

February 7, 2024

Letter of Opposition Sent via email to: cshelton@rockyview.ca

County Contact: Carter Shelton

Rocky View County Planning Services Department  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

**RE: FILE 08916010, APPLICATION NUMBER PL20222098, DIVISION 4 Lot 4, Block 1 Plan  
0710865, NE16-28-05-W5**

I received in the mail, the letter, location, and context regarding the third application for the redesignation and subdivision of the above-mentioned land. **I wish to record my continued opposition to the Joshua & Kara Balcarras application to subdivide a portion of NE-16-28-05-W05M from a single parcel of 40.58 acres into 2 parcels of 20.29 acres each (property owned by Joshua & Kara Balcarras and Alistair & Breanne Eksteen).** I attended the County hearing for the redesignation of the land and watched as several of the Councillors were originally opposed and then sided with the Deputy Reeve to avoid conflict (stated by at least one of them). At that time of the hearing Councillor Kissel mentioned that the County should not be approving subdivisions with panhandle driveway/roads to avoid problems for future Council. The Council and Reeve went against the Planning Services Department recommendations (this did not fit with the County's land use policies). My opposition to the subdivision of this parcel remains, regardless of the change of redesignation zoning and size of parcels. The parcel is now designated as A-SML p8.1.

**I am opposed to this subdivision into to 2 parcels OR any other land designation subdivisions or parcels because this quarter section is already fragmented with 5 parcels and because the panhandle road/driveway is an issue. As a landowner who is directly impacted based on my property location, I hope my voice can be heard.**

The Rocky View County's Agriculture Master Plan, page 56 states "...The concern would be the promotion of the subdivision of quarter sections into smaller agricultural parcels, further fragmenting the land base, encouraging further residences on the landscape making it increasingly difficult to farm. In most countries around the world, greater emphasis has been directed towards increasing rather than decreasing minimum farm size thresholds...."

The quarter to the immediate south of the parcel in this application is fragmented into 6 parcels. Immediately to the south of this, that quarter section is fragmented into 5 parcels. The one to the east of this is fragmented into 5 parcels. The quarter section this parcel in question is within is already fragmented

into 4 parcels. The quarter section to the east, across Range Road 53 is fragmented into 4 parcels. A look of the land map of the area shows how much of this part of the county is truly fragmented already. We don't need more fragmentation of agricultural land. There are several quarter sections that remain intact. But this is in part because some of them are Crown Land that are not 'owned' by an individual or corporation.

In reading many documents that the Rocky View County has produced, this subdivision application does not comply with the intent of bylaws, land use vision, and support for minimizing agricultural parcel fragmentation.

The Rocky View County Plan states under Section 10 Country Residential Development, "*...10.12 Within a fragmented quarter section, the redesignation or subdivision of agriculture parcels greater than 10 hectares (24.7 acres) in size to a residential use shall not be supported...*" (page 49). This subdivision application does not adhere to the Rocky View County Plan as the acreage size is less than quoted as a minimum.

I have serious concerns about the intrusion of small residential lots 'disguised as' agricultural use in this area for several reasons, including the increase in pressure on the environment. Further impact from an increase in fragmentation of parcels and the demands of residential owners include:

The parcel in this application also contains a large ravine within the current parcel and requested subdivision lands. This is an area that is sensitive to erosion due to the steepness of the ravine and is extremely fragile for the Flora and Fauna in the area. I also have concerns regarding erosion and the watershed would be impacted by any sewage or other drainage of any type of human or compact-space agricultural wastewater. This area would be extremely sensitive to development of buildings and would impact the structural integrity of the ravine and agricultural use of lands to the west and north. It is my opinion that this is too much for this environmentally sensitive area. Approval of these future residential parcels could set a dangerous precedent.

My understanding, reading Rocky View County documents (County Plan and others), this subdivision application does not comply or meet criteria, standards, and intentions of the County for land use and optimizing agricultural focus.

### **Size of Subdivision and Impact of Additional Parcels**

- The application for resignation and subdivision of 2 - 20.29 acre parcels from an existing 40.58 acre property is going to create a situation that could allow for smaller and smaller subdivisions in this area and this property. This is not in line with the spirit or intent of the County Plan.
- We already have a very limited buffer for privacy from other landowners in this area. Creating another acreage further causes issues for the land and the existing homes & landowners in the area.
- Larger parcels of intact land allow for land uses that support continued environmental responsibility for the flora and fauna for the area along with some appropriate livestock use. For the property in question, the proposed subdivision will negatively impact the wildlife and sensitive plant species.
- There are already so many small parcels of 20 to 40 acres that have fragmented use for agriculture as well as movement habitat for wildlife in our area of Rocky View County. Continued parcel creation moves the Rocky View County away from agricultural focus by fragmenting the land further.
- The land in this area is not high quality for supporting many livestock animals and some landowners have a tendency to maintain too many animals for the available land as the parcels become smaller. The resulting overgrazing encourages growth of noxious weeds which then spread though the community as evidenced by the recent Buttercup explosion in the region. This also impacts erosion in the area and water table safety with manure run offs.

### No Proper Land Surveys Completed

- Right now, the livestock fence between the property in question and our property is not on the property line based on the existing provincial survey markers. At the Northeast corner of our property, the fence is at least 3 feet on our property. On the Northwest corner, it is over 6 feet on our property.
- As of today's date, it appears there has not been a properly acquired property survey completed. There are no temporary survey markers to indicate this.
- I am concerned the fence, existing well within our property, has indicated for the applicants and application that they have more land than they do. As well, this means they may portray our land as theirs for their road use.

