

## PLANNING

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| <b>TO:</b>      | Subdivision Authority                       | <b>DIVISION:</b> 3             |
| <b>DATE:</b>    | June 28, 2022                               | <b>APPLICATION:</b> PL20210108 |
| <b>FILE:</b>    | 07936001                                    |                                |
| <b>SUBJECT:</b> | Agricultural Subdivision - First Parcel Out |                                |

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**APPLICATION:** To create a  $\pm$  8.30 hectare ( $\pm$  20.52 acre) parcel with a  $\pm$  55.57 hectare ( $\pm$  137.34 acre) remainder.

**GENERAL LOCATION:** Located approximately 15.00 kilometres (9.30 miles) northwest of the town of Cochrane, southwest of the junction of Township Road 280 and Horse Creek Road.

**EXECUTIVE SUMMARY:** The application seeks to subdivide a first parcel out from a previously unsubdivided quarter section. There is an existing house and several accessory buildings located on the larger remainder parcel, with the proposed new parcel being undeveloped. An existing well site is in the process of being decommissioned. Council is the decision-making authority as a result of opposition to the application, in keeping with the Subdivision and Development Authority Bylaw (C-8275-2022) Section 5(2).

The application is consistent with the relevant criteria of County Plan Policy 8.17 relating to First Parcel Out proposals. The proposed lot size exceeds the minimum parcel size requirement of 1.6 hectares (3.95 acres) and so is compliant with the requirements of the County Plan and Land Use Bylaw.

Based on Administration's assessment, the application is recommended for approval.

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

**OPTIONS:**

- Option #1: THAT Subdivision Application PL20210108 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Subdivision Application PL20210108 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.

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| <p><b>APPLICABLE POLICY AND REGULATIONS:</b></p> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Subdivision and Development Regulations;</li> <li>• Municipal Development 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>• Level 2 Groundwater Supply Evaluation by Western Water Resources Inc., dated October 15, 2021</li> <li>• Level 1 PSTS &amp; Shallow Foundation Evaluation by Almor Testing Services Ltd., dated November 29, 2021</li> <li>• Water Well Drilling Report by Niemans Drilling &amp; Sons Ltd., dated October 3, 2021</li> </ul> |
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*County Plan*

The application was assessed based on the agricultural policies of the County Plan. Policy 8.17 of the Plan outlines the requirements for a first parcel out:

- 8.17 *A subdivision to create a first parcel out that is a minimum of 1.60 hectares (3.95 acres) in area should be supported if the proposed site:*
  - a. *meets the definition of a first parcel out;*
  - b. *has direct access to a developed public roadway;*
  - c. *has no physical constraints to subdivision;*
  - d. *minimizes adverse impacts on agricultural operations by meeting agriculture location and agriculture boundary design guidelines; and*
  - e. *the balance of the un-subdivided quarter section is maintained as an agricultural land use*

The application meets the definition of a subdivision of a single residential or agricultural parcel created from a previously un-subdivided quarter section. The parcel to be created and the remainder have access to a developed public roadway, there are no physical constraints to the subdivision, and it limits impacts on the agricultural operation of the remainder by allowing the continuation of agricultural use on those lands.

#### Additional Review Considerations

##### *Transportation*

The proposed parcel would gain access from Horse Creek Road from the existing approach, and the applicant would upgrade the approach to a paved standard.

A road access agreement was previously in place between Vermillion Resources, and the landowner for access to the well site on the lands; however, the well is being decommissioned and Vermillion will no longer need access. The access agreement has been dissolved and there will no longer be a need for access by Vermillion.

The proposed subdivision would result in a parcel size more than 3.00 hectares (7.41 acres), and therefore, the Transportation Off-site levy would be deferred at this time.

##### *Waste water/ Water supply*

The Owner is required to demonstrate adequate water servicing for parcels less than 30 acres in size with a well driller's report. The applicant submitted a Well Driller's report, sanitary servicing reports, and a Level 1 PSTS assessment in support of the application demonstrating adequate servicing.

