



Subdivision Item: Residential

Electoral Division: 3

File: PL20240093 / 06715024

Date:	October 22, 2024
Presenter:	Carter Shelton, Planner 1
Department:	Planning

REPORT SUMMARY

The purpose of this report is to assess a proposed subdivision of Lot: 14 Block: 9 Plan: 2411003 within NE-15-26-03-W05M to create a ± 1.72 hectare (±4.25 acre) parcel with a ± 1.71 hectare (± 4.24 acre) remainder.

The application was evaluated in accordance with the *Municipal Government Act*, Matters Related to Subdivision and Development Regulation, Municipal Development Plan (County Plan), Bearspaw Area Structure Plan (ASP), and the *Land Use Bylaw*.

The application aligns with Section 5.0 (Managing Residential Growth Areas) and Section 10.0 (Country Residential) of the County Plan. The application is further aligned with the policies of Section 8.1 (Country Residential), and Section 7.0 (Land Use and Phasing) of the Bearspaw ASP.

The proposed ± 1.72 hectare (±4.25 acre) parcel with a ± 1.71 hectare (± 4.24 acre) balance parcel complies with the *Land Use Bylaw* as the proposed parcel meets the minimum size restriction of 1.6 hectares (3.95 acres) as required by the Residential, Rural District (R-RUR) designation.

Council is the Subdivision Authority for the subject application in accordance with Section 5(2) of the *Subdivision Authority Bylaw* (C-8275-2022) due to landowner opposition received.

ADMINISTRATION'S RECOMMENDATION

THAT the Subdivision Authority approves application PL20240093 with the conditions noted in Attachment F.

