

PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision Authority

DATE: December 10, 2020

DIVISION: 1

APPLICATION: PL20200095

SUBJECT: Subdivision Item: New or Distinct Agricultural Use

APPLICATION: To create a ± 28.33 hectare (± 70.00 acre) parcel with a ± 32.37 hectare (± 80.00 acre) remainder.

GENERAL LOCATION: Located 1.6 kilometres (1 mile) west of Highway 22 and south of Township Road 250, 6.5 kilometres (4 miles) south of the Town of Cochrane.

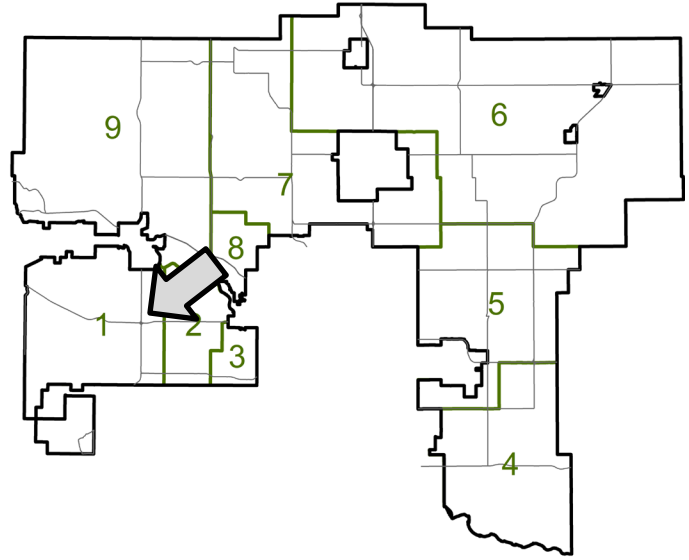
LAND USE DESIGNATION: Agricultural, General (A-GEN) District and Agricultural, Small Parcel (A-SML) District

ADMINISTRATION RECOMMENDATION: Administration recommends APPROVAL in accordance with Option #1.

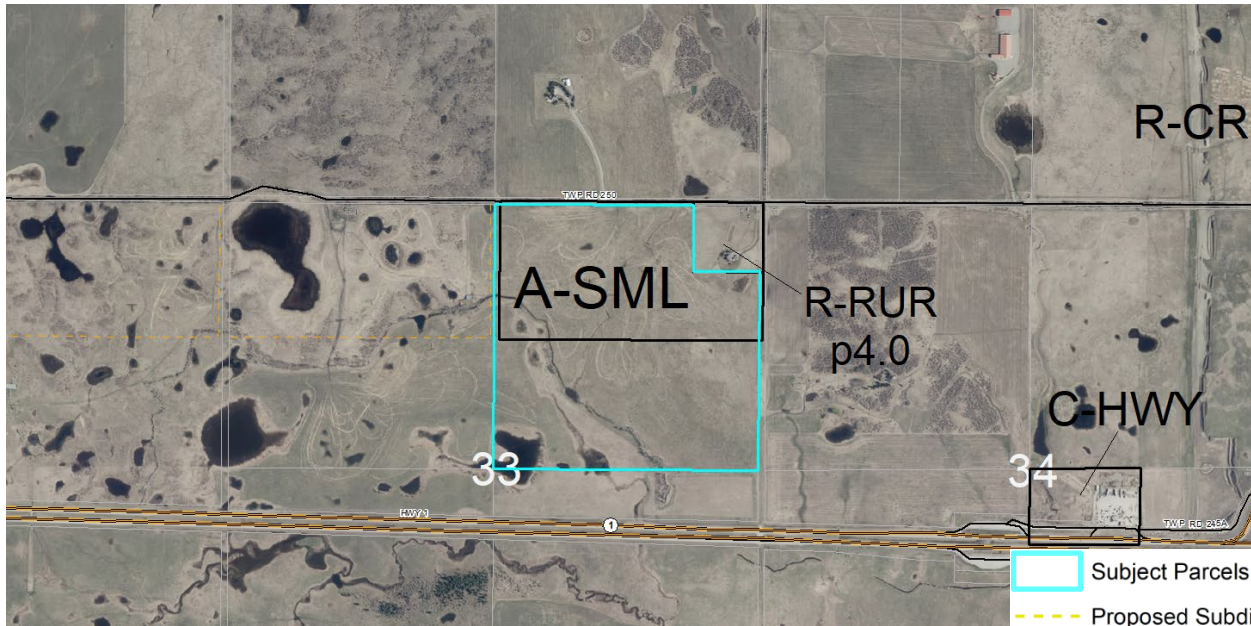
OPTIONS:

Option #1: THAT Subdivision Application PL20200095 be approved with the conditions noted in Attachment 'B'.

Option #2: THAT Subdivision Application PL20200095 be refused as per the reasons noted.



AIR PHOTO & DEVELOPMENT CONTEXT:



- Subject Parcels
- Proposed Subdivisions
- Approved Subdivisions

Administration Resources

Althea Panaguiton, Planning and Development Services



APPLICANT: Kenschuk Consulting

OWNER: CL Ranches Ltd.

APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS:	TECHNICAL REPORTS SUBMITTED:
<ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Land Use Bylaw; and • County Servicing Standards. 	<ul style="list-style-type: none"> • N/A

This application is for a new and/or distinct agricultural use where the landowner wishes to establish a breeding and calving operation of Wagyu cattle. The remainder of the parcel will continue to be used as pasture lands.

The A-SML parcel (Lot 1) meets the minimum parcel size as per the Land Use Bylaw C-8000-2020; however the remainder A-GEN (Lot 2) parcel does not meet this requirement. The variance to the minimum parcel may be appropriate as the uses are still compatible with the agricultural nature of the land use district and can still be conducted on site, therefore, complies with 654 (2) of the MGA.

The parcel is surrounded by large agricultural parcels of similar nature, and is within close proximity to Highway 1 and Hwy 22. The proposal of a specialized Wagyu cattle operation is an acceptable agricultural operation meeting the intent of the County Plan while also being compatible with the adjacent agricultural lands in the area. Though the proposed operation can still be conducted with the current land use zoning, the proposal meets the applicable policy requirements.

APPLICABLE FEE/LEVY	AMOUNT OWING
<i>TRANSPORTATION OFFSITE LEVY</i>	N/A
<i>MUNICIPAL RESERVE</i>	N/A

Transportation:

The proposed lots are located adjacent to Township Road 250. Lot 1 is accessible via a road approach off of Township Road 250. There is no existing road approach providing access to Lot 2. As a condition of subdivision, the applicant/owner will be required to construct a new graveled approach to provide access to Lot 2 in accordance with the County Servicing Standards.



ROCKY VIEW COUNTY

Water and Waste Water

As per Policy C-411, the applicant is not required to demonstrate adequate servicing as the subject site is an Agricultural General District and greater than 30.00 acres in size.

