



## PLANNING

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**TO:** Council  
**DATE:** October 11, 2022 **DIVISION:** 3  
**TIME:** Morning Appointment  
**FILE:** 07923023 **APPLICATION:** PL20210146  
**SUBJECT:** Redesignation Item: Agricultural Use

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**APPLICATION:** To redesignate the subject land from Agricultural, General District (A-GEN) to Agricultural, Small Parcel District (A-SMLp8.1) to facilitate future subdivision.

**GENERAL LOCATION:** Located approximately 1.00 kilometre (0.62 miles) south of Township Road 274, on the east side of Grand Valley Road.

**EXECUTIVE SUMMARY:** Council gave first reading to Bylaw C-8305-2022 on June 28, 2022.

The subject 16.2 hectare (40.0 acre) site is presently used for grazing and contains an existing dwelling, barn, accessory structures, and an outdoor arena located centrally within the parcel. The existing approach off Grand Valley Road and the existing crossing over the Grand Valley Creek tributary provides direct access to the site.

The application proposes to subdivide the subject land into two 8.1 hectare (20.0 acre) parcels to start a new berry growing operation on the proposed southern lot (Lot 1). The application was assessed against Section 8.0 (Agriculture) of the Municipal Development Plan (County Plan) and specifically, Policy 8.18 relating to new or distinct agricultural operations.

The application meets the minimum parcel size requirement of 8.1 hectares (20.0 acres) permitted with a modifier, in accordance with the Agricultural, Small Parcel District (A-SML) district of the Land Use Bylaw C-8000-2020. However, the lot layout submitted by the Applicant appears to have been proposed based on meeting the minimum parcel size requirements of the Land Use Bylaw, rather than creating functional lots that promote efficient farming operations. Concern is particularly raised over the eastern strip of land within proposed Lot 1 and its ability to support future farming operations of significant value due to its narrow shape.

The Applicant and Administration have worked together to explore various parcel configurations, and this layout brought forward to Council was considered to have the least impact while still meeting the requirements of the Agricultural, Small Parcel District. Despite the efforts of the Applicant to propose an acceptable future subdivision layout, Administration concludes that the proposal would fragment the parcel in such a way that it affects agricultural operations, thereby conflicting with Section 8.0 of the County Plan.

As a secondary consideration, the Applicant has also not demonstrated a planning rationale for subdivision of the subject land as required by Policy 8.18 a); the proposed berry growing operation could be carried out on the existing parcel, as the Agricultural, General district supports general and intensive crop production operations. The applicant's rationale is provided in Attachment 'F'.

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

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### Administration Resources

Sangeeta Vishwakarma, Planning and Development Services

**OPTIONS:**

- Option # 1:      Motion #1      THAT Bylaw C-8305-2022 be given second reading.  
                          Motion #2      THAT Bylaw C-8305-2022 be given third and final reading.
- Option # 2:      THAT application PL20210146 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.

**APPLICABLE POLICY AND REGULATIONS:**

- *Municipal Government Act*;
- Municipal Development Plan (County Plan);
- Land Use Bylaw (C-8000-2020); and
- County Servicing Standards.

**TECHNICAL REPORTS SUBMITTED:**

- None

**POLICY ANALYSIS:**Municipal Development Plan (County Plan)

The subject land is located outside of an area structure plan and does not have a guiding conceptual scheme. As such, the proposal was evaluated in accordance with agricultural policies under Section 8.0 of the County Plan. Policy 8.18 of the County Plan provides criteria for evaluating redesignations to smaller agricultural parcels based on new or distinct agricultural operations.



## ROCKY VIEW COUNTY

The application proposes a future subdivision layout that creates a strip of land (approximately 82.5 metres by 242.0 metres) at the rear, along the eastern edge of Lot 1. Administration has concerns over the proposed width of the strip as any required setbacks for future development or road would limit development potential on this portion of land.

Administration does not anticipate significant impacts to adjacent lands or County infrastructure from the proposed land use change and future subdivision; however, this application and future subdivision would fragment viable agricultural land in a manner that does not promote efficient farming operations.

Furthermore, the application is not consistent with Policy 8.18 (b) and the definition of *New Agricultural Operation* of the County Plan. The planning rationale does not satisfactorily demonstrate that the proposed berry operation could not be carried under the existing land use and is distinctly different from the existing use of the subject land. The existing Agricultural, General land use allows for small-scale agricultural operations as proposed and as such, Administration finds that future subdivision simply for the proposed berry operation is unwarranted.

### Land Use Bylaw

The proposal meets the purpose and intent of the Agricultural, Small Parcel District, which is to provide a range of mid-sized parcels for agricultural uses. With rounding to one decimal point, the proposed lots meet the minimum parcel size requirement of 8.1 hectares (20.01 acres) permitted with a modifier, in accordance with the Agricultural, Small Parcel District (A-SML) district of the Land Use Bylaw.

### **ADDITIONAL CONSIDERATIONS:**

The application proposes access to Lot 1 through Lot 2 via the existing driveway which crosses Jumping Pound creek on site. Physical access directly to Lot 1 is constrained by the creek and would require an appropriate crossing as approved by Alberta Environment and Parks. An access easement will be required to be registered at the subdivision stage over Lot 2 for the benefit of Lot 1.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Dorian Wandzura”

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Acting Executive Director  
Community Services

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Chief Administrative Officer

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### **ATTACHMENTS**

ATTACHMENT ‘A’: Application Information  
 ATTACHMENT ‘B’: Application Referrals  
 ATTACHMENT ‘C’: Bylaw C-8305-2022 and Schedule A  
 ATTACHMENT ‘D’: Map Set  
 ATTACHMENT ‘E’: Public Submissions  
 ATTACHMENT ‘F’: Applicant’s Rationale