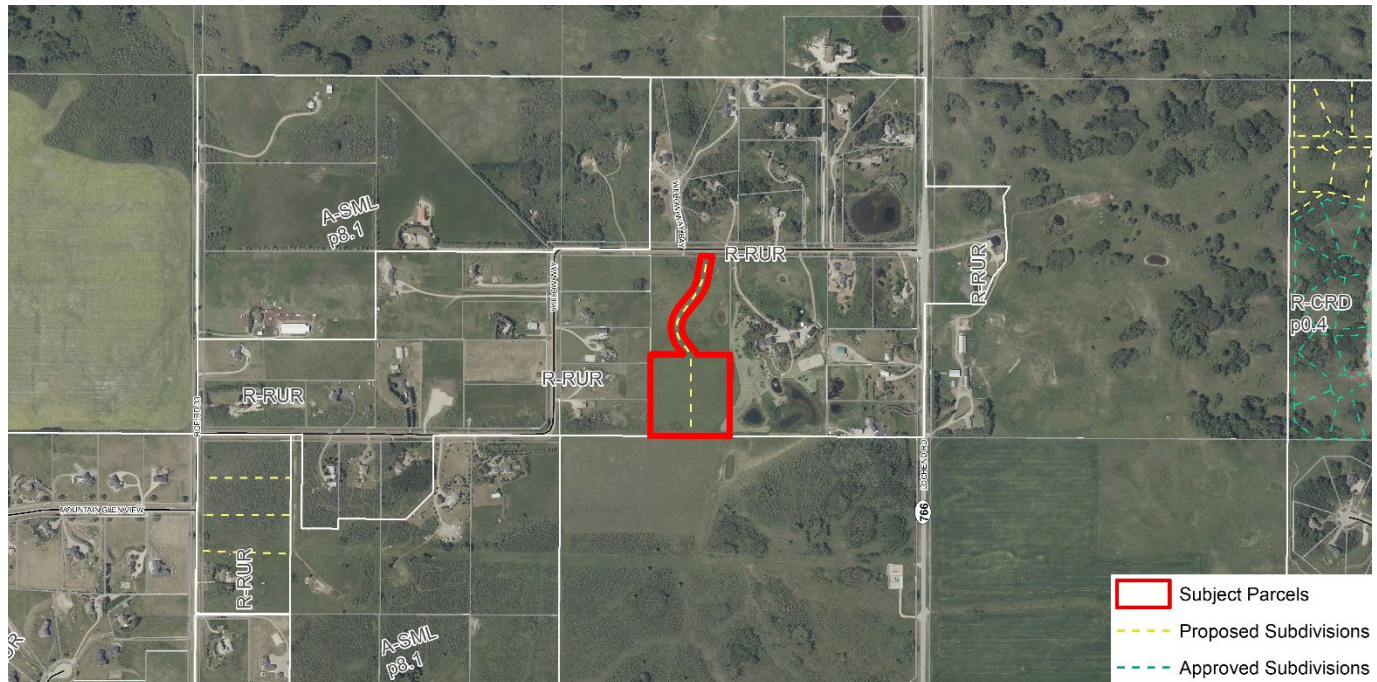


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BACKGROUND

Location (Attachment A)

Located within the Bears paw ASP, approximately 0.81 kilometres (0.50 miles) north of Township Road 262 and 0.41 kilometres (0.25 miles) west of Secondary Highway 766.



Site History (Attachment B)

On November 28, 2013, the original ± 17.60 acre parcel was registered as Block: 1, Plan: 7510978. Subsequently, on May 2, 2024, the subject Lot 14, Block 9, Plan 241 1003 was registered, creating the subject parcel and the adjacent 1.64 hectare Lots 13 and 15.

The subject land is approximately ± 3.84 hectares (± 9.49 acres) and presently contains no residential development. The current width of the panhandle portion of the parcel extending north-south to the remainder of the parcel is 25.0 metres. There is an existing approach centered within the proposed boundary line available from the northerly adjacent Willow Way, providing legal access to the subject land. Approval of the subject application would create two parcels accessed via adjacent 12.5 metre panhandles. The adjacent lots 13 and 15 have separate individual approaches from Willow Way, constructed as part of the previous subdivision registration.

As part of the most recent previous subdivision registration, various technical reports were submitted and evaluated; no further technical was provided in support of current application.

Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary internal and external agencies. There are no outstanding comments to be addressed and technical items have been considered through the recommended conditions of approval noted within Attachment F.

This application is not within an area guided by intermunicipal policy or requirements.

Alberta Transportation and Economic Corridors has provided no concerns on proposed application.

Landowner Circulation (Attachment D)

The application was circulated to 174 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); no letters in support, and 2 letters in opposition were received.

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ANALYSIS

Policy Review (Attachment E)

The application was reviewed pursuant to the *Municipal Government Act*, Matters Related to Subdivision and Development Regulation, Municipal Development Plan (County Plan), Bears paw Area Structure Plan (ASP) and the *Land Use Bylaw*. The application was determined to be consistent with the policies of the County Plan and Bears paw ASP, and therefore aligns with the *Municipal Government Act*. The subject lands are located within an identified country residential community and therefore supported by the County Plan to develop in accordance with the applicable ASP. The proposal is consistent with the overall plan objectives, land use strategy, and phasing policies of the Bears paw ASP. Further, the environmental and site servicing policies are addressed through the recommended conditions of approval noted within Attachment F.

Each of the proposed parcels comply with the *Land Use Bylaw* as the proposed sizes of (Lot 1) ± 1.72 hectares (±4.25 acres) and (Lot 2) ± 1.71 hectares (± 4.24 acres), respectively, exceed the minimum size restriction of 1.6 hectares as required by the applicable Residential, Rural Residential District (R-RUR) designation.

COMMUNICATIONS / ENGAGEMENT

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

IMPLICATIONS

Financial

No financial implications identified at this time.

STRATEGIC ALIGNMENT

As per Section 5(2) of the *Subdivision Authority Bylaw* (C-8275-2022), Council is the decision-making authority due to receipt of public opposition to the application as highlighted within Attachment D.

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
- Attachment E: Policy Review
- Attachment F: Recommended Conditions of Approval

APPROVALS

Manager:	Dominic Kazmierczak
Executive Director/Director:	Matt Boscariol
Chief Administrative Officer:	Reegan McCullough