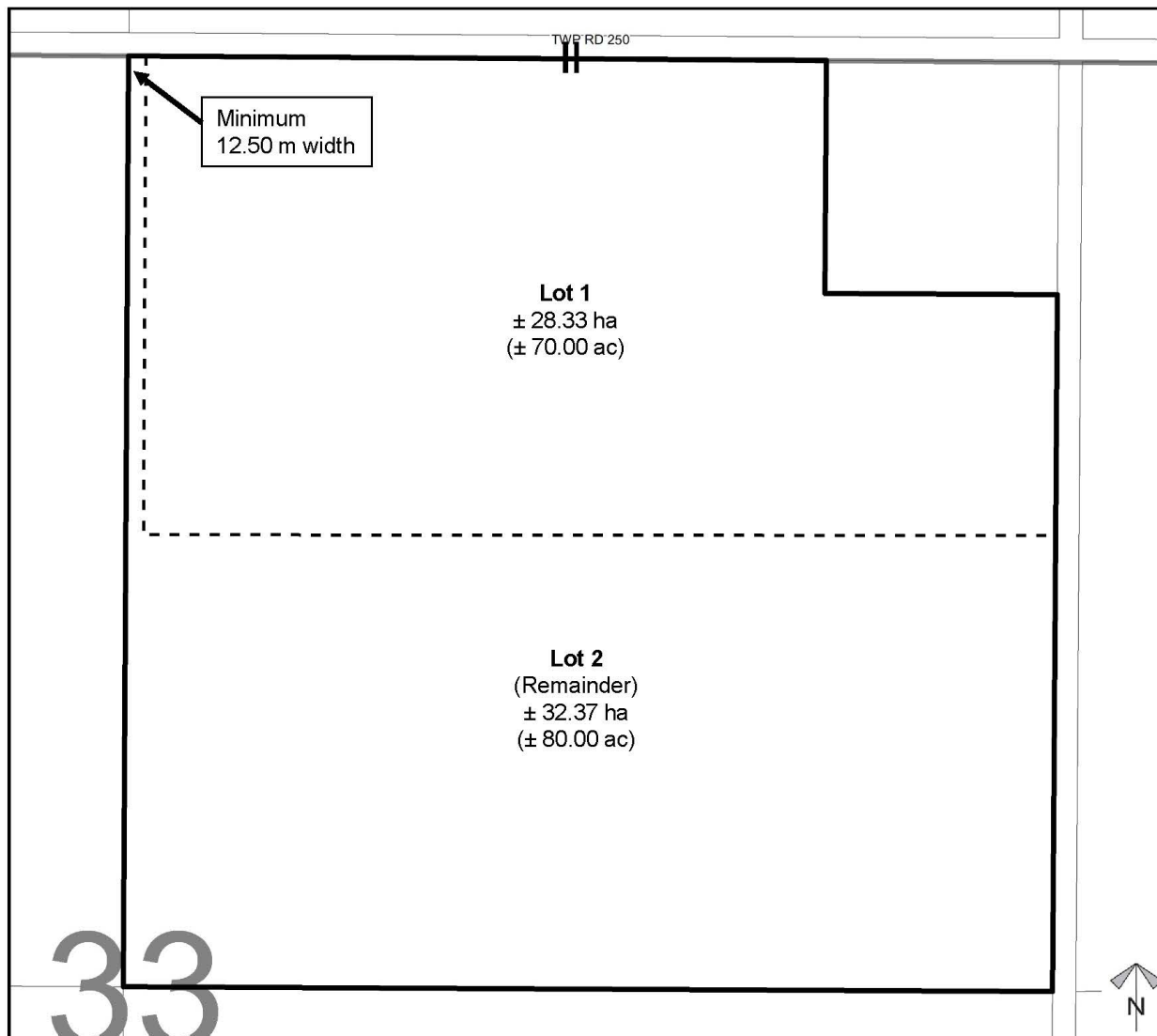
Environmental

It was identified that a natural drainage course runs through the subject lands. Any future proposed developments in the riparian setback will require a development permit and the application shall follow County policy 419 *Riparian Land Conservation and Management*.

There are a few wetlands located on the subject lands. Should the owner propose development that has a direct impact on any wetlands, the applicant will be responsible for obtaining all required AEP approvals.

The identified environmental concerns should not deter subdivision of the subject land as it can be addressed at future Development Permit stage.

Tentative Plan



Tentative Plan

Subdivision Proposal

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Legend

Existing Approach =

Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-8000-2020, unless approved by the Municipal Planning Commission, as per 654(2) of the MGA.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

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Legal: A portion of NE-33-24-04-W05M



CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval in accordance to option #1.

Respectfully submitted,
"Theresa Cochran"

Concurrence,
"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

AP/lt

ATTACHMENTS:

- ATTACHMENT 'A': Maps and Other Information
- ATTACHMENT 'B': Approval Conditions



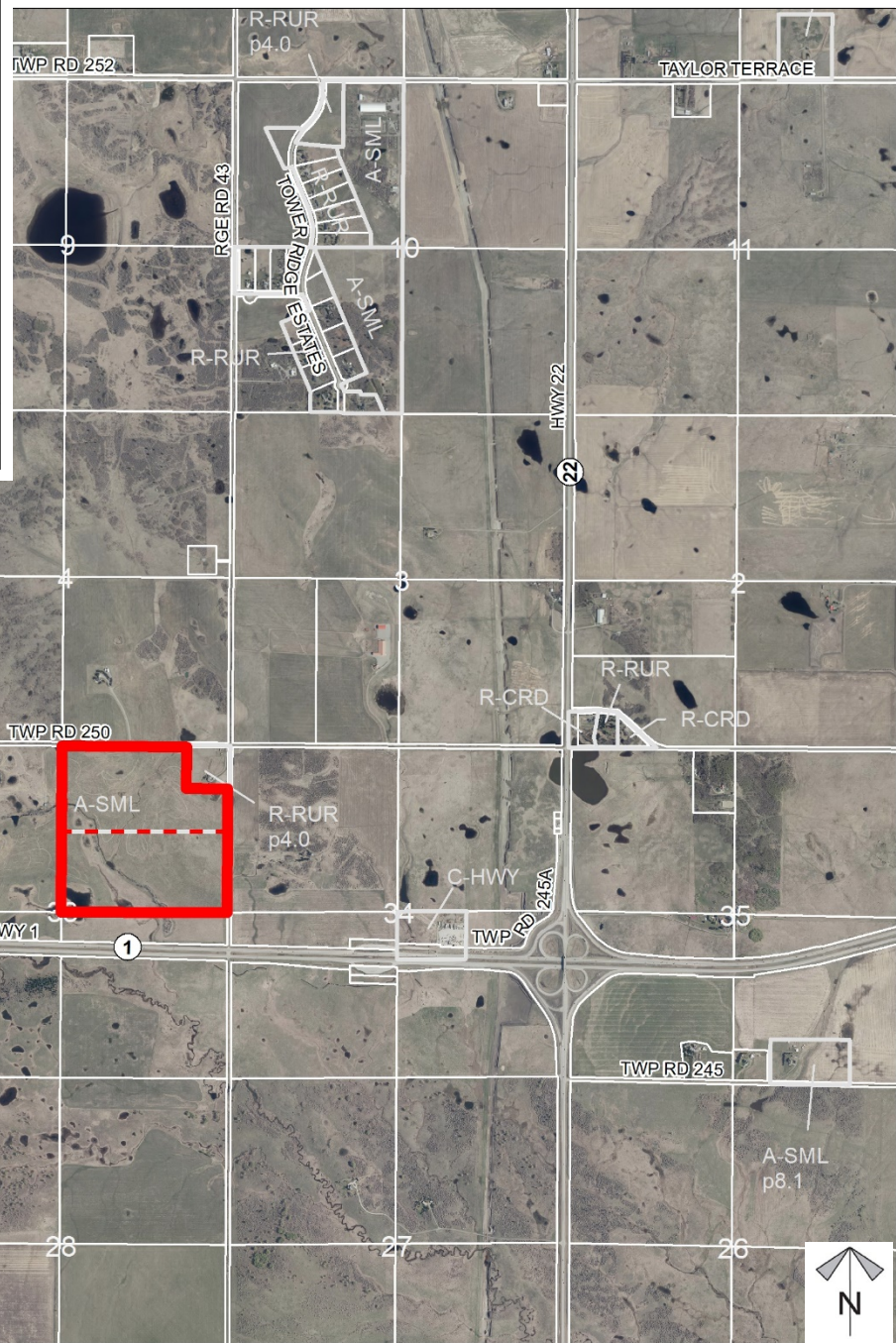
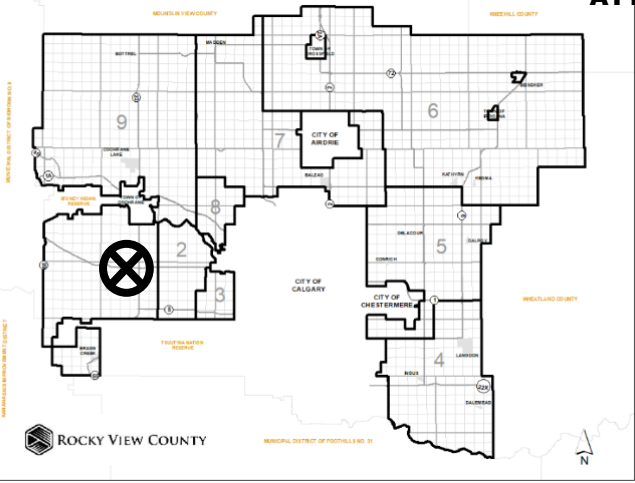
ATTACHMENT 'A': MAPS AND OTHER INFORMATION

<p>DATE APPLICATION RECEIVED: August 4, 2020</p>	<p>DATE DEEMED COMPLETE: August 6, 2020</p>
<p>GROSS AREA: ± 60.70 ha (± 149.99 acres)</p>	<p>LEGAL DESCRIPTION: NE-33-24-04-W05M</p>
<p>APPEAL BOARD: Municipal Government Board</p>	
<p>HISTORY:</p> <ul style="list-style-type: none"> No history of development permits or planning applications occurring on the property. 	
<p>PUBLIC & AGENCY SUBMISSIONS:</p> <ul style="list-style-type: none"> The application was circulated to 7 adjacent landowners. No letter was received in opposition nor in support of the application. The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments. 	

