



COUNCIL REPORT

Redesignation Item: Agricultural

Electoral Division: 1

File: PL20240094 / 03926008

Date:	March 25, 2025
Presenter:	Maureen Nolan, Planner 1
Department:	Planning

REPORT SUMMARY

The purpose of this report is for Council to assess the redesignation of a ± 13.91 hectare (± 34.38 acre) portion of the subject lands (Attachment A) from Agricultural, General District (A-GEN) to Agricultural, Small Parcel District (A-SML p13.9) to facilitate future subdivision of one ± 13.91 hectare (± 34.38 acre) lot with a ± 47.47 hectare (± 117.29 acre) remainder.

The application was evaluated pursuant to the policies and regulations of the Municipal Development Plan (County Plan), Greater Bragg Creek Area Structure Plan (ASP), and the *Land Use Bylaw*. The application was found to align with the policies of Section 5.3 (Agriculture) and Section 7.0 (Future Physical Form) of the Greater Bragg Creek ASP. The policies in Section 5.3 encourage ongoing agricultural land uses and allow for the consideration of redesignation proposals to create a new or expanded agricultural operation.

The subject lands are located within the North Bragg Creek Policy Area and New Residential Area of the Greater Bragg Creek ASP, which is envisioned for future residential development. Although a new or expanded agricultural operation is not proposed at this time, the proposed redesignation is agricultural in nature and would not likely interfere with future subdivision of subject lands.

If Council determines that the application does not align with the overall intent of the agricultural policies of the Greater Bragg Creek Area Structure Plan, Administration has provided for alternative direction at the end of this report.

ADMINISTRATION'S RECOMMENDATION

THAT Bylaw C-8614-2025 be given first reading.

THAT Bylaw C-8614-2025 be given second reading.

THAT Bylaw C-8614-2025 be considered for third reading.

THAT Bylaw C-8614-2025 be given third and final reading.

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BACKGROUND

Location (Attachment A)

Located within the Greater Bragg Creek Area Structure Plan, northeast of the junction of Township Road 234 and Range Road 52.



Site History (Attachment B)

In 2005, a First Parcel Out was created from the subject quarter section through the registration of Plan 0514525. The subject lands include the balance of the quarter section, which contains one Dwelling, Single Detached and one Accessory Building (detached garage).

Township Road 234 and Range Road 52 are gravel roads, which are only developed up to the eastern and northern limits of the subject lands. Although the property has frontage onto Township Road 234 and Range Road 52, the subject lands do not have an existing approach off either of these roads. Access to the subject lands is provided from Mountain Lion Drive through an existing access easement agreement with the adjacent lands to the east. Mountain Lion Drive is a paved road that is located approximately 1.10 kilometres (0.68 miles) east of the access to subject lands and leads to Wintergreen Road, which is also a paved road.

A Development Permit was issued in 2023 for the construction of a dwelling, single detached, relaxation of the top of bank setback and single-lot regrading and placement of clean fill for construction of a driveway through a riparian protection area.

Intermunicipal and Agency Circulation (Attachment C)

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

This application is not within an area guided by an Intermunicipal Development Plan. The application was circulated to the Tsuut'ina Nation in accordance with the Greater Bragg Creek ASP; no comments were received.

Alberta Forestry & Parks, Lands Division has commented that it appears that there may be a watercourse or wetlands on the property that may be impacted by the proposed redesignation and resulting future development. Under section 3 of the *Public Lands Act*, the Crown holds right to

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permanent and naturally occurring bodies of water, rivers, streams, watercourses and lakes. The wetlands should be avoided if the parcel is developed and a minimum 6.0m Environmental Reserve is required to protect the wetland from development. If the watercourse or wetlands cannot be avoided during development, it is recommended that a permanence assessment be completed and submitted to the Water Boundaries Unit in Edmonton to determine ownership of the watercourse or wetlands. If they are determined to be Crown claimable under section 3 of the *Public Lands Act*, they should be surveyed out from the parcel of land. An authorization is required under the *Public Lands Act* to alter, infill or otherwise impact Crown claimable watercourses or wetlands. An approval may also be required under the *Water Act*.

