



## PLANNING

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<b>TO:</b>	Council	
<b>DATE:</b>	February 22, 2022	<b>DIVISION:</b> 2
<b>TIME:</b>	Afternoon Appointment	
<b>FILE:</b>	05828005	<b>APPLICATION:</b> PL20210094
<b>SUBJECT:</b>	Redesignation Item - Agricultural Use	

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**APPLICATION:** To redesignate a portion of the subject lands from Agricultural, General District (A-GEN) to Agricultural, Small Parcel District (A-SML p16.19) to facilitate the future creation of a ± 16.19 hectare (± 40.00 acre) parcel with a ± 38.25 hectare (± 94.53 acre) remainder.

**GENERAL LOCATION:** Located approximately 2.15 kilometres (1.30 miles) west of Highway 22, on the north side of Towers Trail, and 0.81 kilometres (0.50 miles) west of the town of Cochrane.

**EXECUTIVE SUMMARY:** Council gave the first reading to Bylaw C-8227-2021 on September 21, 2021.

The proposed redesignation would facilitate the future subdivision of one agricultural parcel from the existing parcel. The current parcel contains several accessory buildings, and although there are environmental constraints, the proposed parcel contains sufficient area to develop.

The subject ± 54.44 ha (± 134.53 ac) parcel is not located within an Area Structure Plan and has been principally evaluated under the agriculture policies set out within Section 8.0 of the County Plan. The Applicant has not sufficiently demonstrated compliance with the agriculture policies of the County Plan.

This application does not comply with the first parcel out or new or distinct policies of the County Plan (Policies 8.17 to 8.18). The proposed parcel does not meet the minimum parcel size requirement of the Land Use Bylaw and requires a modifier p16.19. The proposed ranching activity can be carried out with the existing land use, and the application appears to facilitate future subdivision for estate planning purposes, which the County Plan does not support.

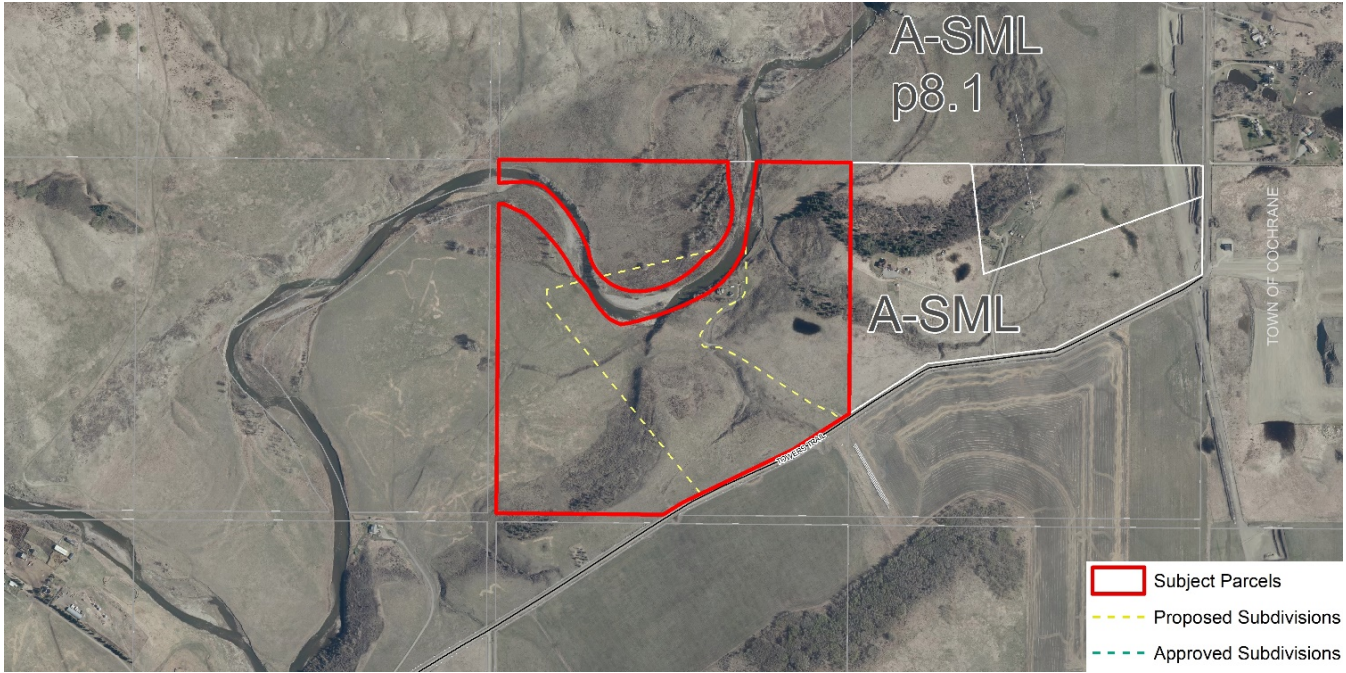
Due to the above conflict with County Plan policies and the potential to affect the agricultural operations on the remaining parcel, this application is not supported by policy.