**Location
& Context**

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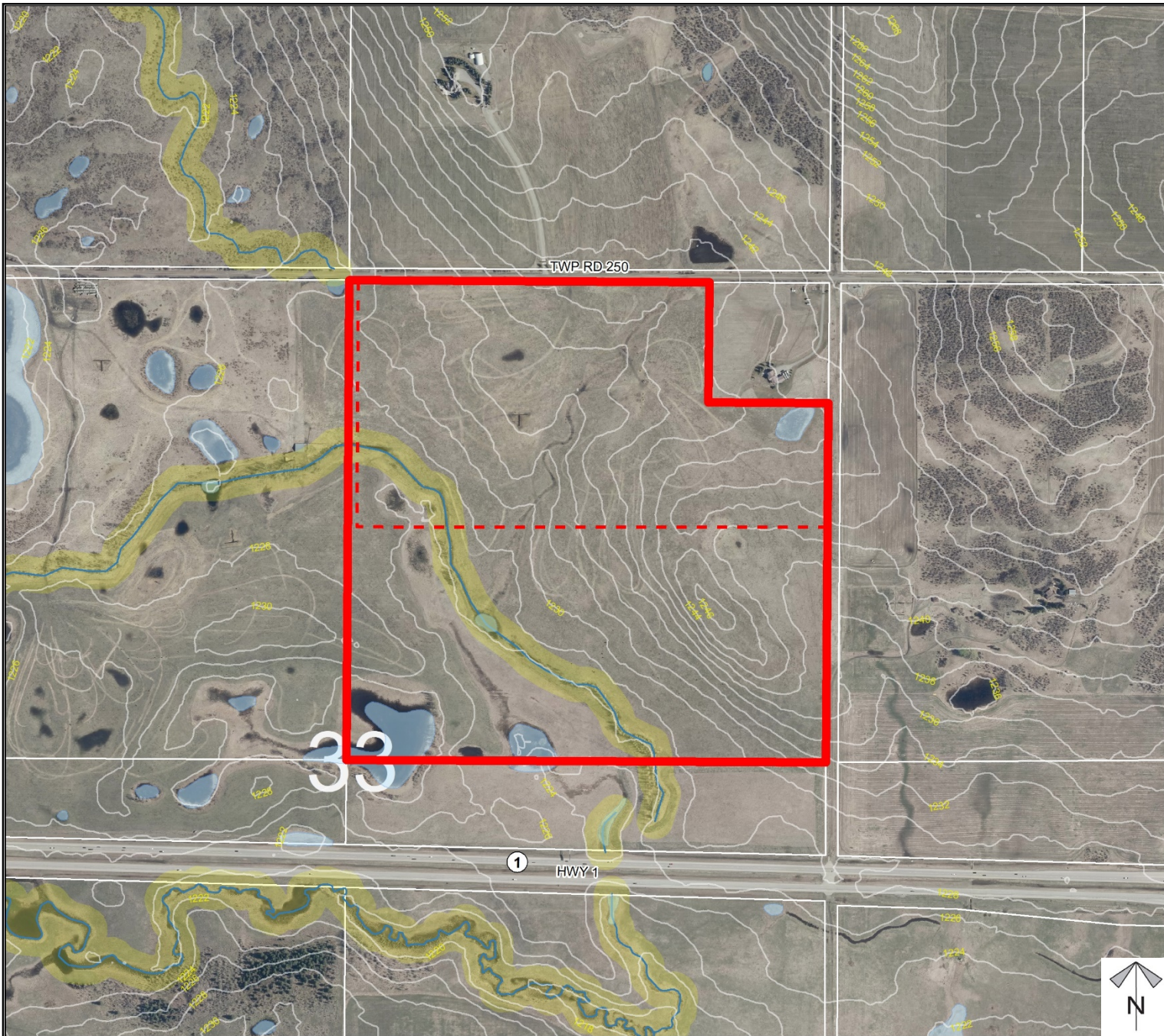




Environmental

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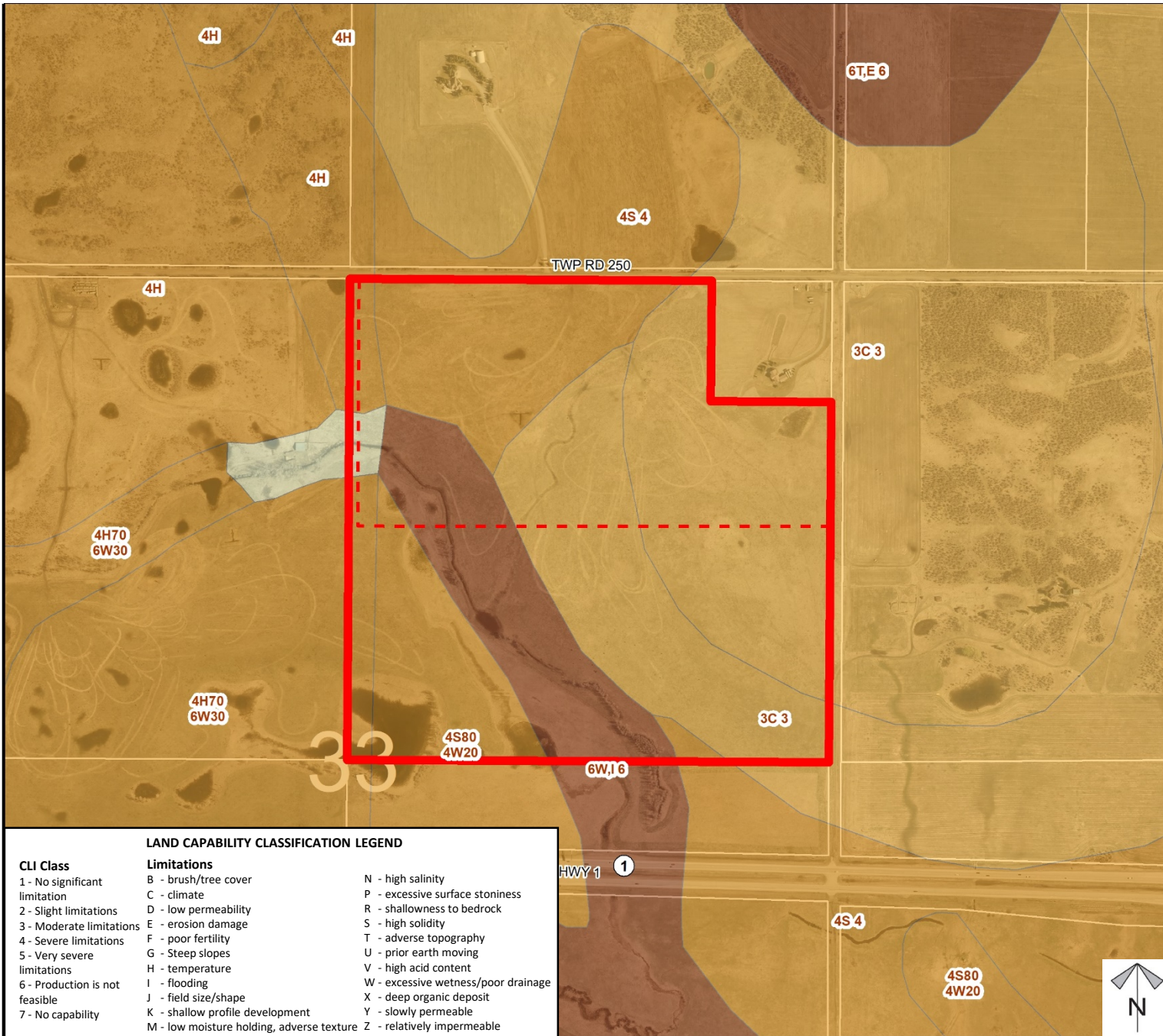
- Subject Lands
- Contour - 2 meters
- Riparian Setbacks
- Alberta Wetland Inventory
- Surface Water

