

ATTACHMENT E: POLICY REVIEW

Definitions		
Consistent	Generally Consistent	Inconsistent
Clearly meets the relevant requirements and intent of the policy.	Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development.	Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges.

Municipal Development Plan (County Plan)	
Environment – Land and Environmental Stewardship	
7.13	<i>Support the conservation and effective management of riparian areas and wetlands in accordance with County Policy.</i>
Generally Consistent	The proposed Lot 2 would require an access easement across Lot 1. The internal driveway for Lot 1 currently runs through a Riparian Area, therefore the noted easement would increase traffic through a Riparian Area. While the proposed Lot 2 has frontage to a County Road (Grand Valley Road), the construction of a separate approach is not feasible due to topographic constraints and the presence of the noted Riparian Area.
Agriculture – Land Use	
8.15	<i>Support and encourage the viability and flexibility of the agriculture sector by allowing a range of parcel sizes, where appropriate.</i>
Generally Consistent	The proposed subdivision creates a variety of agricultural parcel sizes in the area.
Agriculture – First Parcel Out	
8.17	<i>A subdivision to create a first parcel out that is a minimum of 1.60 hectares (3.95 acres) in area should be supported if the proposed site:</i> <i>a. meets the definition of a first parcel out;</i> <i>b. has direct access to a developed public roadway;</i> <i>c. has no physical constraints to subdivision;</i> <i>d. minimizes adverse impacts on agricultural operations by meeting agriculture location and agriculture boundary design guidelines; and</i> <i>e. the balance of the un-subdivided quarter section is maintained as an agricultural land use.</i>
Inconsistent	The subject application cannot be considered a first parcel out, as there are currently 4 parcels registered within the quarter section.
Agriculture – Redesignation and Subdivision for Agricultural Purposes	
8.18	<i>Redesignation and subdivision to smaller agriculture parcels as a new or distinct agricultural operation may be supported. Proposals will be evaluated on the following criteria:</i> <i>a. A similar pattern of nearby small agricultural operations;</i> <i>b. A planning rationale justifying why the existing land use and parcel size cannot accommodate the new or distinct agricultural operation;</i> <i>c. A demonstration of the need for the new agriculture operation;</i> <i>d. An assessment of the proposed parcel size and design, to demonstrate it is capable of supporting the new or distinct agricultural operation. Site assessment criteria include:</i>

	<ul style="list-style-type: none"> <i>i. suitable soil characteristics and topography;</i> <i>ii. suitable on-site infrastructure for the proposed use. Required infrastructure may include access areas, water wells, irrigation and sewage infrastructure, and manure management capability; and</i> <i>iii. compatibility with existing uses on the parent parcel and adjacent lands;</i> <i>e. An assessment of the impact on, and potential upgrades to, County infrastructure; and</i> <i>f. An assessment of the impact on the environment including air quality, surface water, and groundwater.</i>
Generally Consistent	The applicant rationale provided for new and distinct agricultural operation does not sufficiently address 8.18(b), as the proposed berry operation could be conducted on the parcel's current size, and does not require further fragmentation of agricultural lands. However, in alignment with previous Council decision through the adoption of Bylaw C-8305-2022 to redesignate the subject lands, the proposal is generally in alignment with the intents and goals of Section 8.0 (Agriculture).
Country Residential Development – Fragmented Country Residential Areas	
10.11	<p><i>Within a fragmented quarter section, the redesignation of residential lots or agricultural parcels less than or equal to 10 hectares (24.7 acres) in size to a new residential land use may be supported if the following criteria are met:</i></p> <ul style="list-style-type: none"> <i>a. A lot and road plan is provided that;</i> <ul style="list-style-type: none"> <i>i. plans for an area determined by the County at the time of redesignation application. The plan shall include, at a minimum, all residential or small agricultural acreages that are adjacent to the application;</i> <i>ii. includes design measures to minimize adverse impacts on existing agriculture operations; and</i> <i>iii. demonstrates potential connectivity to residential or small agricultural acreages outside of the lot and road plan area.</i> <i>b. A technical assessment of the proposed design is provided, to demonstrate that the lot and road plan area is capable of supporting increased residential development. The assessment shall address:</i> <ul style="list-style-type: none"> <i>i. the internal road network, water supply, sewage treatment, and stormwater management; and</i> <i>ii. any other assessment required by unique area conditions.</i> <i>c. A technical assessment of the impact on off-site infrastructure, roads, and stormwater systems is be provided;</i> <i>d. A report is provided that documents the consultation process undertaken to involve affected landowners within the plan area in the preparation and/or review of the lot and road plan.</i>
Not Applicable	The subject lands are not located within an area meeting the definition of a fragmented quarter section, as there are less than 6 residential or agricultural parcels less than 10 hectares (24.7 acres) in size within the quarter section.
Reserves – Municipal, School, and Community Reserves	
13.1	<p><i>When acquiring reserves, the County shall require that the owners of land proposed for subdivision provide reserves in the form of:</i></p> <ul style="list-style-type: none"> <i>a. land;</i> <i>b. money in place of land; or</i> <i>c. a combination of land and money.</i>
Consistent	Administration recommends the provision of Municipal Reserve as Cash-in-lieu proportionate to 10% of Lot 2, given the topographical and environmental constraints to future subdivision of Lot 2 exclusively. The recommended conditions

