



PLANNING

TO: Council

DATE: June 28, 2022 **DIVISION:** 3

TIME: Afternoon Appointment

FILE: 10025001 **APPLICATION:** PL20210157

SUBJECT: Redesignation Item – Agricultural Use

APPLICATION: To redesignate the subject lands from Agricultural, General District (A-GEN) to Agricultural, Small Parcel District (A-SML) to facilitate the creation of a ± 28.82 hectare (± 71.22 acre) parcel with a ± 27.26 hectare (± 67.36 acre) remainder.

GENERAL LOCATION: Located southwest of the junction of Highway 40 and Range Road 60, approximately 0.80 kilometres (0.5 miles) east of the Municipal District of Bighorn.

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8260-2022 on May 17, 2022.

The applicants seek to redesignate the lands to provide for future subdivision of the parcel into two similarly sized agricultural parcels for the purpose of continuing two separate cattle operations. The Applicant has indicated that they would continue raising a full blood Maine Anjou herd on one lot, and the other partner would raise a cross-bred herd on the other lot.

There is an existing single-family dwelling on the southeastern portion, along with several accessory buildings.

The Application was principally assessed against Policy 8.18 of the County Plan relating to new or distinct agricultural operations. Administration considers that the Applicant has failed to demonstrate a planning rationale for future agricultural subdivision as required by Policy 8.18, as separation of two cattle operations does not require subdivision. However, the Applicant has demonstrated that the proposed agricultural uses are compatible with adjacent agricultural lands, the parcel size for each lot is sufficient to support viable agricultural operations, and there is no negative impact on the environment or County infrastructure. Therefore, the proposal is considered to be broadly consistent with Section 8.0 (Agriculture) of the County Plan.

ADMINISTRATION RECOMMENDATION: Administration recommends approval as per Option #1.

OPTIONS

Option # 1: Motion #1 THAT Bylaw C-8260-2022 be given second reading.

Motion #2 THAT Bylaw C-8260-2022 be given third and final reading.

Option # 2: That application PL20210157 be refused.

Administration Resources

Xin Deng, Planning and Development Services



AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

The application was evaluated based on application and the applicable policies and regulations.

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

County Plan

The application has been evaluated in accordance with the Agricultural policies of the County Plan.

Policy 8.18 notes that a new or distinct agricultural operation may be supported based on a series of criteria including:

- Similar pattern of nearby small agricultural operations;
- Planning rationale justifying why the existing land use cannot accommodate the new or distinct agricultural operation;
- Demonstration of the need for the new agriculture operation;
- Assessment of proposed parcel size and design demonstrating capability of supporting new or distinct agricultural operation, including soil characteristics and topography, on-site infrastructure and manure management, water wells, irrigation and sewage, and access, and compatibility with existing uses on parent parcel and adjacent lands;
- Assessment of impact on County infrastructure; and
- Assessment of impact on the environment, including air quality, surface water, and groundwater.

The Applicant proposes to continue raising a herd of approximately 25 full-blood Maine Anjou on one lot, which he has been breeding since 1988. Another family member would raise a herd of approximately 25 cross-bred Maine Anjou on the other lot.



Although the Applicant has demonstrated that there would be a distinct use on the proposed new lot, fencing or other measures would provide separation between the cattle operations without the need for subdivision. Consequently, there is no apparent rationale for future subdivision of the parcel.

However, the proposed agricultural uses are compatible with adjacent agricultural land, and the proposed parcel sizes are sufficient to support viable agricultural operations. The Applicant also proposes to continue using the existing approach off Highway 40 for both parcels and so there is minimal additional impact on infrastructure within the County. Upgrade to a mutual approach would be required as a condition of any future subdivision approval.

Overall, the proposal meets the agricultural policies and goals set out within Section 8.0 of the County Plan.

Land Use Bylaw

The proposed new lots meet the minimum parcel size requirement of the Agricultural, Small Parcel District (A-SML) set out within the Land Use Bylaw.

Additional Considerations

A ± 2.72 hectare (± 6.74 acre) parcel was created in the middle of the quarter section in 1987 with an access easement agreement. At the future subdivision stage, the existing access easement agreement would need to be updated to ensure the owner of that parcel can continue access through the proposed two lots to Highway 40.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Dorian Wandzura”

Acting Executive Director
Community Development Services

Chief Administrative Officer

XD/rp

ATTACHMENTS:

- ATTACHMENT ‘A’: Application Information
- ATTACHMENT ‘B’: Application Referrals
- ATTACHMENT ‘C’: Bylaw C-8260-2022 and Schedule A
- ATTACHMENT ‘D’: Map Set