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Soil Classifications

Subdivision Proposal

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LAND CAPABILITY CLASSIFICATION LEGEND

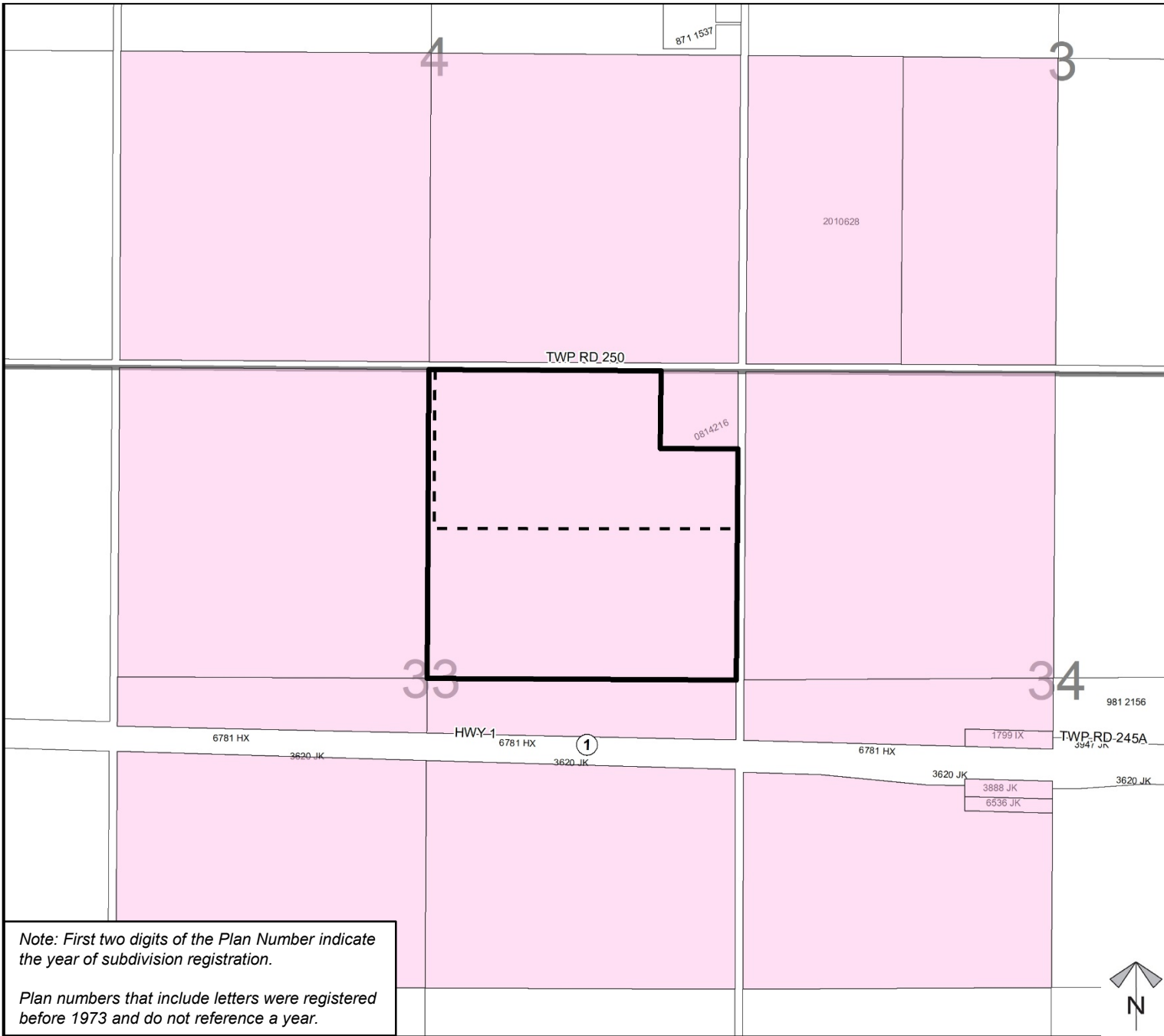
CLI Class	Limitations	
1 - No significant limitation	B - brush/tree cover	N - high salinity
2 - Slight limitations	C - climate	P - excessive surface stoniness
3 - Moderate limitations	D - low permeability	R - shallowness to bedrock
4 - Severe limitations	E - erosion damage	S - high solidity
5 - Very severe limitations	F - poor fertility	T - adverse topography
6 - Production is not feasible	G - Steep slopes	U - prior earth moving
7 - No capability	H - temperature	V - high acid content
	I - flooding	W - excessive wetness/poor drainage
	J - field size/shape	X - deep organic deposit
	K - shallow profile development	Y - slowly permeable
	M - low moisture holding, adverse texture	Z - relatively impermeable

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**Landowner
Circulation
Area**

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Legend

- Support 
- Opposition 

Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.


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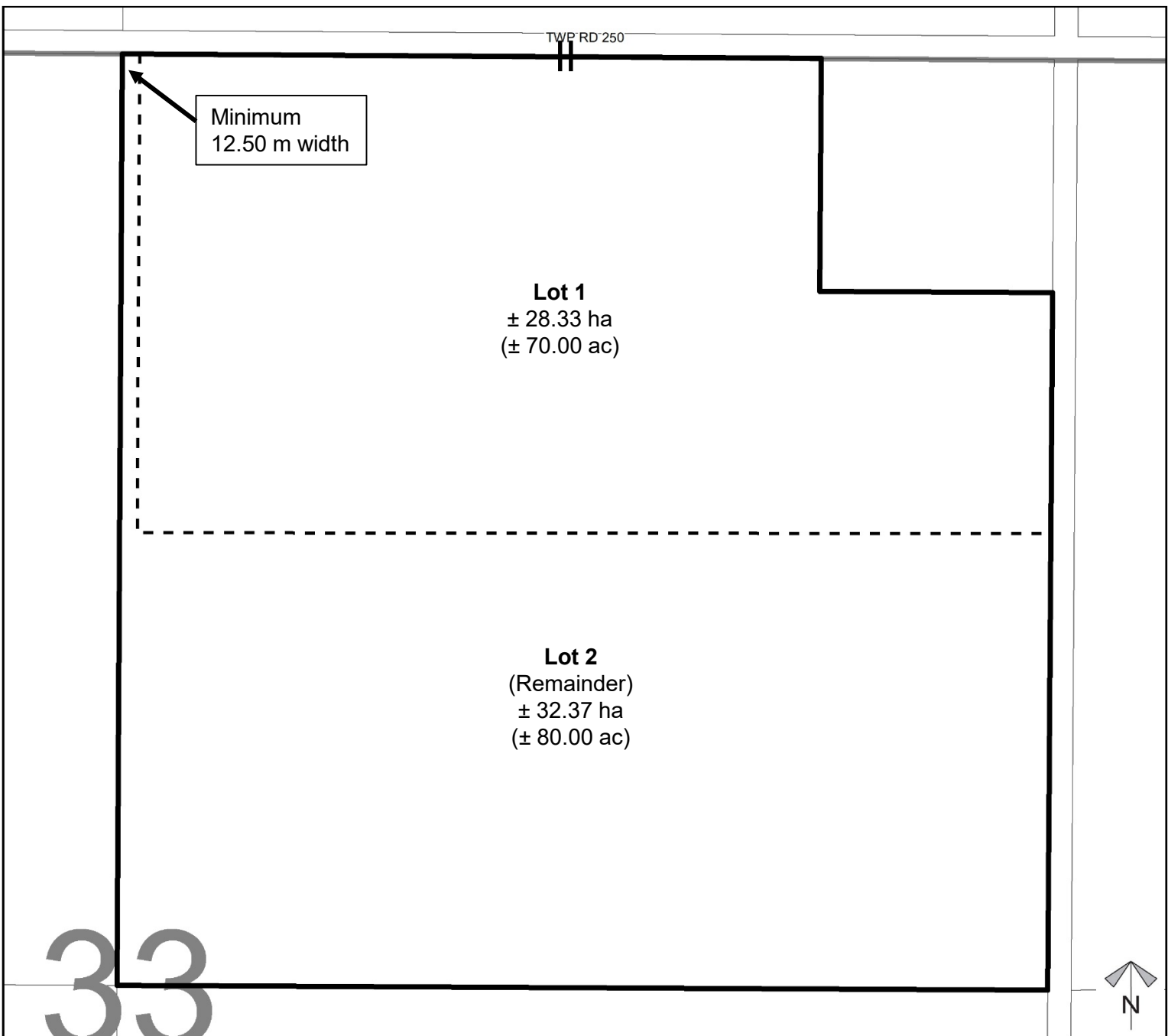
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Minimum
12.50 m width