### Panhandle driveway and existing width issues

- According to the documents sent by Rocky View County for this application and in conversation with the Rocky View County Planning Service, the applicants want to make the one existing driveway road on the applicant's property to be split into 2. This access driveway/road runs east/west. This area is only 12.48m wide, on record. The minimum needed is 12.5m. Although this seems like a 'minimal' amount under, it is under the minimal amount required. This means it will impact us as the landowners on the south side of this property. I do not give my approval for any land acquisition from our private property to accommodate this subdivision.
- This will encroach on our property as the land the road is on is not wide enough to allow for 2 roads with necessary setbacks. This road is on a very slim piece of property as the applicants property is on the west side of the quarter and Range Road 53 is on the east side of the quarter.
- This type of driveway/road is commonly known as a 'panhandle' and the Rocky View County has the goal to move away from these for shared access due to the issues that arise between landowners and access.
- Even with landowners that are cooperative in sharing a panhandle road with easements, there are often issues as the property changes ownership and there are a lot of misunderstandings and issues with the panhandles that occur (for example, cost responsibility for needed work and upkeep, access issues arise at times from other issues between landowners.) We know several people this has happened to.
- Within the County Plan, Section 16 Transportation, the following is quoted, *"...Road Access 16.13 Residential redesignation and subdivision applications should provide for development that:*
  - a. provides direct access to a road, while avoiding the use of panhandles;*
  - b. minimizes driveway length to highways/roads;*
  - c. removes and replaces panhandles with an internal road network when additional residential development is proposed..."*
- The definition of a panhandle, according to the County Plan is, *Panhandles are long strips of land used to provide direct lot access to a roadway (page 70)*
- 2 roads to 2 properties or 1 road to 2 properties up against our property will double the use of the road and create even more noise and dust coming from their gravel road.
- Additionally, the entrance and exit to Range Road 53 does not meet County standards required of over 7m each for each driveway on the panhandle.

### Concerns about Additional Use of Main Road of Range Road 53

- Already, Range Road 53 is heavily traveled with all the existing acreages, full quarter residences and the Triple Diamond RV Park users.

- Additional users with this subdivision (which we must assume will have an additional home added) will make the existing road conditions north of Grand Valley Road on Range Road 53 even more problematic.
- Range Road 53 is already not being maintained often enough for the amount of traffic, which has caused year round severe 'rumble strips' in the gravel road. This causes vehicles to bounce and the lack of ongoing maintenance of this road makes it worse and worse. It is especially dangerous when it is wet or snow covered. More vehicles traveling on a daily basis (which should be expected with an additional future home from this subdivision) will make this worse.
- This is AGAIN being currently highlighted this winter. The condition of Range Road 53 between Twp Road 282 and Grand Valley Road is horrible and getting worse. We rarely see a plow or grader. The road is significantly 'rumble striped' and causing issues for users. The road is under maintained to the point that even when it was last 'graded', all the problems continued, just below a light surface of raised gravel.
- Additional traffic on this road cannot be justified with the current maintenance allotments.

### **Requested and Necessary Surveys and Assessments**

As an impacted landowner to this application, I did not support this land redesignation and I do not support the subdivision application for this property. I have many concerns as written above. I request Rocky View County does not approve this application or any other division of this current acreage parcel owned by the applicants. I also respectfully request that if the Rocky View County continues to accept/explore this or any future applications for this property, they require surveys and engage with the appropriate Alberta Government and enforcement/investigation bodies for the following to be completed by professional, independent, and fully qualified and licensed providers. And that the reports are openly shared with all landowners, the appropriate provincial bodies, sister agencies, and other interested parties that are being asked to review this application and provide feedback:

- Property line survey (with correction of the fencing to match for all neighbours on the south side of the applicants' property which is a total of 4 land holdings). This needs to include the existing road into the property. This is needed to ensure that all property lines are properly identified and the land base information is accurate.
- An Environmental Impact survey that would need to include watershed and water table investigations to identify if additional subdivisions (including this application) in this area will negatively impact existing water needs by existing landowners and natural underground water movement and downstream use for the watershed area.
- The Environmental Impact survey also needs to properly catalogue flora and fauna species of the area, wildlife corridor needs, and sensitive species and geographical considerations.
- Also needed, a survey/impact assessment regarding overland impact for future sewage disposal, and impact to the wildlife in the area regarding a future residential development of the property, including the ravine.
- Any engineering surveys deemed appropriate to show, along with the environmental and watershed impact assessments, the realistic abilities/capabilities for use of this subdivision of property. From a layperson's perspective, this land is sensitive for all the reasons I have already mentioned.

As there is no ASP in place for the region, this application does not meet the requirements of the Rocky View land use strategy currently in effect. The present Municipal Development Plan states in the "Land Use Strategy" section that *"...in order to prevent fragmentation of the agricultural land base and preserve the viability of the agricultural industry, non-agricultural land uses ...will be discouraged in these areas."*

At this time, I would urge the Rocky View Council to reject this application to preserve the primarily agricultural nature and rural lifestyle of our community and minimize environmental impact that affects all that live here.

Name: Tara Normand (signed electronically) *T. Normand*

Legal Land Description or Rural Address:

53098 Township Road 282

Rocky View County, Alberta

T4C 2W1