Landowner Circulation (Attachment D)

The application was circulated to 76 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); 1 letter in support, and 2 letters in opposition were received.

ANALYSIS

Policy Review (Attachment E)

The application was evaluated in accordance with the policies and regulations of the County Plan, the Greater Bragg Creek ASP, and the *Land Use Bylaw*, and was found to align with the applicable policies.

The application was reviewed pursuant to Section 5.3 (Agriculture) and Section 7.0 (Future Physical Form) of the Greater Bragg Creek ASP. In accordance with the policies in Section 5.3.1, agricultural land uses should be promoted and encouraged to continue, and redesignation and subdivision of agricultural lands may be considered if the purpose of the proposed subdivision is to create a new or expanded agricultural operation. As per the redesignation application, the proposed and existing uses of the subject lands are residential and minor agriculture, such as beekeeping, and a new or expanded agricultural operation is not proposed at this time.

The subject lands are within the North Bragg Creek Policy Area and the New Residential Area, which is envisioned for future residential development with parcel sizes between 0.25 acres and 2.00 acres, and an overall density of not greater than one lot per 4.00 acres of Gross Developable Area (GDA), as per Policy 7.4.4 (d). In accordance with Policy 7.4.4 (f), parcel sizes greater than 2 acres may be considered when it can be demonstrated that a larger parcel size will support agricultural and/or open space planning. As the redesignation application is agricultural in nature and the future subdivision is to create one new ± 13.91 hectare (± 34.38 acre) lot with a ± 47.47 hectare (± 117.29 acre) remainder, the proposal would not likely interfere with future subdivision of subject lands. Future subdivision of the subject lands should be accessed via construction of new municipal roads as per Policy 7.4.4 (g). As the future subdivision proposal is to create one new agricultural lot, access from Township Road 234 and Range Road 52 should be considered at such time when future subdivision for residential development is proposed to avoid the removal of vegetation to construct new approaches.

In accordance with Section 7.1 (Conceptual Schemes), redesignation may proceed without a conceptual scheme when agricultural development is proposed in conformity with the provisions of the ASP. Redesignation that is proposed for non-agricultural purposes may also proceed in the absence of a conceptual scheme when direct road access is available, one (1) lot is being created from a parcel whose boundaries are defined at the time of adoption of the Greater Bragg Creek ASP, the proposed lot is 2 acres or greater in size, and the creation of the new lot will not adversely affect or impede future subdivision of the balance lands. As the application meets the above criteria and proposes an agricultural land use district, a conceptual scheme is not warranted at this time. Any future residential development of the subject lands should be guided by a conceptual scheme.

The proposed redesignation is consistent with the minimum parcel size requirements in the *Land Use Bylaw*.

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COMMUNICATIONS / ENGAGEMENT

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

IMPLICATIONS

Financial

No financial implications identified at this time.

Future Subdivision

At the future subdivision stage, if a portion of the subject lands is dedicated as Environmental Reserve or the Crown claims the right to the watercourse or wetland, then the subject lands may not meet the minimum parcel size requirements in the *Land Use Bylaw* to create one new lot. If the future subdivision application does not meet the minimum parcel size requirements in the *Land Use Bylaw*, Council would be the Subdivision Authority for the application due to non-compliance with Section 654(1) of the *Municipal Government Act*, in accordance with Section 5(4) of the *Subdivision Authority Bylaw (C-8275-2022)*. Alternatively, a redesignation application would need to be applied for and approved by Council to facilitate future subdivision.

STRATEGIC ALIGNMENT

This report is a statutory obligation under the *Municipal Government Act*.

ALTERNATE DIRECTION

THAT application PL20240094 be refused.

ATTACHMENTS

- Attachment A: Map Set
- Attachment B: Application Information
- Attachment C: Application Referral Responses
- Attachment D: Public Submissions
- Attachment E: Policy Review
- Attachment F: Draft Bylaw C-8614-2025

APPROVALS

Manager:	Dominic Kazmierczak
Executive Director:	Dominic Kazmierczak
Chief Administrative Officer:	Reegan McCullough