Lot 1
± 28.33 ha
(± 70.00 ac)

Lot 2
(Remainder)
± 32.37 ha
(± 80.00 ac)

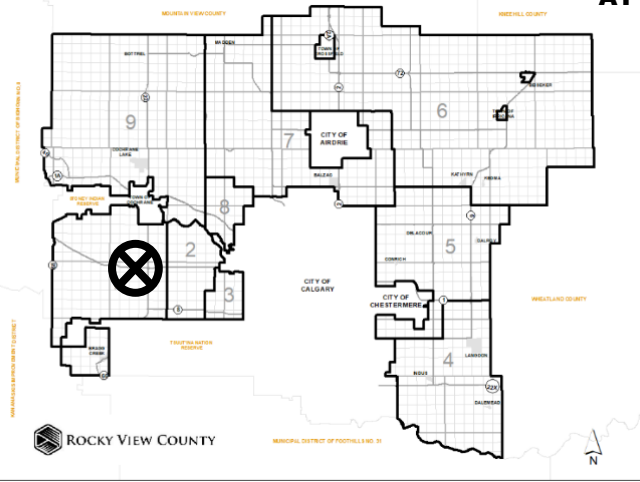
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Location & Context

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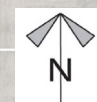
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TWP RD 250

Development Proposal

Subdivision Proposal

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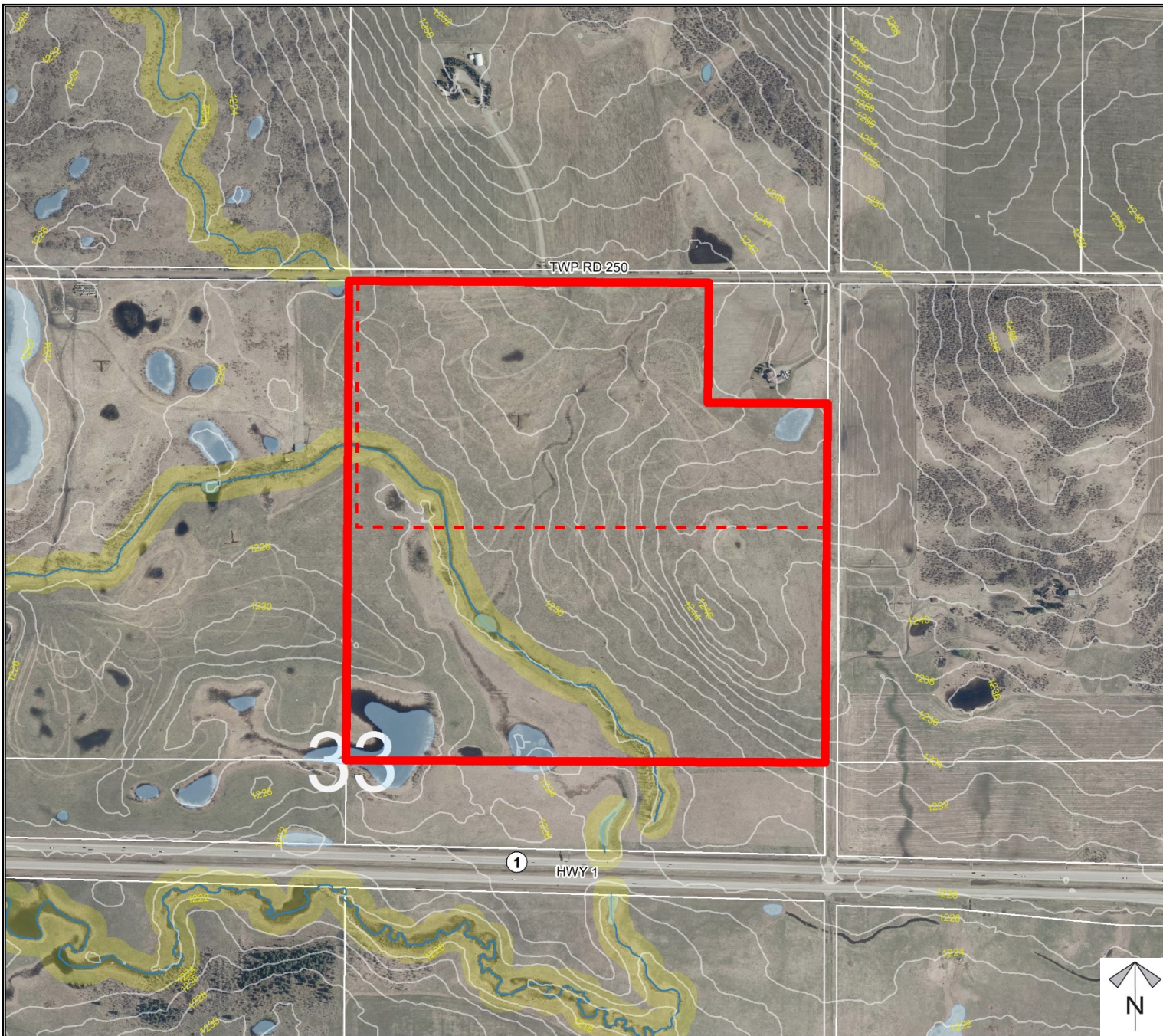