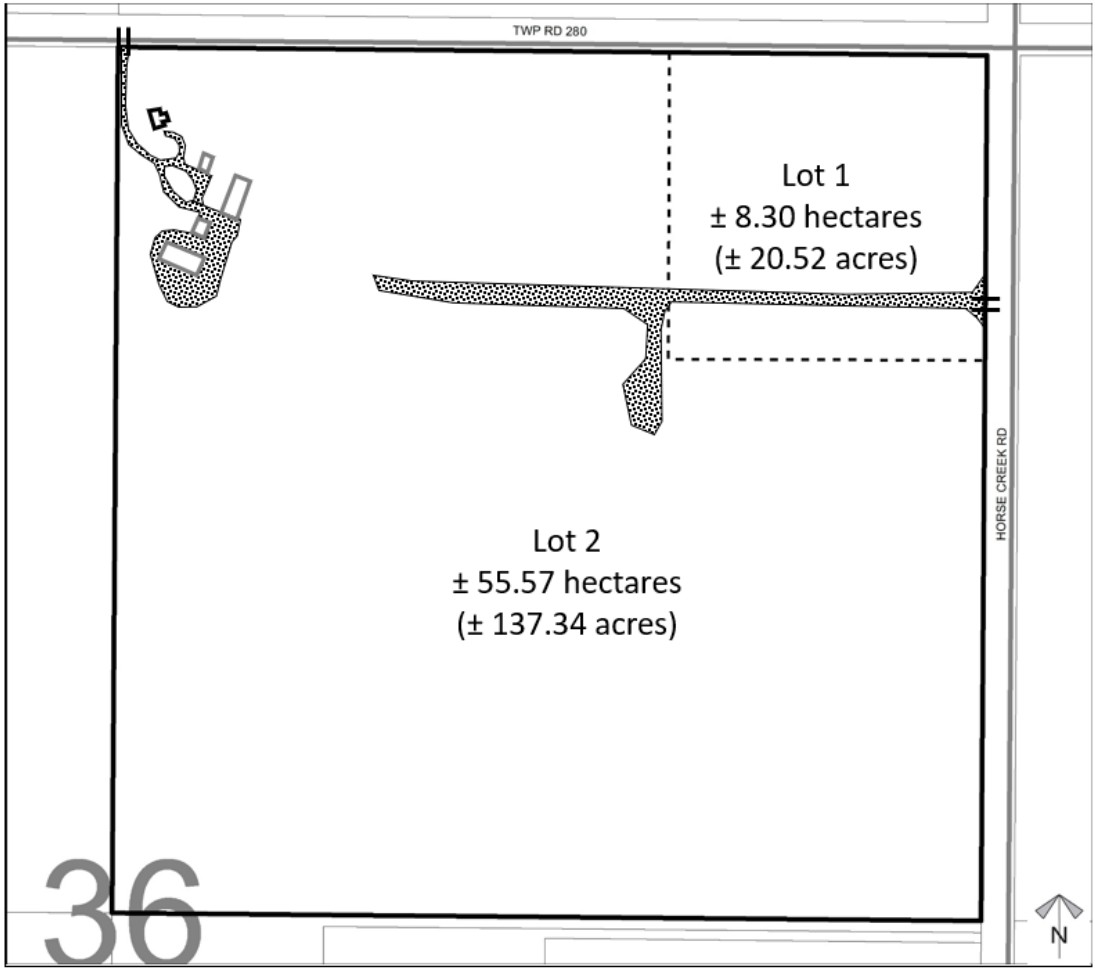
##### *Stormwater and Environmental*

The construction of a new dwelling would not have a significant impact on stormwater management due to the size of the proposed lot. There are wetlands present on Lot 1; the applicant/owner would be responsible for obtaining all required Alberta Environment and Parks (AEP) approvals for any proposed development that would have a direct impact on any wetlands.

Vermillion Resources Inc. has a site on the property that is in the process of being shut down and reclaimed. The Applicant has provided documentation between the lessor and lessee demonstrating the process of removing the access to the site and the shutdown of future use.



Tentative Plan



Tentative Plan

Subdivision Proposal

To create a ± 8.30 hectare (± 20.52 acre) parcel with a ± 55.57 hectare (± 137.34 acre) remainder.

Legend

- Dwelling
- Building
- Existing Approach
- Driveway

Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-8000-2020.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 9  
 Roll: 07936001  
 File: PL20210108  
 Printed: June 7, 2021  
 Legal: NE-36-27-05-W05M



**CONCLUSION:**

Subject to the proposed conditions of approval, the application is recommended for approval.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Dorian Wandzura”

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Acting Executive Director  
Community Development Services

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Chief Administrative Officer

RC/rp

**ATTACHMENTS:**

- ATTACHMENT 'A': Approval Conditions
- ATTACHMENT 'B': Application Information
- ATTACHMENT 'C': Map Set
- ATTACHMENT 'D': Public Submissions