**ADMINISTRATION RECOMMENDATION:** Administration recommends refusal in accordance with Option #2.

### OPTIONS

- Option #1:    Motion #1    THAT Bylaw C-8227-2021 be given second reading.  
                   Motion #2    THAT Bylaw C-8227-2021 be given third and final reading.
- Option #2:    THAT application PL20210094 be refused.

**AIR PHOTO & DEVELOPMENT CONTEXT:**



**APPLICATION EVALUATION:**

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

<p><b>APPLICABLE POLICY AND REGULATIONS:</b></p> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Rocky View County/Town of Cochrane Intermunicipal Development Plan;</li> <li>• Municipal Development Plan (County Plan);</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• No technical reports submitted.</li> </ul>
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**POLICY ANALYSIS:**

Rocky View County/Town of Cochrane Intermunicipal Development Plan

The subject parcel is located within the Notification Area of the Rocky View County/Town of Cochrane Intermunicipal Development Plan. Although Policy 2.4.2.6 generally supports the subdivision of agricultural lands in accordance with the County Plan, Policy 2.4.1.1 encourages the retention of agricultural land in large productive units. Since the proposed ranching activity can be carried out without the proposed subdivision, retaining large agricultural lands is recommended. The application was circulated to the Town of Cochrane, and no response was received.

County Plan

Section 8.0 of the County Plan provides policies for evaluating agricultural redesignation and subdivision proposals. Specifically, Policy 8.17 provides for a first parcel out subdivision; however, the proposal does not constitute a first parcel out as a previous subdivision created the parcel south of Towers Trail. However, the Applicant requests that this application be considered a first parcel out subdivision as Towers Trail severed the quarter section, creating separate titles for lands lying North and South of the road. The



landowners had not formally applied for this separation, and it was done for the common good of the area, and the same owner owns both parcels.

Policy 8.18 provides for redesignation and subdivision to support a new or distinct agricultural use, but neither is proposed in this case. The Applicant suggests that the proposed subdivision will enable a family member to return home and continue ranching full-time, thereby ensuring the sustainability and viability of the agricultural land as a working ranch. Estate planning or personal financial considerations do not constitute a planning rationale for changing a parcel’s land use. In addition, the proposed ranching activity could continue under the existing district. The proposed new parcel could affect the viability of agricultural operations on the remaining land by reducing or limiting the access across the parcel and dividing the remaining parcel into two separate areas.

Overall, this application is not in alignment with the policies or intent of the County Plan and promotes the fragmentation of the agricultural land.

Land Use Bylaw

The proposed new lot does not meet the minimum parcel size requirement of Agricultural, Small Parcel District (A-SML) of 20.20 ha (49.92 ac) unless a modifier of 16.19 ha (40.00 ac) is added. Therefore, the applicant proposes a modifier (p16.19) setting the minimum parcel size at 16.19 ha (40.00 ac), which restricts further subdivision unless the Council should approve a future redesignation.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Byron Riemann”

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Acting Executive Director  
Community Development Services

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Acting Chief Administrative Officer

RS/lt

**ATTACHMENTS:**

- ATTACHMENT ‘A’: Application Information
- ATTACHMENT ‘B’: Application Referrals
- ATTACHMENT ‘C’: Bylaw C-8227-2021 and Schedule A
- ATTACHMENT ‘D’: Map Set
- ATTACHMENT ‘E’: Public Submissions