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Environmental

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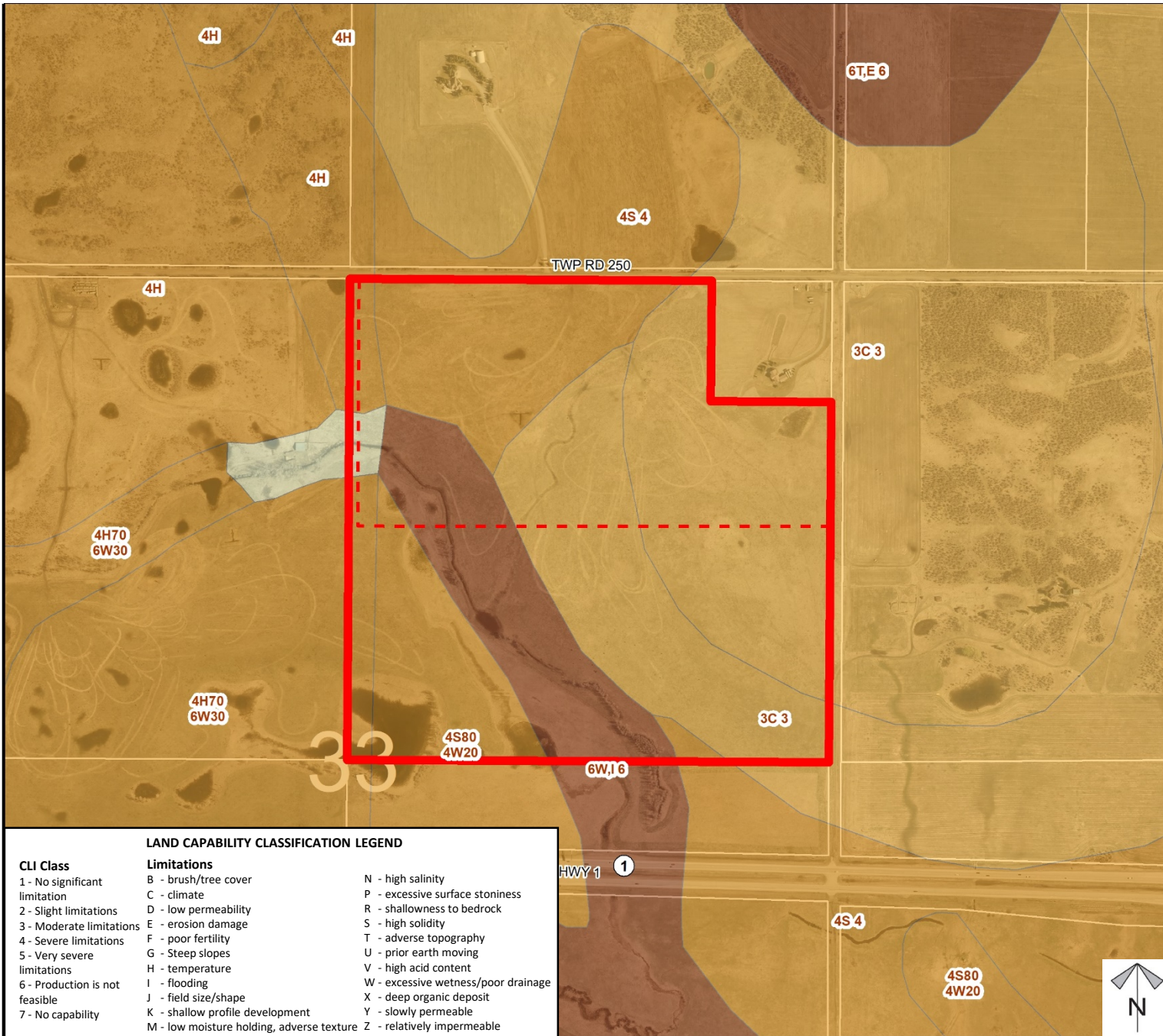
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Soil Classifications

Subdivision Proposal

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LAND CAPABILITY CLASSIFICATION LEGEND

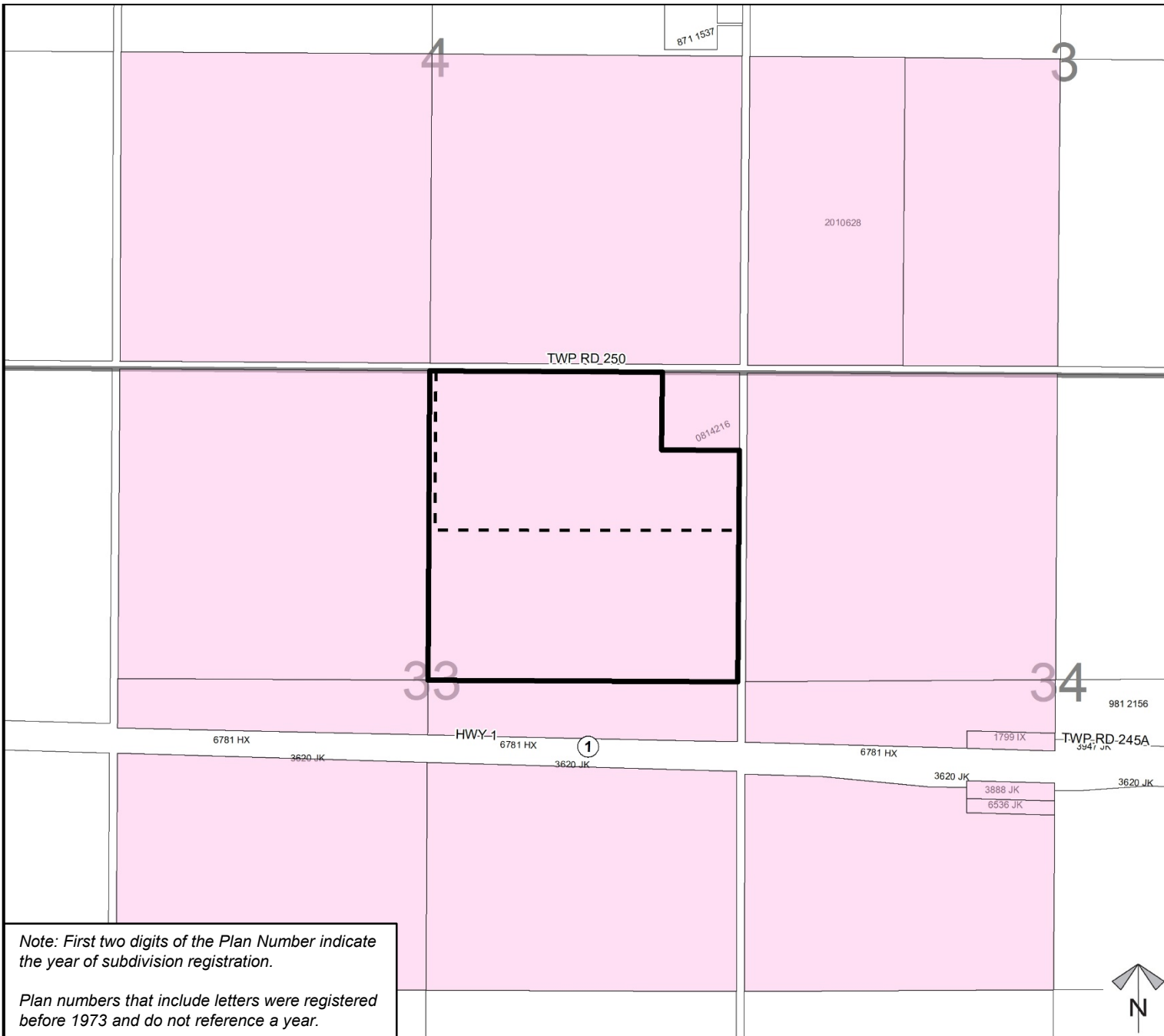
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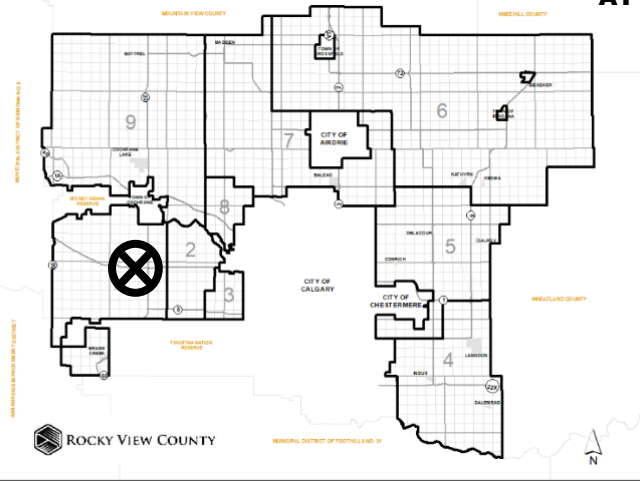
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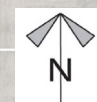
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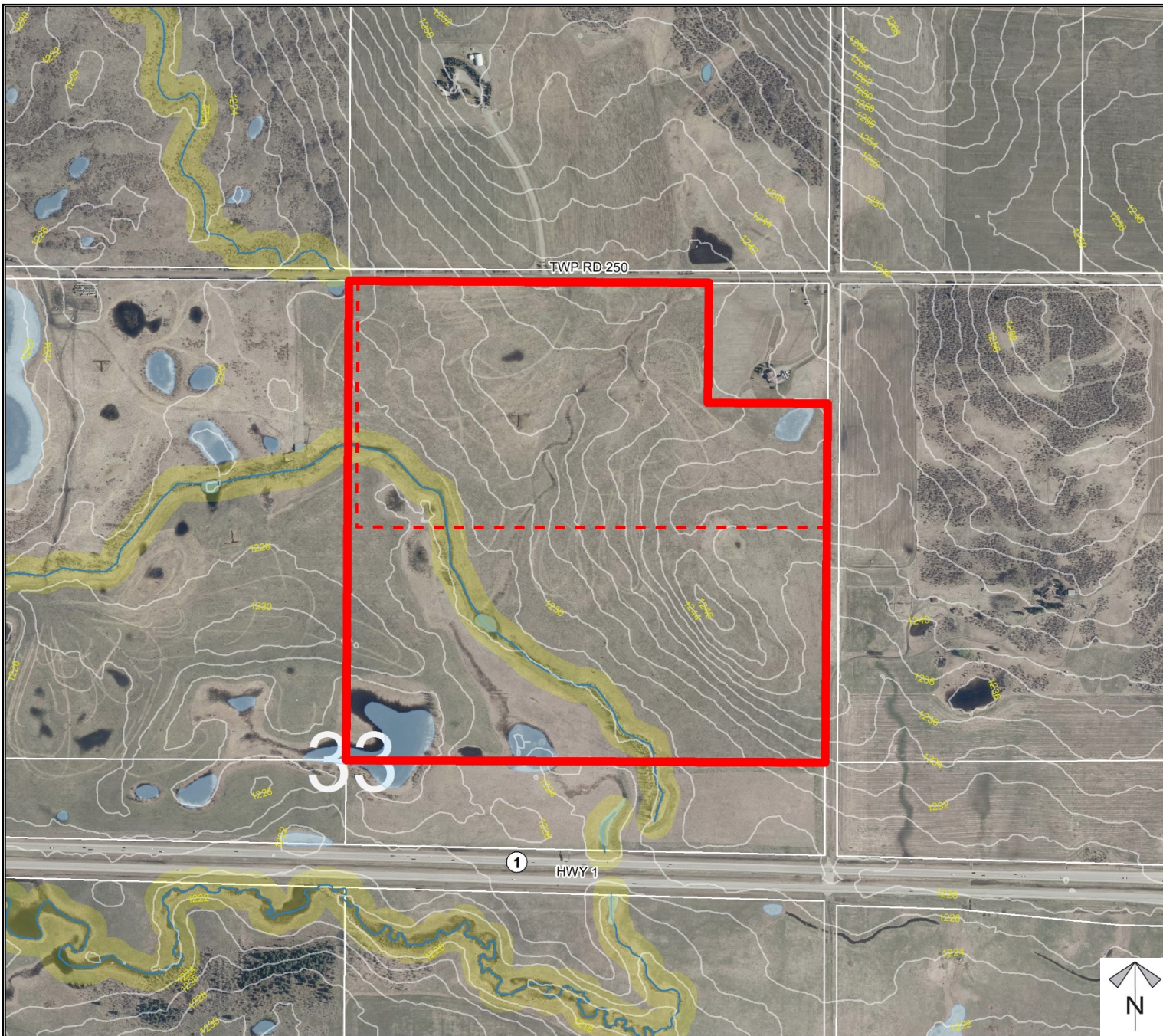


