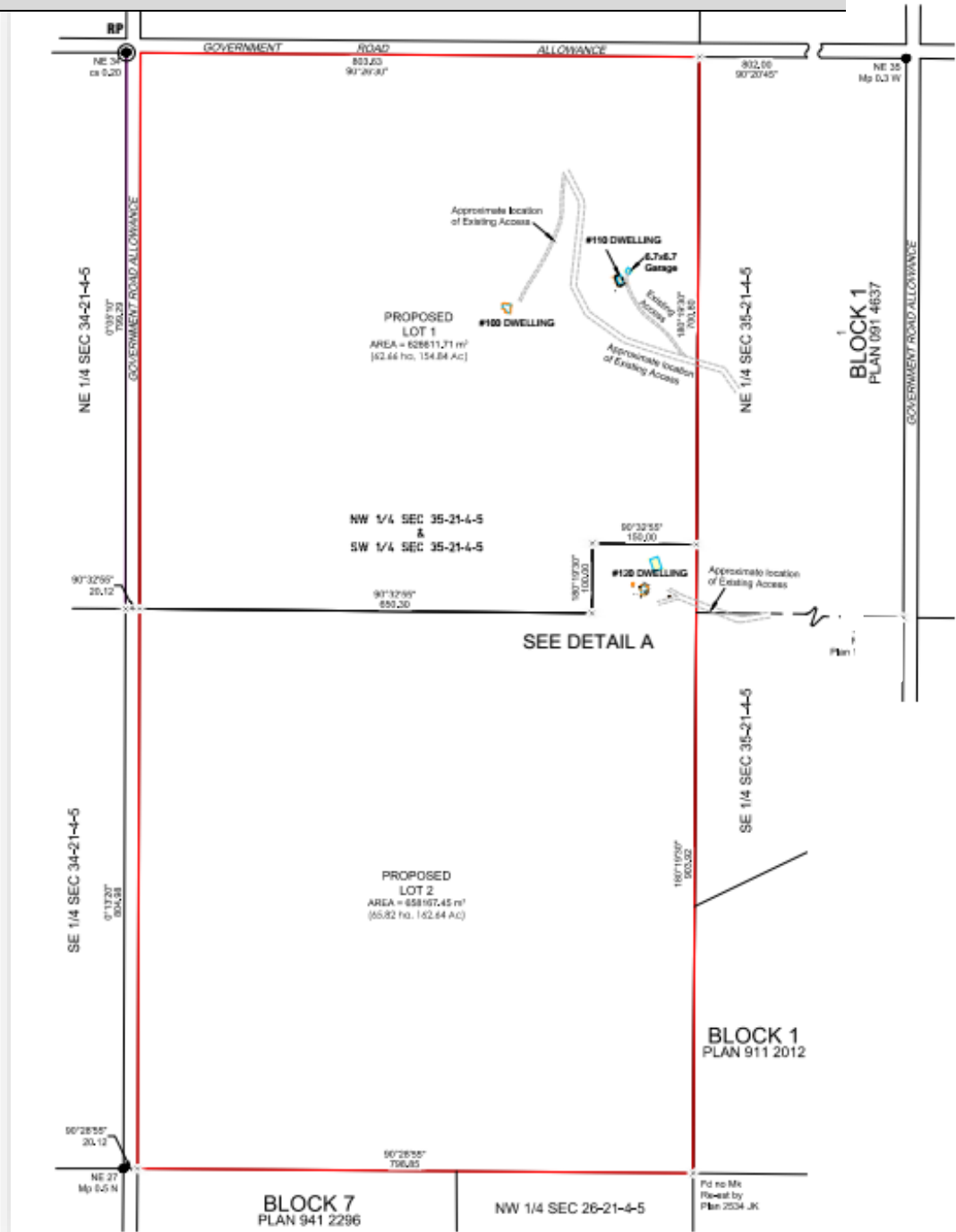
APPENDIX A: LAND USE MAP



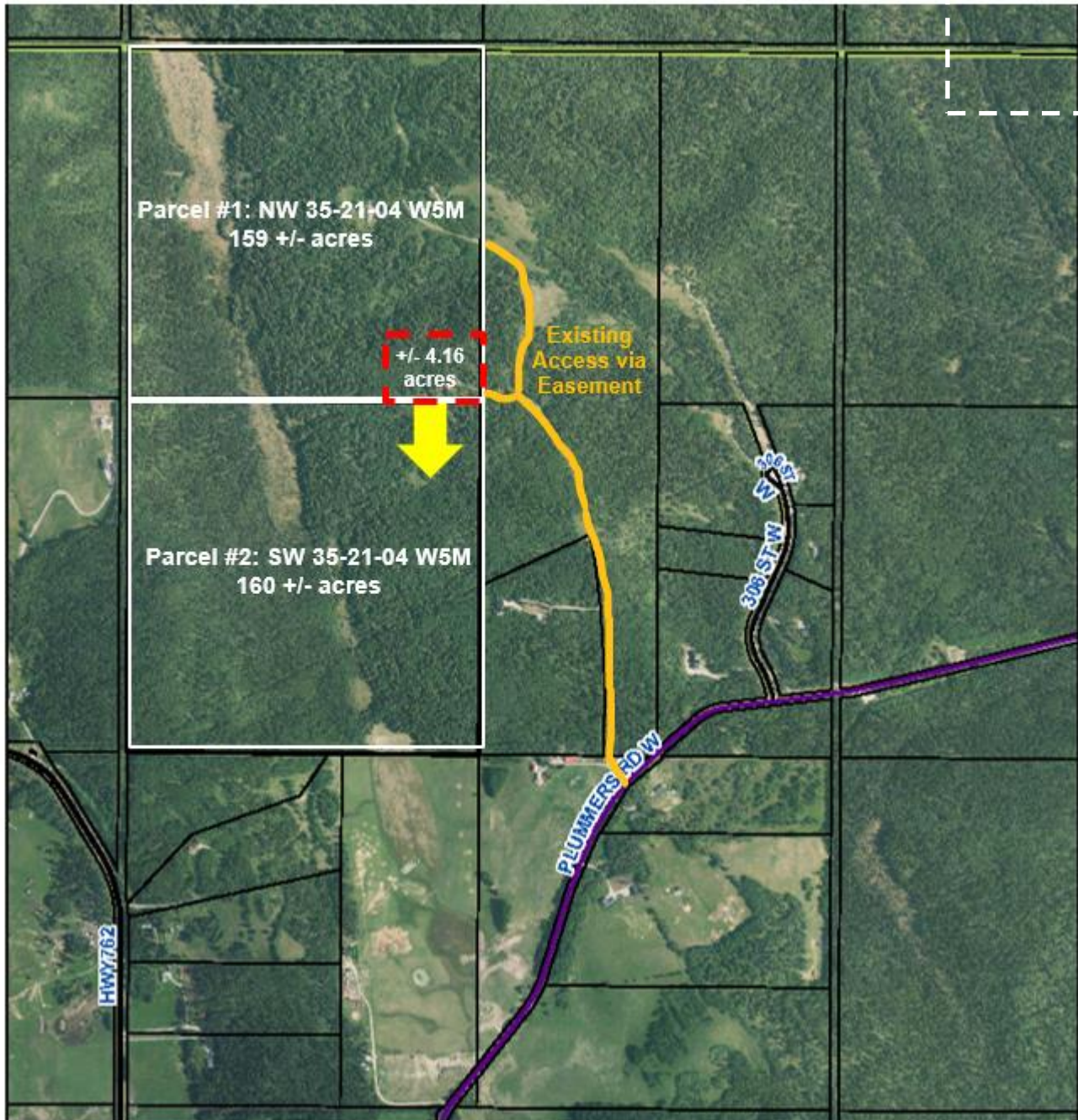
Legend

- | | | |
|----------------------------------|----------------------------------|-----------------------|
| — Hard Surface (Chip/oil) | DC - Direct Control | MR- Municipal Reserve |
| ... Developer Gravel | HR- Hamlet Residential | |
| — Gravel | HRA-Hamlet Residential Sub A | |
| — Pavement | CMC- Community Commercial | |
| ☑ In Transition | PUL- Public Utility | |
| ■ A- Agricultural | FPJ-Federal/ Provincial District | |
| ■ CR- Country Residential | SD- Service District | |
| ■ CRA- Country Residential Sub A | ER- Environmental Reserve | |

APPENDIX A: SITE PLAN



APPENDIX A: ORTHO PHOTO



APPENDIX B: LETTER OF REQUEST FROM APPLICANT



Tel: (587) 393-1197
Suite 310, 440 – 2nd Avenue SW
Calgary, Alberta T2P 5E9

December 16, 2024

Brittany Smith
Foothills County
309 Macleod Trail
Box 5605
High River, AB
T1V 1M7

Dear Brittany:

Re: File #F2104-35NW

We would like to formally request an extension to the above-noted file as we have hired a consultant to help us explore additional information regarding Secondary Suites and the possibility of pursuing that option rather than the Development Agreement.

We appreciate your consideration of this request and your ongoing support. Please let us know if further information or documentation is needed to facilitate this extension.

Thank you for your time and understanding. We look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike", with a long horizontal stroke extending to the right.

Michael Kanovsky
587-393-1197
Michael.kanovsky@skyenergy.ca