



## Subdivision Item: Agricultural

Electoral Division: 3

File: PL20220177 / 07920001

Date:	April 9, 2024		
Presenter:	Oksana Newmen, Senior Planner		
Department:	Planning		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

## REPORT SUMMARY

The purpose of this report is to assess subdivision of the NW-20-27-05-W05M into two ± 32.37 hectare (± 80 acre) lots.

The subject parcel is located outside of an area structure plan; as such, the application was evaluated pursuant to the policies and regulations of the *Municipal Government Act*, the Municipal Development Plan (County Plan), and the *Land Use Bylaw*.

On November 28, 2023, the application was presented to Council for consideration. Administration recommended approval, subject to construction of a road extending 800 metres from Beaupre Road to service the resulting parcels, due to the lack of frontage to a public road. The landowner objected to the requirement, seeking to access the parcels in the same manner the parent parcel has been historically accessed: via easement agreement.

Council referred the matter back to staff with the following motion:

*“MOVED by Councillor Hanson that application PL20220177 be referred back to Administration to review alternative access possibilities and to bring back options for the Subdivision Authority’s consideration by end of Quarter 1 2024”*

Administration was unable to find any other means of creating physical direct access to a roadway. The landowner contacted the adjacent landowners whose properties would be subject to the access agreement as a result of the subdivision, and the landowner provided evidence of their support of a future agreement (see Attachment H).

Administration continues to recommend approval of the subdivision with the requirement for construction of an extension of Beaupre Road to serve the two resulting lots. Council may therefore consider the matter and make its decision on if an alternative easement agreement scheme is supported or if a road should be required to be constructed.

Council is the Subdivision Authority for the subject application in accordance with Section 5(1) of the *Subdivision Authority Bylaw* (C-8275-2022).

## ADMINISTRATION’S RECOMMENDATION

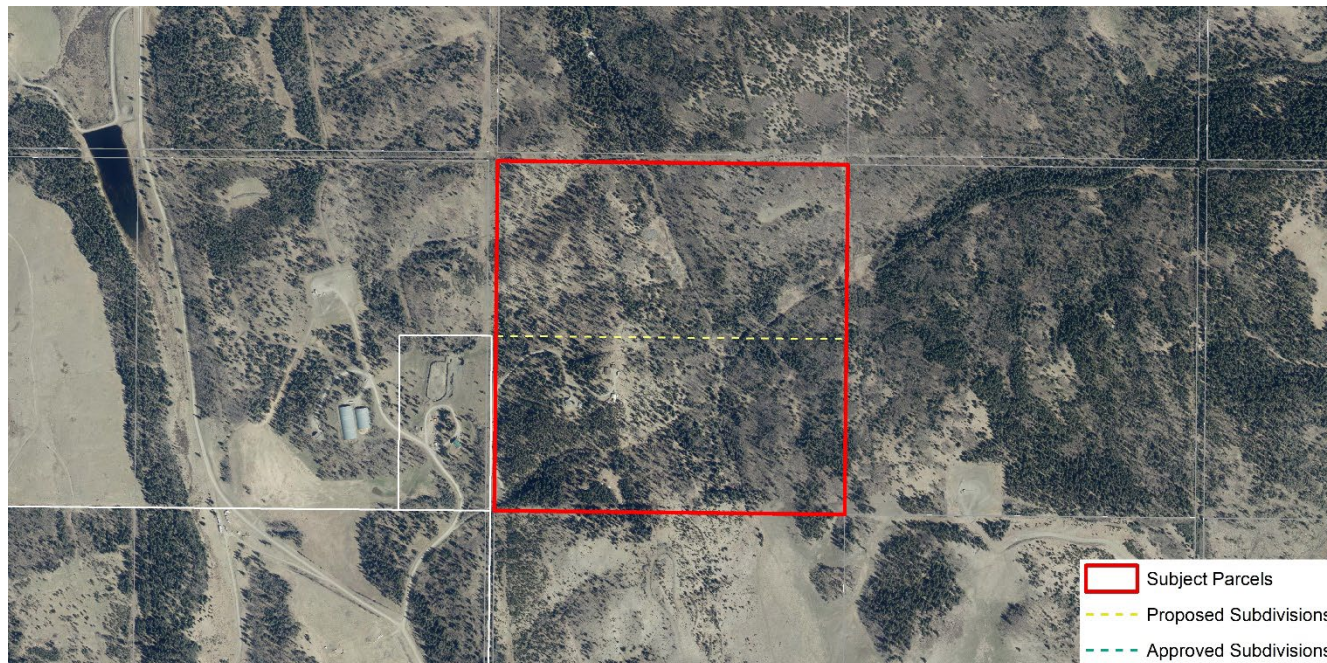
THAT subdivision application PL20220177 be approved with the conditions noted in Attachment F.

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### BACKGROUND

#### Location (Attachment A)

Located approximately 4.1 kilometres (2.5 miles) west of Grand Valley Road and 2.5 kilometres (1.6 miles) north of the Township Road 272 and Beaupre Creek Road junction.



#### Site History (Attachment B)

The site is an unsubdivided quarter section with no prior planning applications or approvals.

#### Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary internal and external agencies.

The application is not within an area guided by intermunicipal policy or requirements, or within the notification area for comments from Alberta Transportation and Economic Corridors. The only outstanding requirements pertain to site access through the construction of a Regional Low Volume road.

#### Landowner Circulation (Attachment D)

The application was circulated to 12 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); no letters were received.

### ANALYSIS

#### Policy Review (Attachment E)

The application was reviewed against Section 8.0 (Agriculture) of the County Plan. The application was found to be inconsistent with Policy 8.17 (b), as the proposal has no direct access to a developed public roadway. With construction of a roadway, this application would be consistent with the policy.

The subject land is designated Agricultural, General District (A-GEN), and subdivision of the lands through first parcel out provisions results in parcels consistent with this use.

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### COMMUNICATIONS / ENGAGEMENT

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Consultation was conducted in accordance with statutory requirements and County Policy C-327.

Separately, the landowner contacted the adjacent landowners who would be subject to future access easement agreements, and the provided information is shown in Attachment H.

### IMPLICATIONS

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#### Financial

No financial implications have been identified at this time.

### STRATEGIC ALIGNMENT

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As per Section 5(1) of the Subdivision and Development Authority Bylaw (C-8275-2022), Council is the decision-making authority owing to the Applicant requesting that their subdivision application be considered by Council.

### ALTERNATE DIRECTION

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Option 1: THAT subdivision application PL20220177 be approved with the alternate conditions of approval as noted in Attachment G.

Option 2: THAT subdivision application PL20220177 be refused for the following reasons:

1. The application does not comply with the Municipal Development Plan (County Plan).
2. The application does not comply with Section 9(e) of the Matters Related to Subdivision and Development Regulation with regards to accessibility to a road.
3. The application does not comply with Section 654(1)(b) of the *Municipal Government Act*.

### ATTACHMENTS

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Attachment A: Map Set

Attachment B: Application Information

Attachment C: Application Referral Responses

Attachment D: Public Submissions [None Received]

Attachment E: Policy Review

Attachment F: Approval Conditions (requiring road construction)

Attachment G: Alternate Approval Conditions (requiring access easement agreements)

Attachment H: Landowner Communications with Adjacent Landowners