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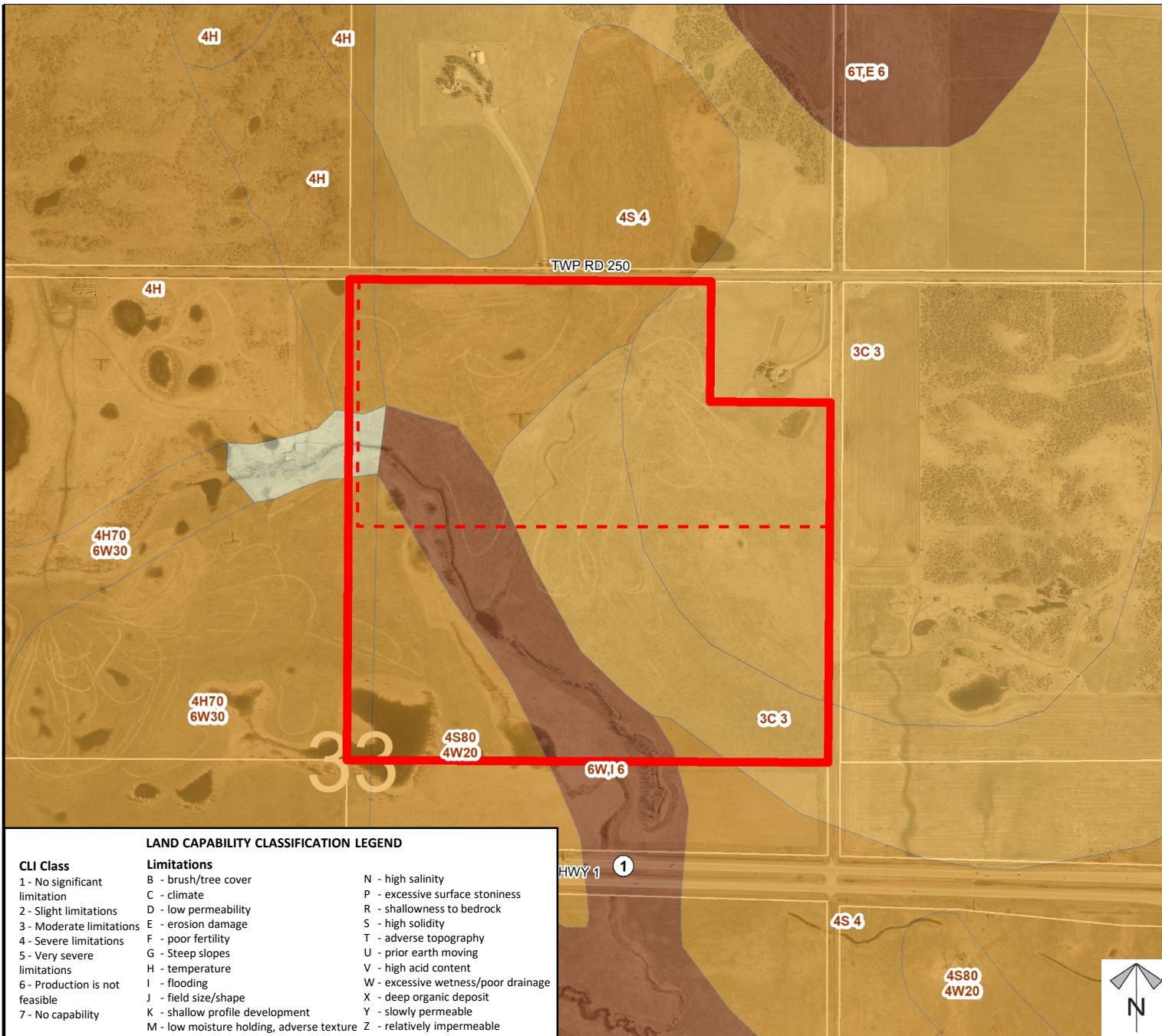
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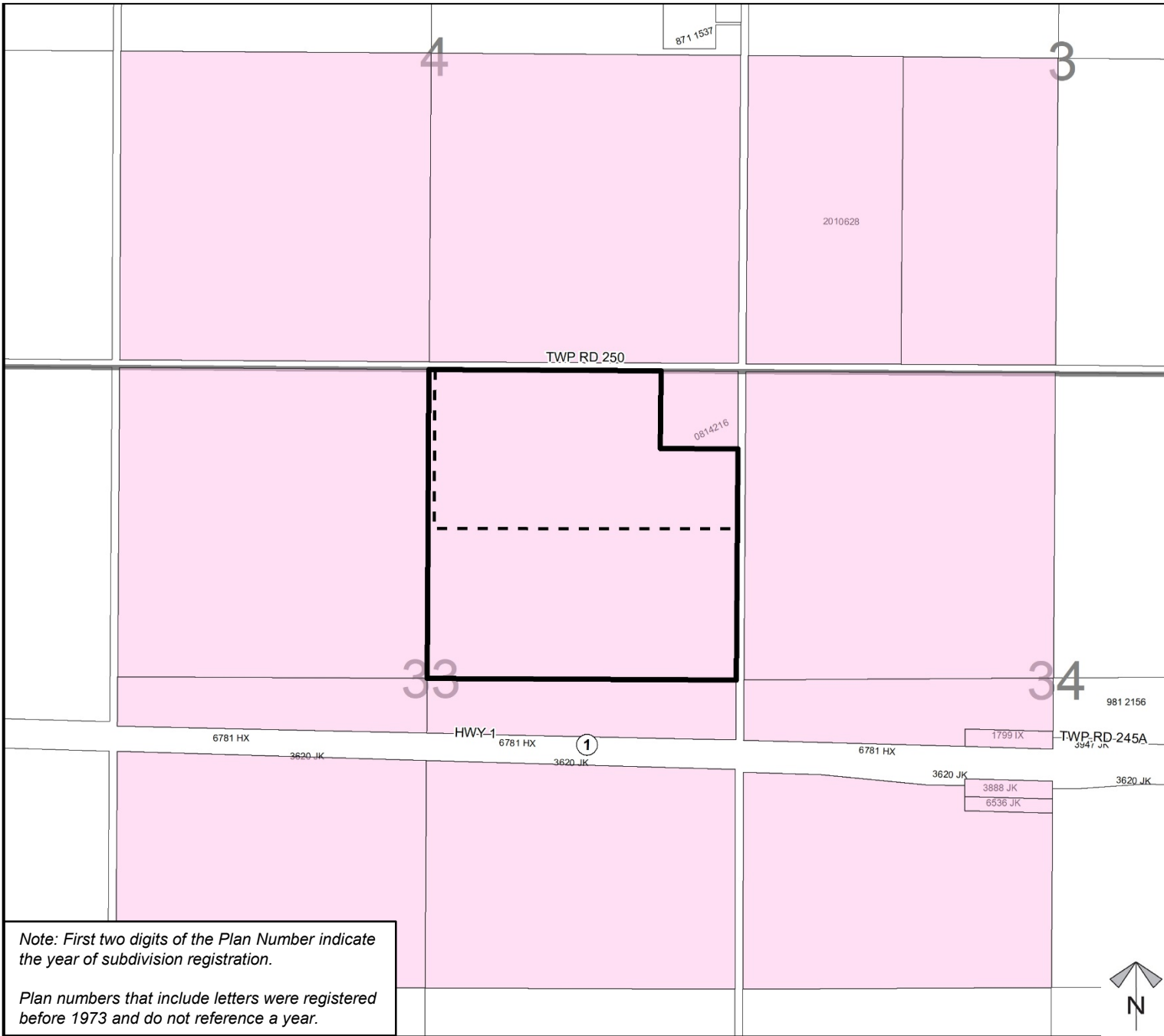
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Legend

