



Subdivision Item: Agricultural

Electoral Division: 2

File: PL20220220 / 05814006

Date:	July 23, 2024		
Presenter:	Maureen Nolan, Planner 1		
Department:	Planning		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

REPORT SUMMARY

The purpose of this report is to assess a proposed subdivision of Lot 3, Block 2, Plan 0513324 within NW-14-25-04-W05M to create a ± 8.10 hectare (± 20.01 acre) parcel with a ± 19.63 hectare (± 48.51 acre) remainder.

The application was evaluated in accordance with the *Municipal Government Act*, Matters Related to Subdivision and Development Regulation, Town of Cochrane/M.D. of Rocky View Intermunicipal Development Plan (IDP), Municipal Development Plan (County Plan), and the *Land Use Bylaw*. The application aligns with Section 2.4 (Agriculture) of the IDP, Section 8.0 (Agriculture) of the County Plan, and the *Land Use Bylaw*. The application is consistent with the requirements of section 654 of the *Municipal Government Act* and the Matters Related to Subdivision and Development Regulation.

Council is the Subdivision Authority for the subject application as the Applicant requested that their subdivision application be considered by Council, in accordance with Section 5(1) of the *Subdivision Authority Bylaw* (C-8275-2022), to further discuss Administration’s recommended Conditions 2 and 4 relating to stormwater management and road acquisition requirements, as noted in Attachment F – Recommended Conditions of Approval.

ADMINISTRATION’S RECOMMENDATION

THAT the Subdivision Authority approves application PL20220220 with the conditions noted in Attachment F.



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BACKGROUND

Location (Attachment A)

Located approximately 0.81 kilometres (0.50 miles) north of Township Road 252 and on the east side of Highway 22, approximately 1.95 kilometres (1.21 miles) south of the town of Cochrane.



Site History (Attachment B)

A first parcel out subdivision was registered in 1997, creating Block 1, Plan 9710584. In 2004, Block 1 was redesignated from Farmstead District to Ranch and Farm Three District, a portion of the subject quarter section (currently Lot 3, Block 2, Plan 0513324) was redesignated from Ranch and Farm District to Ranch and Farm Two District, and the remainder of the quarter section was redesignated from Ranch and Farm District to Ranch and Farm Three District. Plan 0513324 was registered in 2005, subdividing Block 1 and the remainder of the quarter section into Lots 1–3, Block 2.

On November 29, 2022, Council approved Bylaw C-8294-2022 to redesignate a ± 8.10 hectare (± 20.01 acre) portion of the subject land from Agricultural, Small Parcel District (A-SML) to Agricultural, Small Parcel District (A-SML p8.1) and to redesignate the remaining ± 19.63 hectare (± 48.51 acre) portion of the subject lands from Agricultural, Small Parcel District (A-SML) to Agricultural, Small Parcel District (A-SML p12.1) to facilitate a future single lot subdivision.

In 2017, Development Permits were issued for a Farm Dwelling, mobile home (for veterinary services) and for Animal Health Care Services, construction of a veterinary clinic, including an office and construction of a Private Riding Arena was issued. In 2018, a Development Permit for the renewal of the Farm Dwelling was issued and expired on June 30, 2023.

The subject land is approximately 27.73 hectares (68.52 acres) and presently contains a veterinary clinic, mobile home, and several accessory buildings. An existing approach located on the northern adjacent parcel (Lot 2, Block 2, Plan 0513324) provides legal access to the subject land through a mutual access easement agreement registered on title.

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Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary intermunicipal neighbours, internal and external agencies.

This application was circulated to the Town of Cochrane in accordance with the IDP. The Town of Cochrane prefers that Municipal Reserve is deferred and registered on title.

The subject land is located on the east side of Highway 22, Alberta Transportation and Economic Corridors has provided no concerns on the proposed application.

Landowner Circulation (Attachment D)

The application was circulated to 15 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); no letters were received.

ANALYSIS

Policy Review (Attachment E)

The application was reviewed in accordance with Section 2.4 (Agriculture) of the IDP, Section 8.0 (Agriculture) of the County Plan, and the *Land Use Bylaw*. Pursuant to Policy 2.4.2.6, of the IDP, subdivision of agricultural land may be permitted as the proposed lots are consistent with the minimum parcel size requirements of the Agricultural, Small Parcel District (A-SML p8.1 and A-SML p12.1) within the *Land Use Bylaw*.

The application was evaluated in accordance with Policy 8.18 of the County Plan and was found to meet the overall intent of the policy to allow for subdivision to smaller agricultural parcels as a new or distinct agricultural operation, subject to criteria. The County Plan defines Distinct Agricultural Operations as two or more different agricultural uses, such as agricultural products, livestock, and/or facilities, established on a single agricultural parcel for a period of five years or more. The application indicates that the proposed subdivision would allow for the continued viability of an existing equine veterinary operation (Burwash Equine Services) on the proposed parcel and a separate grazing use on the proposed remainder parcel.

While the application provides limited planning justification for why the existing parcel size cannot accommodate the distinct agricultural operations, the proposal aligns with the definition of Distinct Agricultural Operations. The size and design of the proposed parcels is considered compatible with the surrounding agricultural parcels within the subject quarter section.

The proposed new lots are to be accessed by a mutual access easement over the northern adjacent parcel (Lot 2, Block 2, Plan 0513324) and Administration recommends that a Road Acquisition Agreement be registered over the panhandle and the western boundary of proposed Lot 2 for the future development of a County standard road, as a condition of subdivision.

There is an existing stormwater pond that encroaches onto the panhandle of proposed Lot 2. As a recommended condition of subdivision, the landowner is to enter into a Development Agreement to reclaim and reconfigure the existing stormwater, so it does not encroach onto the proposed Lot 2. As part of the Development Agreement, the landowner will be required to register any overland drainage easements required by the County and prepare and implement the recommendations of an updated stormwater management plan, construction management plan, and sedimentation control plan.

COMMUNICATIONS / ENGAGEMENT

Consultation was conducted in accordance with statutory requirements and County Policy C-327.

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IMPLICATIONS

Financial

No financial implications identified at this time.

STRATEGIC ALIGNMENT

As per Section 5(1) of the *Subdivision Authority Bylaw (C-8275-2022)*, Council is the decision-making authority due to the Applicant's request for Council to consider their subdivision application.

ALTERNATE DIRECTION

No alternative options have been identified for the Subdivision Authority's consideration.

ATTACHMENTS

Attachment A: Map Set

Attachment B: Application Information

Attachment C: Application Referral Responses

Attachment D: Public Submissions [None Received]

Attachment E: Policy Review

Attachment F: Recommended Conditions of Approval

Attachment G: Applicant Proposed Amendments to Recommended Conditions of Approval