	of approval included within Attachment F implement the provision of Municipal Reserve in alignment with policy 13.1.
13.2	<i>The County may defer all or a portion of the required reserves by registering a deferred reserve caveat when the reserve could be provided through future subdivision.</i>
Consistent	The recommended conditions of approval included within Attachment F include the deferral of the provision of municipal reserve via registration of a deferred reserve caveat on the proposed Lot 1.
13.4	<i>Reserves should be provided to the maximum amount allowed by the Municipal Government Act.</i>
Consistent	The recommended conditions of approval included within Attachment F include the provision of municipal reserve as cash-in-lieu equivalent to 10% of the area of the proposed Lot 2, given the likelihood of future subdivision of Lot 2 as noted above.
Reserves – Environmental Reserve and Environmental Reserve Easements	
13.10	<i>Environmental reserves or environmental reserve easements shall be taken at the time of subdivision, in accordance with the Municipal Government Act, on lands designated for:</i> a. <i>residential, business, or institutional uses;</i> b. <i>on agricultural parcels less than 12.00 hectares (29.65 acres); or</i> c. <i>as determined by the County.</i>
Consistent	The proposed parcel configuration of ±20.0 acre agricultural parcels is eligible for environmental reserve pursuant to section 664(1) of the <i>Municipal Government Act</i> , and Policy 13.10, due to the presence of environmentally sensitive riparian area throughout the site.
13.11	<i>Where the County determines public use is not desirable or where management of public land by the County is not required, land qualifying as environmental reserve may be designated as an environmental reserve easement in accordance with the Municipal Government Act.</i>
Consistent	The denoted riparian area, “Coalbed Creek” is not considered desirable for public use; therefore, in accordance with Attachment F Administration recommends and Environmental Reserve Easement.
Transportation – Road Access	
16.13	<i>Residential redesignation and subdivision applications should provide for development that:</i> a. <i>provides direct access to a road, while avoiding the use of panhandles;</i> b. <i>minimizes driveway length to highways/roads;</i> c. <i>removes and replaces panhandles with an internal road network when additional residential development is proposed; and</i> d. <i>limits the number and type of access onto roads in accordance with County Policy.</i>
Generally Consistent	The proposed access strategy for the southern lot includes an access easement over and across Lot 1 for the benefit of Lot 2, while also maintaining frontage along Grand Valley Road. No panhandles are proposed; however, the site topography and presence of Coalbed Creek present potential future access concerns to construct a separate approach from Grand Valley Road should the access easement ever fail.

Land Use Bylaw C-8000-2020	
Agricultural, Small Parcel District	
312	<i>MINIMUM PARCEL SIZE:</i>

	<p>a) 20.2 ha (49.92 ac)</p> <p>b) The minimum size of parcels designated with the letter “p” is the number indicated on the Land Use Map</p> <p>c) Notwithstanding b) above, the number following the “p” shall not be less than 8.1 ha (20.01 ac)</p>
Consistent	The subject parcel is designated A-SML p8.1; therefore the proposed ± 20.0 acre parcel with a ± 20 acre remainder meets the minimum parcel size of the Land Use District.

Municipal Government Act	
Approval of Application	
654(1)(b)	<i>A subdivision authority must not approve an application for subdivision approval unless: the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,</i>
Inconsistent	The subdivision proposal does not align with the County Plan policies within Sections 5.0 (Managing Residential Growth), 8.0 (Agriculture), and 10.0 (Country Residential Development) as noted above; therefore, approval of application PL20230065 may conflict with Section 654(1)(b).
Municipal and School Reserve	
666(1)	<i>Subject to section 663, a subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision:</i> <p>(a) to provide part of that parcel of land as municipal reserve, school reserve or municipal and school reserve,</p> <p>(b) to provide money in place of municipal reserve, school reserve or municipal and school reserve, or</p> <p>(c) to provide any combination of land or money referred to in clauses (a) and (b).</p>
Consistent	The recommended conditions of approval included within Attachment F include the deferral of the provision of municipal reserve via registration of a deferred reserve caveat on the proposed Lot 1, and the provision of cash-in-lieu equivalent to 10% of the area of the proposed Lot 2.
Environmental Reserve	
664(1)(1.1)	<i>A subdivision authority may require land to be provided as environmental reserve only for one or more of the following purposes:</i> <p>(a) to preserve the natural features of land referred to in subsection (1)(a), (b) or (c) where, in the opinion of the subdivision authority, those features should be preserved;</p> <p>(b) to prevent pollution of the land or of the bed and shore of an adjacent body of water;</p> <p>(c) to ensure public access to and beside the bed and shore of a body of water lying on or adjacent to the land;</p> <p>(d) to prevent development of the land where, in the opinion of the subdivision authority, the natural features of the land would present a significant risk of personal injury or property damage occurring during development or use of the land.</p>
Generally Consistent	Pursuant to the recommended conditions of approval included within Attachment F; Administration notes environmental reserve is to be provided to protect the riparian area noted as “Coalbed Creek”.