- Support 
- Opposition 


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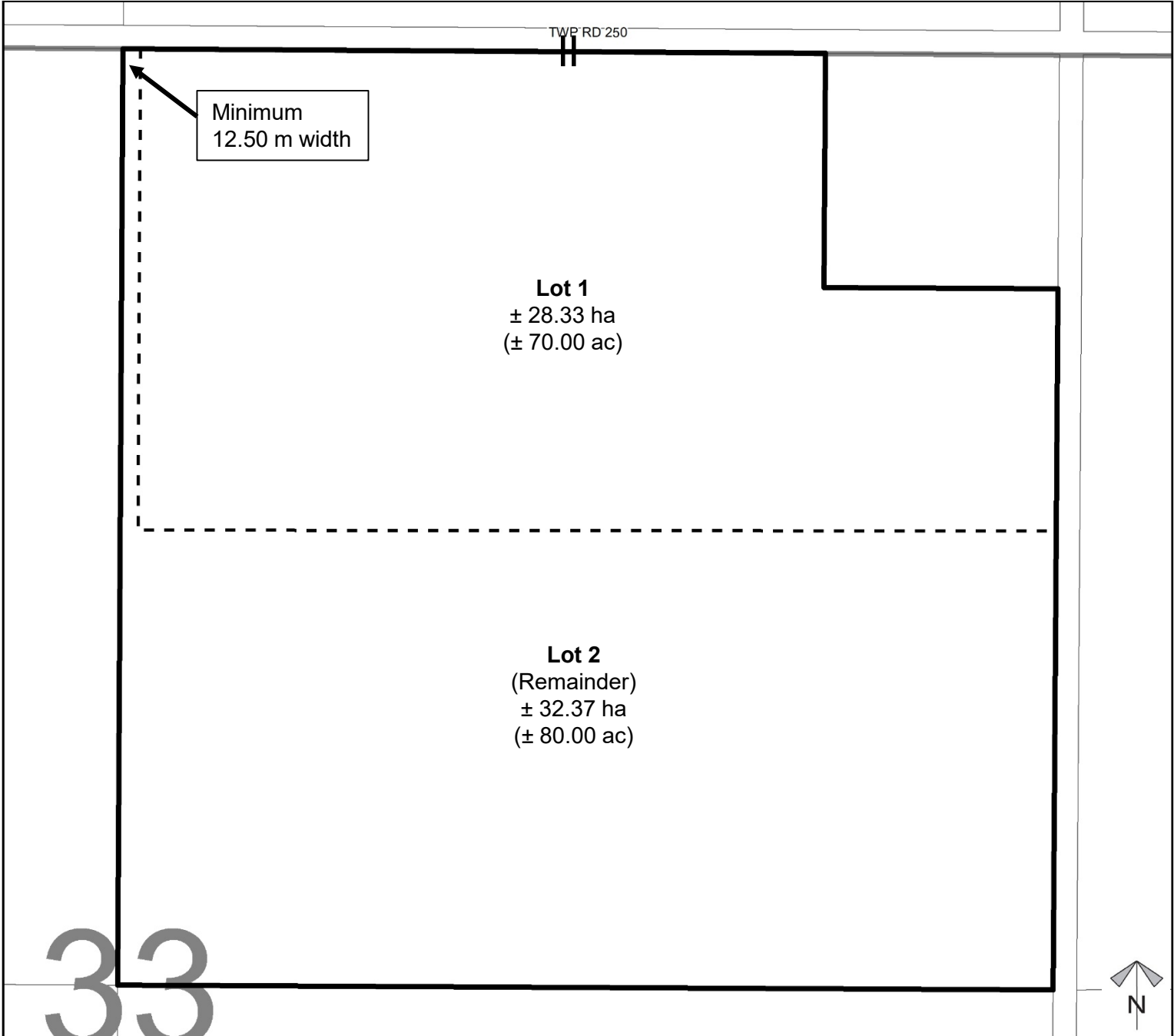
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(± 70.00 ac)

Lot 2
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± 32.37 ha
(± 80.00 ac)

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**ATTACHMENT 'B': APPROVAL CONDITIONS**

- A. The application to create a ± 28.33 hectare (± 70.00 acre) parcel with a ± 32.37 hectare (± 80.00 acre) remainder at NE-33-24-04-05 has been evaluated in terms of Section 654 of the Municipal Government Act, Section 7 and 14 of the Subdivision and Development Regulation, and having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
- a. The application is consistent with Section 7 and 14 of the Subdivision and Development Regulation;
 - b. The subdivision conforms to the provisions of the relevant statutory plans;
 - c. The subject lands hold the appropriate land use designation;
 - d. The technical aspects of the subdivision proposal have been considered, and, where required, are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Access

- 2) The Applicant/Owner will be required to construct a new graveled road approach providing access to Lot 2 in accordance with the County Servicing Standards.
 - a) The panhandle access to Township Road 250 shall be a minimum of 12.5 m in width.

Payments and Levies

- 3) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.

Taxes

- 4) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.