



COUNCIL REPORT

Subdivision Item: Residential

Electoral Division: 6

File: PL20230010 / 04231002

Date:	March 25, 2025
Presenter:	Logan Cox, Supervisor, Planning & Development
Department:	Planning

REPORT SUMMARY

The purpose of this report is for the Subdivision Authority to assess a proposed subdivision of the subject lands (Attachment A) to create one ± 8.09 hectare (± 20.00 acre) parcel with a ± 23.65 hectare (± 58.45 acre) remainder.

The application was evaluated pursuant to the *Municipal Government Act*, Matters Related to Subdivision and Development Regulation, Municipal Development Plan (County Plan), and the *Land Use Bylaw*. The application does not align with Policy 8.17 of the County Plan as the proposed parcel configuration would impact the agricultural viability of the remainder parcel. The Applicant has indicated that the rationale for the proposed parcel is that they jointly purchased the land with their cousin and they wish to subdivide out a parcel so they can split the ownership. The proposed parcel location was chosen as it is the least valuable portion of the land, according to the landowner.

Further, the proposed 800 metre panhandle access along the northern portion of the lands would create a potential conflict with the possible wetland in that location; the wetland is identified on the Alberta Environment and Protected Areas wetland mapping layer.

Council is the Subdivision Authority for the subject application due to non-compliance with the County Plan and therefore section 654(1) of the *Municipal Government Act*, in accordance with Section 5(4), of the *Subdivision Authority Bylaw* (C-8275-2022).

ADMINISTRATION'S RECOMMENDATION

THAT subdivision application PL20230010 be refused for the following reasons:

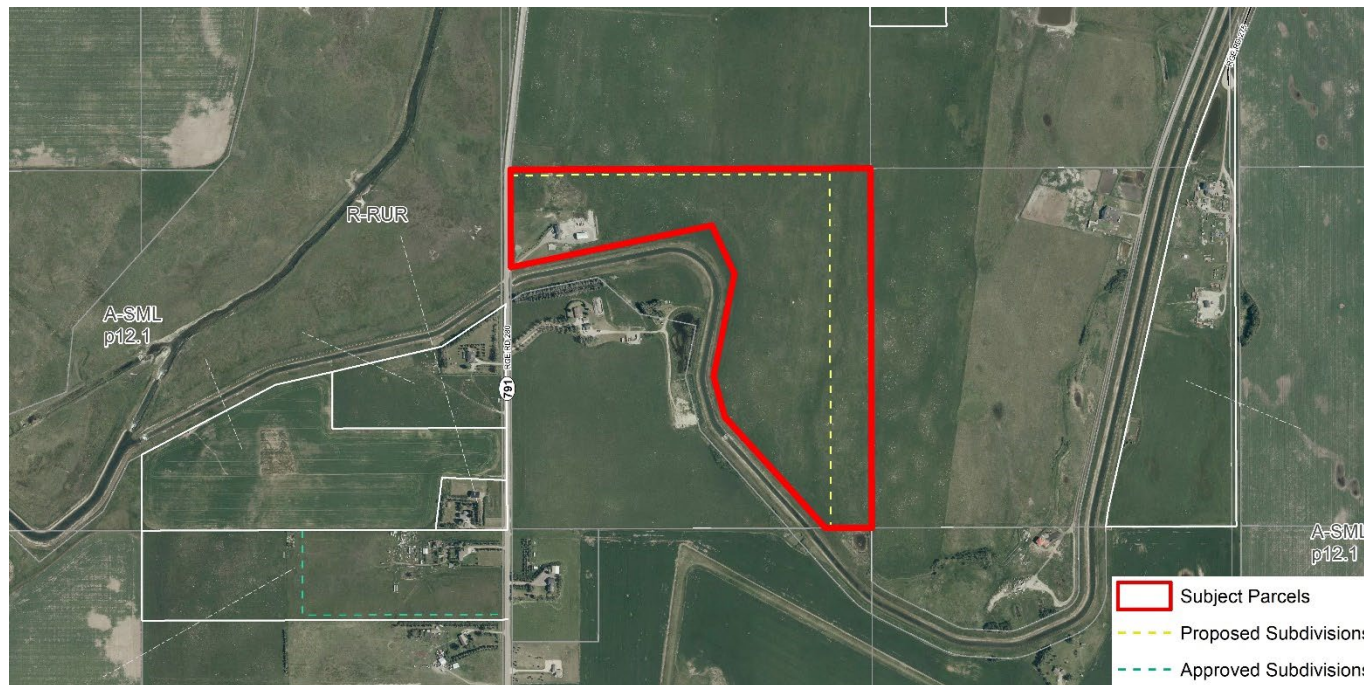
1. The application does not comply with the Municipal Development Plan (County Plan).
2. The application does not comply with section 654(1)(b) of the *Municipal Government Act*.

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BACKGROUND

Location (Attachment A)

Located approximately 3.96 kilometres (2.46 miles) northeast of the city of Chestermere, 1.6 kilometres (1.0 miles) north of Inverlake Road, and immediately west of Highway 791 (Range Road 280).



Site History (Attachment B)

On August 1, 1944, Canal Right of Way Plan IRR85 was subdivided from the subject quarter section and the other three quarter sections within Section 31.

On October 23, 1973, the lands south of the irrigation canal were subdivided by description using the southern boundary of the canal as shown on Canal Right of Way Plan IRR85.

The subject land is approximately 31.75 hectares (78.45 acres) and presently contains a dwelling and accessory buildings, all of which are located towards the western property line. An existing approach is located to the west onto Highway 791, which provides legal access to the subject land. Aerial images and the Applicant's revised site plan indicate that the approach encroaches into the Western Irrigation District's Canal; no easement is currently present to allow the encroachment of the approach.

Intermunicipal and Agency Circulation (Attachment C)

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

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

Alberta Transportation and Economic Corridors has provided no concerns on the proposed application subject to a 30 metre wide service road dedication over the panhandle of the proposed \pm 8.09 hectare (\pm 20.00 acre) parcel.

Western Irrigation District has provided no concerns with the application and has identified they are not concerned with the existing location of the driveway through their lands since it currently exists and does not impede their operations.

Landowner Circulation (Attachment D)

The application was circulated to 52 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); no submissions 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), and the *Land Use Bylaw*. The application was determined to be inconsistent with the First Parcel Out and Transportation policies of the County Plan. The application proposes a parcel configuration that would sever the balance from the wider agricultural lands surrounding the parcel. The proposed parcel has been evaluated to impact the agricultural operations of the subject and adjacent lands through the establishment of a long panhandle access to a narrow proposed parcel.

As the subject lands current configuration/area is the result of a separation of title along the Western Irrigation District Canal, it is determined to meet the definition of an *Un-Subdivided Quarter Section* as defined in Section 8.17 of the County Plan.

Both the proposed parcel and the remainder lands meet the minimum parcel size requirements of the Agricultural, General District land use designation requirements of the *Land Use Bylaw*.

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(4) of the *Subdivision Authority Bylaw* (C-8275-2022), Council is the decision-making authority due to non-compliance with section 654(1) of the *Municipal Government Act*.

ALTERNATE DIRECTION

Should the Subdivision Authority find the application meets the intent of the County Plan they may wish to support the application with the recommended conditions of approval outlined in Attachment F.

THAT subdivision application PL20230010 be approved with the conditions noted in Attachment F.

ATTACHMENTS

Attachment A: Map Set
Attachment B: Application Information
Attachment C: Application Referral Responses
Attachment D: Public Submissions [No Letters Received]
Attachment E: Policy Review
Attachment F: Recommended Conditions of Approval

APPROVALS

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