



PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: November 24, 2020 **DIVISION:** 9
TIME: Morning Appointment
FILE: 06826039 **APPLICATION:** PL20200089
SUBJECT: Redesignation Item – Residential Use

POLICY DIRECTION:

The County Plan, Cochrane North Area Structure Plan, and Land Use Bylaw.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject land from Residential, Rural District (R-RUR) to Residential, Country Residential District (R-CRD), to facilitate the creation of one ± 1.99 acre parcel, with a ± 1.99 acre remainder.

Council gave first reading to Bylaw C-8075-2020 on September 1, 2020.

On July 28, 2020, Council approved a new Land Use Bylaw (C-8000-2020) which came into effect September 8, 2020. Administration has reviewed the district conversions and confirmed that the proposed Residential One District (R-1) under the old Land Use Bylaw (C-4841-97) now converts to Residential, Country Residential District (R-CRD) in the new Land Use Bylaw (C-8000-2020).

The application was circulated to 147 landowners in the area; 1 letter of concern was received. The application was also circulated to a number of internal and external agencies; responses are available in Attachment 'A'.

The following is a summary of the application assessment:

- Policy 6.1.10 of the Cochrane North Area Structure Plan requires new lots less than 4 acres in size to connect to a regional, municipal or co-op water utility system. The Applicant proposes to service the new lot with a water well; although this is inconsistent with Policy 6.1.10., the nearest existing water line is currently 2 kilometres to the west of the subject land and so connection is not feasible at this time. Future connection to a piped network could be addressed through a Deferred Services Agreement at the subdivision stage.
- The application is otherwise consistent with statutory policies and technical matters could be satisfactorily addressed at subdivision stage.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval of the application in accordance with Option #1.

Administration Resources

Xin Deng, Planning and Development Services



DATE APPLICATION RECEIVED: July 14, 2020
DATE DEEMED COMPLETE: July 28, 2020

PROPOSAL: To redesignate the subject land from Residential, Rural District to Residential, Country Residential District, to facilitate the creation of one \pm 1.99 acre parcel, with a \pm 1.99 acre remainder.

LEGAL DESCRIPTION: Lot 5, Block 23, Plan 0812064, SW-26-26-04-W05M

GENERAL LOCATION: Located approximately 0.4 km (0.25 miles) east of Highway 22 and immediately west of Camden Drive.

APPLICANT: Craig & Carley Zenner

OWNERS: Craig & Carley Zenner

EXISTING LAND USE DESIGNATION: Residential, Rural District (R-RUR)

PROPOSED LAND USE DESIGNATION: Residential, Country Residential District (R-CRD)

GROSS AREA: \pm 3.98 acres

SOILS (C.L.I. from A.R.C.): **4T 4** – The land contains soil with severe limitation for crop production due to adverse topography.

HISTORY:

February 6, 2007 Subdivision Application 2006-RV-323 was approved to create seven \geq 1.6 hectare (\pm 3.95 acre) parcels with a \pm 12 acre remainder. The subdivision was registered in Plan 0812064 in 2008. The subject land is one of the multi-lot subdivision.

BACKGROUND:

The property contains a dwelling with attached garage. The dwelling is serviced by a water well and a private sewage treatment system. The property is accessed by the existing approach off Camden Drive.

The existing water well is located within the new proposed lot (Lot 1). The Applicant proposes to service the new house on Lot 1 with the existing water well, and install a new water well for the existing house on Lot 2.

It is noted that the existing mutual approach was not built within the Access Easement Right of Way. Administration notes that the Access Easement Right of Way could be adjusted to the north at the future subdivision stage. The proposed new lot would have a legal access through the proposed panhandle, and could be physically accessed through the existing mutual approach.

POLICY ANALYSIS:

County Plan

The subject land is located within the identified residential growth area of Cochrane North; therefore this application was principally assessed under the policies of the Cochrane North Area Structure Plan.

Cochrane North Area Structure Plan (ASP)

The subject land is identified within Residential Infill B Policy Area on Figure 6: Land Use Concept, where the specified minimum parcel size is two acres. Applicable to the infill residential areas, Policy 6.1.10 requires that new lots less than four (4) acres in size shall be required to connect to piped water system. Therefore, the Applicant's proposal to provide a water well for the new lot is inconsistent with Policy 6.1.10. However, as the nearest available piped water system is approximately two (2) kilometres



to the west of the subject lands, connection is not considered feasible at this time. A Deferred Services Agreement could be imposed upon any future subdivision approval requiring connection to municipal services when they become available; this would then satisfy the requirements of the Cochrane North ASP.

Policy 6.1.6 of the Cochrane North ASP states that a Conceptual Scheme may be required for the area. Due to the potential for further subdivision in the wider quarter section, the preparation of a Conceptual Scheme would be beneficial in providing a framework for subdivision and to address key technical requirements including secondary emergency access, connectivity to adjacent lands, and servicing. However, Administration notes that Council approved a similar previous redesignation application within the same quarter section on July 9, 2019 (PL20170012) without the requirement for a conceptual scheme.

Land Use Bylaw

The proposal meets the minimum parcel size requirement of Residential, Country Residential District within the Land Use Bylaw.

Secondary Emergency Access

As Camden Drive provides access to greater than ten (10) lots, secondary emergency access is required in accordance with the County Servicing Standards at Council’s final discretion. Gaining secondary access via the subject lands will not be possible at the subdivision stage however, Administration will recommend that a road acquisition agreement be taken to allow for potential access should the adjacent lands to the west further subdivide.

OPTIONS:

- Option #1: Motion #1 THAT Bylaw C-8075-2020 be given second reading.
- Motion #2 THAT Bylaw C-8075-2020 be given third and final reading.
- Option #2: THAT application PL20200089 be refused.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

XD/llt

ATTACHMENTS:

- ATTACHMENT ‘A’: Application Referrals
- ATTACHMENT ‘B’: Bylaw C-8075-2020 and Schedule A
- ATTACHMENT ‘C’: Map Set
- ATTACHMENT ‘D’: Public Submissions