



PLANNING

TO: Council
DATE: November 15, 2022 **DIVISION:** 5
TIME: Morning Appointment
FILE: 05335005 **APPLICATION:** PL20220014
SUBJECT: Redesignation Item: Residential Use

APPLICATION: To redesignate the subject lands from Agricultural, Small Parcel District (A-SML p. 8.1) to Residential, Rural District (R-RURp.4.0) to allow for the future subdivision of one \pm 4.04 hectare (\pm 9.98 acre) parcel with a \pm 4.04 hectare (\pm 9.98 acre) remainder.

GENERAL LOCATION: Located approximately 1.61 kilometres (1.00 mile) north of Highway 564 and on the east side of Range Road 282.

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8303-2022 on June 14, 2022.

The subject 8.1 hectare (20.0 acre) site contains an existing dwelling and accessory buildings towards the western portion of the land. The site is located within a fragmented quarter section consisting of smaller agricultural parcels.

The application proposes to redesignate the subject site to create two future residential parcels to accommodate a new residence. Proposed Lot 1 would gain access through the existing approach off Range Road 282, located at the northwest corner of the site. A 12.5-metre-wide panhandle along the southern boundary is proposed for access to remainder Lot 2.

The application was reviewed against Section 10.0 (Country Residential Development) of the County Plan. The application meets the requirements of Policy 10.11 through to 10.15 relating to Fragmented Country Residential Areas. Specifically, a lot and road plan was provided along with supporting technical assessments demonstrating the ability to provide future road, servicing, and stormwater management solutions that are appropriate to the area.

The Applicant has proposed a parcel modifier be added to the proposed R-RUR district of 4.0 hectares (p.4.0); this would limit the potential for further subdivision of the subject land without first obtaining Council approval through a further redesignation application and public hearing to remove the modifier.

The application meets the purpose, intent, and minimum parcel size requirements of R-RUR district of the Land Use Bylaw C-8000-2020.

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

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-8303-2022 be given second reading.
 Motion #2 THAT Bylaw C-8303-2022 be given third and final reading.
- Option # 2: THAT application PL20220014 be refused.

Administration Resources

Sangeeta Vishwakarma, Planning and Development Services



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; and
- County Servicing Standards.

TECHNICAL REPORTS SUBMITTED:

- Biophysical Impact Assessment (Final), prepared by Western Water Resources (WWR) Inc., October 9, 2022
- Level 4 Model Process Assessment, prepared by Western Water Resources (WWR) Inc., February 7, 2022;
- Level 1 Groundwater Supply Evaluation, prepared by Western Water Resources (WWR) Inc., December, 2021;
- Biophysical Impact Assessment (Desktop), prepared by Western Water Resources (WWR) Inc., January, 2021;
- Conceptual Engineered Wetland Road Crossing Design Approach, prepared by Western Water Resources (WWR) Inc., January 2021;



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 against the County Plan.

In accordance with Section 10.0 of the County Plan, the subject lands are located within a fragmented quarter section, which is defined as “a quarter section of land within the agriculture area divided into six or more residential lots and/or small agricultural parcels, each of which is less than 10 hectares (24.7 acres) in size.” The subject parcel is within the maximum threshold for fragmented parcel sizes at ± 8.1 hectares (± 20.0 acres).

Policy 10.11 of the County Plan states that lots of the appropriate size within a fragmented quarter may be supported if a lot and road plan is provided. A lot and road plan was submitted under this application; the lot design is consistent with the design and technical requirements of Policy 10.11 (a) through (d). The Applicant has shown the ability to provide a future 25 metre road right of way along the southern boundary of the parcel if the quarter section subdivides further, beyond the single lot anticipated by this application. The application includes technical assessments addressing on and off-site impacts of the proposed driveway and future road to the existing wetland at the southern boundary and adjacent lands.

Policies 10.13 through to 10.15 of the County Plan requires implementation of the lot and road plan to be secured at the future subdivision stage. If Council approves this redesignation application, future road development on site could be ensured at the appropriate time by a subdivision condition requiring a road acquisition agreement. This would allow the County to obtain the required 25 metre wide strip of land at no cost to construct a road when deemed necessary by subsequent subdivision approvals.

Policy 16.13 (Road Access) of the County Plan discourages panhandle access to residential lots and requires that they be removed and replaced with an internal road when additional residential lots are proposed. Administration considers the panhandle access to be a practical approach for the proposed single parcel subdivision, prior to further infill subdivision and associated road construction occurring at a later stage.

Land Use Bylaw

The proposed parcel sizes exceed the minimum parcel size of 1.6 hectares (3.95 acres) under the R-RUR district; however, the Applicant has proposed modifier designation to be placed on the parcel to limit further subdivision without first being granted an approval through Council. R-RUR p.4.0 would be a suitable modifier to accommodate the two ± 4.04 hectare (± 9.98 acre) minimum parcel sizes.

ADDITIONAL CONSIDERATIONS:

The application includes a Biophysical Impact Assessment and a Conceptual Engineered Wetland Road Crossing Design Approach for development of the driveway and future road over the existing wetland on site. As a condition of future subdivision or development, any development over the existing waterbody would require Alberta Environment and Parks review and approval.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Dorian Wandzura”

Acting Executive Director
Community Services

Chief Administrative Officer



ROCKY VIEW COUNTY

SV/rp

ATTACHMENTS

ATTACHMENT 'A': Application Information

ATTACHMENT 'B': Application Referrals

ATTACHMENT 'C': Bylaw C-8303-2022 and Schedule A

ATTACHMENT 'D': Map Set

ATTACHMENT 'E': Public Submissions